The Parliament of the Commonwealth of Australia

Many Ways Forward

Report of the inquiry into capacity building and service delivery in Indigenous communities

House of Representatives
Standing Committee on Aboriginal and Torres Strait Islander Affairs

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Barry Wakelin's Foreword

The ATSIA Committee has grappled with the issues of the well-being of the Indigenous population from the perspective of the key factors which will most offer a better life for individuals, families and communities particularly relating to administration and governance.

We listened to many worthy and reasonable proposals to which government, community and individuals could benefit if implemented, supported and simply accepted.

This is an ideal time, in my opinion, to place our deliberations before the Parliament with many changes in prospect for the management of Aboriginal and Torres Strait Islander issues.

The best way I could think to sum up the last two years was to condense in my foreword a blending of comments from a small selection of our witnesses as a testimony to the commitment of so many Australians who assisted us in our inquiry.

Finally, I thank Committee members for their support and all staff for their untiring effort over the life of this Parliament.

Setting the scene

The Australian, in its Editorial of 27 May 2004 stated:

> …..In his Sorry Day speech at the Sydney Opera House last night, former prime minister Malcolm Fraser persisted with an older way of speaking about Aboriginal disadvantage in which the root cause is white racism. We need to become far more compassionate, he said. It would be hard to argue with that, but easy to argue about just what it means. For example, what is the properly compassionate response to the riot on the Block in Redfern in February that caused $1 million worth of property damage and injured 40 police? Ever since the riot, and again at this week's

> NSW parliamentary inquiry into it, we have heard racism, especially among police, trotted out as the spark that lit the inferno. The riot had many causes, heroin not least of them, and suggestions that only racism was responsible get us nowhere….[the view put] that the solution is to decriminalise heroin and set up an injecting room at Redfern – beggars all belief. The real solution is something like the opposite: zero tolerance, and an urban version of the grog bans pioneered by Cape York leader Noel Pearson in far north Queensland.
>
> … The abolition of ATSIC, which had turned into the most expensive and damaging sideshow in indigenous affairs, is a start. But we still need to empower Aborigines where they live and work. Top-down solutions imposed from Canberra, whether by white bureaucrats or indigenous representatives, only encourage welfare passivity. As the father of reconciliation, Patrick Dodson, said on Tuesday night, the abolition of ATSIC had unwittingly opened up a new opportunity for practical Aboriginal advancement. ***It is an opportunity that must not be missed.***[1] [emphasis added]

Employment

Mr Dick Estens, Vice-Chair, Aboriginal Employment Strategy Ltd., Roundtable Discussion, Canberra, 13 February 2004:

> The Aboriginal Employment Strategy has been going in Moree for six years.[2]
>
> …Our whole project works on a good psychological game plan. It is about young Aboriginal people visiting businesses and building relationships. There are no problems with businesses employing Aboriginal people. They just want good units which have young Aboriginal community people working in them – young Aboriginal people who mix and socialise in the Aboriginal communities in the towns that they operate and live in.[3]

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1 *The Australian*, May 27 2004, Editorial, 'Sorry tale of failed politics'.

2 Mr Richard Estens**,** Vice Chair, Aboriginal Employment Strategy Ltd, Transcript (13.02.04), p. 1468.

3 Mr Richard Estens**,** Vice Chair, Aboriginal Employment Strategy Ltd, Transcript (13.02.04), p. 1469.

> I think we should be rewarding Aboriginal organisations, instead of the businesses for employing an Aboriginal person, for having business people on their board. If they have business people on their board, they will help get the corporate governance side right. You get creative thinking.[4]

Mr Dennis Davey, Elder, Ardyaloon Inc., Lombadina, 7 August 2003:

> …I picked it [work skills] up on the road on the track. No school, no pencils there. So what is the difference? Work. Can you tell me how it happened? Where is it coming from? It was not from education for sure. I did not go to any school.[5]

Commissioner Klynton Wanganeen, South Australian Zone, Aboriginal and Torres Strait Islander Commission, Adelaide, 23 September 2003:

> I had three apprentices from the AP Lands. They were passing their tests but only with about 17 per cent of answers right. Once people started testing them orally they were getting 75 per cent, 76 per cent. They knew the practical work that was required, but they were having difficulty understanding or comprehending the way the questions were asked. Often in TAFE courses for trades the assessments are not written by people who are practically involved in the teaching or have a trade background. They are written by academics who really structure sentences which can confuse a person rather than help a person to comprehend.[6]

Ms Janina Gawler, Manager, Aboriginal Relations, Rio Tinto Ltd., Melbourne, 19 February 2003:

> Some three years ago, in conjunction with the federal government and the local communities, we developed an employment strategy which has seen an additional 181 Aboriginal employees brought onto sites, with a high level of retention of between 75 per cent and 80 per cent… Those changes are becoming rapidly apparent in Western Australia- in the Hamersley Iron range and increasingly around the Argyle mine.[7]

---

4 Mr Richard Estens**,** Vice Chair, Aboriginal Employment Strategy Ltd, Transcript (13.02.04), p. 1489.

5 Mr Dennis Davey, Elder, Ardyaloon Inc., Lombadina, Transcript (07.08.03), p. 1057.

6 Commissioner Klynton Wanganeen, South Australian Zone, Aboriginal and Torres Strait Islander Commission, Transcript (23.09.03), p. 1206.

7 Ms Janina Gawler**,** Manager, Aboriginal Relations, Rio Tinto Ltd, Transcript of dicsussion (19.02.03), p. 471.

Lieutenant Colonel Mark Shephard, Commanding Officer, 19th Chief Engineer Works, Land Command Department of Defence (Army), Canberra**,** 10 September 2003:

> The aspiration for education, the aspiration to knuckle down and attend training—to hang around to the end—and the aspiration to have a local or Indigenous business centre in their community. It might be tourism, it might be maintenance of the roads or it might be a small house maintenance concern from which they could generate their own income aside from the CDEP, the Work for the Dole program or their canteen. Then the young people could say, "Perhaps I could go to TAFE," or "Perhaps I could go to university," or "Perhaps I could join the Army."[8]

Education

The Hon Bob Collins, Darwin, 27 November 2002:

> People have been saying to me in this place for 30 years that it is going to take another generation. What keeps me awake at night is that the MAP test results that I have just given you are the next generation …[9]
>
> …One point I need to make is, if I had to nominate one single area where capacity needs to be built in Aboriginal communities, I would cite education without hesitation.[10]

Professor John Lester, Head, Wollotuka School of Aboriginal Studies; and Director, Umulliko Indigenous Higher Education Research Centre, University of Newcastle, Newcastle, 7April 2003:

> The reality, however, is that the best laid plans will not come to fruition unless you have on-the-ground skills.[11]

Mr Richard Trudgen, Business Manager, Public Officer, Aboriginal Resource and Development Services Inc., Darwin, 27 November 2002:

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8 Lieutenant Colonel Mark Shephard, Commanding Officer, 19th Chief Engineer Works, Land Command Department of Defence (Army), Transcript (10.09.03), p. 1144.

9 The Hon. Bob Collins, (private capacity), Transcript (27.11.02), pp. 167-168.

10 The Hon. Bob Collins, (private capacity), Transcript (27.11.02), p 168.

11 Professor John Lester, Head, Wollotuka School of Aboriginal Studies, and Director, Umulliko Indigenous Higher Education Research Centre, University of Newcastle, Transcript (07.04.03), p. 570.

> …It means Indigenous people and people with English as their first language working together to what we call charter the English language, especially the cognitive, effective language. It is the main reason that education is failing absolutely in Aboriginal communities: people have just reached this state of ultraconfusion.[12]

Bureaucracy

Mrs Cathy Duncan, Chief Executive Office and Chairperson, Aboriginal Employment Strategy Ltd., Roundtable Discussion, Canberra, 13 February 2004:

> Our organisations get paid on what I used to say quite frankly is black bums on seats. Do you know how hard it is to get an Aboriginal person on that seat for 26 weeks and stay for life? It is not outcome based all the time. It is about the efforts to get to that outcome. What governments need to do is step back a little bit, which has been heard around this table.[13]

Ms Janina Gawler Manager, Aboriginal Relations, Rio Tinto Ltd., Melbourne, 19 February 2003:

> If I was looking to provide some advice to the inquiry, it is needing flexibility from government and a responsiveness. The time frame for delivery on agreements in terms of contracts and in moving from the policy to the program has a huge delay. As you have indicated, productivity of companies is critical and the train is well out of the station. Our experience with government is that the needs of the communities are well articulated, and have been for some time. The corporation and the group working with them, the community relations group, agrees. Programs are designed and developed. We have some resources to put in. We need some resources from the other side. Our train is four stations ahead and we are just starting the discussions back at the beginning of the line. The level of frustration that occurs in those scenarios is quite high. However, we have people who are skilled in patience.[14]

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12 Mr Richard Trudgen, Business Manager, Public Officer, Aboriginal Resource and Development Services Inc., Transcript (27.11.02), p. 240.

13 Mrs Cathy Duncan, Chief Executive Office and Chairperson, Aboriginal Employment Strategy Ltd, Transcript (13.02.04), p. 1477.

14 Ms Janina Gawler, Manager, Aboriginal Relations, Rio Tinto Ltd, Transcript (19.02.03), p. 475.

Ms Suzi Lodder, Special Adviser, Indigenous Policy Branch, Department of Family and Community Services, Roundtable Discussion, Canberra, 13 February 2004:

> Briefly, on housing it seems to me that current programs will be unlikely to meet the backlog let alone the future needs of the growing populations, particularly in remote areas. So enabling self-provision and self-maintenance, including on communal title lands, needs more focus… We have a successful prototype in the Cape York family income management project but very little resources to expand this nationally…[15]

Mr Bryan Palmer, Assistant Secretary, Social Programs and Reconciliation, Department of Immigration and Multicultural and Indigenous Affairs, Roundtable Discussion, Canberra, 13 February 2004:

> …[T]here is a long history of fads and searches for the holy grail and magic bullets in Indigenous affairs policy. While building the capacity of individuals, organisations and governments is important, it is just part of the wider picture of addressing Indigenous disadvantage and promoting social and economic wellbeing. It is not the total answer… I think that in making recommendations it is important to look at evidence based approaches that allow us to identify with confidence the policy expansions or changes that will make the most improvement. The discussion paper contains many ideas… I think it is important that as we pick through them and consider them individually we look for empirical examples of their success and the extent of the impact they will have as we build the optimum mix of effective strategies for building the capacity of individuals, families, organisations and government.[16]

Mr Anthony Roediger, Project Leader, Boston Consulting Group, Roundtable Discussion, Canberra, 13 February 2004:

> It is… not the only system that you could have for accountability. It is not the system you use internally within government. You have a far more people driven, flexible, team based approach to accountability within government departments, yet as soon as it

15 Ms Suzi Lodder, Special Adviser, Indigenous Policy Branch, Department of Family and Community Services, Transcript (13.02.04), p. 1449.

16 Mr Bryan Palmer, Assistant Secretary, Social Programs and Reconciliation, Department of Immigration and Multicultural and Indigenous Affairs, Transcript (13.02.04), p. 1454.

> gets to an outsourced model you use a kind of procurement approach that presumes some kind of corporate sophistication. So I think the challenge is to come up with a different system that does not presume that people have that sort of expertise.[17]

Ms Carolyn McNally, Assistant Secretary, Priority Groups Policy Branch, Department of Employment and Workplace Relations, Roundtable Discussion, Canberra, 13 February 2004:

> …One of the big issues for me has been who I talk to. In my role, I have numbers of people lobbying me and talking to me. I hear a different story every day. I hear a different story from people in the community. When I talk to the community representatives, I hear another story. When I talk to other government departments, I hear another story. Quite honestly, at a senior level in bureaucracy, it is very difficult to work your way not only through the maze of government bureaucracy but through the maze of representative organisational structures that we are expected to go through.[18]

Leadership

Professor Mick Dodson, Director, Australian Indigenous Leadership Centre, Roundtable Discussion, Canberra, 13 February 2004:

> …We all know that few people are born leaders. Leaders require nurturing, coaching and supporting. Leaders need exposure to experiences which build skills and role models to inspire and drive change. Leadership authority must be culturally sanctioned and transferable into wider environments and contexts.[19]
>
> …The discussion paper might give the ignorant impression that the Australian Indigenous Leadership Centre is funded by the Department of Family and Community Services… Of that 75 per cent, a substantial proportion – over 50 per cent – comes from offshore, which is probably damning in one way or another. That a big foundation in New York has to fund Indigenous leadership

17 Mr Anthony Roediger**,** Project Leader, Boston Consulting Group, Transcript (13.02.04), p. 1479.

18 Ms Carolyn McNally, Assistant Secretary, Priority Groups Policy Branch, Department of Employment and Workplace Relations, Transcript (13.02.04), p. 1485.

19 Professor Mick Dodson**,** Director, Australian Indigenous Leadership Centre, and Chair, Australian Institute of Aboriginal and Torres Strait Islander Studies, Transcript (13.02.04), p. 1444.

development in Australia is shameful, in my opinion. But we are very much appreciative of Family and Community Services' contribution, along with those of many other government agencies, including state government agencies and, in some instances, local government, and also many Australian corporations.[20]

Welfare

Mr Michael Winer, Chief Executive Officer, Indigenous Enterprise Partnerships, Cairns, 7 July 2003:

> The time scale point is very important. It was our assessment that welfare dependency is very entrenched. It kicked off 30 years ago so it is an intergenerational issue. Indigenous Enterprise Partnerships recognises the total structural change and community change that is required and it has made a 20-year commitment to the region. We spent two or three years think tanking and have really only been delivering services over the past 24 months. It is very early days, but we are quite impressed by some of the progress that has been made on Cape York. When we started we could identify two Aboriginal run businesses on Cape York; the rest were community run. Some of our business colleagues who visited the region likened the way that the community economies had been set up to communist ghettos, and probably no better than the communist ghettos that are currently being deconstructed in Eastern Europe. That is how solid the mindset was. The imposition of rule over those communities has affected them to the point that people are now scared to engage in business. They wonder whether they are permitted to engage in business.[21]

Mr Michael Mundine, Chief Executive Officer, Aboriginal Housing Co. Ltd., Redfern, 8 April 2003:

> …[T]his welfare mentality is poisoning our people's minds; that is why we have ended up with a vicious cycle of evil down there. It is time for a change. I really feel that it is time to move on. We

20 Professor Mick Dodson**,** Director, Australian Indigenous Leadership Centre, and Chair, Australian Institute of Aboriginal and Torres Strait Islander Studies, Transcript (13.02.04), p. 1482.

21 Mr Michael Winer**,** Chief Executive Officer, Indigenous Enterprise Partnerships, Transcript (07.07.03), p. 747.

> have to think about the present and the future. A lot of our people still think about the present and dwell on the past. It is not very good for our people, and it is no good for the next generation.[22]

Professor Stephen Cornell, Director, Udall Center for Studies in Public Policy, University of Arizona, Canberra, 3 November 2003:

> …What we have seen though is that the federal legislation on welfare has had less of an impact on welfare statistics among indigenous nations than have the economic initiatives that indigenous nations themselves have made. One of the things that we have discovered is that, as indigenous nations in the US take control of their own affairs, they tend to move from an attitude to welfare as being an entitlement towards a position of wanting to escape the dependency, because they have realised that that dependency has a political dimension to it. The decisions that are shaping economic conditions in Indian country are being made somewhere a thousand miles away, and these nations want to make those decisions for themselves.
>
> They realise that one of the best ways to do that is to create sustainable economies that reduce their dependency on the federal government. I think the major progress that has been made in the US regarding welfare dependency has been through tribal economic initiatives and tribal assertions of self-governance, which have produced this desire to reduce that dependency.[23]

Looking to the future

Mr Mike Fordham, General Manager, Torres Strait Regional Authority, Roundtable Discussion, Canberra, 13 February 2004:

> …[I]t is not good enough for government agencies to simply appear in the region, having scant regard for real consultation or collaboration, and then proceed to deliver inappropriate services or programs as only they see fit. Believe me, that still does happen. People still try to do that. We see this too often in the Torres Strait, often ending with what I would call the culprits finally asking us to help when it is all too late. I often despair about such efforts of

22 Mr Michael Mundine, Chief Executive Officer, Aboriginal Housing Co. Ltd, Transcript (08.04.03), p. 614.

23 Professor Stephen Cornell, Director, Udall Center for Studies in Public Policy, University of Arizona, Transcript (03.11.03), p. 1368.

> policy development and service delivery. Work such as ours cannot be hands-on and driven from Canberra or Brisbane.[24]

Ms Olga Havnen, Manager, Indigenous Program, The Fred Hollows Foundation, Roundtable Discussion, Canberra, 13 February 2004:

> …**Quite frankly, I think we are sick to death of being the political football.** The problem is not intractable. We are talking about 200,000 or 300,000 people across the country. We are not talking about millions, as you do in Africa, when you talk about development and poverty alleviation. It requires some genuine goodwill and commitment on the part of the government. Forums and discussions such as these are very constructive. I think you need to be commended for having had the discussion. I urge that you actually find some way of perhaps considering in your report what might be the next steps in terms of widening the discussion and broadening the engagement from community sector organisations in Indigenous communities but also more broadly, as we mentioned today, from the corporate and private sector and from the NGO sector. I think there are some real opportunities there for finding… a better way forward.[25] [emphasis added]

Ms Laura Beacroft, Registrar, Office of the Registrar of Aboriginal Corporations, Roundtable Discussion, Canberra, 13 February 2004:

> … [O]ne of the important things that the Harvard model shows is that if you look at the content of their indicators, they are 80 per cent internal and 20 per cent bottom line. I think that is a pretty good formula for what outcomes reporting should be really focusing on.[26]

Mr Michael Winer, Chief Executive Officer, Indigenous Enterprise Partnerships, Roundtable Discussion, Cairns, 07 July 2003:

> …In terms of achievements, I stress that we continually find new blockages and things that need to be done. It is constant. Often when we discover that, the barriers are so obvious. We saw that it was important to build the capacity of the Aboriginal

24 Mr Mike Fordham**,** General Manager, Torres Strait Regional Authority, Transcript (13.02.04), p. 1461.

25 Ms Olga Havnen, Manager, Indigenous Programs, Fred Hollows Foundation, Transcript (13.02.04), p. 1479.

26 Ms Laura Beacroft**,** Registrar, Office of the Registrar of Aboriginal Corporations, Transcript (13.02.04), p. 1467.

> organisations to deliver the services, to manage the corporate and philanthropic engagement and to set the priorities. To do that, the level of expertise in those organisations needed to be cranked up. For the corporate, philanthropic and business sectors to truly engage with the communities there needed to be an infrastructure platform within the communities and the remote regions in which they could participate. Those infrastructures needed to be under Aboriginal control. Those were critical issues. They needed to be under Aboriginal control so that Aboriginal people would take the credit for success in the programs and take responsibility for any failures in the programs or in the business development agenda. Working with Balkanu, a team came from Harvard which was overseen by the Boston Consulting Group. That team looked at a business facilitation model that included the creation of a series of business hubs in the community that would interface with the community. That is now established and it is a great achievement.[27]

Mr Tony Lotton, Economic Development and Training Coordinator, Lake Tyers Aboriginal Trust and Bungyarnda Community Development Employment Projects Co-op Ltd., Melbourne, 19 February 2003:

> …We need to utilise advice, assistance and training from mainstream professionals in a mentoring capacity. I have found that the transfer of skills under a mentoring arrangement achieves better outcomes in the long run.[28]

Mr Richard Trudgen, Business Manager, Public Officer, Aboriginal Resource and Development Services Inc., Darwin, 27 November 2002:

> … [Y]ou start to find the teachers who are good at language and you value add to those again…We know that we can save the Territory government and the Commonwealth millions of dollars. We could probably drop the renal rates in Arnhem Land 20 per cent by just teaching people how to drink water and then going on to explain what renal failure is about. We know that we can get

27 Mr Michael Winer**,** Chief Executive Officer, Indigenous Enterprise Partnerships, Transcript (07.07.03), pp. 747-748.

28 Mr Tony Lotton, Economic Development and Training Coordinator, Lake Tyers Aboriginal Trust and Bungyarnda Community Development Employment Projects Co-op Ltd, Transcript (19.02.03), p. 480.

> massive changes because we have seen that face to face over the last 10 years.[29]

Professor Stephen Cornell, Director, Udall Center for Studies in Public Policy, University of Arizona, Canberra, 3 November 2003:

> …[T]he closest thing to the issue that I can say is that past policy has often encouraged competition within groups among family units… the view that what tribal government is about is divvying up the goodies—who gets the jobs, who gets the money, who gets the welfare services, who gets this and who gets that… That has encouraged family units to see other family units as competition for scarce resources…
>
> What happens when a tribal unit begins to rethink what government is about—to shift in thinking about government as the distributor of goodies to the vehicle by which the nation starts to reshape its future—is that it changes its thinking from an emphasis on distributive economics to an emphasis on productive economics. It gets people within the community to see the government less as the source of all the things that they need and more as the vehicle by which all of them can work together to produce more of what they all need. When we see that happen, we tend to see some of these family units that can no longer remember why they do not like each other begin to work together and begin to see themselves as participants in a larger enterprise.[30]

The long view

Reverend William Edwards (private capacity), Adelaide, 23 September 2003:

> At that time, Commonwealth finance was unavailable for Aboriginal work. The Presbyterian Board of Missions provided staff salaries—which were fairly low—and occasional extra funding for development work, such as fencing, well sinking et cetera. They also provided a budget in 1958 of $9,600 for general running expenses. The South Australian government provided some rations for children, nursing mothers and aged persons.

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29 Mr Richard Trudgen, Business Manager, Public Officer, Aboriginal Resource and Development Services Inc, Transcript (27.11.02), pp. 247-248.

30 Professor Stephen Cornell, Director, Udall Center for Studies in Public Policy, University of Arizona, Transcript (03.11.03), p. 1374.

> Child endowment was paid to the mission as a lump sum and used to provide meals for school and younger children.
>
> The craft room brought in some income. In following years, men were employed in gardening, fencing, shearing, boring, brick making, building and other employment. Younger men were often employed as stockmen on nearby stations. Men without such employment were encouraged to hunt. Older couples were employed as shepherds. Women were employed as school and clinic assistants and in staff houses and in the craft room. During these years Ernabella was a place of relative peace and purpose. All children attended school regularly and the clinic provided good or adequate medical services. There were few social problems.[31]

Conclusion

I am not by nature an optimist. On the issue of the Indigenous people of Australia however I have gained strength through the despair from the capacity and humour of the Aboriginal and Torres Strait Islander people. Added to by the commitment of many knowledgeable people who have made it clear it is possible to make progress.

The opportunities exist for significant improvement. There is goodwill from Australians to the well-being of Aboriginal and Torres Strait Islander people and clearly the Parliament and the nation will take great pride in seeing all Australians enjoying an improved quality of life regardless of their background!

Barry Wakelin MP
Chair

31 Reverend William Edwards, (private capacity), Transcript (23.09.03), p. 1225.

Membership of the Committee

Chair Mr Barry Wakelin MP

Deputy Chair Ms Kelly Hoare MP

Members

Mr John Cobb MP (from 06/02/03)

Mr Michael Danby MP (to 20/03/03)

Mrs Trish Draper MP

Ms Julia Gillard MP (from 20/03/03 to 18/08/03)

Mr Barry Haase MP

Mrs Kay Hull MP (to 06/02/03)

The Hon. Dr Carmen Lawrence MP

Mr Jim Lloyd MP

Mr Daryl Melham MP (from 18/08/03)

The Hon. Mr Warren Snowdon MP

Mr David Tollner MP

Committee Secretariat

Secretary	Ms Catherine Cornish
	Mr Paul McMahon (from 07/02 to 01/03)
Inquiry Secretary	Mr Mark McRae (from 13/02/04)
	Dr Jacqueline Dewar (from 16/09/02 to 13/02/04)
	Mr James Catchpole (to 02/09/02)
Research Officers	Ms Teena Crocker (from 02/10/03)
	Ms Zoe Smith (from 28/10/02 to 26/09/03)
Administrative Officers	Ms Sulie Tay (from 03/06/03)
	Ms Carly Rogers (to 06/06/03)

Terms of reference

Inquiry into Capacity Building in Indigenous Communities

The Committee will inquire into and report on strategies to assist Aboriginals and Torres Strait Islanders better manage the delivery of services within their communities. In particular, the Committee will consider building the capacities of:

a) community members to better support families, community organisations and representative councils so as to deliver the best outcomes for individuals, families and communities;

b) Indigenous organisations to better deliver and influence the delivery of services in the most effective, efficient and accountable way; and

c) government agencies so that policy direction and management structures will improve individual and community outcomes for Indigenous people.

List of abbreviations

AACAP	ATSIC-Army Community Assistance Program
ABS	Australian Bureau of Statistics
ACCC	Australian Competition and Consumer Commission
ACCHS	Aboriginal Community-Controlled Health Services
ACRA	Arwarbukarl Cultural Resource Association
ACT	Australian Capital Territory
AES	Aboriginal Employment Strategy
AHMRC	Aboriginal Health and Medical Research Council
AIATSIS	Australian Institute of Aboriginal and Torres Strait Islander Studies
AIHW	Australian Institute of Health and Welfare
AILC	Australian Indigenous Leadership Centre
ALGA	Australian Local Government Association
AMSANT	Aboriginal Medical Services Alliance Northern Territory
ANU	Australian National University
ARIA	Accessibility/Remoteness Index of Australia
ASIC	Australian Securities and Investment Commission
ATSIA	Aboriginal and Torres Strait Islander Affairs
ATSIC	Aboriginal and Torres Strait Islander Commission
ATSIS	Aboriginal and Torres Strait Islander Services
BCG	Boston Consulting Group

CAEPR	Centre for Aboriginal Economic Policy Research
CARHDS	Central Australian Remote Health Development Services
CAT	Centre for Appropriate Technology Inc.
CDEP	Community Development Employment Project
CEO	Chief Executive Officer
CGC	Commonwealth Grants Commission
CHINS	Community Housing and Infrastructure Needs Survey
CHIP	Community Housing and Infrastructure Program
COAG	Council of Australian Governments
CPS	CDEP Participant Supplement
Cth	Commonwealth
CWP	Community Working Parties
CYP	Cape York Partnerships
CYSU	Cape York Strategy Unit
DEST	Department of Education, Science and Training
DEWR	Department of Employment and Workplace Relations
DIMIA	Department of Immigration and Multicultural and Indigenous Affairs
DOTARS	Department of Transport and Regional Services
FaCS	Department of Family and Community Services
FAG	Financial Assistance Grant
FHF	Fred Hollows Foundation
FIM	Family Income Management
GIS	Geographic Information System
HREOC	Human Rights and Equal Opportunity Commission
HRSCAA	House of Representatives Standing Committee on Aboriginal Affairs
IAD	Institute for Aboriginal Development
IBA	Indigenous Business Australia

ICCT	Indigenous Communities Coordination Taskforce
ICV	Indigenous Community Volunteers
IEC	Indigenous Employment Centre
IEP	Indigenous Enterprise Partnerships
IHANT	Indigenous Housing Authority of the Northern Territory
ISBF	Indigenous Small Business Fund
KWCCT	Katherine West Coordinated Care Trial
KWHB	Katherine West Health Board
LGANT	Local Government Association of the Northern Territory
MBS	Medical Benefits Scheme
MCATSIA	Ministerial Council on Aboriginal and Torres Strait Islander Affairs
MCEETYA	Ministerial Council on Education, Employment, Training and Youth Affairs
MOU	Memorandum of Understanding
NACCHO	National Aboriginal Community Controlled Health Organisation
NAHS	National Aboriginal Health Strategy
NATSIHC	National Aboriginal and Torres Strait Islander Health Council
NEIS	New Enterprise Incentive Scheme
NGO	Non-Government Organisation
NICP	National Indigenous Cadetship Programme
NPY	Ngaanyatjarra Pitjantjatjara Yankunytjatjara
NSW	New South Wales
NT	Northern Territory
NTU	Northern Territory University
OATSIA	Office of Aboriginal and Torres Strait Islander Affairs
ORAC	Office of the Registrar of Aboriginal Corporations

PADV	Partnerships Against Domestic Violence
PBS	Pharmaceutical Benefits Scheme
QLD	Queensland
RASC	Remote Area Service Centre
RTC	Rural Transaction Centres
SA	South Australia
SCRCSSP	Steering Committee for the Review of Commonwealth / State Service Provision
SCRGSP	Steering Committee of the Review of Government Service Provision
SPP	Specific Purpose Payment
STEP	Structured Training and Employment Projects
TAFE	Technical and Further Education
TAS	Tasmania
TCU	Traditional Credit Union
TSRA	Torres Strait Regional Authority
UNDP	United Nations Development Programme
US	United States
VACCHO	Victorian Aboriginal Community Controlled Health Organisation
VAEA	Victorian Aboriginal Education Association Inc.
VET	Vocational Education and Training
VIC	Victoria
WA	Western Australia

List of recommendations

2 Setting the context

Recommendation 1

The Committee recommends that:

(a) the Commonwealth Government, in consultation with the Australian Bureau of Statistics and the Steering Committee for the Review of Government Service Provision, take a lead role in the establishment of an agreement with State and Territory governments on the collection of uniform data in relation to Indigenous Australians; and

(b) the process be given the highest priority.

Recommendation 2

The Committee recommends that the Commonwealth Government make Aboriginal and Torres Strait Islander Affairs a permanent agenda item at future COAG meetings.

3 Building the capacity of government agencies

Recommendation 3

The Committee recommends that the Commonwealth Government report to Parliament on an annual basis on the progress of the COAG Trial of the whole of government approach to service delivery in Indigenous communities and regions, and that procedures be implemented to ensure that the report presented in the House of Representatives stands referred to this Committee for its consideration and report.

Recommendation 4

The Committee recommends that:

(a) the Commonwealth Government present a national report to Parliament on Indigenous disadvantage, outlining progress against the Priority Outcomes, Headline Indicators and the Strategic Areas for Action established by the SCRGSP *Overcoming Indigenous Disadvantage* report, on an annual basis;

(b) that a comprehensive report on these outcomes be presented every five years in accordance with the availability of census data; and

(c) procedures be implemented to ensure that the reports presented to the House of Representatives stand referred to this Committee.

Recommendation 5

The Committee recommends that the Commonwealth Government investigate the utilisation of community development courses as an induction for agency staff and others working with Indigenous communities, especially in remote areas, with the purpose of ensuring agency staff have an understanding of Indigenous communities' history and culture, and relevant policy issues and development practices.

Recommendation 6

The Committee recommends that the Commonwealth Government, through COAG, convene a roundtable between Commonwealth, State and Territory government representatives, together with members of local government and Indigenous representatives, to clarify program and service delivery roles, responsibilities and issues of cost shifting.

Recommendation 7

The Committee recommends that, in relation to the provision of services to Aboriginal and Torres Strait Islander communities, the Commonwealth Government ensure a whole of government approach, together with the States and Territories and local government, in consultation with Indigenous Australians, including:

(a) a shift in emphasis in service provision to a regional or location specific basis (in full consultation with the Indigenous communities involved);

(b) the co-location of relevant Commonwealth Government and other agency staff;

(c) enhancing communication and developing partnerships both with Indigenous communities and families, and between governments;

(d) the incorporation of capacity building into the design and implementation of programs delivering services to Indigenous communities, including funds to enable mentoring of community members and organisations;

(e) the further development of program benchmarks in terms relevant to Indigenous people, and the adoption of regular public reporting regimes on those benchmarks, including reporting to the relevant Indigenous communities;

(f) the creation of frameworks for service delivery that are familiar and acceptable to Indigenous people;

(g) the enhancement of the skills and capacity of agency staff (including cross-cultural and language training, and the placement of high level staff and policy makers 'on the ground' in Indigenous communities) and the placement of appropriately skilled field officers 'on the ground', and reducing the turnover rate of such staff;

(h) a commitment to the creation of Indigenous specific positions in agency structures; and

that it report on progress to the Commonwealth Parliament on a regular basis (possibly in conjunction with the proposed report on Indigenous disadvantage) and procedures be implemented to ensure that the report presented to the House of Representatives stands referred to this Committee for its consideration.

Recommendation 8

The Committee recommends that, as part of a better coordinated and integrated approach to the delivery of services to Indigenous communities, the Commonwealth Government investigate the development of pooled funding models whereby grants and entitlements that are formula funded can be combined into a single budget with a single reporting regime.

Recommendation 9

The Committee recommends, in relation to contracts to provide services to Indigenous communities, the Commonwealth Government ensure that:

(a) appropriate consideration be given to the utilisation of providers from within the community (and should such a course eventuate, the fact be noted in the public reporting process); and

(b) in seeking tenders to deliver services:

(i) the provision of capacity building to local people is a component of the tender; and

(ii) local knowledge is a condition of the awarding of the tender.

4 Building the capacity of Indigenous organisations

Recommendation 10

The Committee recommends that the Commonwealth Government continue to support research into governance in Indigenous communities with a view to developing a body of knowledge that can be utilised to assist in the development of effective institutional governance in Indigenous communities.

Recommendation 11

The Committee recommends that the Commonwealth Government:

(a) investigate building a governance training and mentoring component into the provision of funding to Indigenous community organisations, and that the programs funded this way be monitored against agreed benchmarks and targeted outcomes; and

(b) continue to invest in and further develop appropriate training and mentoring programs in partnership with Indigenous people and, in particular, increase funding support for the Australian Indigenous Leadership Centre and other similar programs.

Recommendation 12

The Committee recommends that, in relation to Indigenous communities and organisations employing staff from outside their communities in service delivery roles, the Commonwealth Government initiate action to establish a central register to accredit people available to work for Indigenous communities and organisations in order to provide those communities and organisations with confidence in the selection of reputable staff. In particular, the register should:

(a) be compiled in collaboration with representatives from Indigenous communities and relevant State and Territory bodies responsible for the funding of Indigenous communities; and

(b) be maintained centrally, either through an agency such as the Department of Employment and Workplace Relations, or a central employment agency.

Recommendation 13

The Committee recommends that the Commonwealth Government:

(a) promote and further develop initiatives such as Indigenous Community Volunteers to enhance mentoring and skills development in Indigenous communities and organisations; and

(b) take a leadership role in encouraging partnerships and joint ventures between the private/corporate sector and Indigenous communities, organisations and individuals.

5 Building the capacity of individuals, families and communities

Recommendation 14

The Committee recommends that the Commonwealth Government's Partnerships Against Domestic Violence (PADV) produce a report to Parliament on the impacts of PADV initiatives funded to address Indigenous family violence and that procedures be implemented to ensure that the report presented to the House of Representatives stands referred to this Committee.

Recommendation 15

The Committee recommends that the issue of strategies to address alcohol and substance misuse in Indigenous communities be referred to this Committee for inquiry and report.

1

Introduction

Referral to Committee

1.1 On 19 June 2002, the Minister for Immigration and Multicultural and Indigenous Affairs, the Hon Phillip Ruddock MP, referred to the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs terms of reference for an inquiry into capacity building and service delivery in Indigenous communities.[1] A copy of the terms of reference is at page xxii.

Conduct of the inquiry

1.2 The Committee advertised the inquiry and sought submissions in June 2002, and distributed an information pamphlet on the inquiry throughout Australia. Additionally, the Chair wrote to relevant Ministers, State Premiers, Chief Ministers, organisations and individuals seeking submissions to the inquiry.

1.3 Eighty written submissions were received in response to the invitation to comment on the terms of reference. A list of the submissions received by the Committee is at Appendix A. A list of other documents of relevance to the inquiry that were formally received by the Committee as exhibits is at Appendix B.

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1 The Minister's referral was made pursuant to House Standing Order 324b.

1.4 The Committee consulted widely and took evidence at public hearings and private briefings from 16 October 2002 to 22 March 2004 in:

- ⇒ Thursday Island, Coconut Island (Poruma) and Moa Island (St Pauls and Kubin) in the Torres Strait;
- ⇒ Maningrida, Wadeye, Alice Springs and Darwin (NT);
- ⇒ Shepparton, Warrnambool and Melbourne (VIC);
- ⇒ Adelaide (SA);
- ⇒ Yamuloong (Newcastle), Redfern (Sydney), Bourke and Dubbo (NSW);
- ⇒ Cairns, Palm Island and Brisbane (QLD);
- ⇒ Perth, Port Hedland, Lombadina and Broome (WA); and
- ⇒ Canberra (ACT).

1.5 A list of organisations and individuals who gave evidence at these public hearings is at Appendix C.

1.6 Copies of all submissions and transcripts that were authorised for publication are available electronically from the Committee's web site at www.aph.gov.au/house/committee/atsia/indigenouscommunities/inqinde.htm.

Scope of the report

1.7 Chapter one **'Introduction'** outlines the content of the report, reviews other reports and inquiries in relevant areas and deals with key definitions relating to the terms of reference.

1.8 Chapter two **'Setting the context'** presents a socio-economic and demographic profile of Indigenous people in Australia. This chapter examines current service delivery practices to Indigenous populations in Australia.

1.9 Chapter three **'Building the capacity of government agencies'** identifies barriers to effective and adequate service delivery at departmental and governmental levels. It proposes a strategy of integration as a means of addressing current service delivery weaknesses.

1.10 Chapter four **'Building the capacity of Indigenous organisations'** focuses on the themes of good governance, leadership and resources for organisations. The chapter identifies barriers to good governance, and proposes a range of strategies and a number of service delivery models.

1.11 Chapter five **'Building the capacity of individuals'** focuses upon the empowerment of individuals through conveying positive initiatives by Indigenous groups addressing issues within their communities.

1.12 Chapter six **'A way forward'** summarises the evidence received by the Committee and outlines key strategies for the future.

1.13 Several key themes dominated the evidence, specifically, the need for greater coordination and integration of service provision, the need for improved governance within Indigenous community organisations and the need for greater individual empowerment in order to enable Indigenous people to play a key role in articulating and achieving better outcomes. Overlaid on these themes are factors of geographic location. Different strategies are needed to address issues in remote, rural, regional and urban areas, and there is no one-size-fits-all model.

1.14 In evidence to the Committee it was stressed that the third term of reference, building the capacity of governments, was the area in which the most significant effort was needed in order to facilitate capacity building in Indigenous organisations and communities. As a consequence the Committee agreed to structure the report accordingly with the terms of reference addressed in reverse order.

Relevant inquiries and reports

1.15 The term 'capacity building' raised a breadth of issues which have been examined in other inquiries, including inquiries without a specific service delivery or capacity building focus. A summary of the findings of key inquiries is set out in the following section.

State inquiries and reports

The Dillon Review

1.16 The Dillon Review[2] reviewed the Indigenous communities of Doomadgee and Palm Island in Queensland. Many of the issues examined in the report are similar to the issues raised in the Committee's inquiry.

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2 Dillon, C., 2000, *The Dillon Report: Review of the Indigenous Communities of Doomadgee and Palm Island*. Undertaken at the request of the Federal Minister for Aboriginal and Torres Strait Islander Affairs, Senator the Hon Senator John Herron.

1.17 The Review examined a needs-based approach to community development and proposed the establishment of a national framework for community development to create formal partnerships and Memorandums of Understanding (MOUs) between Indigenous communities, the Aboriginal and Torres Strait Islander Commission (ATSIC), governments, Aboriginal and Torres Strait Islander affairs agencies and a number of non-government organisations and development agencies (such as Oxfam Community Aid Abroad). The Review proposed that these partnerships would develop Indigenous leadership and provide development support to the broader Indigenous community.[3]

The Gordon Inquiry

1.18 The Western Australian Government's *Inquiry into the Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities* (the Gordon Inquiry) provides a comprehensive overview of service provision in relation to family violence and child abuse, and outlines proposed changes to the service system.

1.19 The report identified the following features as barriers to effective service delivery to Aboriginal communities:

- the silo approach of agencies;
- the mismatch between centralised bureaucratic approaches to service delivery versus Aboriginal communities' consensus model of decision making;
- the lack of coordination and planning across bureaucratic structures;
- the inappropriate manner in which government agencies consult with communities;
- issues around location and historical government practices;
- inequity of funding to Aboriginal communities compared to local Shire councils;
- current levels of appropriate governance and leadership within Aboriginal communities;
- issues around the role of customary law;
- the poor environmental conditions in Aboriginal communities; and
- the lack of benchmarks for the delivery of services.[4]

3 i*bid,* pp. 126-127.

4 Gordon, S., Hallahan, K. & Henry, D., 2002, *Putting the picture together: Inquiry into Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities,*

1.20 In analysing these barriers, the Inquiry identified the need for greater integration of service delivery across sectors and for improved equity in the allocation of resources to Indigenous communities.[5]

1.21 In proposing to establish an integrated service system in relation to the prevention and early intervention in family violence and child abuse, the Gordon Inquiry developed a planning, resource allocation and service delivery model.[6]

The Collins Review

1.22 *Learning lessons. An independent review of Indigenous education in the Northern Territory* (the Collins Review), sought to document the educational aspirations of Indigenous parents and community members in relation to their children's schooling, with reference to English literacy and numeracy. The Review also considered the key issues affecting educational outcomes and actions for improvement.[7]

1.23 The Review found that educational outcomes were deteriorating from an already low base and highlighted poor school attendance as a direct cause of poor learning,[8] which was exacerbated by high teacher turnover and long-term systemic failure.[9]

1.24 Extensive consultation with parents, students, staff and external stakeholders emphasised the importance of the need for Indigenous children to develop their English language oracy, literacy and numeracy skills while maintaining their own language, cultural heritage and Indigenous identity.[10]

1.25 The Review noted a strong imperative for the adoption of an outcome-based approach to Indigenous education at all levels; the need for a whole of government response; and the need to establish partnerships between Indigenous parents, communities, peak bodies, service providers and the Northern Territory and Commonwealth Governments.[11]

Department of Premier and Cabinet, Western Australia, pp. 419-424.

5 *ibid*, p. 425.

6 *ibid*, p. 427.

7 Collins, R. & Lea, T., 1999, *Learning lessons: An independent review of Indigenous education in the Northern Territory*, Northern Territory Department of Education, Darwin, p. 1.

8 *ibid*, p. 141.

9 *ibid*, p. 1.

10 *ibid*, p. 17.

11 *ibid*, p. 1.

Commonwealth inquiries and reports

ATSIC Review

1.26 In November 2003, the ATSIC Review assessing the roles and functions of the Aboriginal and Torres Strait Islander Commission was released, entitled *In the Hands of the Regions – A New ATSIC*. The Review recommended a package of reforms intended to give greater control of ATSIC to Aboriginal and Torres Strait Islander people at a regional level.

1.27 The panel identified regional plans as important vehicles to articulate localised needs and expectations, recommending that the regional planning process, currently provided for under the *Aboriginal and Torres Strait Islander Commission Act 1989*, be given a high priority, with a more realistic focus to ensure goals are achievable. The panel viewed regional plans as important: for spelling out what is expected of ATSIC;[12] to identify levels of disadvantage in local communities;[13] to identify responsibilities of government agencies in service provision;[14] to aid State/Territory governments in developing policies and programs; and for ATSIC to develop a national plan.[15]

1.28 The Review made a number of recommendations relating to funding and planning including proposing that funding to regions be on the basis of need; that the Office of Aboriginal and Torres Strait Islander Affairs, currently housed in the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA), be replaced with a small coordination group in the Department of Prime Minister and Cabinet in order to provide a whole of government approach to addressing Indigenous issues; that triennial funding be introduced; and that performance audits of all organisations expending Australian Government funding for Indigenous purposes be undertaken.[16]

1.29 The panel recommended changes to the structure of ATSIC in order to improve representation at the local level, to address the under-representation of women in elected positions and to simplify governance layers.

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12 Hannaford, J., Huggins, J. & Collins, R, 2003, *In the Hands of the Regions - A New ATSIC: Report of the Review of the Aboriginal and Torres Strait Islander Commission*, Canberra, p. 6.

13 *ibid*, p. 7.

14 *ibid*, p. 6.

15 *ibid*, p. 6.

16 *ibid*, pp. 6-7.

1.30 Towards the close of the inquiry the Government announced that the ATSIC Board would be abolished and relevant programs would be devolved to mainstream departments (see paragraphs 2.72 - 2.74).

Commonwealth Grants Commission: Inquiry into Indigenous Funding

1.31 In 2001 the Commonwealth Grants Commission reported on the distribution of Commonwealth funding for programs that affect Aboriginal and Torres Strait Islander peoples.[17]

1.32 The report: calculated the relative need of Indigenous Australians in each of the 35 ATSIC regions and the Torres Strait Regional Authority's area for health, housing, infrastructure, education, training, and employment services; took account of the level of expenditure by the States and Territories; and, where possible, compared the distribution of expenditure with regions' current needs. The issues raised in the Commission's report are central to the Committee's current inquiry.

1.33 The Report addressed the complex issue of needs and resource allocation. It was noted that Indigenous people were comparatively disadvantaged and that mainstream services were not adequately meeting their needs. However, it cautioned that:

> [T]here is no obvious and simple proportional relationship between measures of needs and the funds required to achieve outcomes.[18]

1.34 The types of services accessed by Indigenous people and their funding sources were identified, as were strategies to improve funding allocation to meet Indigenous peoples' needs. Strategies identified were: the pooling of funds; multi-jurisdictional and cross-functional approaches to service delivery; the removal of barriers to mainstream programs; and increasing collaborative decision making arrangements between the Commonwealth and service providers to ensure that targets were set and achieved and that Indigenous involvement in decision making be increased.[19]

Inquiry into Local Government and Cost Shifting

1.35 The recent report *Rates and Taxes: A Fair Share for Responsible Local Government* by the House of Representatives Standing Committee on

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17 Commonwealth Grants Commission (CGC), 2001, *Report on Indigenous Funding 2001*, Canberra.

18 *ibid*, p. xvi.

19 *ibid*, p. 102.

Economics, Finance and Public Administration addressed cost shifting and governance arrangements between all three spheres of government.[20]

1.36 The inquiry explored Commonwealth, State, Territory and local government relationships, roles, responsibilities, funding arrangements and the potential for improved intergovernmental relations.

Overcoming Indigenous Disadvantage: Key indicators 2003

1.37 In April 2002, the Council of Australian Governments (COAG) commissioned the Steering Committee for the Review of Government Service Provision (SCRGSP) to produce a regular report against key indicators of Indigenous disadvantage of relevance to both Indigenous stakeholders and all levels of government. The result, *Overcoming Indigenous Disadvantage,* was released in November 2003.

1.38 The report sought to bring together previously dispersed information in a way that demonstrated the impact of government policies and programs on identified outcomes for Indigenous Australians.[21] The report developed a framework on three levels which identified:

- priority outcomes (the vision);
- headline indicators (measures that need to improve if the vision is to be realised); and
- strategic areas for action (areas that have the potential to have significant and lasting impacts and that are amenable to policy action).[22]

1.39 The framework proposed that individual agencies examine their capacity to contribute to improving outcomes in the indicator areas identified.[23]

1.40 The *Key Indicators to Overcoming Indigenous Disadvantage* have been widely received as a vital step in addressing issues of disadvantage and in reinforcing agencies' roles in achieving outcomes for Indigenous people.

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20 House of Representatives Standing Committee on Economics, Finance and Public Administration, 2003, *Rates and Taxes: A Fair Share for Responsible Local Government*, HRSCEFPA, Canberra, p. vi.

21 Steering Committee of the Review of Government Service Provision (SCRGSP), 2003, *Overcoming Indigenous Disadvantage: Key Indicators 2003*, Productivity Commission, Canberra, p. 2.

22 *ibid*, pp. 9-10.

23 i*bid*, p. 11.

Report on Government Services, Indigenous Compendium

1.41 The Steering Committee for the Review of Commonwealth/State Service Provision released its Indigenous Compendium in May 2003. The aim of the Compendium was to collect and publish data on Indigenous-related service provision in order to enable ongoing comparisons of the effectiveness and efficiency of Commonwealth and State government Indigenous-related services (including intra-government services) and to compile and assess service provision reforms by Commonwealth and State governments.[24]

1.42 The Review assembled Indigenous-related data in the areas of health, education, justice, emergency management, community services and housing, though it suggests caution in the interpretation of data due to collection inefficiencies.

The Social Justice Report 2003

1.43 The 2003 Report of the Aboriginal and Torres Strait Islander Social Justice Commissioner overviewed key developments in improving Indigenous well-being and socio economic status, going on to explore the themes of accountability, participation, moving beyond welfare dependency and reconciliation.[25] Overall, the Report concluded that there were a number of recent initiatives that were beginning to head in the right direction as well as small gains in some areas, particularly noting the release of the national indicators for overcoming Indigenous disadvantage and COAG's whole of government community trials.[26]

1.44 The Commissioner emphasised the need for governments to change the way they interact with Indigenous people and communities; highlighted that there have been some developments, but that these were only preliminary in nature, with results and actions yet to be achieved; cautioned that there were concerns about the pace of progress and the sustainability of such progress; lamented the 'overwhelming sense' that the crisis for Indigenous people was likely to exacerbate; and argued that the absence of a clear accountability framework for governments was a matter for urgent attention.[27]

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24 Steering Committee for the Review of Commonwealth/State Service Provision (SCRCSSP), *Report on Government Services 2003: Indigenous Compendium*, Productivity Commission, p. 8.

25 Aboriginal and Torres Strait Islander Social Justice Commissioner, Dr. William Jonas AM, 2003, *Social Justice Report 2003*, Human Rights and Equal Opportunity Commission, Sydney, pp. 1-2.

26 *ibid*, p. 2.

27 i*bid*, pp. 2-3.

Former inquiries of this Committee

A Chance for the Future Report

1.45 In August 1989, the House of Representatives Standing Committee on Aboriginal Affairs tabled its report *A Chance for the Future: Training in Skills for Aboriginal and Torres Strait Island Community Management and Development*. The inquiry reported on the effectiveness of existing support, administrative and advisory services within Aboriginal and Torres Strait Islander communities. The Report noted the need for education and training for community administration. Significantly, literacy, numeracy, and skills for community management and development were identified as areas of need.[28]

1.46 The Report made a number of recommendations around a coordinated approach to the funding of education and training programs. At a local level the Report recommended that government agencies assist Aboriginal and Torres Strait Islander communities to develop community plans identifying programs through which government agencies could provide coordinated long-term recurrent funding and support community consultation in the complex process of program design.[29] Field staff were identified as contributing significantly to coordination at the local level. The Report argued the need for a more integrated use of Commonwealth agencies' field officers.

> [There is a] need for field staff… to shift their focus from individual clients and programs to the linkages between programs and their place in achieving the developmental goals of communities. Field staff in a sense must become facilitators of community development rather than administrators of programs.[30]

1.47 The current Committee is disappointed that many of the recommendations from this report have not been implemented and that problems identified 15 years ago continue to persist. Many of the recommendations are still valid and there is a need to re-examine some of the themes.

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28 House of Representatives Standing Committee on Aboriginal Affairs, 1989, *A Chance for the Future. Training in skills for Aboriginal and Torres Strait Island Community Management and Development*, HRSCAA, Canberra, p. 11.

29 *ibid*, p. 29.

30 House of Representatives Standing Committee on Aboriginal Affairs, 1989, *A Chance for the Future: Training in Skills for Aboriginal and Torres Strait Island Community Management and Development*, HRSCAA, Canberra, p. 29.

The 'We Can Do It!' Report

1.48 In August 2001 the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs released its *We can do it!* Report on the needs of urban dwelling Aboriginal and Torres Strait Islander peoples.

1.49 As the Report is recent and specifically covers urban dwelling Indigenous issues, and has sections on service delivery and decision making, this (current) report will focus more on rural and remote service delivery and capacity building, with less focus on urban Indigenous issues.

Summary of previous reports, reviews and inquiries

1.50 The inquiry, report and review summaries outlined above indicate the proliferation of attempts by all spheres of government to address the causes of Indigenous disadvantage and to explore potential solutions. This is commendable. However, prominent Indigenous leader Noel Pearson notes that:

> We've produced mountains of thinking around Aboriginal affairs…[but] we've got to face up to the fact that none of that huge production has produced any improvement. In fact, we've gone backwards… as the mountains of papers… have accumulated… the social situation's gone down…[31]

What is capacity building?

1.51 The Committee was told that capacity building 'is a term that can mean many things to many people'.[32] To date, a definition for capacity building has not been universally agreed upon.[33] The need to clarify the term was argued by the Victorian Aboriginal Community Controlled Health Organisation:

> The term "capacity building" is bandied around… [Yet] no one defines what capacity building is. So when government and community talk together and we use the same language, we have

31 Noel Pearson, *The Cape Crusade*, Australian Story transcript, 11.11.02, <http://www.abc.net.au/austory/transcripts/s723570.htm> (accessed 21.04.04).

32 Central Australian Aboriginal Congress Inc., Submission 30, p. 2.

33 Government of Western Australia, Submission 57, p. 2.

> a different interpretation of what capacity building is. That causes a dilemma...[34]

1.52 Many submissions received by the Committee presented definitions of capacity building in relation to Indigenous organisations, while few addressed a definition of capacity building in relation to government. This is not to say that building the capacity of government was not emphasised in the evidence, but that *definitions* relating to capacity building almost always addressed capacity building in relation to Indigenous aspirations.

Public management or community development?

1.53 A number of submissions identified two differing approaches to Indigenous community capacity building, namely, a public management approach and a community development approach.[35]

1.54 The public management approach to capacity building emphasises the need to develop a community's governance, administration, managerial and leadership structures and skills in order to meet accountability requirements in terms of government funding and processes and to comply with relevant corporate governance laws. That is, to respond to *external* needs and processes. The Commonwealth Grants Commission noted the importance of building the capacity of Indigenous organisations to manage service delivery.[36]

1.55 Capacity building within the community development paradigm is concerned with the empowerment of communities in a 'people centred' way that relates to *internal* needs and processes.[37] This approach involves empowering communities to participate in *their own* policy-making and implementation, in the development of *their own* effective and culturally informed governance structures, and in developing the skills to take effective responsibility and control over *their own* issues and futures.[38] Oxfam Community Aid Abroad told the Committee that:

> Capacity building is not just training and it is not simply about individual and collective skills development. Capacity building is

34 Ms Jill Gallagher, Victorian Aboriginal Community Controlled Health Organisation, Transcript of discussion (19.02.03), p. 487.

35 Gerritsen, R., 2001, *Community Capacity Building: An ATSIC Discussion Paper*, cited in DIMIA, Submission 42, pp. 2-3 and attachment E, pp. 10-11.

36 CGC, 2001, *Report on Indigenous Funding*, Canberra, p. 94.

37 Oxfam Community Aid Abroad, Submission 39, p. 4.

38 FaCS, Submission 46, p. 19.

> about community development and is essentially a political process.[39]

1.56 The Committee believes that the public management and community development approaches to capacity building are both essential to any overall development strategy. The Committee received a number of submissions which understood capacity building to lie somewhere between these two approaches.[40] The Department of Family and Community Services (FaCS) considered that a synthesis of these two approaches is necessary, together with building government agencies' capacities to apply them more effectively.[41] Oxfam Community Aid Abroad told the Committee:

> One should not be confused with the other. One is not "better" than the other and nor can one be replaced by the other. Each has a different dimension and tackles different issues and phases in the life of communities.[42]

1.57 The Committee considers the work by Dr Rolf Gerritsen useful in analysing these two approaches to capacity building[43] and supports defining capacity in a broad sense to include activities which seek to empower individuals and whole communities while building the operational and management capacity of both organisations and governments to better deliver and utilise services.[44]

Terminology

1.58 The Committee received evidence involving definitions of 'capacity', 'capacity building', 'capacity development', 'community development', 'human development' and 'community capacity', with different definitions within and between each concept.

1.59 The Committee heard a number of State and Territory government departments define capacity building to broadly encompass international development paradigms using the United Nations Development Programme (UNDP) definition. According to the UNDP capacity development is:

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39 Oxfam Community Aid Abroad, Submission 39, p. 3.

40 Such as FaCS, Submission 46, p. 19 and DIMIA, Submission 42, p. 3.

41 FaCS, Submission 46, p. 19.

42 Oxfam Community Aid Abroad, Submission 39, p. 6.

43 DIMIA, Submission 42, p. 3.

44 Government of Western Australia, Submission 57, p. 6.

> The process by which individuals, groups, organisations, institutions and societies increase their abilities to perform core functions, solve problems, define and achieve objectives, and to understand and deal with their development needs in a broad context and in a sustainable manner.[45]

1.60 One submission noted that the UNDP favours the term capacity development over capacity building in an attempt to move away from traditional donor-driven aid to a more partnering role in which people are empowered to better use their capabilities to ensure sustainability of development programs.[46]

1.61 Many submissions argued the multidimensional nature of capacity development and noted that capacity building (or associated terms and definitions) cannot be separated from wider issues such as the health, education, housing and employment status of Indigenous people,[47] nor the general wellbeing and confidence of Indigenous people.[48]

A definition of capacity building

1.62 The Ministerial Council on Aboriginal and Torres Strait Islander Affairs (MCATSIA) released a draft statement that defined capacity as follows:

> The knowledge, ability and commitment for individuals, families, groups and organizations to:
>
> - Maintain their cultural identity;
> - Interact confidently and effectively with the dominant Australian society;
> - Identify goals;
> - Determine strategies to achieve their goals; and to
> - Work effectively with government and the private sector to access the resources necessary to implement these strategies.[49]

45 United Nations Development Programme (UNDP), cited in DIMIA, Submission 42, p. 2.

46 Faculty of Aboriginal and Torres Strait Islander Studies and Centre for Indigenous Natural and Cultural Resource Management, NTU, Submission 27, p. 16.

47 Professor Jon Altman, Centre for Aboriginal Economic Policy Research (CAEPR), Australian National University (ANU), Transcript (23.10.02), p. 22.

48 Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), Submission 10, p. 9.

49 Ministerial Council on Aboriginal and Torres Strait Islander Affairs (MCATSIA), cited in DIMIA, Submission 42, p. 2.

1.63 The Committee accepts the usefulness of this definition and, in relation to capacity building, believes that it reinforces the combined goals of community development and public management.

1.64 Another term frequently used and defined in submissions was community capacity building, which Aboriginal Affairs Victoria defined as:

> Strategies / programs / initiatives which seek to empower, motivate and enable individuals, families and communities and provide them with the necessary skills, resources, networks and information to allow them to pursue their own development goals.[50]

1.65 According to FaCS, community capacity involves four elements:

- *Commitment*: the community-wide will to act, based on a shared awareness of problems, opportunities and workable solutions;
- *Resources*: Financial, natural and human assets and the means to deploy them intelligently and fairly;
- *Knowledge*: Having the information or guidelines that will ensure the best use of these resources; and
- *Skills*: Including the talents, expertise and governance structures and processes of individuals and organisations that can be drawn upon to address problems and capitalise on opportunities.[51]

Capacity building for what?

1.66 Several submissions posed the question 'capacity building for what?',[52] that is, to what purpose?

1.67 The Committee believes that capacity building is a process, not a final outcome and, as such, is about developing sustainable skills and abilities. The Northern Land Council informed the Committee that:

> The goal of capacity development is not simply to encourage "well managed communities" and "better service delivery", but to enhance Aboriginal people's capacity for self-determination and sustainable development.[53]

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50 Mr Anthony Cahir, Aboriginal Affairs Victoria, Transcript of discussion (19.02.03), p. 2.

51 FaCS, Submission 46, pp. 12-13.

52 For example, Aboriginal Services Division, Department of Human Services, South Australia, Submission 49, p. 5.

53 Northern Land Council, Submission 43, p. 5.

1.68 The Committee heard evidence arguing that the purpose of capacity building is to support Aboriginal and Torres Strait Islander people to live successfully in their own country and as part of the broad Australian society.[54] The Committee anticipates that capacity building could be:

> …[A] potential vehicle for the renewal of societal structures and the political recognition and representation of Indigenous peoples' status.[55]

Capacity building for responsibility

1.69 Arguments detailing the need for shared government-Indigenous responsibility and of Indigenous people wanting to take (or accept) more responsibility, were common throughout submissions. These arguments articulate that the 'what for?' of capacity building, is for Indigenous people to have more responsibility for, and power over, their own lives.

1.70 One submission noted that approaches to building capacity were inadequate unless people were able to:

- accept responsibility;
- have authority;
- have access to and control of resources; and
- have the knowledge and skills to perform.[56]

Relating the terminology back to the terms of reference

1.71 The terms of reference require that the Committee inquire into:

> Strategies to assist Aboriginals and Torres Strait Islanders better manage the delivery of services within their communities. In particular, the Committee will consider building the capacities of: community members…Indigenous organisations… and government agencies…

1.72 Thus, the mandate of the inquiry is not to inquire into capacity building per se, but into capacity building in relation to enhancing service delivery.

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54 MCATSIA, cited in Aboriginal Services Division, Department of Human Services, South Australia, Submission 49, p. 6.

55 Aboriginal and Torres Strait Islander Social Justice Commissioner, Human Rights and Equal Opportunity Commission (HREOC), Submission 44, p. 10.

56 Sanders, D., 2002, *Strengthening Capacity of Health Systems: An integrated approach to primary health care education*, cited in Central Australian Aboriginal Congress Inc., Submission 30, p. 2.

1.73 Although the inquiry is commonly known as 'the capacity building inquiry', the focus of the inquiry has been on strategies to build the capacities of community members, Indigenous organisations and government agencies *in relation to service delivery*.

Government agency capacity building

1.74 While many of the submissions related capacity building definitions only to Indigenous community organisations, the Committee received evidence highlighting that significant capacity building is needed in government agencies. Reconciliation Australia told the Committee that:

> Capacity building is not simply about building the capacity of Indigenous communities, it is also about enhancing government agencies' capacity to understand and to meet the needs of Indigenous people.[57]

1.75 The Centre for Aboriginal Economic Policy Research at the Australian National University told the Committee that many government agencies are aware of their lack of capacity in responding to the needs of Indigenous people and understand that internal capacity building for government agencies is an important task.[58]

1.76 The Committee believes that the capacity of government agencies and their staff needs to improve in order to address the aspirations and needs of Australia's Indigenous people. The Committee strongly believes that the lack of government agency capacity is a significant factor in the continued disadvantage of Aboriginal and Torres Strait Islander people. Capacity building of government is explored in chapter three.

What is community?

1.77 The evidence suggests that the term 'community' is problematic[59] as communities tend to be made up of loose networks of individuals and families rather than coherent groups of people bound by similar beliefs, shared histories and aligned aspirations.[60]

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57 Reconciliation Australia, Submission 55, p. 21.

58 CAEPR, ANU, Submission 25, pp. 2-3.

59 ATSIC, Submission 66, p. 4 and FaCS, Submission 46, p. 12.

60 FaCS, Submission 46, p. 12.

1.78 This has implications where funding is directed toward 'communities' defined externally for administrative purposes, particularly when those communities may be made up of discrete cultural and language groupings, mobile or seasonal populations, or independent groups whose major commonality is a shared location.

1.79 Identifying Indigenous 'communities' also becomes problematic in urban areas, as Indigenous people are more likely to be dispersed through the general population and may, at most, form a loose network of people, rather than a cohesive group.[61]

1.80 The Committee endorses a definition of community which emphasises the fluid nature of affiliations and group membership, and acknowledges the importance of cohesion, while also understanding that a community involves group members sharing interests, goals and social connections. Group cohesion is significant to this definition.[62]

1.81 As the term community is problematic, many submissions argued that the focus of government should be at the level of the individual, family or small group.[63] In building strong individuals and families the Committee believes that strong communities will develop.

Strong communities and nation building

1.82 The Committee heard evidence on the importance of strong communities in building individual capacity.[64] The Committee witnessed this first hand during inspections at communities such as those in Alice Springs, Shepparton and Warrnambool.

The Harvard Project

1.83 The Committee considered the work of the Harvard Project on American Indian Economic Development (the Harvard Project) useful in understanding the positive effects strong communities can have on Indigenous people's quality of life.

1.84 Although the Harvard research focused on economic development, this inquiry is focused on capacity building in order to enhance service

61 FaCS, Submission 46, p. 12.

62 Batchelor Institute of Indigenous Tertiary Education, Submission 33, p. 2.

63 ATSIC, Submission 66, p. 4.

64 Oxfam Community Aid Abroad, Submission 39, p. 3.

delivery. However, the Harvard research does provide valuable insight into the positive effects of Indigenous governance.

1.85 The Harvard Project conducted field-based research with Indigenous groups in the United States, and consistently found that the effective exercise of sovereignty combined with capable and culturally grounded institutions of self-government were indispensable keys to successful, long-term economic development.[65]

1.86 Members of the Harvard Project argued before the Committee that it was not education, natural resource endowments, location, or the availability of financial capital that were the keys to successful economic development on reservation lands in the United States. Rather, the development of sovereignty, governing institutions, cultural match, strategic thinking, and leadership were the key elements of Indigenous success.[66] The evidence suggested that such a nation-building approach encouraged the questioning of the cycle of welfare dependency.[67]

> [The Harvard Project has] discovered… that, as Indigenous nations in the US take control of their own affairs, they tend to move from an attitude to welfare as being an entitlement, towards a position of wanting to escape the dependency, because they have realised that that dependency has a political dimension to it. The decisions that are shaping economic conditions in Indian country are being made somewhere a thousand miles away, and these nations want to make those decisions for themselves.[68]

1.87 This approach to governance and self-determination is echoed in calls made by some Indigenous leaders, particularly Noel Pearson, of the need for Indigenous people to take responsibility for their own affairs.

1.88 In travelling throughout Australia, the Committee saw examples of Indigenous communities developing a 'nation building' approach to community governance and development.[69] Indigenous leaders and their

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65 Harvard University Native American Program 09.01.04, Harvard University, <http://www.ksg.harvard.edu/hunap/research.html> (accessed 08.11.03).

66 Cornell, S., 2002, *The Importance and Power of Indigenous Self-Governance: Evidence from the United States*. Paper presented at the Indigenous Governance Conference, 3-5 April 2002, Canberra, p. 3.

67 Cornell, S., 2002, *Governance and Economic Development*. Paper presented at the Indigenous Governance Conference, 3-5 April, Canberra, p. 3.

68 Professor Stephen Cornell, Udall Center for Studies in Public Policy, University of Arizona, Transcript (03.11.03), p. 1368.

69 Such as the Thamarrurr Council at Wadeye (NT), the Murdi Paaki Regional Council (NSW) or Tangentyere Council (NT).

communities are increasingly seeking to move away from dependency on governments, which leave them politically powerless, to a position of partnership. This movement is also apparent internationally.

> The role of the [United States] federal government as we [the Harvard Project] see it, has been to move from being the decision maker for Indian country, to being a resource and partner working with indigenous nations to try to achieve objectives identified by those indigenous nations, and investing in improving the capacity of those nations to achieve those objectives. So it is kind of like the government moving out of the driver's seat but remaining very much in the vehicle as a resource.[70]

1.89 Governments, too, are becoming increasingly aware of the role they play in Indigenous disadvantage[71] and of the need to develop stronger communities which can engage with governments, philanthropic organisations and the corporate sector in partnerships.

> As issues become more complex, and the limitations of government more apparent, it is clearer that government programs are far from the sole determinants of social and economic conditions.[72]

1.90 The Committee believes that governments must relinquish some control to Aboriginal and Torres Strait Islander people and Aboriginal and Torres Strait Islander people must assume greater responsibility in shaping their own future.

1.91 Governance is the overarching theme of chapter four of the report, and the work of the Harvard Project forms the basis for those discussions.

Conclusions

1.92 This chapter has set out the background to the terms of reference, overviewed relevant inquiries, and defined key concepts related to the terms of reference.

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70 Professor Stephen Cornell, Udall Center for Studies in Public Policy, University of Arizona, Transcript (03.11.03), p. 1370. Professor Cornell is a member of the project.

71 Plumptre, T. & Graham, J., 1999, *Governance and Good Governance: International and Aboriginal Perspectives*, Institute on Governance, p. 2.

72 i*bid*, p. 2.

1.93 Significantly, it has reviewed the Harvard model of Indian Economic Development from the United States. The Committee believes that this model is useful in understanding Indigenous governance and the current capacity building debates occurring in Australia.

1.94 The following chapter sets out the demographic and socioeconomic profile of Indigenous Australians, and provides an overview of the status of service delivery to Indigenous Australians.

2

Setting the context

Introduction

2.1 The recently released report by the Steering Committee for the Review of Government Service Provision (SCRGSP), *Overcoming Indigenous Disadvantage: Key Indicators 2003*, confirms the chronic state of Indigenous social and economic disadvantage.[1] Indigenous Australians continue to have the lowest socio-economic profile of all Australians.

2.2 In this chapter the Committee presents a demographic and socioeconomic profile of Aboriginal and Torres Strait Islander people in Australia, based on the data available. Service provision arrangements are reviewed and the Committee argues that the current arrangements are complex, inefficient, and frequently ineffective. The chapter concludes by examining a different response towards service delivery, one which seeks to empower Indigenous people through the development of partnerships.

Demographic and socio-economic profile

Population

2.3 The Indigenous population of Australia recorded in the 2001 Census included 410 003 people, of which 366 429 identified as Aboriginal, 26 046

1 Steering Committee for the Review of Government Service Provision (SCRGSP), 2003, *Overcoming Indigenous Disadvantage: Key Indicators 2003*, Productivity Commission, Canberra.

identified as Torres Strait Islander, and 17 528 identified as both. Australia's Indigenous population represents 2.2 per cent of the total Australian population.[2]

2.4 A significant increase in the Indigenous population has been recorded over recent Census collections.[3] This is due to factors such as improved collection processes, high fertility rates and an increase in willingness of persons to identify as Indigenous. However, factors such as remoteness and language barriers influence the collection and accuracy of statistical information in regard to Aboriginal and Torres Strait Islander people.

Remoteness and distribution

2.5 The Indigenous population is more widely dispersed than the general population, with approximately 90 per cent of Indigenous Australians living in areas covering 25 per cent of the continent, while 90 per cent of Australia's total population is contained within an area representing 2.6 per cent of the continent.[4]

2.6 According to 1999 data, one third of the Indigenous people aged 25-54 lived in major cities, one fifth each in inner regional and outer regional areas, 8 per cent in remote areas and 16 per cent in very remote areas.[5]

2.7 According to the 2001 Census, over one quarter (27 per cent) of the Indigenous population lived in remote or very remote parts of Australia, compared to 2 per cent of non-Indigenous Australians.[6]

2.8 The 1999 *Community Housing and Infrastructure Needs Survey* (CHINS)[7] collected information on discrete Indigenous communities, and found that, of the 1 216 discrete Indigenous communities, 889 had a population of less than 50, while 145 had a usual population of 200 or more.[8]

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2 Australian Bureau of Statistics (ABS), *2001 Census of Population and Housing; Selected Characteristics.*

3 An increase of 16.2 per cent (57 033 people) since the 1996 Census and an increase of 54.5 per cent (144 632 people) since the 1991 Census. ABS, *2001 Census Basic Community Profile and Snapshot*: *People of Indigenous Origin*.

4 ABS, *Year Book Australia 2002: Population: Aboriginal and Torres Strait Islander Population*.

5 Office of Aboriginal and Torres Strait Islander Affairs (OATSIA) and the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA), *Indigenous Socioeconomic Factors Project: Preliminary Report,* 2003, A consultancy report, Jones, R., p. 12.

6 ABS, *4713.0 Population Characteristics of Aboriginal and Torres Strait Islander Australians: 2001 Census.*

7 Conducted by the ABS, on behalf ATSIC.

8 ABS, *4710.0 Housing and Infrastructure in Aboriginal and Torres Strait Islander Communities, Australia.*

Nationwide, 80 per cent of discrete Indigenous communities were in the Northern Territory and Western Australia.[9]

2.9 There are significant differences in both service delivery and capacity building opportunities for urban, rural and remote populations. The varied geographic locations of Indigenous communities requires a range of responses.[10]

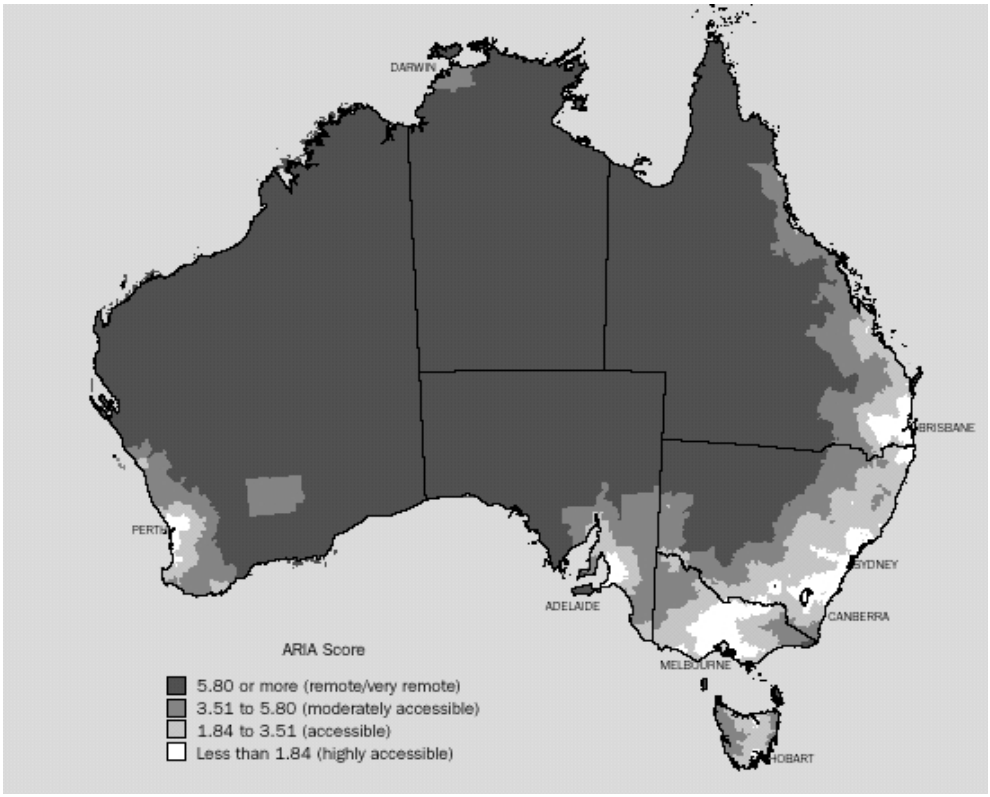
2.10 Figure 1 shows the accessible and remote regions of Australia in relation to road distance to service centres,[11] while the following figure illustrates the high proportion of Indigenous people in regional and remote areas. The dispersal and remoteness of Indigenous people have significant implications for service delivery.

9 Commonwealth Grants Commission (CGC), 2001, *Report on Indigenous Funding 2001*, Canberra, p. 175.

10 Reconciliation Australia, Submission 55, p. 7.

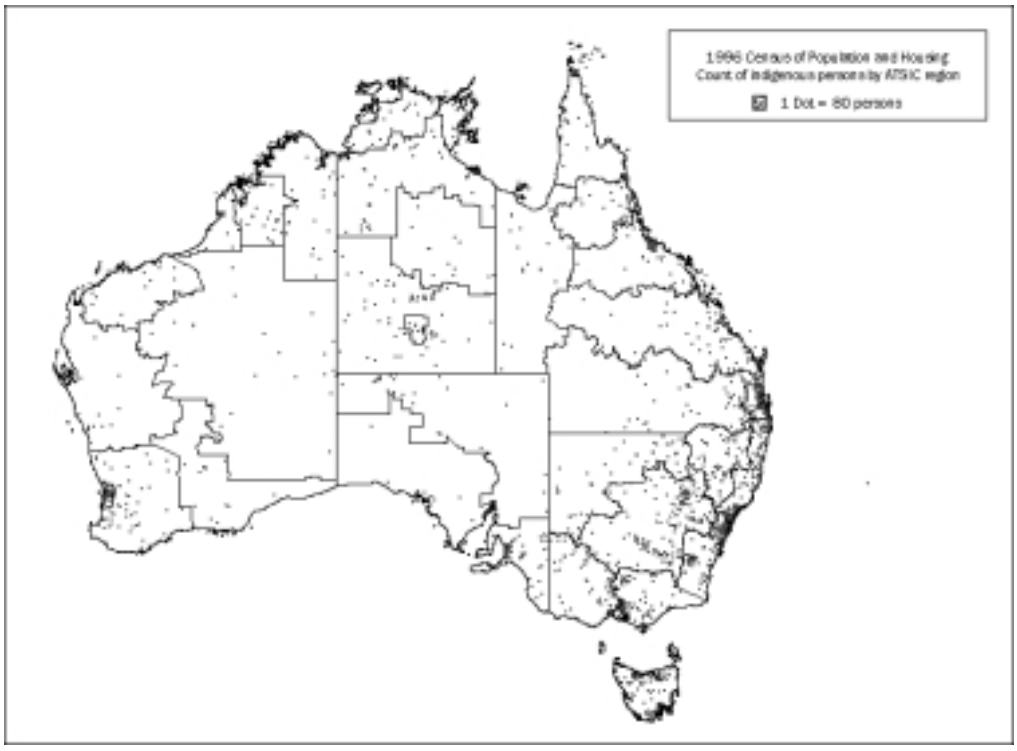
11 ARIA is the Accessibility / Remoteness Index of Australia and measures the remoteness of populated localities in relation to road distances to service centres of various sizes using Geographic Information System (GIS) technology. The categories range from Highly Accessible (relatively unrestricted accessibility to a wide range of goods and services and opportunities for social interaction) to Very Remote (very little accessibility of goods, services and opportunities for social interaction). Department of Health and Aged Care, and the National Key Centre for Social Applications of Geographical Information Systems at the University of Adelaide, 2001, *Measuring Remoteness: Accessibility/Remoteness Index of Australia (ARIA)*, Occasional Papers: New Series Number 14, p. 22.

Figure 1 Accessible and remote areas of Australia.



Source Australian Social Trends, 2000 (4102.0)

Figure 2 Distribution of Indigenous people across Australia.



Source ABS Indigenous ERPs, Census 1996. 1 dot = 80 Aboriginal and/or Torres Strait Islander people

Education

2.11 Participation and attainment in formal education are significantly lower in the Indigenous population than in the general population.

2.12 The *National Report to Parliament on Indigenous Education and Training* (2001) found that differing participation and attainment are related to a number of factors including wider social and economic disadvantage, the geographic distribution of Indigenous people across Australia, significantly poorer health, and language differences.[12] The Committee was told that:

> Despite some progress over recent years, educational outcomes for Indigenous people remain poor, and the scale of educational disadvantage large.[13]

2.13 While the percentage of Indigenous people aged 5-14 attending an educational institution in 2002 was 87 per cent, the non-Indigenous attendance rate was 95 per cent.[14] From Years 9-12, the apparent retention rate of Indigenous students disproportionately decreased, with the difference between Indigenous and non-Indigenous retention increasing from 2.0 per cent in Year 9 (97.8 per cent Indigenous attendance, compared to 99.8 per cent non-Indigenous), to 38.3 per cent in Year 12 (38.0 per cent Indigenous attendance, compared to 76.3 per cent non-Indigenous attendance).[15] Aggregate nationwide figures do not represent regional differences which can be significant. For example, the percentage of Indigenous students aged 5 to 14 years attending an education institution in the Northern Territory in 2001 was 76 per cent compared to 93 per cent in the Australian Capital Territory.[16]

2.14 In 2001, one in four Indigenous students undertook some form of Vocational Education and Training (VET), with the majority of courses located in regional and remote areas.[17] This amounts to over-

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12 Department of Education, Science and Training (DEST), 2002, *National Report to Parliament on Indigenous Education and Training 2001*, Canberra, pp. 7-15.

13 DEST, Submission 20, p. 1.

14 DEST, 2002, *National Report to Parliament on Indigenous Education and Training 2001*, Canberra, p. 30.

15 Apparent Retention Rates (a) Indigenous and non-Indigenous students. ABS, 2002, *Schools, 4221.0*, p. 21.

16 DEST, 2002, *National Report to Parliament on Indigenous Education and Training 2001*, Canberra, p.30.

17 *ibid*, pp. 69-72.

representative participation, with an overall Indigenous population of 2.2 per cent and an Indigenous participation in VET of 3.3 per cent.[18]

2.15 In Higher Education, Indigenous students are underrepresented in bachelor degrees and postgraduate courses, and are much more likely than other students to enrol in enabling courses as pathways to make up for educational disadvantage.[19]

2.16 Deficiencies in data collection (such as recording participation rather than demonstrated ability) yield little indication of the quality of education.[20] Similarly, enrolment rates for courses do not indicate regular attendance, finishing courses or attaining qualifications. Thus, participation and attainment may be lower than enrolment figures indicate. The Committee has heard evidence which outlined some of the factors which mitigate against more positive educational participation and outcomes for Indigenous people.[21]

Health

2.17 Aboriginal and Torres Strait Islander Australians have the worst health of any group in Australia, yet experience lower levels of access to health services than the general population.[22] Indigenous people are disadvantaged across a wide range of socioeconomic factors that impact upon health outcomes, are more likely to experience disability and reduced quality of life due to ill health, and to die at younger ages than other Australians.[23]

2.18 The following sections on health measures are extracted from the report of the Australian Institute of Health and Welfare, *Australia's Health 2002* unless otherwise stated.

18 *ibid*, p. 69.

19 Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA) Taskforce on Indigenous Education, 2001, *Exploring Multiple Pathways for Indigenous Students*, Discussion Paper, Darwin, pp. 33-34.

20 Collins, B. & Lea, T., 1999, *Learning lessons: An independent review of Indigenous education in the Northern Territory*, Northern Territory Department of Education, Darwin, p. 155.

21 DIMIA, Submission 42, p. 4.

22 Australian Institute of Health and Welfare (AIHW), 2004, *Indigenous Health Overview* <http://www.aihw.gov.au/indigenous/health/index.html> (accessed 21.04.04).

23 AIHW, 2002, *Australia's Health 2002*, Canberra.

Fertility and mortality

2.19 The Indigenous population is much younger than the general population.[24] Fertility is higher and Indigenous women give birth at younger ages than other Australian women.[25]

2.20 Babies of Indigenous mothers were twice as likely to die at birth and during the early post-natal phase than babies born to other Australian mothers[26] and were nearly twice as likely to be of low birth weight.[27]

2.21 The estimated life expectancy at birth for Aboriginal and Torres Strait Islander males and females is 19–20 years lower than for other Australians.[28] Aboriginal and Torres Strait Islander people have a lower life expectancy than internationally comparable Indigenous populations.[29]

2.22 Death rates were higher for Indigenous people than for Australians as a whole for almost all causes of death.[30]

Hospitalisation and serious illness

2.23 Indigenous people in every age group were more likely than other people to be hospitalised for most diseases and conditions, indicating a higher occurrence of illness at more acute levels.[31]

2.24 Kidney disease is more prevalent among Indigenous people than among other Australians. Deaths from kidney failure are eight times greater for Indigenous males and five times greater for Indigenous females than for the general population.[32]

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24 *ibid*, p. 199.

25 *ibid*, p. 199.

26 *ibid*, p. 199.

27 *ibid*, p. 206.

28 *ibid*, 2002, p. 199.

29 In New Zealand the gap between Māori and other New Zealanders is 5-6 years, in Canada the gap between Indigenous and non-Indigenous is 7 years and in the United States of America the gap between Native Americans and others is 3.5 years. CGC, 2001, *Report on Indigenous Funding 2001*, Canberra, p. 105.

30 Including diseases of the circulatory system, deaths resulting from external causes (predominantly accidents, self-harm and assault), neoplasms (cancers), respiratory diseases, and endocrine / metabolic diseases. AIHW, 2002, *Australia's Health 2002*, Canberra, p. 199.

31 *ibid*, p. 201.

32 *ibid*, p. 202.

2.25 The reported rate of diabetes was four times higher among Indigenous people than for the general population[33] and the death rate was also higher than in the general population.[34] The number of deaths associated with diabetes provides an indication of the differential burden of the disease in the Indigenous population.[35]

Mental health

2.26 Aboriginal and Torres Strait Islander Australians were hospitalised for conditions classified as 'mental and behavioural disorders' at a higher rate than that experienced by the general population.[36]

2.27 The rate of hospitalisation for Indigenous people diagnosed with mental disorders due to psychoactive substance use and organic disorders such as dementia was three times higher than the rate for the Australian population.[37]

Assault and suicide

2.28 The rate of hospitalisation for Indigenous males due to assault was six times higher than the general population, and for Indigenous females almost 19 times higher.[38] There were five times more deaths from assault for Indigenous males, and ten times as many for Indigenous females, than the general population.[39]

2.29 The rate of hospitalisation due to self-harm for both Indigenous males and females was twice as high as that for the general population[40] and suicide accounted for almost three times as many deaths for Indigenous males and twice as many deaths for Indigenous females than for the general population.[41]

33 Aged 15 years and over living in metropolitan and rural areas. ABS, 1999, *National health survey: Aboriginal and Torres Strait Islander results 1995. Cat. No. 4806.0*, cited in AIHW, 2002, *Australia's Health 2002*, Canberra, p. 203.

34 *ibid*, p. 204.

35 *ibid*, p. 204.

36 *ibid*, p. 205.

37 *ibid*, p. 205.

38 *ibid*, p. 205.

39 *ibid*, p. 205.

40 *ibid*, p. 205.

41 *ibid*, p. 205.

Alcohol and substance misuse

2.30 Indigenous people are less likely than other people to drink alcohol, but those who do so are more likely to consume it at hazardous levels.[42] It was found that 20 per cent of Indigenous people drank at levels that were risky or high risk for long-term harm, compared with 10 per cent of other Australians.[43]

2.31 There was a high prevalence of smoking recorded among Aboriginal and Torres Strait Islander peoples, approximately twice that for other Australians.[44]

2.32 Indigenous people are at risk of ill health through the use of illicit substances such as marijuana, heroin, amphetamines and inhalants (petrol, glue, aerosols).[45] Rates of recent illicit drug use among Indigenous people were higher than for other Australians.[46]

Housing

2.33 The most recent nationwide data comprising Indigenous housing statistics are the 2001 Census of Population and Housing (the Census), and the 2001 Community Housing Infrastructure Needs Survey (the CHIN Survey), and, to a lesser extent, the 2001 National Health Survey (the NHS). These sources give some indication of Indigenous housing across Australia, though all have shortcomings in gaining an accurate understanding, both as stand alone assessments, and together. For example, the Census offers a nationwide picture, but is acknowledged to be inaccurate (though improving) in the collection of Indigenous data.[47] Conversely, the CHIN Survey only covered discrete Indigenous communities, which are mostly located in remote areas, and therefore does not offer a complete nationwide picture of Indigenous housing, while the 2001 NHS Aboriginal and Torres Strait Islander Results paper stated:

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42 ABS & AIHW, 2001, *The health and welfare of Australia's Aboriginal and Torres Strait Islander peoples, 2001. Cat. No. 4704.0,* cited in AIHW, 2002, *Australia's Health 2002,* Canberra, p. 207.

43 AIHW, 2002, *2001 National Drug Strategy Household Survey: Detailed findings,* Canberra, cited in AIHW, 2002, *Australia's Health 2002,* Canberra, p. 207.

44 AIHW, 2002, *2001 National Drug Strategy Household Survey: detailed findings,* Canberra, cited in AIHW, 2002, *Australia's Health 2002,* Canberra, p. 208.

45 *ibid,* p. 208.

46 *ibid,* p. 208.

47 Inaccuracies occur as a result of 'unknown Indigenous status', 'imputed records', or 'undercount'. For further explanation, see ABS, 2002, *4705.0 Population Distribution, Indigenous Australians, Explanatory Notes.*

> For the first time, NHS results are presented for Indigenous Australians living in remote areas. This information is limited to those items for which data are of acceptable quality.[48]

2.34 A synthesis of these three data sources indicates:

- Aboriginal and Torres Strait Islander peoples are less likely than other Australians to own their homes.
- Less than a third of households with Indigenous person(s) (32 per cent) were home owners compared with more than two-thirds (69 per cent) of Other households.
- Households with Indigenous person(s) (63 per cent) were more than twice as likely as Other households (27 per cent) to be living in rented accommodation.
- Using the Canadian National Occupancy Standard definition of overcrowding, 15 per cent of households with Indigenous person(s) were considered overcrowded (i.e. requiring at least one extra bedroom), compared to 4 per cent of Other households.
- In households with Indigenous person(s), overcrowding increased with remoteness. In Major Cities, about 11 per cent of all households with Indigenous person(s) require at least one extra bedroom, compared with 42 per cent of households with Indigenous person(s) in Very Remote areas of Australia. In Other households, overcrowding varied only slightly with the level of remoteness, fluctuating between 3 per cent to 4 per cent.
- Many Aboriginal and Torres Strait Islander peoples, especially those living in remote communities, do not have adequate quality housing, reliable supplies of water and electricity or adequate sewerage and drainage systems, all of which are relevant to health.[49]

2.35 A further report interpreting the results of the 2001 Census found the following in relation to overcrowding:

> Households with Indigenous person(s) tended to be larger than Other households (an average of 3.5 persons per household, compared with 2.6, respectively). The major factor contributing to this difference was the higher number of dependent children in households with Indigenous person(s). The largest households were those with two or more families (multi-family households). Multi-family households with Indigenous person(s) had an

48 ABS, 2002, *4715.0 National Health Survey: Aboriginal and Torres Strait Islander Results, Australia*.

49 ABS, 2003, *4704.0 The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Peoples*.

average of 7.7 persons, compared with 5.4 persons in Other such households.[50]

2.36 The Committee notes that these are averages and do not give an indication of the acute levels of overcrowding in some communities, and do not give a good indication of regional differences. The Committee also acknowledges the negative flow-on effects of overcrowding on quality of life and factors such as health.

2.37 The Committee notes the *National Housing Data Agreement*, a multilateral agreement between signatories to the *Commonwealth State Housing Agreement* and national statistical agencies, which provides the framework for a cooperative approach to national housing information development. The Agreement arose from provisions of the *Commonwealth State Housing Agreement*, operative from 1 July 1999.[51] The Agreement commits parties to produce nationally consistent housing data suitable for outcome measurement.[52] The Agreement involved a three year plan of implementation. The Committee looks forward to the provision of nationally consistent housing data.

Crime and justice

2.38 In 2001, the Indigenous imprisonment rate was 13 times higher than the rate for non-Indigenous imprisonment, with Indigenous people comprising 20 per cent of the total prison population.[53]

2.39 The incarceration rate for Indigenous juveniles was 17 times higher than for non-Indigenous juveniles, comprising 45 per cent of the total number of persons detained in juvenile corrective institutions.[54]

2.40 The Indigenous community corrections rate was seven times higher than the rate for non-Indigenous offenders.[55]

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50 ABS, 2003, *4713.0 Population Characteristics, Aboriginal and Torres Strait Islander Australians.*

51 AIHW, *National Housing Data Agreement: A subsidiary agreement to the 1999–2003 Commonwealth–State Housing Agreement*, p. 7. <http://www.aihw.gov.au/publications/hou/nhda/nhda.pdf> (accessed 28.05.04).

52 AIHW, *National Housing Data Agreement: A subsidiary agreement to the 1999–2003 Commonwealth–State Housing Agreement*, p.7. <http://www.aihw.gov.au/publications/hou/nhda/nhda.pdf> (accessed 28.05.04).

53 Australian Institute of Criminology, 2002, *Australian Crime: Facts and Figures 2002,* Canberra p. 65.

54 *ibid,* p. 71.

55 *ibid,* p. 69.

2.41 Imprisoned Indigenous people are overrepresented in almost all crime categories involving violence, breaking and entering, breaches of justice procedures and driving offences (driving without a licence or driving while under the influence), while being underrepresented in fraud and drug offences.[56]

Employment

2.42 Indigenous Australians have lower levels of labour force participation and higher levels of unemployment compared with the general population.

2.43 Indigenous people are less likely than non-Indigenous people to be in paid employment, due to lower levels of general education and relevant work skills, and being more likely to live where jobs are fewer.[57]

2.44 The unemployment rate of Indigenous Australians in 2001 was 23.0 per cent, more than triple the 7.4 per cent unemployment rate for non-Indigenous Australians.[58] The Indigenous unemployment rate would be as high as 40 per cent if Community Development Employment Project (CDEP) participants were classed as unemployed.[59]

2.45 CDEP employment represents almost one third of the total Indigenous employment and Indigenous community organisations also provide a large share of Indigenous employment, resulting in up to 70 per cent of Indigenous employment relying on public funding.[60]

Data collection

2.46 The Committee received evidence emphasising the importance of accurate and current population data:

> [A] good understanding of population dynamics and their associated social indicators are clearly essential to any informed analysis of service delivery and capacity building in Indigenous communities.[61]

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56 Australian Institute of Criminology, 1995, *The Over-Representation of Indigenous People in Custody in Australia,* Trends and Issues in Crime and Criminal Justice Paper No. 47, Walker, J. & McDonald, D.

57 CGC, 2001, *Report on Indigenous Funding 2001*, Canberra, p. 237.

58 ABS, *Special Article 2002,* Canberra.

59 CGC, 2001, *Report on Indigenous Funding 2001*, Canberra, p. 236.

60 *ibid,* p. 237.

61 Centre for Aboriginal Economic Policy and Research (CAEPR), Australian National University (ANU), Submission 25, p. 5.

2.47 The Committee notes three main forms of available data: the Census, administrative data collected by service providers, and survey data. The Census (though acknowledged to be inaccurate, particularly in remote areas and in relation to Indigenous Australians) can be useful for regional, generalised comparisons. Administrative data can lack comparability within and between States due to different collection methods, and in-confidence or privacy considerations can limit data availability.[62] Survey data can be useful as a snapshot, but may be inconsistent over time due to methodology developments and changing priorities.

2.48 Numerous submissions to the inquiry indicated the importance of accurate, comparable (both over time and between jurisdictions) data in order to appropriately measure, fund and address Indigenous disadvantage.

2.49 Similarly, the *Overcoming Indigenous Disadvantage*: *Key Indicators 2003* report emphasised the need to collect data to provide policy makers with a broad overview of the current state of Indigenous disadvantage and to highlight the areas which require action.[63] The report involves an Indicators Framework and, in order to measure progress against these benchmarks, accurate data collection is essential. The report indicates priority areas for data collection.[64]

2.50 The Committee supports the indicator framework of the Overcoming Indigenous Disadvantage report and endorses the data collection recommendations made by the Steering Committee of that report. The framework outlining the Priority Outcomes Headline Indicators and Strategic Areas for Action can be found in chapter three of this report.

2.51 Accurate data is particularly important for funding allocation if Indigenous service needs are to be met appropriately.

62 CGC, 2001, *Report on Indigenous Funding 2001*, Canberra, p. xx.

63 SCRGSP, 2003, *Overcoming Indigenous Disadvantage: Key Indicators 2003,* Productivity Commission, Canberra, p. I.

64 *ibid*, p. LII.

Recommendation 1

The Committee recommends that:

(a) the Commonwealth Government, in consultation with the Australian Bureau of Statistics and the Steering Committee for the Review of Government Service Provision, take a lead role in the establishment of an agreement with State and Territory governments on the collection of uniform data in relation to Indigenous Australians; and

(b) the process be given the highest priority.

Service provision and funding

2.52 In the late 1960s and early 1970s social policy relating to Indigenous Australians was fundamentally reassessed[65] and the 1967 referendum came to be seen as a marker of this change:

> Indeed, the referendum has come to act as a form of historical shorthand for a decade of change in the area of Aboriginal Affairs… which, to some extent, foreshadowed the increased Commonwealth involvement in other policy areas previously the sole province of the States.[66]

2.53 The 1967 referendum changed the Australian Constitution with regard to Aboriginal people by:

- removing the impediment in section 51 (xxvi) to the Commonwealth Government making special laws with respect to Aborigines; and
- removing the impediment in section 127 to counting Aboriginal people in the Census.[67]

2.54 The referendum did not seek to give the Commonwealth explicit or exclusive responsibility for Aboriginal affairs. The responsibility for

65 CAEPR, ANU, 1993, *Rethinking the fundamentals of social policy towards Indigenous Australians: Block grants, mainstreaming and the multiplicity of agencies and programs,* Discussion Paper 46, Canberra, p. 1.

66 Commonwealth Parliamentary Library, Background Paper 11 1996-97, *The Origin of Commonwealth Involvement in Indigenous Affairs and the 1967 Referendum*, Social Policy Group, Gardiner-Garden, J., p. 16.

67 *ibid*, p. i.

Aboriginal affairs remains primarily with the States.[68] It did, however, enable the Commonwealth to have a role in dealing with the special needs of Aboriginal and Torres Strait Islander people.

2.55 The following sections on the roles and obligations of the different levels of government in providing services to Indigenous Australians have been summarised from the Commonwealth Grants Commission *Report on Indigenous Funding*, unless otherwise stated.

The role of the Commonwealth

2.56 The Commonwealth is responsible for providing a wide range of citizenship services to all Australian people. The Commonwealth also meets its responsibilities towards Indigenous people by directly funding services through own-purpose outlays, such as:

- expenditure on mainstream programs (such as income support payments, the Job Network, Medicare, the Pharmaceutical Benefits Scheme (PBS) and rent assistance), which provide citizenship services to all Australians, including Indigenous Australians, who meet eligibility criteria;
- funding ATSIC and other Commonwealth agencies to provide supplementary services to Indigenous people — examples include housing and infrastructure provision, Community Development Employment Program (CDEP) and the Indigenous Employment Program;[69] and
- funding non-government bodies, such as community controlled health services, to provide services for Indigenous people.[70]

2.57 The Commonwealth provides Specific Purpose Payments (SPPs) (tied grants) to the States and Territories to fund services where the States and Territories are the main providers, but where the Commonwealth sees a national interest, with these SPPs taking the form of:

- mainstream payments (such as those under the Australian Health Care Agreements, the Commonwealth-State Housing Agreement and grants for schools), which help fund

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68 *ibid*, p. 14.

69 As a consequence of its decision to abolish the ATSIC Board of Commissioners, the Government has announced that specialist Indigenous programs would be retained but those delivered by ATSIC and ATSIS would be devolved to mainstream departments. Details of the proposed devolutions can be found at: Senator Amanda Vanstone, Minister for Immigration and Multicultural and Indigenous Affairs, Minister Assisting the Prime Minister for Reconciliation, *New Service Delivery Arrangements for Indigenous Affairs* <http://www.atsia.gov.au/media/media04/v04012.htm> (accessed 10.05.04).

70 CGC, 2001, *Report on Indigenous Funding 2001*, Canberra, pp. 54-55.

mainstream services the States [and Territories] provide to all eligible people, including Indigenous people; or

- supplementary Indigenous-specific SPPs (such as those under the Indigenous Education Strategic Initiatives Program) which fund services specifically for Indigenous people.[71]

2.58 The Commonwealth provides general revenue assistance to the States, Territories, and, to a lesser extent, local governments in the form of General Purpose Payments (untied grants) to help them meet their responsibilities — the States, Territories and local governments can spend these funds according to their own budget priorities.[72]

2.59 Finally, the Commonwealth provides leadership in all areas by developing, negotiating and promoting national policies and promoting understanding of new or different ways of providing services.[73]

The role of the States and Territories

2.60 The States and Territories are the primary providers of a wide range of government services. Apart from employment services, they provide most of the services in the areas of education, infrastructure, health and housing, and incur about 70 per cent of the expenditure, which is partly funded by SPPs.[74]

2.61 Indigenous specific programs compete for funding with mainstream services provided to the general population. The challenge for the States and Territories, with respect to Indigenous people, is to provide effective services, within their mainstream provision, to a relatively small sub-population that has distinctive characteristics and which requires special approaches to service delivery.[75]

The role of local government

2.62 Australia's local governing authorities have primary responsibility for the provision of local roads, civic planning, garbage collection and maintenance of community amenities. They fund their services from property-based rate revenue, user charges and government grants.[76]

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71 *ibid*, pp. 54-55.
72 *ibid*, pp. 54-55.
73 *ibid*, pp. 54-55.
74 *ibid*, p. 55.
75 *ibid*, pp. 55-56.
76 *ibid*, p. 56.

2.63 The Commonwealth's general revenue contribution to local government (which averages about $68 per person) represents about 12 per cent of total revenues available to that sphere of government.[77]

2.64 In chapter three the Committee comments on the role of local authorities in service delivery and the need for funding equalisation and compensation for Indigenous populations within the jurisdiction of local authorities where revenue could not be raised through rates and other payments.

Conclusions

2.65 The Report of the Review of the Aboriginal and Torres Strait Islander Commission, *In the Hands of the Regions – A New ATSIC* (the ATSIC Review), concluded that current funding and service provision to Indigenous Australians was complex, confusing, and ineffective:

> This mix of funding and program delivery is often confused, illogical, not effectively coordinated, blurs responsibility, creates duplication and produces sub-optimal outcomes.[78]

2.66 The report recommended that a roundtable be convened between Australian, State and Territory governments with the involvement of ATSIC, to discuss and reach agreement on the most effective delivery of coordinated services for Aboriginal and Torres Strait Islander people.[79]

2.67 The Committee supports the recommendation for a national summit on intergovernmental relations in order to address the outstanding problems around current funding arrangements. The Committee believes that local government could play a more significant role in Indigenous service delivery if funded appropriately.

2.68 The Committee concluded that the complexity in regard to funding service delivery could be improved through bilateral agreements between the Commonwealth and States, based on outcomes in key service delivery areas. These outcomes could be measured against national priority indicators such as those established by the *Overcoming Indigenous Disadvantage* report.

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77 *ibid*, pp. 54-56.

78 Hannaford, J., Huggins, J. & Collins, R, 2003, *In the Hands of the Regions - A New ATSIC: Report of the Review of the Aboriginal and Torres Strait Islander Commission*, Canberra, p. 60.

79 *ibid*, p. 11 and p. 60.

ATSIC / ATSIS's role in service provision

2.69 The Aboriginal and Torres Strait Islander Commission (ATSIC) was established in 1989 and was tasked, in part, to be the primary deliverer of Indigenous specific programs at the Commonwealth level.[80] Over the years ATSIC's structure, program responsibility and status changed. As at the commencement of 2004, ATSIC's key functions involved:

- developing policy proposals for consideration by government;
- assisting, advising and cooperating with Aboriginal and Torres Strait Islander communities, organisations and individuals;
- advocating Indigenous interests to all spheres of government, especially the Minister responsible for Aboriginal and Torres Strait Islander affairs; and
- formulating and implementing programs for Aboriginal and Torres Strait Islander peoples.[81]

2.70 In April 2003, the then Minister for Immigration and Multicultural and Indigenous Affairs, the Hon. Philip Ruddock, announced a series of changes to the funding arrangements of ATSIC. The changes included the establishment of a new agency—Aboriginal and Torres Strait Islander Services (ATSIS) to administer ATSIC's programs and make decisions about the allocation of ATSIC grants,[82] thus separating the political and financial arms of ATSIC in order to address perceived issues of conflict of interest and to enhance accountability.

2.71 Towards the end of this inquiry, however, both the Government and the Opposition made significant announcements concerning the future of ATSIC.

2.72 On 15 April 2004 the Government announced its intention to abolish the ATSIC Board of Commissioners and implement new service delivery arrangements for Indigenous Affairs.

2.73 The Aboriginal and Torres Strait Islander Commission Amendment Bill 2004 was presented in the House of Representatives on 27 May 2004. The Bill's purpose is to implement the Government's decision to abolish ATSIC. The Bill also contains a range of consequential and transitional provisions arising from the proposed abolition, including the transfer of ATSIC's assets and liabilities to other agencies, the establishment of a new

80 Review of the Aboriginal and Torres Strait Islander Commission, 2001, *Public Discussion Paper*, p. 12.

81 ATSIC, *ATSIC Corporate Plan 2001-2004*, Canberra, p. 7.

82 Commonwealth Parliamentary Library, Current Issues Brief no. 29 2002-03, *Make or Break? A Background to the ATSIC Changes and the ATSIC Review, 2003*, Social Policy Group, Pratt, A, p. 1.

housing fund to be administered by Indigenous Business Australia and the abolition of ATSIC's regional councils from 1 July 2005.

2.74 Following the introduction of the Bill, the Minister for Immigration and Multicultural and Indigenous Affairs, Senator the Hon. Amanda Vanstone, announced Government proposals to:

- replace the regional councils with an alternative structure to be developed in consultation with the States and Territories and Indigenous people;
- retain and quarantine the funding for Indigenous specific programs but to devolve the programs to mainstream departments;
- establish a Ministerial task force on Indigenous affairs to provide whole of government leadership on Indigenous issues supported by a departmental secretaries group which would report annually on outcomes;
- hold departmental secretaries directly accountable for outcomes of Indigenous specific services and this would be reflected in their performance agreements;
- establish a National Indigenous Council (a non statutory body comprised of Indigenous people with expertise and experience on a range of Indigenous issues) to provide policy advice to Government and directly advise the Ministerial task force; and
- establish an Office of Indigenous Policy Coordination in DIMIA to provide advice, coordinate policy development and service delivery and oversee relationships with State and Territory governments.[83]

2.75 On 30 March 2004, the Opposition released a policy statement outlining proposals to abolish ATSIC and ATSIS and establish a new directly-elected national Indigenous body to advise and monitor Government. The announcement stated that ATSIC was no longer capable of addressing endemic problems in Indigenous communities and had lost the confidence of much of its own constituency and the wider community The announcement also set out principles upon which a framework for Indigenous self governance and program delivery with a focus on regional partnerships would be based and made a commitment to comprehensive

83 Senator Amanda Vanstone, Minister for Immigration and Multicultural and Indigenous Affairs, *Legislation to Abolish the Aboriginal and Torres Strait Island Commission*, Media Release, 27 May 2004 <http://www.atsia.gov.au/media/media04/v040203.htm> (accessed 28.05.04).

consultation and negotiation on the final form of the proposed governance and program delivery framework.[84]

2.76 Within the Committee there are divergent views on the Government's legislative proposals, as well as on the issue of whether or not the Government failed to adequately consult and engage with Indigenous people on its proposals. The Committee does, however, agree on the need for effective consultation with Indigenous people on future directions in Indigenous representation and the provision of advice to government and Indigenous roles in service delivery arrangements.

ATSIC's funding and allocation

2.77 ATSIC's budget in 2002-03 was $1.132 billion,[85] with expenditure dominated by two large programs which accounted for more than half of the Commission's expenditure:

- the Community Development Employment Projects (CDEP) – approximately $484m in 2002-03; and,
- the Community Housing and Infrastructure Program (CHIP) – $255m in 2002-03.[86]

2.78 The next tier of ATSIC's expenditure was focused on native title and land rights; legal aid and prevention and diversion; commercial development; and a self funding home loans scheme, with funding ranging from $30m to $60m for these programs.[87] Smaller programs supported Indigenous broadcasting and other media; language maintenance; arts and crafts and other cultural activities; heritage and environmental protection; sport and recreation; and family reunion services for the Stolen Generations (Link Up).[88]

2.79 The Commonwealth Government required that approximately two thirds of ATSIC's budget be spent on CDEP, CHIP and Native Title, with the remaining third spent at the discretion of ATSIC's elected

84 Mark Latham, Leader of the Opposition and Kerry O'Brien, Shadow Minister for Reconciliation and Indigenous Affairs, *Opportunity and Responsibility for Indigenous Australians*, ALP News Statements, Policy Statement, 30 March 2002, http:www.alp.org.au/media/0304/20007157.html (Accessed, 26 May 2004).

85 ATSIC, *Aboriginal and Torres Strait Islander Commission Budget*, Media Backgrounder, <http://www.atsic.gov.au/About_ATSIC/Budget/2002_2003/budget02-03-background.doc> p. 1.

86 *ibid*, p. 1.

87 *ibid*, p. 1.

88 *ibid*, p. 1.

representatives.[89] It should be noted that in many instances, ATSIC's role was to provide programs to supplement, rather than substitute for, the provision of mainstream services available to all citizens of Australia, and which are the responsibility of other government agencies. ATSIC's programs were intended to complement government Indigenous specific programs.

2.80 ATSIC's budget represented less than half of the Commonwealth's allocation for Indigenous specific programs. The other half was largely administered by the Department of Education, Science and Training (for ABSTUDY and other Indigenous education programs), the Department of Health and Aged Care (for primary health care, substance abuse, mental health and aged care services), the Department of Employment, Workplace Relations and Small Business (for an Indigenous Employment Policy) and the Department of Family and Community Services (for some public housing via the Aboriginal Rental Housing Program). As previously mentioned, State, Territory and local government also receive funding and have responsibilities for providing services.[90]

Public perceptions of ATSIC's responsibilities

2.81 The Committee is aware of arguments that ATSIC has been a scapegoat for failures in Indigenous programs, and has been held accountable for programs which it no longer administered.[91] The Commonwealth Grants Commission Report on Indigenous Funding found that the failure of mainstream programs to meet the needs of Indigenous people placed a burden on ATSIC funds to deliver services for which it had no primary responsibility.[92] Additionally, the Report argued that ATSIC had difficulty fulfilling its role as a supplementary funder as, in a number of cases, ATSIC had to operate as a primary funder of services where other agencies had failed to fulfil their obligations due to blurred roles and responsibilities.[93]

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89 *ibid,* p. 1.

90 *ibid,* p. 2.

91 Opinions have been expressed by a variety of figures, notably, Dr William Jonas AM (Aboriginal and Torres Strait Islander Social Justice Commissioner) and Commissioner Lionel Quartermaine (Acting ATSIC Chairman). See Human Rights and Equal Opportunity Commission (HREOC) Media Release *Statement on ATSIC: Dr William Jonas AM, Aboriginal and Torres Strait Islander Social Justice Commission, HREOC,* and ATSIC Media Release *Indigenous suffering demands meaningful solutions from national political leaders,* both dated 16.04.04.

92 CGC, 2001, *Report on Indigenous Funding 2001*, Canberra, p. 57.

93 *ibid,* p. 57.

Findings of the ATSIC Review

2.82 In November 2003 the report of the review of ATSIC was released, titled *In the hands of the Regions – A new ATSIC*. It proposed a package of reforms to give greater control of ATSIC to Aboriginal and Torres Strait Islander people at the regional level. The Committee commends the review panel on the report and sees merit in a number of the recommendations proposed. Certain of these recommendations have relevance to this inquiry into service delivery and capacity building in Indigenous communities and are drawn upon throughout this report.

Indigenous community organisations

2.83 Indigenous organisations and councils are responsible for much of the service delivery in discrete Indigenous communities and to Indigenous populations in regional urban centres. These organisations range from small local groups relying on voluntary labour to very large national organisations.

2.84 The Committee heard that Indigenous people can prefer and be more comfortable with Indigenous organisations providing services for Indigenous people.[94] These services have a high level of Indigenous consumer focus.[95]

> The need goes right down to the individual person, to their basic consumer rights… This is something that for far too long has not been recognised, and Tangentyere takes the consumer voice very seriously.[96]

A different response towards service delivery

2.85 The need to deliver appropriate and effective services to Indigenous people has been acknowledged for over a decade. Data on Indigenous disadvantage, as discussed earlier in this chapter, indicate that there is some distance to go between the rhetoric of improved service delivery and improved outcomes for Indigenous people.

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94 Mr Paul Briggs, First Nations Australian Credit Union, Rumbalara Football / Netball Club, and Common Fate Endorsed Program, Transcript of evidence (17.02.03), p. 337.

95 Tangentyere Council Inc., Submission 32, p. 2.

96 Mr William Tilmouth, Tangentyere Council, Transcript (25.09.03), pp. 1291-1292.

2.86 Clearly there is a tangible shift in the way governments and Indigenous people envisage the way services should be delivered, both a changing attitude and a changing mode of engagement and agreement making.

> There is a clearly articulated, and nationally supported, need for systemic change in the way the wider Australian community (including government) works with Indigenous peoples…. The current trend of program and community service delivery approaches falls short of recognising the value of Indigenous participation. Indeed it constrains the ability for Indigenous peoples to influence outcomes too often set outside of effective consultation and engagement.[97]

> What is needed is a paradigm shift — one that supports Aboriginal community leaders and Elders and their call for a reform agenda. Central to the reform agenda is personal and community empowerment, the right of Aboriginal communities to take responsibility for their own affairs and the obligation on governments to change the way they engage with Aboriginal communities in the provision of services.[98]

2.87 The current modes of service delivery which reinforce passive acceptance of these services are questioned by a number of government agencies and community organisations.[99] Indigenous leaders, such as Noel Pearson in Cape York, articulate this position.[100]

2.88 The Committee has heard that government agencies at both the Commonwealth and State/Territory levels are actively pursuing genuine partnerships with Aboriginal and Torres Strait Island people.[101]

Commonwealth Government

2.89 The Commonwealth Government is articulating a greater emphasis on forming partnerships with Indigenous communities. The Committee believes that the Commonwealth plays a vital leadership role in pushing

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97 Government of Western Australia, Submission 57, p. 4.

98 Aboriginal Services Division, Department of Human Services South Australia, Submission 49, p. 2.

99 For example, DIMIA, Submission 42, p. 10.

100 See Aboriginal and Torres Strait Islander Social Justice Commissioner, Dr. William Jonas AM, 2002, *Social Justice Report 2001*, Human Rights and Equal Opportunity Commission, Sydney, pp. 58-61 for an indication of Noel Pearson's views.

101 See the *Partnerships* section of chapter three.

this change in service delivery engagement, and should ensure that Commonwealth initiatives continue to support this partnerships agenda.

2.90 The Commonwealth, through the Council of Australian Governments (COAG) has committed itself to a partnership approach with Indigenous communities and State and Territory governments. DIMIA told the Committee that:

> These developments marked an increasing recognition by government and communities of the importance of building partnerships of shared responsibility for improving the circumstances of Indigenous people.[102]

2.91 In April 2002 COAG committed itself to implement a whole of government cooperative approach in up to ten Indigenous communities or regions throughout Australia. The initiative takes a three to five year approach to outcomes and emphasises the substantial investment in building the capacity of communities to be able to engage with governments as equal partners. The Committee heard evidence from the Indigenous Community Coordinating Taskforce (ICCT) which was established by COAG to coordinate and facilitate the initiative:

> The Commonwealth Government has agreed to work closely with State and Territory Governments in a number of Indigenous communities and regions to provide programmes and services in a more coordinated and flexible way based on priorities agreed with communities.[103]

2.92 The Committee visited a number of the COAG initiative sites and saw at first hand differences in both the capacity of communities to deal with governments and in the issues which communities wished to address. The Committee commends this long-term approach to capacity building and the establishment of partnerships between governments and communities. The Western Australian Government told the Committee that:

> … [The] COAG pilot is an action learning process. It is not a program… [or] something we are going to duplicate everywhere… It is designed to inform a broader application of policy and a broader set of initiatives that is more equitable in the way that it delivers a service. So the relationship between the Commonwealth and the State is very important. I think it would be very exciting to see the Commonwealth shift its perspective to

102 DIMIA, Submission 42, p. 18.

103 Indigenous Communities Coordination Taskforce (ICCT), Submission 40, p. 3.

> be more responsive and less proactive… it would be beneficial if it stepped back and waited and was able to respond and put the community in the driving seat to outline how it wanted the government to respond—and that is the same for our own State government as well. This action learning research is about empowering that community.[104]

2.93 The Committee believes that the COAG initiative should be maintained and that the findings from these trials should be implemented in a manner which continues to build the capacity of governments and Indigenous communities. The Committee believes that the COAG agreements have elevated Indigenous affairs to a more prominent position on the political agenda. It will be at the highest levels of government that Indigenous disadvantage will most effectively be addressed.

2.94 This does not mean, however, that the Committee does not have serious concerns regarding the Trials. The Committee notes that there has been limited, if any, coordinated reporting on their implementation and, to date, no tangible evidence has emerged on their progress. The Committee has concerns regarding accountability matters, and believes that an effective audit process needs to be put in place and a regular report made on their progress in achieving outcomes.

Recommendation 2

The Committee recommends that the Commonwealth Government make Aboriginal and Torres Strait Islander Affairs a permanent agenda item at future COAG meetings.

State and Territory Government initiatives

New South Wales

2.95 In 2001 the New South Wales Department of Aboriginal Affairs created a plan of action called *Two Ways Together*: *Partnerships: A New Way of Doing Business with Aboriginal People,* that acknowledges past problems, builds on successes and works to strengthen Aboriginal leadership and economic

104 Ms Benita Cattalini, Department of Indigenous Affairs, Western Australian Government, Transcript (05.08.03), p. 914.

independence, building a partnership between Aboriginal people and the NSW Government.[105] The Committee was told:

> What this new approach will seek to do is address localised needs by supporting solutions which are developed and driven by Aboriginal people in their communities. The framework of Two Ways Together has two core elements. The first is making services work, which establishes what business needs to be done, and the second is new ways of doing business with Aboriginal people, which establishes how business will be done.[106]

2.96 In 2002 the NSW Department of Aboriginal Affairs also signed a *Service Delivery Partnership Agreement* with ATSIC and the NSW Aboriginal Land Council intended to improve outcomes for Aboriginal and Torres Strait Islander people through greater collaboration and cooperation.[107]

> The Service Delivery Partnerships Agreement ensures that our Commonwealth partners are more readily able to align their strategies with local priorities and aspirations... It is focused on developing greater sensitivities, flexibilities and responsiveness within agencies in the way in which they work and deliver services to Aboriginal people.[108]

Northern Territory

2.97 Representatives of the Northern Territory Government told the Committee that:

> The current government has articulated a substantial agenda in Indigenous affairs and is actively exploring ways of building more effective partnerships with Indigenous communities and governments to address the chronic issues facing most Indigenous communities.[109]

2.98 As part of this approach, the Northern Territory Government established an Office on Indigenous Policy, within the Chief Minister's Office, in July

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105 Department of Aboriginal Affairs (DAA), New South Wales Government, *Partnerships: A New Way of Doing Business with Aboriginal People*, <http://www.daa.nsw.gov.au/policies/policy.html> (accessed 08.11.03).

106 Mr Andrew Cappie-Wood, DAA, NSW Government, Transcript (08.04.03), p. 659.

107 DAA, NSW Government, *NSW Service Delivery Partnership Agreement* <http://www.daa.nsw.gov.au/policies/agreement.html> (accessed 08.11.03).

108 Mr Andrew Cappie-Wood, DAA, NSW Government, Transcript (08.04.03), pp. 659-660.

109 Mr Neil Westbury, Office of Indigenous Policy, Department of the Chief Minister, Northern Territory Government, Transcript (27.11.02), p. 176.

2002. The Office provides whole of government advice on Indigenous affairs policy issues.

Queensland

2.99 The Queensland Government has developed a framework which aims to reduce the levels of bureaucracy between communities and decision makers. Queensland has adopted a *negotiation table* model where communities are provided the facility to identify, develop and present their priorities to government, and government is able to respond in a timely and coordinated way. This community involvement directly with government is supported at the highest level of the bureaucracy through the *Champions* program where Indigenous communities are 'championed' by CEOs of government departments, so that the communities have a direct link with the highest level of bureaucracy.[110]

> The Partnership is built on the premise that government and Aboriginal and Torres Strait Islander communities should work together, through partnering, to improve the economic, physical, social and emotional well-being of Aboriginal and Torres Strait Islander Queenslanders….Our approach to partnerships is community driven. We recognise that continued reliance on "top — down" models would only serve to increase dependency on the welfare economy.[111]

2.100 Officials from the Department of Aboriginal and Torres Strait Islander Policy articulated the policy direction to form partnerships, not only with Indigenous people, but equally with the Commonwealth Government.[112]

South Australia

2.101 The South Australian Government told the Committee that there:

> …[is] the need to develop genuine partnerships between the government and community, that is a partnership that provides autonomy of decision making for the community with expert advice provided from other stakeholders when requested. In other words Government should assist, not direct, communities.[113]

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110 Queensland Government, Submission 56, p. 5.

111 Queensland Government, Submission 56, p. 2.

112 Mr Tony Dreise, Strategic Partnership Office, Department of Aboriginal and Torres Strait Islander Policy Queensland, Transcript (09.07.03), p. 865.

113 Government of South Australia, Submission 51, p. 3.

2.102 The model proposes that governments provide resources, together with some skill based experience, as well as support, and that the community provide local knowledge and experiences. Critically, the South Australian Government suggests that both parties must bring a desire for success and an understanding and respect for the other party's contributions.[114]

Tasmania

2.103 The Tasmanian Government is currently negotiating a formal Partnership Agreement between the State government, Tasmania's Aboriginal people and ATSIC. This follows on from a Communiqué signed by ATSIC's Chairman and Tasmania's Premier in 2001, and aims to build on the *National Commitment to Improved Outcomes in the Delivery of Programs and Services for Aboriginal Peoples and Torres Strait Islanders (1992)*.[115] The proposed partnership will:

> recognise the need for a partnership with Aboriginal people in Tasmania and the imperative for a multi-agency approach to achieving priority outcomes. Initiatives will be implemented cooperatively by relevant Commonwealth, State and Local Government agencies and ATSIC. Specific issues identified under these initiatives will be further developed by Partnership Agreement Issues Working Groups.[116]

Victoria

2.104 The Victorian Government Indigenous Affairs Report released in October 2002 sets out the priority to build a new partnership between the government and Indigenous Victorians. The report notes that the Victorian Government has put in place:

> The building blocks…to rebuild and recast the relationship between government and Indigenous communities. In particular, the development of the Premier's Aboriginal Advisory Council …

114 Government of South Australia, Submission 51, p. 3.

115 Details of the *National Commitment to Improved Outcomes in the Delivery of Programs and Services for Aboriginal Peoples and Torres Strait Islanders (1992)* can be found at <http://www.alga.asn.au/policy/indigenous/nationalCommitment.php> (accessed 21.04.04).

116 Government of Tasmania and ATSIC, 2001, <http://www.dpac.tas.gov.au/divisions/policy/partnerships/documents/ATSIC_communique.pdf> Communique, (accessed 21.04.04).

> has provided an important new link between the government and Indigenous Victorians.[117]

2.105 The Committee was told by representatives from the Department of Aboriginal Affairs Victoria that the Victorian Government was committed to forming new partnerships with Indigenous communities.

> I would conclude on the point that the government believes that the way to be fair dinkum… in partnership is not to stipulate what a community needs or what we think is appropriate to develop that capacity, but to have them identify the best way and to come to us with what they regard as something that will develop a sustainable approach to enable that community to increase its capacity to achieve its objectives and to work with government.[118]

Western Australia

2.106 The Western Australian Government noted that current trends of program and community service delivery approaches fall short of recognising the value of Indigenous participation.[119] It articulated a new response to service delivery which requires government agencies to work with Indigenous people in a meaningful way.

2.107 In 2001 the WA Government made a formal commitment to build a new relationship with the Aboriginal people of Western Australia based upon a Statement of Commitment. The Statement set out a partnership framework based on decentralising decision making by developing regional and local agreements, and laid the foundation for a new partnership between Government and Indigenous communities.[120] In relation to identified changes in service delivery the Committee was told:

> You have to identify the particular community you are going to work with and you have to engage them and spend time getting to know them before you can actually work out the delivery style. I think that is the key: getting to know them, engaging them, working with them and asking them what they actually want. I think that, previously, in government agencies—I have been with government for a while—we made all these assumptions and we did not believe there were strengths in the areas to which we

117 Department of Natural Resources and Environment, Victorian Government, *The Victorian government Indigenous affairs report November 1999 - October 2002,* p. iii.

118 Mr Anthony Cahir, Aboriginal Affairs Victoria, Transcript of evidence (19.02.03), p. 436.

119 Government of Western Australia, Submission 57, p. 4.

120 Government of Western Australia, Submission 57, p. 24.

> provided services. I think things are changing in government in Western Australia whereby we are working with communities and asking them what they want.[121]

Conclusions

2.108 The Committee is encouraged by the efforts of all levels of government to reconsider conventional methods of service delivery which reinforce dependence upon governments and continue to disempower Indigenous people. The Committee suggests that all levels of government should continue to pursue genuine partnerships with Indigenous people and that Indigenous people should engage with governments at the highest level.

2.109 The Committee acknowledges suggestions in evidence that the Commonwealth take a less proactive and more reactive role and respond to requests from Indigenous communities.[122] The critical challenge for all levels of government is to move from the rhetoric of partnership to a position of genuine partnership and engagement to allow Indigenous people to achieve Indigenous objectives. Professor Stephen Cornell of the Harvard Project told the Committee:

> It is… like the government moving out of the driver's seat but remaining very much in the vehicle as a resource.[123]

2.110 The critical challenge for Indigenous people and Indigenous leaders is to engage in the debate, to enhance the governance of Indigenous organisations so that Indigenous people can invest in, take ownership for and find solutions to problems, and to work in partnership with the wider Australian community. ATSIC Commissioner Quartermaine argued:

> … good governance is about – honestly facing up to problems and dealing with them ourselves. Not leaving it to others. Taking control of our own lives and our own affairs means taking ownership of the mistakes and responsibility for fixing them, as well as taking credit for achievements. We have to learn from experience and adjust accordingly.[124]

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121 Mrs Jennifer Collard, Indigenous Policy Directorate, Department for Community Development, Government of Western Australia, Transcript (05.08.03), pp. 908-909.

122 Ms Benita Cattalini, Western Australian Government, Transcript (05.08.03), p. 914.

123 Professor Stephen Cornell, Udall Center for Studies in Public Policy, University of Arizona, Harvard Project on American Indian Economic Development, Transcript (03.11.03), p. 1370.

124 Commissioner Lionel Quartermaine, Acting Chairman, ATSIC, *Indigenous Research: What's It About?* Keynote Address to open the Indigenous Researchers' Forum, 01.10.03 <http://www.atsic.gov.au/news_room/speeches_transcripts/default.asp?id=2926> (accessed 08.12.03).

2.111 In this chapter the Committee has explored the current socio economic status of Indigenous Australians, the current service delivery environment and the emerging direction of government-Indigenous relations. The next chapter explores how the capacity of governments can be developed to help address the disadvantage of Indigenous people.

3

Building the capacity of government agencies

Introduction

3.1 This chapter will address the term of reference:

> Building the capacity of government agencies so that policy direction and management structures will improve individual and community outcomes for Indigenous people.

3.2 The terms of reference required the Committee to inquire into and report on strategies to assist Aboriginal and Torres Strait Islanders better manage the delivery of services within their communities. In particular, building the capacities of:

> (a) individuals, families and communities;
>
> (b) Indigenous organisations; and
>
> (c) government agencies.

3.3 The Committee takes 'service delivery' to involve the provision of services relating to areas, such as health, education, welfare and justice, as well as infrastructure services such as sanitation, transport and housing.

3.4 Several submissions to the inquiry expressed concern over the order of the terms of reference.[1]

3.5 The Fred Hollows Foundation argued that the terms of reference may focus attention largely on the importance of building the capacity of communities, their leaders, and the governance of community organisations, without giving adequate recognition to the structural issues relating to service delivery. Thus, it argued, capacity building was unlikely to have much more than a marginal and short term benefit for Indigenous communities.[2]

3.6 In a slightly different vein, the Centre for Aboriginal Economic Policy Research (CAEPR) argued:

> All three levels of capacity building are important, although, in order of importance, CAEPR's research findings would probably rank them in the opposite way to that listed in the terms of reference.[3]

3.7 In rating paragraph (c) of the terms of reference first, CAEPR argued for the importance of government agency internal capacity building, and acknowledged government agencies' awareness of their lack of capacity in addressing Indigenous needs.[4]

3.8 The Committee agreed that for there to be a real change in the effectiveness of service delivery, and ultimately to the outcomes for Indigenous people, a significant change in the approach of government and to the attitude and skills of government agencies needs to occur. As such, the Committee concluded that it would be appropriate to address the terms of reference in reverse order to their original listing.

3.9 This chapter will deal with building the capacity of government agencies, while the following two chapters will address each of the other terms of reference, building the capacity of Indigenous organisations, and building the capacity of Indigenous individuals, families and communities, respectively.

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1 Such as The Fred Hollows Foundation, Submission 36, p. 4, and Centre for Aboriginal Economic Policy Research (CAEPR), Australian National University (ANU), Submission 25, p. 2.

2 The Fred Hollows Foundation, Submission 36, p. 4.

3 CAEPR, ANU, Submission 25, p. 2.

4 CAEPR, ANU, Submission 25, p. 2.

3.10 Four major themes arose in the evidence in relation to government agency capacity building. These were the need to enhance integration and cooperation, the need to enhance government service delivery, the need to enhance funding delivery and the need to enhance Indigenous-government partnerships. These themes will be covered in the four sections of this chapter.

Government integration and cooperation

Introduction

3.11 Evidence suggested that the current lack of integration and coordination, within and between levels of government and their agencies, played a significant role in poor service delivery to Indigenous Australians. Reconciliation Australia told the Committee that:

> The absence of a whole of government approach has serious implications for on the ground service provision in communities….the *capacity* of government departments to develop a collaborative approach is hard to generate, and even harder to maintain. …[Yet it] is this capacity that must be built if governments are to improve service delivery to Indigenous communities.[5]

Integration and coordination context

3.12 The need for a whole of government, integrated approach to service delivery (matched with other changes) was commonly argued as necessary to improve service delivery in order to address the acute socioeconomic disadvantage faced by Indigenous Australians.[6]

3.13 There is clearly a need for the current service delivery approach to change from a silo approach, in which government service agencies operate in isolation from each other, to a more collaborative framework involving cooperation between levels of government and their agencies, as well as partnerships with Indigenous people. This view was supported by the South Australian Department of Human Services:

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5 Reconciliation Australia, Submission 55, p. 21.

6 See, for example, Reconciliation Australia, Submission 55, p. 22.

> It is the deeply held view of Aboriginal people that service delivery has to change. The focus of "western" models of service delivery has been on separated service agencies, which operate in silos and, in the case of remote communities, "fly in, fly out" with little integration or joint planning in partnership with Aboriginal communities.[7]

3.14 Instances of duplication and the waste of resources were outlined to the Committee,[8] as were agency compartmentalism and the lack of a consistent 'on the ground' whole of government approach between agencies.[9]

3.15 The Committee believes that the silo approach prevents departmental officers from taking a more holistic approach to service provision and the strategies needed to address Indigenous disadvantage. The silo approach does not necessarily best support Aboriginal and Torres Strait Islander peoples' needs:

> Too many service-providers are locked into their specific job-roles and are, as a consequence, pretty useless unless an attending client presents with a need that lines up with the employee's own role and/or particular interests. This leads to frustration, delay, and an abandonment of duty-of-care in favour of referral to somebody else (who may or may not be available or willing to meet the client's actual needs).[10]

3.16 The Committee was also told by the Queensland Government:

> Improving coordination of government effort, at a Commonwealth, State and local jurisdiction, has been underway over the past few years with varying levels of success. Whole-of-governments policy frameworks have assisted in this process, however, barriers to achieving coordination remain in the form of program focused budget processes, lack of shared goals and priorities across government departments and agencies, and separate planning processes particularly at a strategic level.[11]

7 Aboriginal Services Division, Department of Human Services, South Australia, Submission 49, p. 17.

8 Mr Tim Chatfield, Aboriginal and Torres Strait Islander Commission (ATSIC) Tumbukka, Transcript of discussion (18.02.03), p. 397, and Mr John Collyer, Worn Gundidj Aboriginal Cooperative, Transcript of discussion (18.02.03), p. 399.

9 Pilbara Regional Council, Submission 41, p. 2.

10 Dr John Bully, (private capacity), Submission 50, p. 3.

11 Queensland Government, Submission 56, p. 12.

3.17 Institutional change will be difficult. The Department of Immigration and Multicultural and Indigenous Affairs (DIMIA), referred to international experience on 'joined up government' progress in its submission. In commenting on the United Kingdom Government's approach to improving whole of government integration, DIMIA cautioned:

> …[I]t is important not to underestimate the difficulties involved in achieving effective joined up government, particularly in a context of functionally discrete departments of state with culturally entrenched preferences.[12]

3.18 However, the Committee believes that governments at all levels will need to address issues of integration. They will need to reinforce the positive initiatives that are currently occurring across governments and jurisdictions and build a culture of action based upon positive outcomes. The Department of Family and Community Services (FaCS) argued that:

> …[We] have a long way to go on this journey but there are a lot of very good things occurring. If we can actually harvest those and promote those a bit more and get people to cherry pick in a practical sense, we would create a lot more of a wave of hope than the wave of despair that often comes from people focusing on intransigent problems rather than on good solutions.[13]

3.19 A number of these positive initiatives will be addressed in this chapter.

Strategies to enhance government integration

Senior level communication and coordination

3.20 Better communication and information sharing across government agencies was identified as a key factor in achieving better integration and better managed service delivery to address Indigenous disadvantage. Some current initiatives have been outlined below.

The COAG Trial

3.21 The Council of Australian Governments (COAG), as part of its Reconciliation mandate and its acknowledgement of the uncoordinated

12 Department of Immigration and Multicultural and Indigenous Affairs (DIMIA), Submission 42, Attachment B, p. 5.

13 Mr Barry Smith, Indigenous Policy and North Australia Office, Department of Family and Community Services (FaCS), Transcript (25.06.03), p. 743.

nature of Australian governments,[14] has undertaken a trial of a whole of government cooperative approach to service delivery and partnership in a number of Indigenous communities and regions around Australia. The COAG Trial:

> … is about Australian governments working together with Indigenous communities… to get better results for people on the ground through more effective use of government expenditure. This will require governments to work together better at all levels across agencies and jurisdictions.[15]

3.22 COAG comprises the Prime Minister, State Premiers, Territory Chief Ministers and the President of the Australian Local Government Association. The mandate of COAG is to:

> …initiate, develop and monitor the implementation of policy reforms that are of national significance and which require cooperative action by Australian governments.[16]

3.23 The Committee commends the recent COAG focus on whole of government responses to Indigenous disadvantage under the rubric of reconciliation, but is concerned at the lack of target setting and the lack of reporting on the progress of the Trials.

3.24 The COAG Trial is focussed on the provision of services in a more coordinated and flexible way based on priorities agreed with communities. The core element of the new approach is:

> …based around shared responsibility: that is responsibility of governments to sensibly and effectively meet the needs and aspirations of Indigenous communities and the responsibility of Indigenous communities to identify needs and sustain activities funded to meet those needs.[17]

3.25 The major elements of the initiative include:

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14 Indigenous Communities Coordination Taskforce (ICCT),*COAG Initiative*, <http://www.icc.gov.au/coag_initiative?MySourceSession=79060032652ad43003c7f76830054b1d> (accessed 21.04.04).

15 ICCT, 2004, *Who We Are*, <http://www.icc.gov.au/who_we_are> (accessed 21.04.04). See also chapter two. The agreement dates from April 2002.

16 Council of Australian Governments (COAG), *About COAG*, <http://www.coag.gov.au/about.htm> (accessed 21.04.04).

17 ICCT, Submission 40, p. 3.

- The Ministerial Council for Aboriginal and Torres Strait Islander Affairs (MCATSIA), which is a forum where Commonwealth and State and Territory Ministers with responsibility for Indigenous policy and / or program issues meet regularly to discuss matters of common interest. The Chairman of ATSIC attends meetings, and the Torres Strait Regional Authority and the Australian Local Government Association can participate but cannot vote on issues.[18]
- The Secretaries Group on Indigenous Issues, which is made up of a number of departmental secretaries and a deputy secretary from the Department of the Prime Minister and Cabinet. The group meets monthly and is tasked with overseeing the COAG initiative.
- The Indigenous Communities Coordination Task Force (ICCT), which was formed in May 2002 to supports Australian government Ministers and their heads of departments to progress the whole of government trial.[19]

3.26 The initiative is a significant step in enhancing the capacities of government agencies to assist in the improvement of individual and community outcomes for Indigenous Australians, both from the perspectives of policy direction and management structures, though the Committee remains concerned over the lack of progress with the initiative, the lack of significant results, and the small number of communities selected for the Trials.

Recommendation 3

The Committee recommends that the Commonwealth Government report to Parliament on an annual basis on the progress of the COAG Trial of the whole of government approach to service delivery in Indigenous communities and regions, and that procedures be implemented to ensure that the report presented in the House of Representatives stands referred to this Committee for its consideration and report.

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18 ICCT, Submission 40, p. 2. See also Ministerial Council for Aboriginal and Torres Strait Islander Affairs (MCATSIA), *About MCATSIA*, <http://www.daa.nsw.gov.au/about/MCATSIA.html> (accessed 21.04.04).

19 Ms Dianne Hawgood, ICCT, Transcript (13.10.03), p. 1347, and ICCT, Submission 40, pp. 2-4.

The COAG Secretaries Group

3.27 The COAG Secretaries Group is tasked with overseeing the development of the COAG Trial, promoting coordination between government agencies, overseeing the development of linkages between government levels to improve service delivery, and fostering cross-portfolio partnerships to address Indigenous disadvantage.[20]

3.28 Secretaries on the group sponsor, or champion, one of the Indigenous communities or regions participating in the Trial. This personal involvement of senior level officers is seen as critical in mobilising government agencies to better coordinate services. ICCT gave evidence concerning the importance of this senior level advocacy:

> We have the whole of government approach, having particular secretaries taking a leadership role. They represent the Australian government when they go to the site; they do not just represent their department. That has been a critical factor… For example, when the secretary that is dealing with the ACT trial, Roger Beale, goes to the table with the ACT government, he represents the whole of the Commonwealth government—all the agencies. That is something that is new. He is not just representing his portfolio. That gives us a lot of opportunity because, if he is required to make decisions, he is making them on behalf of all the agencies.[21]

3.29 The first year of the Trial gained the necessary support of the Indigenous community Trial sites. The Committee visited a number of these sites.[22]

3.30 The Committee was told that in all jurisdictions, intergovernmental forums have been formed to promote better coordination of government services. While COAG and other senior governmental committees have met regularly to discuss Indigenous affairs, the current COAG initiative is the first attempt to bring a commitment from the Prime Minister, Ministers and Premiers, down to heads of departments, and across all portfolios.[23]

3.31 The Committee believes that collaboration of government agencies at senior levels offers an opportunity for greater information sharing and a commitment to integrate services, resources, programs, and personnel.

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20 ICCT, Submission 40, p. 3.

21 Mr Geoffrey Richardson, ICCT, Transcript (13.10.03), p. 1361.

22 For example, the Committee visited Wadeye (NT), and Shepparton (VIC).

23 Ms Dianne Hawgood, ICCT, Transcript (13.10.03), pp. 1348-1350.

Because of the complex nature of Indigenous service provision, integration must happen across government and, critically, between governments and levels of government, and be location specific. The Secretaries Group is an important initiative, but is yet to show significant results. The Committee is concerned that the initiative may lack a driving force and suffers from the absence of regular reporting requirements.

Location specific solutions

3.32 In addition to high level communication, there is much evidence to suggest that services are more effective when delivered in a location specific manner. That is, in response to the needs of a community or region, rather than in response to centrally developed, generic policy.

3.33 Location specific responses usually involve agency staff working together with a community to identify needs and develop a strategy for meeting those needs. This can be referred to as a type of 'bottom up' process, in juxtaposition to 'top down' approaches driven by policy makers external to the community or region. Location specific approaches are a method of addressing the problem of there being no 'one size fits all' model for service delivery to Australia's Indigenous people. ATSIC told the Committee that:

> The diversity and complexity of contemporary Indigenous societies and cultures point to the need for *location specific* responses by service delivery agencies in all jurisdictions. Such location specific responses should be driven by local and regional perspectives, through community and regional plans, and by formalising a shared partnership arrangement through agreement making, based on those plans.[24]

3.34 Location specific solutions may involve the development of community or regional plans, on which government agencies come together to support service delivery and capacity building at the community level. The strength, capacity, and governance of Indigenous communities become critical in this approach:

> …[It is] important to establish strong community or regional Indigenous organisations. Such organisations would articulate the community's development agenda and play a significant role in coordinating State/Territory and Federal government agencies to

24 ATSIC, Submission 66, p. 4.

> ensure adequate and appropriate level[s] of funding and service delivery are provided and that there is a more holistic approach to Indigenous social and economic development.[25]

The co-location of agency staff at COAG Trial sites

3.35 As part of the COAG Trial, staff from various levels of government are co-located at a number of sites. Thus, one of the benefits of the COAG Trial is the combination of both high level coordination and on the ground staff inter-agency coordination.

3.36 In Queensland, the Cape York COAG Trial site is an example of a location specific service delivery site with co-located staff. The Queensland Government's submission noted that:

> …[T]he Cape York Strategy Unit (CYSU) within the Queensland Department of Aboriginal and Torres Strait Islander Policy [is] to coordinate whole-of-government activity in the Cape. The Unit will comprise both teams of core staff as well as a number of "interchange officers" from key agencies such as the Queensland Police Service, Department of State Development, Queensland Health and Education Queensland. In addition, the CYSU hosts a Commonwealth Senior Executive Officer to coordinate activity and engagement between community, State Government and Commonwealth Government sectors.[26]

Redfern/Waterloo Partnership Project

3.37 Another working example of a location specific approach that was brought to the Committee's attention was the Redfern / Waterloo Partnership Project in Sydney's inner suburbs. The project is sponsored by the Premier's Department and is a whole of government, whole of community approach to addressing the complex issues in the Redfern and Waterloo communities. The Project Coordinator told the Committee that:

> The principles that the project operates on are pretty straightforward. It is about partnerships between government, council, non-government agencies and the community. It is about

25 Faculty of Aboriginal and Torres Strait Islander Studies and Centre for Indigenous Natural and Cultural Resource Management, Northern Territory University (NTU), Submission 27, p. 30.

26 Queensland Government, Submission 56, p. 7.

> integration of activities, programs and services, and that is across and between all of the partners.[27]

3.38 The Redfern / Waterloo Partnership Project is undertaking a human services audit to map out what services exist in Redfern and Waterloo, the quality of services being delivered, the areas of highest priority, and whether the capacity of services and their processes needs to be improved. The outcome of the audit is:

> [To look] at different ways of getting services to operate together. That may mean co-locating, for instance, government and non-government services together so that we break down the silos that have traditionally existed.[28]

3.39 The Committee commends this approach, and believes the project may provide a model for location specific urban Indigenous community engagement. The Committee looks forward to developments.

Rural and remote location specific responses

3.40 Two approaches to the specific service delivery issues of rural and remote communities are Rural Transaction Centres and Remote Area Service Centres.

3.41 The Department of Transport and Regional Services (DOTARS) operates Rural Transaction Centres (RTCs), which are service centres designed to house a number of services in a single location for small communities in remote areas. Services are chosen by the community and may include services such as banking, Centrelink, Medicare, postage, and Commonwealth, State, Territory and / or local government services.[29] The Committee believes this approach offers cost-efficiency, staff support, as well as more integrated services to Indigenous communities.

3.42 Remote Area Service Centres (RASCs) are a Commonwealth initiative and part of the Australians Working Together package. RASC is a small office located in a remote community which services and supports that community as well as the surrounding communities and outstations. An RASC works as the centre of a hub, to supply integrated service delivery

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27 Mr Michael Ramsey, Redfern / Waterloo Partnership Project, Premier's Department, NSW, Transcript (08.04.03), p. 670.

28 Mr Michael Ramsey, Redfern / Waterloo Partnership Project, Premier's Department, NSW, Transcript (08.04.03), p. 672.

29 Department of Transport and Regional Services (DOTARS) *Rural Transaction Centres*, <http: / / www.www.dotars.gov.au / rtc / info / index.htm> (accessed 14.12.03).

and enable Indigenous Australians to have improved access to the full range of Centrelink services.[30]

3.43 RASCs are a model that offers integrated service delivery, employs local Indigenous people, recognises cultural/language relationships and acknowledges that Indigenous people can have difficulty accessing mainstream services in remote and rural areas.[31]

Conclusions

3.44 The Committee views location specific, integrated responses, particularly those involving partnerships between government and across jurisdictions, and those with Indigenous communities, as solutions to improve the coordination of service delivery.

3.45 The Committee therefore proposes that the Commonwealth Government, in cooperation with the States and Territories, and in consultation with Indigenous communities, review current service delivery arrangements with a view to encouraging:

(a) location specific responses to service delivery;

(b) co-location of departmental staff;

(c) secondment of central agency staff to work in location specific teams; and

(d) more departmental officers in communities to coordinate services.

Enhanced communication between agencies and communities

3.46 Another level of activity where integration and communication can occur, is when levels of government cooperate to work with a particular community in order to address their needs through agreement making. This section of the report outlines a series of approaches to improve outcomes for Indigenous Australians through communication and agreement making.

30 Australians Working Together, *Indigenous Australians - Questions and Answers* <http://www.together.gov.au/whoIsInvolved/indigenousAustralians/questionsAndAnswers.asp#1> (accessed 14.12.03).

31 *ibid*

Championing communities

3.47 The Queensland Government has developed the Champions program where directors-general of State agencies champion Indigenous communities. The principal is similar to the Secretaries Group established under COAG. The Queensland Government advised the Committee that:

> In the CEO Champions program, CEOs of Queensland Government departments have been allocated an Indigenous (mainland) community with which they have a special relationship. This provides communities with a direct link to the highest levels of the bureaucracy. In addition to being available to advocate on their behalf in Brisbane, CEOs visit "their" community and meet with community members at least twice a year.[32]

3.48 This approach builds partnerships between Indigenous communities and senior levels of government at a State government level.

Negotiation Tables

3.49 The Committee received evidence relating to the Negotiation Table model being trialled in Queensland as a way of conducting business between an Indigenous community and government. Negotiation Tables involve working in partnership with Indigenous communities at the regional and State level to address a range of issues affecting Indigenous people. The approach allows community representatives to speak with government department representatives and to negotiate commitments to priority areas.[33] This creates a forum for both community-government communication and inter-agency communication. The Queensland Government told the Committee that:

> Four negotiation tables have been established under the Ten Year Partnership… There have been incremental achievements from each of the negotiation tables including: the formalisation of community and government negotiation teams, including Commonwealth agencies; building of relationships to underpin negotiations undertaken in good faith; establishing capacity

32 Queensland Government, Submission 56, p. 5.

33 Cape York Partnerships, 2001, *Lockhart Community Negotiation Tables a Success*, <http://www.capeyorkpartnerships.com/media/newsletters/february2001.htm> (accessed 21.04.01).

building programs; and, the identification of community priorities.[34]

3.50 A significant goal of Negotiation Tables is to develop partnership agreements based upon community priorities. The Queensland Government views the use of agreements as having value in coordinating location specific service delivery by providing government agencies with a strategic plan. The principal goals of Negotiation Tables are to:

- provide a mechanism whereby Aboriginal and Torres Strait Islander community representatives can directly influence Government decision-making and directly negotiate with Government representatives for new policy responses, service delivery and program initiatives;
- overcome problems of a lack of coordination between agencies and jurisdictions and improve Government's responsiveness to communities' holistic needs; and
- encourage shared or transferred responsibility between Government and communities.[35]

3.51 The emphasis of Negotiation Tables is upon mutual planning and goal setting, responsibility, accountability and ownership of agreed outcomes as outlined in a community or regional action plan. The Committee notes, however, the importance of realising that negotiation between unequal partners is not real negotiation. Both partners need to be adequately resourced if the negotiations are to achieve real outcomes.

Memorandums of Understanding

3.52 Another method of communicating and agreement making brought to the Committee's attention was the development of Memorandums of Understanding (MOUs). An MOU is a document providing a general description of the agreed upon responsibilities of two or more parties in the voluntary pursuit of shared goals, creating a framework of cooperation and a public commitment to the achievement of goals.

3.53 One example of an MOU is that between Aboriginal and Torres Strait Islander Services (ATSIS) and the NGO Oxfam Community Aid Abroad, which aims to develop the capacity of ATSIS in the area of community development.[36]

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34 Queensland Government, Submission 56, p. 6.

35 Queensland Government, Submission 56, p. 8.

36 Commissioner Rick Griffiths, ATSIC, Transcript (13.08.03), p. 1125.

3.54 An example of an inter-sectoral MOU is that between the Redfern / Waterloo Partnership Project, the Aboriginal Housing Co., South Sydney City Council, the University of Sydney and the NSW Government, concerning infrastructure development in the suburbs of Waterloo and Redfern, and how those building developments can achieve social outcomes.[37]

3.55 Environment Australia is another organisation that informed the Committee of the development of an MOU. Environment Australia is developing an MOU between the Indigenous Land Corporation and the Indigenous Protected Areas Program.[38]

3.56 The Committee heard that many MOUs have been formed between Indigenous communities and governments. The Committee sees this as a positive move toward cooperative partnerships, involving good communication and clear expectations and aims. MOUs can be valuable in informing policy for service delivery.

Statements of Commitment

3.57 The Committee heard that many agencies have recently made Statements of Commitment to Indigenous people to increase accountability and to clearly articulate their aims and intentions. For example, FaCS told the Committee that:

> One of the things that FaCS did internally recently was to make a statement of commitment to Indigenous people. One of the things that our secretary is doing through the organisation is to get that statement [of] commitment to be taken on by everybody… Sitting behind that is the adoption of a set of principles regarding capacity building, community development and building social capital. [39]

3.58 Another Commonwealth department to indicate the development of a Statement of Commitment to Indigenous people was the Department of Transport and Regional Services (DOTARS).[40]

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37 Mr Michael Ramsey, Redfern / Waterloo Partnership Project, Premier's Department, NSW Government, Transcript (08.04.03), p. 675.

38 Mr Peter Cochrane, Environment Australia, Department of the Environment and Heritage, Transcript (12.02.03), p. 343.

39 Mr Barry Smith, Indigenous Policy and North Australia Office, FaCS, Transcript (25.06.03), p. 730.

40 Ms Joan Armitage, DOTARS, Transcript (15.09.03), p. 1158.

3.59 Statements of Commitment can be important as a public declaration of intent. The Committee notes a submission arguing that:

> Public sector programs often appear to fail to reach their objectives because of a combination of inadequate expertise and a lack of commitment in program delivery by responsible officials and agencies.[41]

3.60 The Committee will observe developments in this area, particularly the usefulness and effectiveness of the statements, with some interest.

Conclusions

3.61 The Committee acknowledges that a number of very positive initiatives are being taken at Commonwealth, State and Territory levels. Importantly, there is a growing appreciation that Commonwealth-State-Territory integration must improve as social disadvantage is multidimensional and solutions are not readily found in the efforts of single agencies or jurisdictions.

3.62 The Committee commends the increase in agreement making, both those agreements between governments and Indigenous communities and those between different levels of government. The Committee is eager to see results from such agreement making processes.

3.63 Although there are many positive developments, the Committee acknowledges both that developments and changes take time, and that there is still a long way to go.

Service delivery

3.64 This section of the report explores government service delivery, while issues relating to the funding of services will be covered in the next section of this chapter. The delivery of services by Indigenous community organisations will be covered in chapter four.

3.65 In addition to addressing the need to improve coordination and integration at the policy level, evidence presented to the Committee argued that current methods of government service delivery to Indigenous Australians can be inefficient and ineffective. Evidence stressed the need for an outcomes based focus, cultural responsiveness in

41 Dr Don Fuller, Flinders University, (private capacity), Submission 48, p. 8.

both program design and delivery, and the need to build the capacity of government and agency staff.

3.66 The Committee notes the Government's response to the CGC Indigenous funding inquiry, in which it set out newly agreed upon principles for the equitable provision of services to Indigenous people, the first principle being that:

> The design and delivery of services to meet Indigenous needs should be flexible and undertaken on the basis of partnerships and shared responsibilities with Indigenous people in a culturally and locationally appropriate way.[42]

The service delivery context

3.67 As previously addressed in chapter two of the report, services are delivered by Commonwealth, State, Territory and local governments according to a combination of their constitutional responsibilities, the bounds of tied funding, and their own budget priorities. Some services are provided by Indigenous community organisations and other non-government organisations. As stated in the Commonwealth Grants Commission (CGC) inquiry into Indigenous funding:

> Australia's federal system of government blurs service delivery responsibility between governments and has complex funding arrangements. It results in citizens generally having a limited understanding of the responsibilities of the different spheres of government. It also results in some responsibility and cost shifting between governments.[43]

3.68 The CGC report went on to state that mainstream programs provided by the Commonwealth did not adequately meet the needs of Indigenous people due to barriers to access. The barriers included the way programs were designed, how they were funded and their cost to users. In remote areas, additional barriers were identified, arising out of a lack of services and the long distances necessary to access existing services.[44]

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42 *Government Response to Commonwealth Grants Commission Report on Indigenous Funding*, cited in DIMIA, Submission 42, Attachments, p. 9.

43 Commonwealth Grants Commission (CGC), 2001, *Report on Indigenous Funding 2001*, Canberra, p. 57.

44 *ibid*, p. xvii.

3.69 The Committee also notes the CGC report's findings regarding local government service provision to Indigenous communities. CGC found that in many instances the normal range of local government services was not provided to Indigenous residents in town camps and communities adjacent to non-Indigenous communities; that legalities related to land tenure affected the requirement of local bodies to provide services; and that there are commendable cases where local bodies have cooperative arrangements with ATSIC Regional Councils or Indigenous communities.[45]

3.70 The Committee heard evidence criticising current service delivery approaches, such as the Northern Territory University's Faculty of Aboriginal and Torres Strait Islander Studies and Centre for Indigenous Natural and Cultural Resource Management, which argued that:

> Until governments understand that the existing service delivery paradigm contributes to passive welfare dependency and until the delivery of mainstream citizenship type services is underpinned by a rights agenda, there will never be genuine partnerships between government agencies and Indigenous communities.[46]

3.71 The Human Rights and Equal Opportunity Commission (HREOC) emphasised the importance of Indigenous people being involved in negotiations relating to issues that directly affect them, to avoid perceptions of powerlessness and to reflect Indigenous calls for the taking of responsibility:

> Few Indigenous people can exercise any substantive jurisdictional responsibilities over matters of the most direct concern to them. They are almost totally dependent on government funding arrangements designed to deliver programs and services based on non-Indigenous models of governance. Commonwealth, state and local governments do not share any of their substantial jurisdictional responsibilities, few are prepared even to consider negotiations with Indigenous peoples.[47]

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45 ibid, pp. 56-57.

46 Faculty of Aboriginal and Torres Strait Islander Studies and Centre for Indigenous Natural and Cultural Resource Management, NTU, Submission 27, p. 29.

47 CGC, *Report on Indigenous Funding 2001*, cited in, Aboriginal and Torres Strait Islander Social Justice Commissioner, Human Rights and Equal Opportunity Commission (HREOC), Submission 44, p. 4.

3.72 The DIMIA submission cited the former Deaths in Custody Royal Commissioner, Hal Wootten, who argued that in many Indigenous communities people had lost control of their lives to funding authorities, bureaucratic processes, experts, and alcohol, and that this loss of control had lead to:

> …the "paralysis that comes when one cannot see a future worth working for".[48]

3.73 The evidence was critical of agency practices that involved little or no community involvement in program design and development. It was argued that this contributed to program failure at the local level. The Pilbara Regional Council told the Committee that:

> … [S]ervice delivery is often driven by [a] process that is prescribed centrally and that is based on a significantly different set of operating parameters than is the case in the Pilbara.[49]

3.74 The Committee heard that Indigenous people are frustrated by the lack of consultation in program design and delivery. As an ATSIC Commissioner stated:

> It is not a new phenomenon to suggest that Indigenous people have the answers to the problems. It is just a new way of doing business with governments to think we could provide the solutions. Often, Indigenous people are regarded as people who are the major cause of problems but who cannot come up with the answers or solutions... Our people understand what the problems are and where the solutions lie.[50]

3.75 Murdi Paaki Regional Council argued that:

> …[C]apacity building is about shifting decision-making powers from centralised control out to where the people live... The starting point is what the people themselves determine is necessary to improve their livelihoods and well-being. It is about re-designing the rules of the game.[51]

3.76 Many submissions explored the need for local solutions and partnerships between government agencies and Indigenous communities, as conveyed earlier in this chapter. The Committee supports greater Indigenous

48 DIMIA, Submission 42, p. 10.

49 Pilbara Regional Council, Submission 41, p. 2.

50 Commissioner Rick Griffiths, ATSIC, Transcript (13.08.04), pp. 1123-1124.

51 Murdi Paaki Regional Council, Submission 6, p. 3.

involvement in service design and delivery and is encouraged by a number of strategies which it believes are challenging current modes of service design to empower Indigenous people. As Djarindjin Aboriginal Corporation articulated:

> The other thing that may improve services to families and people in the community, is much more concentration by government and service agencies to sit down together with one community and develop a holistic plan rather than have what happens now. They walk into the community and expect answers on all kinds of issues in five minutes. It should be a much more planned thing. Once there is a plan in place, it should almost be like a memorandum of understanding between the agencies and the community that this is what is going to happen. I am talking of responsibilities on both sides. I guess John Howard calls that mutual obligation.[52]

3.77 The Committee was frequently told that there is no single solution to improve poor service delivery. For example, the Murdi Paaki Regional Council stated:

> There is, of course, no "one size fits all". Aboriginal and Torres Strait Islander societies are so diverse that flexibility is required to ensure that structures are appropriate to the special circumstances of individual communities and regions.[53]

3.78 The following section will address the need to enhance the internal capacity of government agencies to understand and work in cooperation with Indigenous communities.

Strategies to enhance service delivery

3.79 The need to build the capacity of government in order to enhance service design and delivery to Indigenous Australians created two main themes in the evidence. These were the need for an outcome based approach and the need to develop staff capacity in dealing with Indigenous issues at both policy and implementation levels. These two themes will be covered in this section.

52 Mr Cornelis Pley, Djarindjin Aboriginal Corporation, Transcript (07.08.03), p. 1025.

53 Murdi Paaki Regional Council, Submission 6, p. 5.

Outcome based focus

3.80 A number of submissions argued that while heavy requirements are placed upon Indigenous community organisations to be compliant with and accountable to governments, there is little emphasis on reciprocal accountability measures in government-delivered services. Reconciliation Australia argued that:

> Discussion of accountability must not only focus on the accountability of Indigenous organisations to government, it must also take into account the accountability of government to Indigenous organisations, otherwise termed "downward accountability". Downward accountability involves fiscal and program accountability by State, Territory and Federal Governments to communities such that communities can hold governments accountable for failures to deliver on funding or other program commitments.[54]

3.81 A number of submissions recommended such an outcome-focused approach to program design and delivery. Benchmarks were identified as a way in which outcomes could be measured. As Reconciliation Australia explained:

> Benchmarking involves the development by government of achievable goals that are measurable in terms relevant to Aboriginal people. It is urgent that such goals be developed.[55]

3.82 The HREOC Aboriginal and Torres Strait Islander Social Justice Commissioner recommended the development of:

> The agreement of benchmarks and targeted outcomes through negotiation with Indigenous peoples and organisations, state, territory and local governments and service delivery organisations, with clear timeframes for achieving longer term and short term goals.[56]

3.83 Similarly, Environment Australia supported the development of benchmark standards in program delivery to Indigenous communities and recommended that the Commonwealth Government extend its initiatives in this area.[57]

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54 Reconciliation Australia, Submission 55, p. 24.

55 Reconciliation Australia, Submission 55, p. 24.

56 *Social Justice Report 2000*, cited in HREOC, Submission 44, p. 20.

57 Department of the Environment and Heritage, Environment Australia, Submission 37, p. 6.

Key Indicators of Indigenous Disadvantage

3.84 The Committee highlights the establishment of the Key Indicators of Indigenous Disadvantage developed in November 2003 by the Steering Committee for the Review of Government Service Provision (SCRGSP), at the request of COAG.[58] The Chairman of the SCRGSP stated:

> The commissioning of this Report by the Council of Australian Governments demonstrates a new resolve, at the highest political level, not only to tackle the root causes of Indigenous disadvantage, but also to monitor the outcomes in a systematic way that crosses jurisdictional and portfolio boundaries. In so doing, the Report also raises the transparency of governments' performance.
>
> This Report, therefore, is more than just another collection of data. It documents outcomes for Indigenous people within a framework that has both a vision of what should be for Indigenous people and a strategic focus on key areas that need to be targeted if that longer term vision is to be realised.[59]

3.85 The Report explains the framework as follows:

> Three priority outcomes sit at the top of this framework. They reflect a vision for how life should be for Indigenous people that is shared by governments and Indigenous people alike. The outcomes are linked and should not be viewed in isolation from each other.
>
> Sitting beneath the priority outcomes are two tiers of indicators [the *headline indicators*, and the *strategic areas for action*]. The goal is that improvements in these will, in time, make it possible to overcome the sources of disadvantage which currently lead the circumstances of many Indigenous people and communities to fall short of the priority outcomes.[60]

3.86 The Report states that:

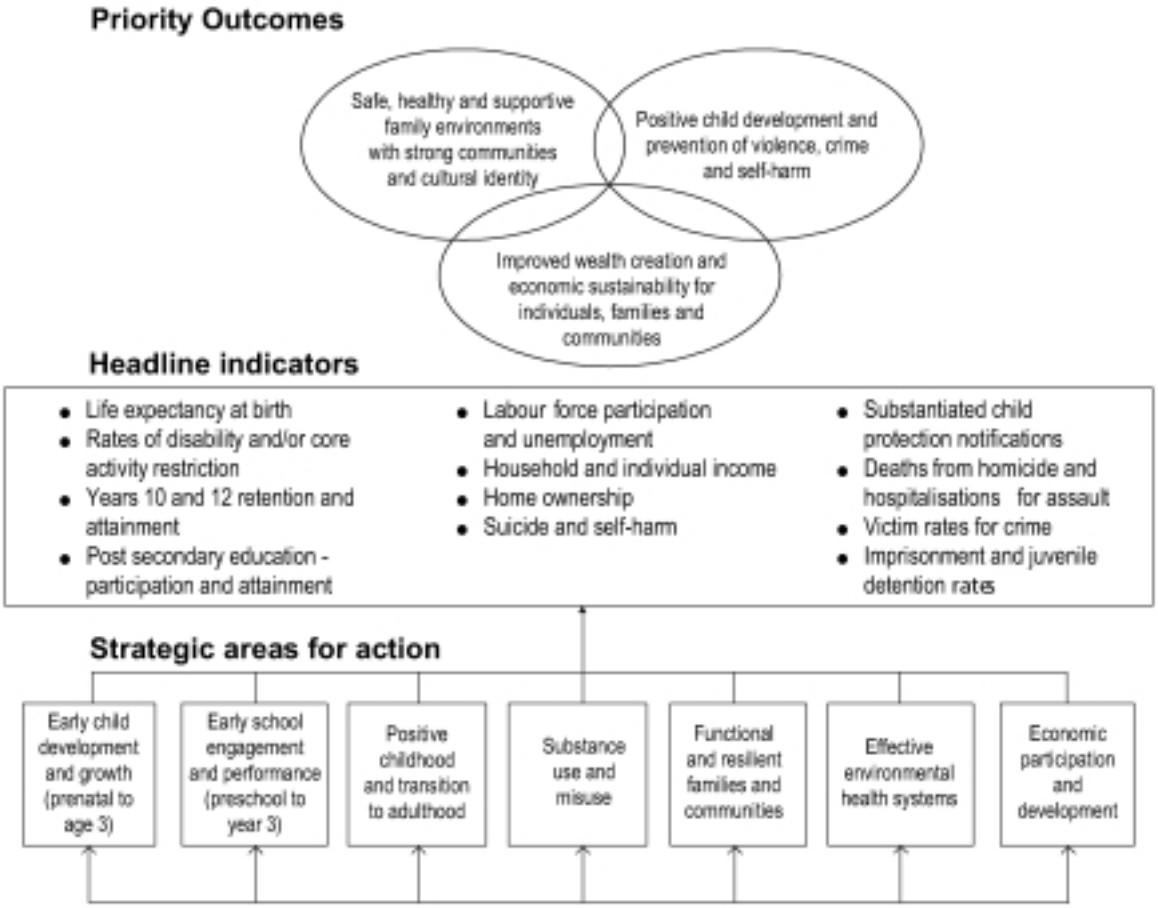
> Implicit in the framework is recognition of the need to account for the diversity of Indigenous people and their circumstances. It is apparent that data collections will need to be improved to realise

58 Steering Committee for the Review of Government Service Provision (SCRGSP), 2003, *Overcoming Indigenous Disadvantage: Key Indicators 2003*, Productivity Commission, Canberra.

59 Mr Gary Banks, Chairman of SCRGSP, *ibid*, p. v.

60 *ibid*, pp. xxi-xxii.

this… There is also recognition that some central factors, such as culture and governance, are inherently difficult to quantify but remain important to document.[61] The following diagram shows the SCRGSP Overcoming Indigenous Disadvantage framework.



Source *SCRGSP, 2003,* Overcoming Indigenous Disadvantage: Key Indicators 2003, *Productivity Commission, Canberra, pp. xxi.*

3.87 The Committee considers that the Key Indicators could form the basis of benchmarks for a range of social and economic indicators to transparently convey Australia's progress in addressing and reducing Indigenous disadvantage.

3.88 The Committee acknowledges the setting of, and reporting on, national benchmarks for education.

61 Mr Gary Banks, Chairman of SCRGSP, *ibid,* p. v.

3.89 It is of relevance that many submissions noted the importance of collaborative goal setting, genuine community consultation and the setting of benchmarks, for increasing the quality and effectiveness of service delivery.

Recommendation 4

The Committee recommends that:

(a) the Commonwealth Government present a national report to Parliament on Indigenous disadvantage, outlining progress against the Priority Outcomes, Headline Indicators and the Strategic Areas for Action established by the SCRGSP *Overcoming Indigenous Disadvantage* report, on an annual basis;

(b) that a comprehensive report on these outcomes be presented every five years in accordance with the availability of census data; and

(c) procedures be implemented to ensure that the reports presented to the House of Representatives stand referred to this Committee.

Cultural responsiveness in policy development and service delivery

3.90 The Committee received evidence arguing for the improvement of cultural responsiveness in both policy development and service delivery.

3.91 This section will address issues brought to the Committee's attention regarding the capacity of both government policy makers, and on the ground staff, in relation to policy development and service delivery.

3.92 Reconciliation Australia argued that:

> Capacity building is not a one-way process. The ability of government agencies and other major organisations to recognise the history, as well as the cultural and spiritual uniqueness of Indigenous Australians may allow them a greater awareness of the needs of Indigenous people. Such cross-cultural education is an important aspect of the reconciliation process. This is particularly

> essential for organisations involved in service delivery to Indigenous people.[62]

Indigenous Affairs staffing context

3.93 The Committee received evidence regarding the importance of high level staff and policy makers spending time in Indigenous communities to gain first hand knowledge of, and exposure to, the reality of Indigenous disadvantage.[63] The Centre for Aboriginal Economic Policy Research (CAEPR) argued:

> Non-Indigenous staff members in general policy and administration jobs also need to gain understandings of the cross-cultural complexity and diversity of Indigenous circumstances in Australia today. Otherwise Indigenous issues within government agencies risk being marginalised.[64]

3.94 CAEPR acknowledged that such internal capacity building for government agencies was not an easy task.[65]

3.95 The Committee received evidence highlighting the importance of government (and other) agencies effectively utilising appropriately trained staff in order to enhance the delivery of services to Aboriginal and Torres Strait Islander Australians. This was particularly so in relation to the need to train people in cross-cultural and cross-language situations. It was put to the Committee that many people placed to work with Indigenous people did not currently have this training.[66] One submission argued:

> …it is often the least skilled and least qualified people who are filling these demanding positions…[67]

3.96 The Committee acknowledges that staff who deliver services to Indigenous communities carry important responsibilities and require specific skills to operate effectively in Indigenous settings. However, the Committee notes a private submission stating that:

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62 Reconciliation Australia, Submission 55, p. 9.

63 Dr William Sanders, CAEPR, ANU, Transcript (23.10.02), p. 26.

64 CAEPR, ANU, Submission 25, p. 2.

65 CAEPR, ANU, Submission 25, p. 2.

66 Aboriginal Resource & Development Services Inc., Submission 15, pp. 4-5.

67 Mr Andrew Biven, (private capacity), Submission 2, p. 2.

> Working in remote communities is possibly the most difficult and demanding work that a person can undertake within Australia.[68]

3.97 Local knowledge and the trust of an Indigenous community are important capacities for staff delivering services. Knowledge of the intricacies and complexities of different Indigenous communities can speed up service delivery, particularly if the employee has built up and maintained trust with community members. Knowledge of the community's language and cultural norms are invaluable for breaking down barriers and increasing the potential of outcomes and collaborative projects. The Committee acknowledges that:

> It takes time to build relationships and trust with people.[69]

3.98 The Committee was advised that there were a number of innovative approaches which had displayed flexibility and sensitivity in the provision of mainstream services to Indigenous Australians. One submission argued that the uptake of services could be enhanced by creating settings familiar and acceptable to Indigenous people:

> The Inala Health Centre [Brisbane], one of the region's mainstream GP services, has developed five culturally appropriate strategies to improve Indigenous people's access... These include employment of at least one Indigenous person in the centre, display of Indigenous pictures and artefacts, provision of cultural awareness training to non-Indigenous staff, better outreach to the Indigenous community, and better collaboration between the centre and Aboriginal community-controlled health services in the region. These strategies have been highly successful. Before the programme was developed, the centre recorded only 12 Indigenous patient contacts in one year. In the first year of operation this rose to 890 and by 2000-01 this had increased to 3,894 Indigenous patient contacts. The increased access to basic clinical services has also led to major gains in the areas of diabetes management, improved access to specialists, and immunisation of children and adults.[70]

3.99 The Committee commends the work of this healthcare provider and contends that small changes can have big impacts.

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68 Mr Andrew Biven, (private capacity), Submission 2, p. 2.

69 Centre for Appropriate Technology Inc., Submission 47, p. 24.

70 DIMIA, Submission 42, p. 16.

Retention of staff

3.100 The continuity of on the ground staff engagement is another issue:

> It is very difficult in remote areas to keep anybody for longer than two or maybe three years, particularly in government circles.[71]

3.101 This is also a problem at the departmental level, as the Fred Hollows Foundation argued:

> …[T]he government departments which are administering these Indigenous programs have a very high turnover rate. That is one of the reasons that they never make any progress, because people are constantly coming into the job and they do not know where they are. You really need to make it a bit of a career for people: invest more of their time in training so that they believe that it is more worthwhile to stick with it than to go off to DFAT or whatever else they want to do once they have spent one or two years in one of the many departments which are associated with Aboriginal affairs.[72]

3.102 The Committee acknowledges the difficulty of retaining staff.

Training of staff

3.103 Appropriate training of staff to work with Indigenous people can be problematic. The Committee received evidence highlighting the lack of career structure around Indigenous affairs. A private submission noted:

> For workers in remote communities, the challenges faced are huge – the supporting infrastructure is often tenuous so (sic) say the least, the conditions difficult[,] and recompense both financially and in terms of personal and career development marginal.[73]

3.104 The same submission also noted the lack of priority given to the provision of services to remote Indigenous communities:

> It is well recognised that the teachers in remote schools are often new graduates "cutting their teeth" in the bush, to be rewarded with a city post for serving their time in a remote community. Education, like other services, is of critical importance in remote

71 Councillor Robert Neville, Town of Port Hedland and Bloodwood Tree Association, Transcript (05.08.03), p. 932.

72 Dr Mark Gillies, Fred Hollows Foundation, Transcript (08.04.03), p. 596.

73 Mr Andrew Biven, (private capacity), Submission 2, p. 2.

> Aboriginal communities, yet we entrust it to our least experienced teachers. The same is of often true of health services.[74]

3.105 The Committee received evidence of an induction course that was taught some years ago to prepare people for working with Indigenous communities in remote areas of the Northern Territory, but which no longer exists. A witness told the Committee:

> …I was a graduate of the Australian School of Pacific Administration… along with a lot of other officers who now work in fairly senior positions… [It] was an offshoot of the University of Sydney… based at Mosman… and it ran a multidisciplinary diploma course in Aboriginal affairs… [consisting] of about 14 units, which included law, psychology, anthropology and government. It basically prepared people for working in the Northern Territory. It was an excellent course. It was a way of getting people trained up to work in remote areas… unfortunately it ended in 1974 and, to my knowledge, has never been replicated.[75]

3.106 The Committee notes with interest that some tertiary training providers including the Charles Darwin University now offer courses along similar lines to a Diploma of Community Development. The Charles Darwin University course is offered at Darwin, is a postgraduate, one year, full time course and prepares participants for community work aimed at contributing to the development of community capacity through community consultation, public education, health promotion and advocacy. The course sets out the knowledge and skills required by community development workers operating under broad direction from senior managers. Workers at this level are seen to require an understanding of Indigenous culture and history and the ability to work with local communities in the provision of services.[76]

3.107 The Committee believes that courses such as this one may very well provide a suitable induction process for agency officials required to work in or with Indigenous communities.

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74 Mr Andrew Biven, (private capacity), Submission 2, p. 2.

75 Mr Tony Tapsell, Local Government Association of the Northern Territory, Transcript (27.11.02), p. 194.

76 Charles Darwin University, *Diploma of Community Development*, <http://www.myfuture.edu.au/services/default.asp?FunctionID=5350&CourseID=23663> (accessed 01.06.04)

Recommendation 5

The Committee recommends that the Commonwealth Government investigate the utilisation of community development courses as an induction for agency staff and others working with Indigenous communities, especially in remote areas, with the purpose of ensuring agency staff have an understanding of Indigenous communities' history and culture, and relevant policy issues and development practices.

Mentoring

3.108 The Committee heard many examples of government staff delivering services in communities undertaking mentoring and skill exchanges with local people, in areas such as basic healthcare and administrative capacity building. The Committee contends that this approach has the potential to build the capacity of Indigenous individuals, as well as creating cultural exchange for government agency employees. One example of this is the Community Nutrition Workers in Katherine (NT), who are local people trained in nutrition and health to provide education, promotion and advocacy in their communities, working in partnership with clinical healthcare workers who visit communities periodically.[77]

3.109 The Committee commends the work of the Central Australian Remote Health Development Services (CARHDS), an organisation providing professional education and training in primary healthcare to Aboriginal Health Workers, managers, councils and health boards in Central Australia, through a partnership between the Commonwealth's Office of Aboriginal and Torres Strait Islander Health and the Department of Health and Community Services.[78]

3.110 The Committee views this type of training and support network as vital to ongoing capacity building for Indigenous people in remote communities.

3.111 The Committee believes that consideration should be given to the incorporation of funding for capacity building, both for mentoring community members and organisations, into programs that are delivered to Indigenous communities. (see recommendation 7(d) at pages 107-108)

77 Katherine West Health Board Aboriginal Corporation, *Holistic Health Strategy – Community Based Healthcare Service*, <http://www.kwhb.com.au> (accessed 15.10.03).

78 Ms Dorothy Lucardie, Central Australian Remote Health Development Services, Transcript (25.09.03), p. 1259.

Placement of field officers on the ground

3.112 The Committee was told that department field officers, working within communities, would allow departments to build knowledge of the local community and develop the necessary relationships with Indigenous people to achieve better outcomes.

> We [ICCT] think there is a need for there to be people on the ground in communities—the old development type person, if you like, with those kinds of skills—who can stay there with single communities and work with families and others in those communities in an intensive way over a reasonably long period of time. [79]

3.113 The ICCT told the Committee that coordination across government agencies is strengthened through increased numbers of field officers.

> One thing we have identified is that we have put those people there basically to manage the coordination or the joined-up process with government agencies and to be the link to communities, particularly at the regional level.[80]

3.114 The Committee believes that field officers will contribute to providing the on the ground knowledge necessary to assist departments to develop and deliver services effectively, in a better targeted manner and more appropriately. The Committee notes that the Northern Territory Department of Community Development, Sport and Cultural Affairs has employed 19 community development officers to support capacity building, partnerships and regional development projects.[81]

3.115 The Committee does not simply recommend that more field officers be employed. Additional field officers need to have appropriate skills and be placed with care, perhaps as part of a location specific team. Evidence suggests it is optimal that field officers be located within Indigenous communities, rather than in larger regional centres. The Committee heard of difficulties when field officers were located in regional centres as opposed to within the community:

> The community has been left in a hole because the decisions are being made in Broome and… the communication is breaking down. Who better to see if communities are sticking to the rules

79 Ms Dianne Hawgood, ICCT, Transcript (13.10.03), p. 1351.

80 Ms Dianne Hawgood, ICCT, Transcript (13.10.03), p. 1351.

81 Northern Territory Government, Submission 45, Attachment A.

> than the communities themselves? If you have a field officer in Broome who comes once a month, we can all line up and take a shovel and be working for that one hour there in the community. If it is controlled and assessed by the community, that becomes much harder.[82]

3.116 Discussion surrounding the use field staff working on the ground in Indigenous communities harks back to the discussion in chapter one regarding public management or community development approaches. The Committee contends that, as ICCT argued, there is a need for the old development type approach, but the Committee cautions that, as FaCS noted:

> …if you do not have the skills and capacity in your own organisation you can know all the theory but you are not going to get a result.[83]

Identified positions

3.117 The Committee heard evidence concerning the importance of Indigenous-identified positions in the Public Service.

> While people say they want them [Indigenous Australians] to compete in the mainstream, if there is no opportunity for them to get in there in identified positions they never get in there. If there were identified positions in … agencies, that would provide those people with an opportunity to get into the Public Service if they chose to…[84]

3.118 Alternatively, other agencies have knowledge and experience criteria that Indigenous specific positions must adhere to as a minimum requirement, which can create a natural bias towards Indigenous people on the basis of skills, knowledge and experience, rather than on racial grounds:

> ATSIC … has always had criterion 1 and criterion 2—that is, a knowledge of Indigenous issues, cultures and diversity, and the ability to effectively communicate—in its selection process as part of its recruitment strategy.[85]

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82 Mr Cornelis Pley, Djarindjin Aboriginal Corporation, Transcript (07.08.03), pp. 1025-1026.

83 Mr Barry Smith, Indigenous Policy and North Australia Office, FaCS, Transcript (25.06.03), pp. 729-730.

84 Commissioner Rick Griffiths, ATSIC, Transcript (13.08.03), p. 1130.

85 Ms Kerrie Nelson, Aboriginal and Torres Strait Islander Services (ATSIS), Transcript (13.08.03), p. 1129.

3.119 The Committee believes that there should be more identified Indigenous positions in the Public Service to ensure that more Indigenous people are employed throughout government agencies generally, and that the selection criteria for positions relating to Indigenous policy and service delivery should be biased towards a knowledge and experience of Indigenous issues.

Improving funding arrangements

3.120 The third section of this chapter on building the capacity of governments and their agencies, explores funding arrangements, particularly those relating to the way in which funding is delivered to Indigenous organisations, in order that they then deliver services to Indigenous people on governments' behalf.

The funding provision context

3.121 Current funding arrangements were seen as significant barriers to effective service delivery for Indigenous populations. Short-term funding cycles, uncertainty of on-going funding for community programs and the complexity of grant acquittals were identified as problematic.

3.122 A number of submissions articulated similar issues associated with funding. The Northern Land Council, for example, identified obstacles which both impeded and undermined the development of sustained capacity by Aboriginal land owners, their organisations and communities, three of which were:

- the 'stop-start' government approach to funding—delivered by a multitude of departments, via small separate grants that are subject to changing program packaging, inflexible conditions and timeframes; and overloaded with heavy administrative and 'upward' accountability burdens;
- the lack of government multi-year, block-funding arrangements to enable community organisations (especially governing bodies) to carry out forward-planning and deliver stable (rather than piloted) programs for the long-term development of local capacities; and
- the lack of effective coordination mechanisms between government departments and program areas and a related lack

> of downward fiscal and program accountability by… governments to communities.[86]

3.123 Reconciliation Australia drew the Committee's attention to the complexity of government funding:

> The Hon. John Ah Kit (2002) criticises the "overly-complex and uncoordinated nature of government funding. Any one remote community usually has to deal with numerous overlapping government departments and multiple funding schemes. This funding maze makes it almost impossible for a community to rationally plan its health services".
>
> Such problems suggest a critical need for stable, block funding of organisations by government before good governance in Indigenous communities can be achieved.[87]

3.124 It was brought to the Committee's attention that organisational capacity was important for ongoing development of Indigenous organisations delivering services. The Boston Consulting Group advised the Committee that there was a need to support the development of management and financial infrastructure.[88]

3.125 The Committee believes that there remains a critical need to address funding arrangements as the capacity of community and Indigenous organisations can be hindered by the short term, uncertain and often under-supported nature of funding.

3.126 The Department of the Environment and Heritage advised the Committee that practical issues around annual funding cycles were experienced by rural and remote Indigenous communities in areas with severe seasonal variation, such as the wet season in the tropical north, which impacted on their ability to apply for funding or complete funding acquittal requirements.[89] The Committee concedes that the special circumstances of such environmental factors need to be taken into account.

3.127 Evidence highlighted issues regarding the provision of services traditionally the domain of local governments, such as garbage collection,

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86 Northern Land Council, Submission 43, p. 16

87 Reconciliation Australia, Submission 55, p. 22. See also: Mr Michael Dillon, Department of Community Development, Sport and Cultural Affairs, Northern Territory Government, Transcript (27.11.02), p. 177.

88 Mr Benjamin Rimmer, Boston Consulting Group, Transcript of discussion (19.02.03), pp. 456-457.

89 Department of the Environment and Heritage, Environment Australia, Submission 37, p. 4.

commonly not provided in rural and remote Indigenous communities. The need for funding equalisation and compensation for Indigenous populations within the jurisdiction of local authorities where revenue could not be raised through rates and other payments, was raised with the Committee. The non-payment of rates was suggested as a reason that ill feeling existed between local governments and Aboriginal communities. As the Government of Western Australia argued:

> Currently many Aboriginal communities are exempt from rates as they are located on land that is not rateable or they may be exempt because they can demonstrate charitable status. Either way, the lack of financial contribution by Aboriginal localities towards services they believe they are entitled to, and the lack of this revenue by low rate-base local governments is a major impasse, a real barrier to greater local government services provision to Aboriginal communities.[90]

Cost-shifting and inter-governmental funding complexity

3.128 The Commonwealth Grants Commission inquiry into Indigenous funding found that:

> Lack of clarity on the allocation of responsibility among the spheres of government… can create opportunities for cost shifting between levels of governments and between agencies at the same level of government… [This is particularly] detrimental [when] services are not provided because one party has "vacated the field", assuming another will provide the service… [Or where] Indigenous specific services are used as a "catch-all" for deficiencies in mainstream services.[91]

3.129 For example, the Committee was told that some State governments considered Aboriginal medical services as a Commonwealth responsibility and therefore would not provide funding.[92]

3.130 The Committee heard evidence linking inter-governmental funding arrangements and the lack of accurate data to inadequate funding provision, and constraints on the ability of governments to meet Indigenous needs. The Northern Territory Government argued:

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90 Government of Western Australia, Submission 57, p. 18.

91 CGC, 2001, *Report on Indigenous Funding 2001*, Canberra, p. 57.

92 Mr Justin Mohamed, Rumbalara Aboriginal Cooperative, Transcript of discussion (17.02.03), p. 384.

> [In] relation to Indigenous housing, health and a whole range of key areas … in terms of needs-based funding and resourcing, the Territory… is missing out. This whole issue needs re-examination… It also draws out some important issues in relation to measuring need, the current inadequacies in terms of data collections and potential changes to the way in which the ABS goes about its data collections…[93]

3.131 It was argued that the current Financial Assistance Grants (FAGs) payments from the Commonwealth directly to local government (the purpose of which is to provide services equitably to all local government residents) were inadequate:

> FAGs could be a vehicle, but at the moment it is a vehicle with only three wheels. It is a little bit broken down and it needs to be modified. It could be used as a vehicle for the rates equivalent payment for Aboriginal communities, but it would certainly need some remodelling.[94]

3.132 The Commonwealth Grants Commission inquiry into Indigenous funding reached a similar conclusion.

3.133 In addition, the House of Representatives Standing Committee on Economics, Finance and Public Administration cost-shifting and local government report found an increase in cost shifting and a significant growth in the functions of local government. The report found that local governments were not adequately funded to meet these growing service provision demands.[95]

Strategies to improve funding arrangements

3.134 Despite numerous reports over the past decade highlighting the need to improve the manner in which governments allocate and deliver funds to Indigenous community organisations providing services, very little appears to have changed.

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93 Mr Neil Westbury, Office of Indigenous Policy, Department of the Chief Minister, Northern Territory, Transcript (27.11.02), p. 178.

94 Councillor Robert Neville, Town of Port Hedland and Bloodwood Tree Association, Transcript (05.08.03), p. 943.

95 House of Representatives Standing Committee on Economics, Finance and Public Administration, 2003, *Rates and Taxes: A Fair Share for Responsible Local Government*, HRSCEFPA, Canberra.

3.135 The Committee believes that the establishment of an integrated and better coordinated approach by governments and government agencies to improve the outcomes for Indigenous Australians may very well overcome many of the funding related barriers that hinder the ability of Indigenous communities and organisations to develop levels of sustainable capacity. Much can be done from the point of view of both policy direction and management structures. Such strategies include longer funding cycles, the use of direct funding approaches and untied funding, where appropriate, the pooling of funds, and the streamlining of administrative and accountability arrangements. The following sections will address these issues.

Longer funding cycles

3.136 The Committee agrees that longer funding cycles, coupled with an outcome-oriented focus, will help address some issues relating to the delivery of funding. The Committee was of the view that organisations should have the capacity to hold funds over financial years, without penalty, rather than being required to dispose of allocated funds within a financial year. It is of concern to the Committee that this is currently the practice.

3.137 In its submission, the Queensland Department of Housing drew the Committee's attention to its Five Year Capital Works Plan for the 34 discrete Aboriginal and Torres Strait Islander communities in Queensland, and the 2001-2002 approval of three year funding agreements for Indigenous councils for capital grants funding.[96] The Government viewed the three year agreements as improving the ability of individual councils to plan for the provision of housing, infrastructure and employment needs of communities. The initiative was seen as increasing flexibility in the direction of funding by councils; providing for the continuity of employment by trade staff and the recruitment of new apprentices; and improving the sustainability of communities as a whole through the development of effective housing systems and continued input into the rolling plan.[97]

3.138 The South Australian Department of Community Services, in addressing future directions, called for the funding cycle for non-government organisations to be increased from 12 months to at least three years to provide stability in the operations of Indigenous non-government

96 Queensland Government, Department of Housing, Submission 53, pp. 7-8.

97 Queensland Government, Department of Housing, Submission 53, pp. 7-8.

organisations and to foster longer term strategic planning by the organisations.[98]

Direct funding to community organisations

3.139 When queried as to the best way for funding to be delivered to Indigenous communities, through the national body ATSIC, through a regional body, or directly, Tangentyere Council responded:

> … one of the reasons Tangentyere was set up was because Aboriginal people were not accessing mainstream services. So we set up this alternative model which was to assist people in service delivery. If they go down the track of mainstreaming Indigenous services, my plea would be for direct funding. In fact, it is what I would like to see now and it is what I have talked about earlier in my submission—direct funding into the organisation directly from the Commonwealth.[99]

Pooled funding

3.140 The Committee heard that the highly prescriptive, tied nature of funding to support Indigenous service provision disallowed individual communities and organisations to develop programs tailored to local requirements. Mr Tony Lotton argued that:

> There is also a need to review the process by which funding organisations develop their program guidelines. Most of the time they do not fit in with what the organisation really needs. Individual communities and organisations require a consultative process to develop program guidelines that are in line with specific areas requiring assistance. This will ensure that funding agencies and the organisations achieve the intended outcome for all of those involved and also achieve value for money.[100]

3.141 Additionally, other evidence provided to the Committee argued that the highly compartmentalised nature of Commonwealth and State funding minimised the leverage that funding could have if combined. It was

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98 Aboriginal Services Division, Department of Human Services, South Australian Government, Submission 49, p. 35.

99 Mr William Tilmouth, Tangentyere Council, Transcript (25.09.03) p. 1295.

100 Mr Tony Lotton, Lake Tyers Aboriginal Trust and Bungyarnda Community Development Employment Projects Co-op Ltd, Transcript of discussion (19.02.03), p. 477.

argued that pooled funding was a means of addressing these inhibitors to effective service delivery.[101]

3.142 A number of submissions referred to the Katherine West Health Board (KWHB) as demonstrating an innovative approach towards funding. The KWHB was established in 1996, under the Commonwealth, State and Territory Governments' Coordinated Care Trial. Thirteen sites across Australia tested whether coordinated health care could result in improved client health and well-being. Four of these sites were focused on Indigenous populations. A significant element of this approach in the two sites in the Northern Territory was that the funds that would normally have been allocated by the Northern Territory Government for the provision of health services in the regions were pooled and provided to the health board, which then allocated these funds according to its own priorities.[102] The Northern Territory Government told the Committee that:

> The basic proposition underpinning the KWCCT [Katherine West Coordinated Care Trial]… was that community control (in the form of health boards), with fund pooling and the MBS/PBS cashouts, together with care coordination, can lead to improved health services and indirectly to improved health outcomes.[103]

3.143 The Indigenous Housing Authority of the Northern Territory (IHANT) provides another example of effective sharing of resources and decision making by governments and Indigenous representatives. IHANT was established following the negotiation of a bilateral agreement in June 1995—the first achieved in the country. The Committee was told that IHANT had and continues to have, responsibility for the allocation of pooled housing and infrastructure funds from the Commonwealth and Northern Territory Governments.[104]

3.144 The difficulties in achieving inter-agency cooperation at the community and regional level with regard to funding were highlighted by FaCS, and included developing funding agreements that reflected a partnering relationship, streamlining funding agreements so that several funding agencies could use a single agreement with a community organisation,

101 Mr John McDonald, (private capacity), Submission 24, p. 4.

102 Northern Territory Government, Submission 45, p. 13.

103 Northern Territory Government, Submission 45, p. 15.

104 Northern Territory Government, Submission 45, p. 17.

and developing ways of sharing developmental field staff in order to pool program and personnel resources.[105]

Streamlining administrative and accountability requirements

3.145 Each government department has different reporting requirements in relation to funding acquittals, which means that Indigenous community organisations have to manage a diverse range of accounting requirements. This absorbs a large amount of their capacity. The Committee heard that it would assist community organisations if government departments standardised reporting requirements, the managing of contracts and reporting dates.

3.146 Indigenous community based services are funded through a variety of sources including Commonwealth, State and Territory governments. These multiple sources of funding have different administrative and accountability requirements which place a heavy burden on many community organisations. The Fred Hollows Foundation cited a CAEPR Research Paper arguing that:

> These all serve to muddy the waters in developing agreed objectives and identifying lines of accountability in service delivery… The current plethora of funding arrangements in relation to Aboriginal service delivery is starkly highlighted at the remote community level where funding arrangements are complex and provided through numerous independent sources. These sources are difficult to trace, thus accentuating the fragmentation of service delivery, significantly hindering coordinated community development and financial accountability.[106]

3.147 The Committee heard from a number of Indigenous community organisations which emphasised the complexity of financial accountability due to multiple funding sources. In Victoria, Rumbalara Aboriginal Cooperative was required to complete 28 acquittals for one State government department.[107] The complex and, at times, absurd

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105 FaCS, Submission 46, p. 36.

106 Westbury, N. & Sanders, W., *Governance and service delivery for remote Aboriginal communities in the Northern Territory: challenges and opportunities*, CAEPR Working paper No 6/2000, cited in The Fred Hollows Foundation, Submission 36, p. 10.

107 Mr Justin Mohamed, Rumbalara Aboriginal Cooperative, Transcript of discussion (17.02.03), p. 391.

requirements of funding acquittals were frequently conveyed to the Committee, for example:

> Our organisation [NPY Women's Council] currently acquits 59 grants for our 17 programs. We receive funding from 6 separate government departments and 7 other bodies—including if we are very lucky the odd philanthropic grant. We are not unlike a town council managing multi-funding sources. Most funding agreements are lengthy, verbose in "bureaucratese" and usually totally irrelevant to remote communities. They are based on mainstream services delivered in the cities. Most often we get one off funding, or annual funding and if we are really lucky from time to time a 3-year funding cycle. We are required largely to provide quarterly financial statements and 6 monthly written reports. Regardless of the grant being for $5,000 or $150,000, very often the same amount of work is needed to acquit the grant.[108]

3.148 Mr Sean Gordon, General Manager of Yamuloong Association Incorporated, advised the Committee that:

> It is quite difficult at the moment in that I am working with about five or six different funding organisations… the reporting requirements… [necessitate] reports on seven different funding applications, seven different acquittals and seven different audits, make it very hard. Leah [Armstrong, General Manager of Yarnteen Aboriginal and Torres Strait Islanders Corporation] was talking about encouraging entrepreneurial leadership. It is quite difficult if your leaders are continually doing submissions, reports and so on, rather than looking at the big picture stuff. [109]

3.149 The complexity of funders' requirements puts added stress on Indigenous-controlled organisations. The South Australian Department of Human Services noted that small and remote Aboriginal organisations often have a small pool (if any) of trained Aboriginal workers to draw from, and that this excludes Aboriginal community based organisations from submission based funding programs.[110]

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108 Maggie Kavanagh, Coordinator of NPY Women's Council, cited in The Fred Hollows Foundation, Submission 36, p. 12.

109 Mr Sean Gordon, Yamuloong Association Inc., Transcript (07.04.03), p. 555.

110 Aboriginal Services Division, Department of Human Services, South Australia, Submission 49, p. 34.

3.150 The Committee notes that there is a critical need to examine the current accountability and acquittal processes required by funders. Additionally, the Committee was concerned to hear about the amount of resources intended to deliver services that are absorbed by the employment of consultants and other requirements. For example, in relation to the allocation of funds to communities to each prepare an alcohol management plan, the Cape York Health Council advised the Committee:

> Of that $30,000, $15,000 goes to a consultant who does a report—it may be a five- or six-page report—telling us what we already know; $10,000 out of that pays for a hired vehicle. So that is $25,000 out of the $30,000 already. The other $5,000 would be for meeting costs. What is it delivering really? Nothing.[111]

3.151 Large distances compound administrative costs involved in service provision to support some rural and many remote Indigenous communities. Kimberley Community Management Services advised the Committee that:

> Every time someone comes from Perth to the Kimberley, the air fare is in excess of $1,000 for a start, so half of whatever grant you get to support an organisation is eaten up in air fares—and then travel allowance and all the rest of it.[112]

Funding to incorporated Indigenous organisations

3.152 Indigenous organisations have come to play a significant role in government service delivery. However, the proliferation of incorporated Indigenous organisations was seen as problematic in Indigenous communities with small populations. Under the *Aboriginal Councils and Association Act 1976* (Cth) approximately 2 800 Indigenous groups and communities have incorporated. The Committee heard evidence from the Office of the Registrar of Aboriginal Corporations indicating that incorporation fulfils the legal requirements of funding or lending bodies.[113]

3.153 The audit requirements of incorporation place a burden on Indigenous community organisations, particularly those in remote areas, where community members are less likely to have appropriate levels of literacy

111 Mr Richie Ahmat, Cape York Land Council, Transcript (07.07.03), p. 786.

112 Ms Jan Lewis, Kimberley Community Management Services, Transcript (05.08.03), p. 929.

113 Mr Garry Fisk, Office of the Registrar of Aboriginal Corporations (ORAC), Transcript (16.10.02), p. 2. See chapter four.

or a sophisticated understanding of Western style laws in regard to accountability for the management of services. The Kimberley Community Management Services told the Committee that:

> Consider the requirements in terms of delivering services and the way that services are funded. I visited one particular community that has 12 incorporated bodies in it. It has 300 people in the community and it needs to run 12 committees—for education, the health service, the housing service, the CDEP and for the out-stations. Each of those requires an annual general meeting, each of those requires a committee, each of those requires an audit. There is no coordinator funded to run all of those services so it generally falls to the CDEP coordinator, who tends to pick up all of those kinds of responsibilities.
>
> It was a problem that funding agencies would only fund a community if they could see an incorporated body that had that as its role, rather than funding a community to deliver the services.[114]

3.154 The incorporation requirements for annual audits are difficult in remote regions where there are a limited number of auditors, and community organisations potentially wait 12-18 months before an audit is undertaken. Additionally, auditors tend to fly in and out of communities, which escalates audit costs for organisations.[115]

Tendering procedures

3.155 The Committee also heard evidence suggesting that the current practice to tender out service delivery increases the work load of Indigenous community organisations, to the point that these organisations, which are often best placed to deliver the service, can no longer compete.

> It is a horrendous task to write a tender…You need to set aside a week of your time—turn the phone off, say to your staff, "Sorry, your manager is not available now; I am shutting the door because we've got to do this tender".[116]

114 Mr Mike Newbigin, Community Housing Coalition of WA, Transcript (05.08.03), p. 917.

115 Mr Mike Newbigin, Community Housing Coalition of WA, Transcript (05.08.03), pp. 917-918.

116 Councillor Robert Neville, Town of Port Hedland and Bloodwood Tree Association, Transcript (05.08.03), p. 940.

3.156 It was suggested that in remote and regional areas, government agencies should directly negotiate with local service providers to deliver services, rather than going to tender.[117]

3.157 The Committee was told of a situation where the Department of Employment and Workplace Relations (DEWR) invited tenders to deliver the Job Network in the Pilbara region, Western Australia. Despite the fact that a local community service was already providing a similar program, funded by another Department, the organisation was expected to compete in a national tendering process.

> I told DEWR that we are funded by the Department of Education and Training to deliver employability services to people—in particular Aboriginal people; we are an Aboriginal agency—and we have all this funding to do this, and then you come along saying you have more funding to do the same out there. To me it would make sense…to come and install it with us and we will just carry on and go and do what we are doing with the town based people out in the communities. But they have gone out to tender. I am not interested in going out and writing out a 48-page tender document, nor is anybody else.[118]

3.158 The awarding of contracts to outside organisations was also seen as having a negative impact on local communities at a number of levels. For example, local employment was seen to be restricted, often in locations with limited employment markets, and community social cohesion was seen to be undermined as 'fly in, fly out' service providers delivered the minimum services in order to maximise profits. The Committee was advised that national competition policy resulted in a false economy of savings in remote and regional centres.

> The tendering out of services does not work well in remote areas… we have been talking quite a bit about social capital, as they call it. One of the instances they gave us was the local government tendering out Meals on Wheels. They were supplying the same food for a greatly decreased cost to the ratepayer; however, they found that the health of the aged persons was going down. The reason for that health decline was that, when they were delivering the food, they were not talking to the people about how the

117 Mr William Tilmouth, Tangentyere Council, Transcript (25.09.03) p. 1295

118 Councillor Robert Neville, Town of Port Hedland and Bloodwood Tree Association, Transcript (05.08.03), pp. 940-941.

> grandson or the family was and about the pictures on the wall et cetera. That is all about tendering out services—where you will get somebody going in there and doing, say, the victim support service. Somebody from Perth could actually get that service and they could fly in and fly out and deliver that service into town at a lower price than somebody living in town, because of the cost factor within those remote areas.[119]

3.159 The Committee's attention was drawn to a similar issue where a contract had been awarded to an outside organisation over a local Indigenous organisation:

> At Cape York last year, they asked for tenders to build an information centre in Laura. Two organisations, with assistance from ATSIC, brought traditional owners together to endorse the building of an information centre at Coen. An Indigenous organisation put in a tender to build the complex. They had a rapport with the people. In their tendering process they talked about employing local traditional owners. They did not even get a look in. It was given to a group of companies outside of Coen and Cape York. They know nothing about Cape York, yet they won the tender because they know somebody in Q-Build.[120]

3.160 The Committee was advised that the use of local labour was more cost effective, which meant that more infrastructure could be provided for the available funds. In a remote community in Western Australia, local labour was used to build seven houses for the amount a contractor would have charged to build four.[121] In a later round of funding the Lombadina Aboriginal Corporation used funds provided to build one house, to build two.[122]

3.161 The Committee has therefore agreed that it recommend that the Government take steps to ensure that in tendering arrangements, appropriate consideration be given to the utilisation of providers from within the communities and that commitments to capacity building and a local knowledge component be a condition of tenders (see recommendation 9 at page 109).

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119 Councillor Robert Neville, Town of Port Hedland and Bloodwood Tree Association, Transcript (05.08.03), p. 932.

120 Mr Richie Ahmat, Cape York Land Council, Transcript (07.07.03), p. 801.

121 Mr Basil Sibosado, Lombadina Aboriginal Corporation, Transcript (07.08.03), p. 1011.

122 Mrs Caroline Sibosado, Lombadina Aboriginal Corporation, Transcript (07.08.03), pp. 1011-1012.

Indigenous-government partnerships

Introduction

3.162 The fourth section of this chapter on building the capacity of government agencies explores Indigenous-government partnerships. Other partnerships, such as those involving the private sector, are covered in the following chapter focused on Indigenous organisations.

3.163 The Committee agrees with evidence received from sectors of government, the Indigenous community and non-government organisations, which saw the future of Indigenous-government relations lying in partnerships.

3.164 Partnership is a term that can be used loosely to describe any relationship between two or more parties. The Committee believes it is important to avoid this ambiguity and that:

> A partnership is not the same as a purchaser/provider relationship…a philanthropic/beneficiary relationship … [or] a funder/grantee relationship.
>
> The key elements that distinguish a "partnership" relationship from other kinds of relationships include:
>
> - shared goals;
> - shared risk;
> - shared power;
> - shared work and contributions; and
> - that all parties benefit.[123]

3.165 Implicit in the argument for a partnership approach between governments and Indigenous communities, is that neither party has sole responsibility; that governments and communities have different skills, knowledge and focus; and that governments and Indigenous communities work together using their strengths and contributions in a complementary manner. Of the partnership approach in Cape York, the Queensland Government stated:

> … Government must take responsibility for those things that it is best placed to do and the people of Cape York must take responsibility for those things that they can only do themselves.

123 FaCS, Submission 46, p. 37.

> The people of Cape York cannot be expected to solve their problems without the support of Government, and Government is not capable of improving life in Cape York without the commitment of the community.[124]

3.166 Partnerships are being formed between Commonwealth, State, Territory and local governments, Indigenous organisations, Indigenous communities, Indigenous families and the private sector. The Committee sees the potential for complementarity and strong cooperation for partnerships between different groups to set out frameworks for working together toward agreed outcomes to enhance the capacity of Indigenous communities and individuals and to reduce Indigenous disadvantage.

Barriers to effective partnerships

3.167 The capacity of agency staff is particularly important for the establishment and maintenance of partnerships with Indigenous communities. The process of partnership building is complex and, in many cases, reliant on personal interaction between agency staff and Indigenous community representatives. Relationships can be critical to the success or failure of partnerships.[125] The Torres Strait Regional Authority argued that:

> …[A] lot of the framework agreements and partnerships—in fact all of them that we operate under—really rely simply on goodwill.[126]

Goodwill in turn is based on openness and mutual respect.

3.168 Operational cultural differences can be a source of contention, particularly the perceived impersonal approach of bureaucracies versus the personal reciprocity of Indigenous interaction:

> …[T]he typical lack of staff continuity in Government agencies due to short duration of placements… mitigates against the development of personal relationships which are typically of paramount importance to Aboriginal people. Trust must be earned through personal contact rather than being assumed by the position held within an agency.[127]

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124 Queensland Government, Submission 56, p. 7.

125 Ms Dianne Hawgood, ICCT, Transcript (13.10.03), p. 1348.

126 Mr Michael Fordham, Torres Strait Regional Authority (TSRA), Transcript (05.11.02), p. 57.

127 Pilbara Regional Council, Submission 41, p. 2.

3.169 FaCS noted that:

> The capacity of government officers to successfully partner with and engage with Indigenous communities will directly correlate with their level of communication and facilitation skills, understanding of cultural differences and particular local issues, ability to afford the time and travel when it best suits communities, capacity to respond appropriately and in timely ways, and continuity of officer's engagement.[128]

3.170 The need to strengthen the capacity of Indigenous people and organisations to enable them to participate effectively in partnerships was also made clear to the Committee. The ICCT working on the COAG Trial saw this as critical.[129]

Partnerships between communities and government

3.171 The Northern Territory Government is involved in a three-way partnership with the Commonwealth Government and an Indigenous community. Their Partnership Agreement forms a statement of agreed protocol for the achievement of agreed outcomes. Their partnership has four components:

- joint identification of issues;
- negotiation of agreed objectives;
- joint action; and
- joint accountability for outcomes.[130]

3.172 It is envisaged that this model, building on the approach to be trialled at Wadeye (with the Commonwealth and Thamurrurr), will form a model to be extended to the Wangka Willurrarra (West MacDonnells) and Nyirranggulung-Mudrulk-Gadberre (Katherine East) and have at its core the establishment of effective governance arrangements and pooled funding.[131]

> The Partnership Agreement itself is simply a negotiated protocol or process for the achievement of agreed outcomes. The

128 FaCS, Submission 46, p. 8.

129 Ms Dianne Hawgood, ICCT, Transcript (13.10.03), p. 1348.

130 Northern Territory Government, Submission 45, p. 33.

131 Northern Territory Government, Submission 45, p. 33.

> Agreement would be supported by consensus on action to be taken in respect of key issues. These actions could, in turn, be developed from community or regional development plans. The arrangement is predicated on meeting a number of basic principles.[132]

3.173 Though there are many possibilities for different partnership approaches and processes, and partnerships will evolve depending on arising needs and purposes, the Committee sees the Northern Territory Government's approach of identifying issues, outcomes and strategies, with stated accountability, as providing a model consistent with other partnership approaches involving governments and communities.

3.174 Cape York Partnerships (CYP) in Queensland (a collection of organisations controlled by Cape York people, servicing the needs of Cape York people)[133] has created a partnership with the Queensland Government, as well as private and philanthropic organisations, the Commonwealth (via COAG) and ATSIC.

> Cape York Partnerships is about changing the way Government and communities work together.[134]

3.175 The Committee recognises that the CYP have provided a vehicle for government to engage with the communities of Cape York, while also providing a forum and a focus for government to work together more collaboratively. This type of approach could be undertaken elsewhere.

Partnerships between families and government

3.176 Many submissions highlighted the importance of working with family groups, rather than 'communities', particularly in communities with factions. FaCS recognised that when it had given authority and support to a single family group in a community, the process left other family groups out.[135]

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132 Northern Territory Government, Submission 45, p. 34.

133 Cape York Partnerships consists of: Cape York Land Council Aboriginal Corporation, Apunipima Cape York Health Council, Balkanu Cape York Development Corporation Pty Ltd, and Cape York Corporation Pty Ltd as Trustee for the Cape York Aboriginal Charitable Trust, <http://www.capeyorkpartnerships.com/project/beg/index.htm> (accessed 10.12.03).

134 *An Open Letter from Peter Beattie To the Indigenous Peoples of Cape York, Cape York Partnerships: Some Practical Ideas*, Queensland Government, Department of Premier and Cabinet, <http://www.capeyorkpartnerships.com/media/documents/cyp-gov-book.pdf> (accessed 10.12.03).

135 Ms Fiona Dempster, FaCS, Transcript (25.06.03), p. 725.

3.177 DIMIA supports the argument for shifting the Indigenous policy emphasis towards individuals and families specifically, rather than viewing all Indigenous need through the rubric of 'community', acknowledging that functional individuals and families are the foundation of communities.[136]

3.178 The agreement between the Northern Territory Government, the Commonwealth and the Indigenous community at Wadeye, saw the participation of family groups rather than kinship or landowning groups.

> … when we went out there to do the Wadeye agreement…we actually had a problem on the day. The problem was that we thought we were actually going to sign it with these 20 family kinship groups and land-owning groups. On the morning of the event, they said, "No, we want every family that is represented in this area to be a signatory to this because we will each take responsibility for our family". We had 72 people who came forward to represent each of the 72 families and to sign that document... That was a very powerful thing because it was making a statement to us that they saw the families as theirs and that they were taking responsibility for the agreement. It is those families that we are working with; we are not working with a single family or a single entity.[137]

Partnerships within and between governments

3.179 As pointed out earlier in the report, a central theme throughout the evidence has been the problems caused to effective service delivery through the lack of government integration. It is salutary to remember this:

> Not only do Governments need partnerships with Aboriginal and Torres Strait Islander people…but the different levels of Government also need similar partnerships arrangements with each other if they are going to be most effective.[138]

136 The Hon. Phillip Ruddock, speech to the ATSIC National Policy Conference (2002), cited in DIMIA, Submission 42, p. 24.

137 Mr Barry Smith, FaCS, Transcript (25.06.03), p. 726.

138 Queensland Government, Submission 56, p. 12.

Capacity building for partnerships

3.180 Partnerships require long-term commitments and focus, with negotiated, realistic outcomes. The Committee acknowledges that Indigenous issues are complex and entrenched, and addressing Indigenous disadvantage will require time, dedication and commitment from all levels, over time. Partnerships have to endure through time and transcend barriers created by funding and election cycles.

3.181 COAG's Indigenous Communities Coordination Taskforce (ICCT) recognised that before Indigenous communities could assume responsibility for managing their own affairs and engage in effective partnerships, some empowerment and skill development may need to take place through capacity building.[139] In evidence, the ICCT stated that one of its key insights involved understanding the importance of governments and communities developing effective and productive working relationships, which ICCT saw as the foundation to developing sustainable solutions. ICCT saw relationships as absolutely critical. Implicit in this was the need for governments to support initiatives that helped to strengthen the capacity of people in the communities they were working with, so that the communities were more able to deal with the ICCT as equal partners:

> …enabling Indigenous people to take responsibility with governments for making things work; not, as many people in the communities are saying to us, government doing it for them or to them.[140]

3.182 In considering, evidence it is clear to the Committee that the development of the capacities of government staff, in particular their communication and facilitation skills, and their understanding of cultural differences and local issues, are critical to the building of successful partnerships.

Conclusion

3.183 Clearly, a critical key to achieving better outcomes for Indigenous Australians is the development of effective partnerships.

3.184 Partnerships are vehicles for groups to collaborate and work toward shared, negotiated goals. They have the potential to create genuine,

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139 ICCT, Submission 40, p. 6.

140 Ms Dianne Hawgood, ICCT, Transcript (13.10.03), p. 1348.

effective relationships between government and Indigenous communities and to increase the quality of life for Indigenous people. Partnerships are valuable as a forum for greater government cooperation and more effective service delivery.

Conclusions on government capacity building

3.185 In this chapter the Committee has proposed a range of measures directed at government agencies, the aim of which is to improve individual and community outcomes for Indigenous people. Much of what the Committee proposes is aimed at improving integration, coordination and cooperation within and between the levels of government in Australia. The Committee has called upon the Commonwealth Government to make a strong commitment to implementing a whole of government approach to service delivery to Indigenous communities, including enhancing communication, developing partnerships with Indigenous communities, and incorporating capacity building in designing and implementing service delivery programs. The Committee also makes other recommendations aimed at improving the capacity of government agencies.

3.186 In making these recommendations, the Committee is mindful, however, of the salutary comments made by one of the participants at the Committee's Roundtable in February 2004, concerning both the importance of enterprise and the role of government in breaking the cycle of passive welfare dependency and improving outcomes. The Reverend Nic Frances focussed his comments on the role of enterprise in building capacity, stressing, in particular:

- the importance of enterprise in creating wealth and jobs, and the need for government to step aside;
- the reality that building capacity through enterprise will always be inequitable and our commitment to equality can be an impediment; and
- the complexity of policy in Australia, where different tiers of government and strong demarked departmental lines make it difficult to get projects off the ground.

3.187 In focussing on the importance of enterprise, the Reverend Frances stated:

> The reason for enterprise is that you drive jobs. If you drive jobs, you create wealth. With that comes some choices that you rarely get through things like passive welfare…[141]

3.188 However, it was the structure of governance and the complexity of policy in Australia which were seen as being particularly inhibiting to progress.

> My experience of seeing joined up government… [in Australia] is that everybody wants their slice of action, no-one wants to let go of it and they all want to stay at the table… so nobody gives away their pot of the money and gets out of the way so something can happen.[142]

> …I find the policy is so complex here because we are dealing with local government, state government and federal government. Because there are such demarked, strong departmental lines between you, it is almost impossible to get something off the ground if you are working with government.[143]

3.189 The Committee therefore is mindful that, whilst governments have obligations to all citizens in areas such as health and education, there is a time for governments to stand back and get out of the way. There are things that governments are good at and things they are not good at, and there is a particular need for flexibility in encouraging enterprise in Indigenous communities.

3.190 In stressing the need for flexibility in understanding the role of government and addressing the need for governments to be careful and stand back where appropriate, the Reverend Frances concluded:

> So it is not that there should not be government and we should not have really strong policy and aspirations for people to achieve… I am not saying no government. I am saying strong government but in a way that has soft hands that can pass it to local communities to be acted upon.[144]

3.191 As the Executive Director of the ICCT advised the Committee:

> It is necessary for bureaucrats to focus not only on joining up services as a priority but also on generating innovative and flexible solutions that enable communities to be in the driving seat. It is

141 Reverend Nicolas Frances, (private capacity), Transcript (13.02.04), p. 1455.
142 Reverend Nicolas Frances, (private capacity), Transcript (13.02.04), p. 1455.
143 Reverend Nicolas Frances, (private capacity), Transcript (13.02.04), p. 1456.
144 Reverend Nicolas Frances, (private capacity), Transcript (13.02.04), p. 1480.

> unhelpful to focus on process rather than outcomes simply because this is easier, more comfortable and familiar. As Noel Pearson commented recently "What is the point of all joining up if what we are joining up is a top-down passive approach?" Here he is talking not only about welfare payments to individuals that create passivity but also more broadly about the way governments interact with Indigenous communities. So he is also talking about how we deliver programs.[145]

3.192 The Committee believes that, although improving the delivery of services is important, the long-term goal is to reduce the need for services by addressing Indigenous disadvantage, while a shorter-term goal is to build the capacity of Indigenous people to provide their own services to Indigenous people.

Recommendation 6

The Committee recommends that the Commonwealth Government, through COAG, convene a roundtable between Commonwealth, State and Territory government representatives, together with members of local government and Indigenous representatives, to clarify program and service delivery roles, responsibilities and issues of cost shifting.

Recommendation 7

The Committee recommends that, in relation to the provision of services to Aboriginal and Torres Strait Islander communities, the Commonwealth Government ensure a whole of government approach, together with the States and Territories and local government, in consultation with Indigenous Australians, including:

(a) a shift in emphasis in service provision to a regional or location specific basis (in full consultation with the Indigenous communities involved);

(b) the co-location of relevant Commonwealth Government and other agency staff;

145 Ms Dianne Hawgood, ICCT, Transcript (13.10.03), p. 1349.

(c) enhancing communication and developing partnerships both with Indigenous communities and families, and between governments;

(d) the incorporation of capacity building into the design and implementation of programs delivering services to Indigenous communities, including funds to enable mentoring of community members and organisations;

(e) the further development of program benchmarks in terms relevant to Indigenous people, and the adoption of regular public reporting regimes on those benchmarks, including reporting to the relevant Indigenous communities;

(f) the creation of frameworks for service delivery that are familiar and acceptable to Indigenous people;

(g) the enhancement of the skills and capacity of agency staff (including cross-cultural and language training, and the placement of high level staff and policy makers 'on the ground' in Indigenous communities) and the placement of appropriately skilled field officers 'on the ground', and reducing the turnover rate of such staff;

(h) a commitment to the creation of Indigenous specific positions in agency structures; and

that it report on progress to the Commonwealth Parliament on a regular basis (possibly in conjunction with the proposed report on Indigenous disadvantage) and procedures be implemented to ensure that the report presented to the House of Representatives stands referred to this Committee for its consideration.

Recommendation 8

The Committee recommends that, as part of a better coordinated and integrated approach to the delivery of services to Indigenous communities, the Commonwealth Government investigate the development of pooled funding models whereby grants and entitlements that are formula funded can be combined into a single budget with a single reporting regime.

Recommendation 9

The Committee recommends, in relation to contracts to provide services to Indigenous communities, the Commonwealth Government ensure that:

(a) appropriate consideration be given to the utilisation of providers from within the community (and should such a course eventuate, the fact be noted in the public reporting process); and

(b) in seeking tenders to deliver services:

(i) the provision of capacity building to local people is a component of the tender; and

(ii) local knowledge is a condition of the awarding of the tender.

4

Building the capacity of Indigenous organisations

Introduction

4.1 In this chapter the Committee addresses paragraph (b) of its terms of reference which requires the Committee to inquire into and report on:

> Building the capacity Indigenous organisations to better deliver and influence the delivery of services in the most effective, efficient and accountable way.

4.2 It is clear that Indigenous communities and their organisations deliver a wide range of government programs, though it is unclear exactly how much funding is received or how much service delivery is undertaken by Indigenous community organisations. Funding sources for the delivery of services that Indigenous organisations could access, include those from Commonwealth, State, Territory or local governments, and those from private sector grants. The engagement of Indigenous community organisations in cooperative partnerships also make lines of delivery and funding difficult to trace.

4.3 In its evidence to the inquiry, the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) highlighted the range of responsibilities placed upon Indigenous organisations:

> …we tend to use Indigenous community organisations as the principal vehicle for delivering government programs. That ranges from everything from primary health care to housing, legal aid, even forms of local government and day-to-day policing functions. In fact, many Indigenous community organisations have a wider

> range of responsibilities than metropolitan city councils. We ask Indigenous people in those situations to be landlords, nurses, teachers, police officers and maintenance personnel for their own neighbours and relatives. That puts an enormous amount of pressure on those communities and on the community organisations. Often they are communities that are suffering abnormal degrees of dysfunction, be it substance abuse, violence or whatever. So community capacity building becomes quite central in those circumstances because these communities and their organisations are the vehicles we are using for the delivery of government programs.[1]

4.4 Failures in mainstream service delivery can result in increased pressure on Indigenous specific programs and Indigenous organisations. The Commonwealth Grants Commission report on Indigenous Funding reported that the failure of mainstream programs to effectively address the needs of Indigenous people overburdened Indigenous specific programs which were then expected to do more than they were designed for.[2] The responsibilities placed upon Indigenous organisations can therefore be substantial—as can the concomitant expectations.

4.5 This chapter, which has governance as an overarching theme, covers good governance, leadership, accountability, resource and infrastructure issues, and partnerships in relation to Indigenous organisations, service delivery and capacity building.

Indigenous organisations—governance

Introduction

4.6 Appropriate and effective governance of Indigenous organisations is of critical importance to the effective delivery of services to Indigenous communities. The difference between governance and government is that:

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1 Mr Peter Vaughan, Office of Aboriginal and Torres Strait Islander Affairs (OATSIA), Department of Immigration and Indigenous and Multicultural Affairs (DIMIA), Transcript (04.06.03), p. 681.

2 Commonwealth Grants Commission (CGC), *Report on Indigenous Funding 2001*, p. xvii. The CGC added that, as a consequence, the programs focussed less on the disadvantage.

> While government means having jurisdiction or control over people in a political community, governance is the means (process and structure) by which communities exercise that jurisdiction or control… Governance implies having knowledge of leaders' roles, responsibilities and accountability to members.[3]

4.7 Or, put more simply:

> [G]overnance is how you organise yourself, how you run yourself, as a family, organisation, clan group, community, [or] region.[4]

4.8 Indigenous governance has become increasingly important internationally, and its profile in Australia has been heightened by recent events such as the *Indigenous Governance Conference*[5] and the *Building Effective Indigenous Governance Conference*.[6] These conferences have provided local and international insight into Indigenous governance. The arguments have centred around showing that sustained and measurable improvements in the social and economic well-being of Indigenous people only occurs when real decision-making power is vested in communities; when effective and appropriate governing institutions are built; when the decision-making processes of these institutions reflect the cultural values and beliefs of the people; and when communities can move away from crisis management to long term strategic planning.[7]

4.9 Many submissions to the inquiry referred to the Harvard Project research into North American Indian economic development and governance, which the Committee commented on briefly in chapter two. The Committee found the research provided valuable insight into Indigenous governance issues.

4.10 In this section the Committee will address Indigenous governance and the Harvard project, models of effective Indigenous governance in Australia, and the role of governments in the governance of Indigenous organisations.

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3 Sterrit, N., 2002, *Defining Indigenous Governance*. Presented at the Indigenous Governance Conference, Canberra, April 2002.

4 ATSIC News, 2002, *Governance Around the Indigenous World*, <http://www.atsic.gov.au/News_Room/ATSIC_News/Spring_2002/Governance.asp> (accessed 13.05.04).

5 Hosted by Reconciliation Australia in Canberra, April, 2002.

6 Hosted by the Northern Territory Government in Darwin, November 2003.

7 Reconciliation Australia, Submission 55, p. 4 & p. 6. The comments relate to the outcome of the earlier conference.

The Harvard Project

4.11 The Harvard Project on American Indian Economic Development began in 1987, and aims to understand and foster the conditions under which sustained, self-determined social and economic development can be achieved among North American Indian nations.

4.12 At the heart of the Harvard Project is the systematic, comparative study of social and economic development on American Indian reservations, aimed at discovering why some nations have become economically successful and why others have remained disadvantaged and in poverty. The Harvard research highlights effective governance as a cornerstone for economic development.[8]

4.13 Although structural and historical conditions encountered by North American Indian nations and Indigenous Australians can differ significantly, the Committee agrees that the Harvard research provides useful ways of understanding and enhancing Indigenous governance.

Harvard's essential elements for good governance

4.14 Four essential elements for good governance have emerged from the Harvard research—the necessity for culturally appropriate institutions, the separation of powers, the importance of sovereignty, and the development of a long-term, strategic focus.[9]

Culturally appropriate institutions

4.15 The Harvard Project consistently found that successful governance involves the formation of stable political institutions that are a cultural 'match'.[10] Cultural match:

> …[R]efers to the alignment between governing institutions and the prevailing ideas in the community about how authority should be organized and exercised[11]… Where cultural match is high, the institutions of governance tend to have a high degree of support in

8 The Harvard Project on American Indian Economic Development, John F. Kennedy School of Government, Harvard University, Overview of the Harvard Project, <http://www.ksg.harvard.edu/hpaied/overview.htm> (accessed 13.05.04).

9 *ibid*

10 *ibid*

11 Cornell, S., & Kalt, J., 1998, *Sovereignty and Nation Building: The Development Challenge in Indian Country Today*, John F. Kennedy School of Government, Harvard University, p. 18.

> the community, they command allegiance and respect. Where cultural match is low, legitimacy is low, and governing institutions are more likely to be toothless, ignored, disrespected, and/or turned into vehicles for personal enrichment.[12]

4.16 The concept of cultural match does not necessarily involve a community returning to its traditional style of governance or, as the Harvard team stated, just doing things in traditional ways.[13] Cultural match is not an appeal to tradition but an appeal to legitimacy—the governing institutions must have the support of those they govern. Indigenously generated institutions are seen as more likely to have that support, assuming they have been generated freely and inclusively. The term was also seen as meaning that the institutions:

- embody the values Indigenous people feel are important;
- reflect Indigenous peoples' *contemporary* conception of how authority should be organised and exercised; and
- are generated through Indigenous efforts.[14]

4.17 Cultural match could involve traditional governance, mainstream governance, or a hybrid blend of the two. Significantly, the Harvard team noted that there was a second test—not only did governing institutions have to have legitimacy with the people, they also have to work and be able to get the job done.[15]

4.18 Importantly, the Harvard Project has found that:

> …Indigenous nations in the US that are successful… have radically different forms of indigenous governance, because they have been indigenously generated. The great advantage of… [this] is that the people in those communities believe in them. Those governments have enormous legitimacy with their own people, and therefore they are effective vehicles for action. The disadvantage from the federal viewpoint is that you get enormous

12 *ibid,* p. 19.

13 Begay, M., and Cornell, S., 2003, *What is Cultural Match and Why is it so Important?* Native Nations Institute for Leadership, Management and Policy, University of Arizona, and the Harvard Project on American Indian Economic Development <http://www.nt.gov.au/cdsca/indigenous_conference/web/html/Stephen_Cornell_paper2.pdf> (accessed 20.04.04).

14 *ibid*

15 *ibid*

> variety in the governments that you deal with, but that is part of the price—and it is probably worth it in reduced welfare costs…[16]

Separation of powers

4.19 The Harvard Project research emphasised the need to separate politics, business management and dispute resolution. A true separation of powers involves the different branches of government serving as checks and balances on the actions of the others. This can work on a small scale, and has worked with Indian tribes in the United States.

4.20 When a body controls political decision-making, business decision-making and the process for settling disputes, the potential for grievances rises. The Harvard research advocates that political leaders be elected for their leadership and long-term strategic vision, that others undertake business management and day-to-day decision-making, and that a third group undertake mediation and dispute resolution in order to avoid the concentration of power, and to allow for independent, fair and transparent processes.[17]

4.21 The separation of powers is seen as essential for encouraging economic development through creating a stable environment that is attractive to investors.[18]

Sovereignty

4.22 In advocating that Indigenous communities be given the power to set priorities and establish governance structures, Reconciliation Australia added:

> If the evidence that backs this approach informs public discussion, the concepts of sovereignty and self determination will become more generally understood as promoting increased Indigenous decision-making in policies and services which directly affect their communities, and not as promoting a nation separate from other Australians.[19]

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16 Professor Stephen Cornell, Udall Center for Studies in Public Policy, University of Arizona, Harvard Project on American Indian Economic Development, Harvard University, Transcript (03.11.03), p. 1370.

17 Cornell, S., & Kalt, J., 1998, *Sovereignty and Nation Building: The Development Challenge in Indian Country Today*, John F. Kennedy School of Government, Harvard University, pp. 13-17.

18 *ibid*, pp. 13-17.

19 Reconciliation Australia, 2003, *Reconciliation: Together we're doing it: 2003 Reconciliation report*, Canberra, p. 10.

4.23 The context in which the Harvard Project team uses the term 'sovereignty', is similar, and refers to the degree of control that Indian nations exercise over their own affairs. They caution that tribal sovereignty in the United States is not absolute, but it is very substantial in some critical areas, including the organisation of government itself. The Committee notes that there are limits to that tribal sovereignty. In the area of justice, for example, though Indian nations can establish their own court systems, there are certain categories of crime over which they do not have jurisdiction.[20]

4.24 Sovereignty is about Indigenous people having the power to exercise real control over decision-making that affects their daily lives.

Long-term strategic focus

4.25 The fourth element the Harvard team has found is the importance of developing a long-term strategic focus. This involves moving away from crisis management to develop long-term goals that the community agrees with, is committed to and which reflects its aspirations.

4.26 With a good governance structure in place, with culturally appropriate institutions, a separation of powers and the power (sovereignty) to make real decisions, a long-term strategic focus can be developed. Having a long-term agreed-upon strategy has the potential to unite the community, to create stability, and to create a sense of hope for the future.

4.27 The Committee views this as critical. Good governance is about addressing and solving problems. It is about communities picking themselves up and taking control of their own affairs – making real progress in improving conditions and 'getting runs on the board'.

Conclusions

4.28 A range of evidence referring to the Harvard Project was received by the Committee. Many submissions highlighted the applicability of the findings, while others expressed caution regarding the appropriateness of applying such a model in the Australian context.

4.29 The Committee concluded that the Harvard model is a useful guide to indicate how Indigenous groups elsewhere have negotiated processes for

20 Professor Stephen Cornell, Udall Center for Studies in Public Policy, University of Arizona, Harvard Project on American Indian Economic Development, Harvard University, Transcript (03.11.03), p. 1370.

effective governance within their communities. By encouraging and facilitating communities to focus on the areas the model highlights, there is potential to address areas of existing conflict, both within Indigenous communities, and between those communities and government.

4.30 The Committee was encouraged to see numerous examples of good governance throughout Indigenous communities in Australia, such as the Yarnteen Aboriginal and Torres Strait Islanders Corporation (NSW). Yarnteen created a governance model involving: sustainability and acknowledgement of history and tradition; a whole-of-community shared vision and long-term plan; informed and committed leaders and managers; responsive resource management; internal and external accountability; and an aim to continuously improve.[21] These areas are similar to those identified in the Harvard model and are working well for Yarnteen.

4.31 Many communities have developed good governance with similar sets of processes to that which the Harvard team had documented through working with Indian nations in North America. Some of these models of governance are covered below.

Models of effective governance in Indigenous Australia

4.32 The inquiry consistently heard evidence that Indigenous communities were unique and that no single model of governance was appropriate or applicable for all communities. The way in which Indigenous people organise themselves, make decisions and then carry out those decisions, is heavily influenced by their history, culture, land, tradition and community politics. The Murdi Paaki Regional Council told the Committee that:

> Aboriginal and Torres Strait Islander societies are so diverse that flexibility is required to ensure that structures are appropriate to the special circumstances of individual communities and regions.[22]

4.33 Similarly the Committee was advised:

> Looking for a model will not work. You need a diversity of models. One size will not fit all communities because they are just so heterogeneous. I do not just mean in terms of size, but in terms

21 Mrs Leah Armstrong, Yarnteen Aboriginal and Torres Strait Islanders Corporation, Transcript (07.04.03), pp. 551-552.

22 Murdi Paaki Regional Council, Submission 6, p. 5.

> of their internal workings and the sorts of issues that they need to address.[23]

4.34 Indigenous organisations were seen as being relatively new, having only emerged in the last 30 years as ways of delivering government funded services to Indigenous communities. They were also seen as extremely complex hybrid organisations which must try to balance and mediate Indigenous social norms of personal reciprocity and support with more impersonal bureaucratic norms emanating from the government funding context.[24]

4.35 The Committee travelled to a number of Indigenous communities and examined several different governance models. The Committee does not wish to endorse one model over another, rather to illustrate the diversity of models which exist and which are evolving in Australia. Following are some established examples of the range of different governance models.

A regional authority model: the Torres Strait Regional Authority (QLD)

4.36 The Torres Strait Regional Authority (TSRA) is currently the only body to have been made a Regional Authority under the *Aboriginal and Torres Strait Islander Commission Act 1989*.[25] The Authority does not provide services directly, but coordinates planning and service delivery on a regional basis and supports communities in managing their own affairs.

4.37 The TSRA told the Committee:

> The Region can be likened to a federation of island communities. Each island community is self managing through its own community government. With Commonwealth funding, the TSRA coordinates planning and service delivery with a single integrated regional voice and works in partnership with other Government agencies.[26]

4.38 The Committee also heard that the Authority provides a strategic framework for the development of partnerships with government.

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23 Professor Jon Altman, Centre for Aboriginal Economic Policy Research (CAEPR), Australian National University (ANU), Transcript (23.10.02), p. 30.

24 CAEPR, ANU, Submission 25, p. 3.

25 See Part 3A of the *Aboriginal and Torres Strait Islander Commission Act 1989*.

26 Torres Strait Regional Authority (TSRA), Submission 3, p. 3.

Tripartite partnerships have allowed the TSRA to pool funds and negotiate three-year funding cycles over a ten-year period.[27]

4.39 Strong governance arrangements have been critical to the success of the TSRA and have ensured that communities are directly represented through their councils on the Authority, and that in turn, the Authority is able to represent their needs and interests to government. The TRSA told the Committee that:

> …effective and legitimate governance arrangements are a fundamental aspect in giving Torres Strait Islander and Aboriginal people the power and capacity to engage beneficially with government in the interests of all stakeholders. [28]

4.40 The TSRA comprises 20 elected members representing Torres Strait Islander and Aboriginal people living in the region. The majority of its membership is derived from Island Council chairpersons elected pursuant to the *Queensland Community Services (Torres Strait) Act 1984*.[29]

A regional council model: Murdi Paaki Regional Council (NSW)

4.41 The Murdi Paaki Regional Council is the ATSIC Regional Council for the Bourke region in NSW. The Council has sought to develop the capacity to plan, advocate, and negotiate equitable resources for communities, and to manage or guide developments throughout the region through adopting a regional model of governance.[30]

4.42 The Council operates through Community Working Parties (CWPs), which ensure coordination of service design and provision at the community level. The Committee heard that:

> While their [CWP] structure varies from community to community, they provide a vehicle for drawing together representation from Aboriginal organisations, grass roots community members and invited agencies. Collaboration between community members and agencies has led to a strong sense of partnership in service planning and delivery. The collaborative, co-ordinated approach to funding through the Working Party

27 TSRA, Submission 3, p. 4 & p. 16.

28 TSRA, Submission 3, p. 17.

29 TSRA, Submission 3, p. 9.

30 Murdi Paaki Regional Council, Submission 6, p. 2.

> structure has contributed to community confidence and to their social and economic sustainability.[31]

4.43 The Council proposes that regional governance would be enhanced significantly with the establishment of a Murdi Paaki Regional Authority, and it is currently pursuing this proposal. The Authority, like the Torres Strait Regional Authority, could represent and advocate the interests of Aboriginal and Torres Strait Islander people in the region; provide regional coordination of funding distribution; negotiate funding arrangements and agreements with government agencies; enter into service contracts with Aboriginal organisations; and formulate a regional development plan.[32] The Committee was told:

> Its value lies in its negotiating and coordinating role and its capacity to enter into agreements and funding contracts on behalf of communities, giving a regional voice, and strengthening the capacity of communities.[33]

4.44 The Murdi Paaki regional governance model seeks to strengthen the role and participation of the 16 major and seven smaller communities in regional decision making and service delivery.

A proportional representation model: Tangentyere Council (NT)

4.45 Tangentyere Council is the resource and advocacy body for 18 housing associations (town camps) located around Alice Springs, while also providing services to the wider Alice Springs community. The 18 town camps are independently incorporated with approximately 2 000 residents in total. The model of governance incorporates Western and Indigenous legal and community protocols and, while it recognises the role of the Executive in the Western framework, it equally recognises the role and authority of elders within the Town Camps. Tangentyere Council told the Committee that:

> Each town camp has its own committee and Presidents… [and] elects a representative to the Tangentyere Council Executive. The proportional representative nature of the Executive Council (as determined by the constitution) provides a model of Governance

31 Murdi Paaki Regional Council, Submission 6, pp. 17-18.

32 Murdi Paaki Regional Council, Submission 6, pp. 12-13.

33 Murdi Paaki Regional Council, Submission 6, p. 12.

> that protects Tangentyere from common problems such as stacking and family monopoly.[34]

4.46 Tangentyere Council have developed a hybrid organisation that effectively deals with Western requirements of governance and accountability, while also recognising of the role of customary law. The Council told the Committee:

> At Tangentyere we pride ourselves on our achievements in these areas. Our proportional representative government structure stands out as a best practice model. Management is held accountable and there is strong Indigenous leadership for staff.[35]

4.47 The Committee was very encouraged by the high level of effective service delivery it saw as a result of this model of governance.

A clan model: the Thamarrurr of Wadeye (NT)

4.48 Wadeye (formerly known as Port Keats) is the sixth largest town, by population, in the Northern Territory and its largest Aboriginal community. It has a population of approximately 2 500 which is expected to increase at the rate of four per cent per annum. Sixty per cent of the population is under the age of 25.[36] The community consists of three ceremonial clans, with the families currently living in the Wadeye community belonging to approximately 23 different clans. There are seven different Aboriginal languages spoken in Wadeye, the main one being Murinh Patha, which is the common language. Most traditional Aboriginal people in Wadeye are multi lingual or bi lingual, with English being their second or third language.[37]

4.49 Sixteen of the tribal groups established Thamarrurr, which is a forum where representatives from each of the clans in the Daly River / Port Keats region participate.[38] The forum does not have a chair, as relationships between clans are understood through an arrangement called 'kulu', with

34 Tangentyere Council Inc., Submission 32, p. 5.

35 Mr William Tilmouth, Tangentyere Council, Transcript (25.09.03), p. 1287.

36 Kardu Numida Incorporated, Submission 13, p. 10.

37 Wadeye Palngun Wurnangat Incorporated, Ngepan Patha Centre, 2002, *Plan for Women and Family Dreams for the Future, "Our Wealth is Family"*, cited in Exhibit 83, p. 5, p. 13.

38 Kardu Numida Incorporated, Submission 13, p. 2 & p. 4. Other clan groups surrounding Thamarrurr were given the opportunity to join as well, however they had affiliations to other centres. Mr Bill Ivory, Kardu Numida Incorporated, Transcript (26.11.02), p. 165.

each clan group considered an equal amongst the others.[39] Kardu Numida told the Committee:

> Thamarrurr is a legitimate recognised structure in which tribal leaders / representatives have authority to make decisions over matters pertaining to everyday life, with [the] exception of matters relative to a particular tribal group's land or its usage.[40]

4.50 Thamarrurr is viewed by the people of Wadeye as a vehicle which will support them in their quest to achieve their many aspirations in social, political and economic matters. It is not a local council and does not have the power to raise revenue. The community has a significant development and reform agenda and believe that they have created a foundation but seek outside support to build for the future.[41] It is envisaged that, with proposed joint venture partnerships in the local and regional construction industry, the community can deliver an economically viable working model for remote communities.[42]

A family council model: Lombadina (WA)

4.51 Lombadina Aboriginal Corporation is located on the west coast of the Dampier Peninsula, 200km north of Broome. Lombadina was established in the mid 1980s when it broke away from the Church Administration to establish itself as a separate community controlling its own affairs. The Lombadina community consists of approximately 60 people.

4.52 Lombadina is a small community, with good management structures. Its council meets every two to three weeks, but as the community is small: 'Everybody knows what's what'.[43] Every twelve months the council holds an election. The Committee was told:

> We just have normal voting. We do not have any ballot or secret ballot or anything; we just have our hands up… There is a whole community meeting. Everybody gets told the election is coming... people can nominate right there and then... If the people accept him, that is it.[44]

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39 Kardu Numida Incorporated, Submission 13, p. 2

40 Kardu Numida Incorporated, Submission 13, p. 3.

41 Kardu Numida Incorporated, Submission 13, pp. 2-4.

42 Kardu Numida Incorporated, Submission 13, p. 9.

43 Mr Basil Sibosado, Lombadina Aboriginal Corporation, Transcript (07.08.03), p. 1014.

44 Mrs Caroline Sibsado, Lombadina Aboriginal Corporation, Transcript (07.08.03), p. 1014.

4.53 The process is simple, open and swift. The governance of the community is founded on strong family connections and day to day interaction.

A critique of the regional model

4.54 While a number of submissions to this inquiry argued that regional structures, such as the Torres Strait Regional Authority and the Murdi Paaki Regional Council, move decision making closer to the community,[45] the Committee has heard from at least one Indigenous organisation which argued that regional authorities simply concentrate power in the hands of an elite few.[46] One submission noted that a clan based model, as opposed to a regional model, promotes:

- Developing more homogeneous, smaller and better focused groups, not fewer unaccountable and autocratic institutions that disenfranchise our people and culture.
- Developing individual and clan strength and opportunity[,] not bestowing power on a few elite in our community who do not communicate and wield their power in a discriminatory way.
- Providing greater distribution of responsibility, confidence, equity and sharing of wealth[,] not empowering a few on big salaries and the rest on unemployment/cdep (sic).[47]

4.55 The Committee accepts that not all Indigenous people will feel committed to or justly served by regional models. The Committee heard from the Department of Family and Community Services which argued that:

> FaCS and Centrelink do not consider that community-based organisations should necessarily be replaced with regional ones, nor that governance is necessarily best performed on a regional basis. Clan groupings, geographical boundaries, different interests, distance, and inadequate transport and communications infrastructure can make fair and effective regional decision-making difficult to achieve. Every community needs some sort of local structure that enables participation in local as well as regional governance matters. Every community also needs a

45 Aboriginal and Torres Strait Islander Social Justice Commissioner, Human Rights and Equal Opportunity Commission (HREOC), Submission 44, p. 11.

46 Aboriginal Corporation Enterprising Services, Submission 38, p. 2.

47 Aboriginal Corporation Enterprising Services, Submission 38, p. 1. See also the comments of Department of Family and Community Services and Centrelink (FaCS), Submission 46, pp. 6-7.

> variety of local organisations to cater for various interests and needs. However, regional bodies can be a good way of dealing with common issues, enabling better resource-sharing, providing economies of scale, and developing regional approaches to regional issues.[48]

4.56 The Committee believes that the potential success or failure of regional approaches depends on the processes undertaken to establish and develop such a regional governance model.

The role of government in the governance of Indigenous organisations

4.57 The role of government in relation to Indigenous governance is as facilitator, investor and legislative enabler. Governments can help build the capacity of Indigenous organisations through facilitating capacity building, building partnerships with Indigenous communities, allowing Indigenous groups decision-making power and through providing resources.

4.58 The Committee believes that Indigenous governance needs to come *from* Aboriginal and Torres Strait Islander Australians, to be culturally legitimate and appropriate, and that Government's role is to facilitate this process, where needed, by working with Indigenous groups to build relevant capacities. The Harvard Project observed:

> The role of the [United States'] federal government as we [the Harvard Project team] see it, has been to move from being the decision maker *for* Indian country, to being a resource and partner working *with* Indigenous nations to try to achieve objectives *identified by* those Indigenous nations, and investing in improving the capacity of those nations to achieve those objectives... like the government moving out of the driver's seat but remaining very much in the vehicle as a resource.[49] [Emphasis added]

4.59 Also, a paper presented at the 2002 Indigenous Governance Conference in Canberra stated:

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48 FaCS, Submission 46, pp. 6-7.

49 Professor Stephen Cornell, Udall Center for Studies in Public Policy, University of Arizona, Harvard Project on American Indian Economic Development, Harvard University, Transcript (03.11.03), p. 1370.

> The international literature suggests that without an effectively resourced capacity for community governance, there is unlikely to be sustained economic development in Indigenous communities and regions.[50]

4.60 More importantly, the Harvard Project has shown that once those governance processes are in place, Governments need to cede some measure of genuine decision-making power or sovereignty to those Indigenous communities. This may require legislative change.

> While [Indigenous] communities have been handed increased responsibility for service delivery, and are subject to greater scrutiny of their financial accountability to government, very little genuine financial or jurisdictional authority has actually been devolved to them. Without these areas of authority and capacity, Indigenous communities are likely to remain economically dependent…[51]

4.61 DIMIA, having addressed the factors that the Harvard research had identified as critical to success, drew out certain implications in terms of the role that government agencies should play in building capacity within Indigenous communities:

> First, of course, I think it means that governments must invest in developing the skills and wherewithal of individual Indigenous people, both their basic technical skills and their leadership skills. Second, it means that governments have to encourage good institutional governance within community organisations. That means building governance training and monitoring into the design and delivery of every major funding program. It means favouring and rewarding those community organisations that demonstrate a commitment to the principles of good governance. It also means encouraging organisations characterised by transparent, merit-based decision making and a proper internal allocation of roles and responsibilities.[52]

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50 Smith, D., 2002, *Towards a Fiscal Framework for Resourcing Indigenous Community Governance in Australia*, CAEPR, ANU, presented at the Indigenous Governance Conference, Canberra, April 2002, p. 2.

51 ibid, p. 16.

52 Mr Peter Vaughan, OATSIA, DIMIA, Transcript (04.06.03), pp. 682-683.

4.62 It is sobering to note that while good governance is a priority, the Australian Institute for Aboriginal and Torres Strait Islander Studies cautioned that underlying issues need to be addressed:

> Many people are currently… incapacitated by grief, drug and alcohol problems, violence, and family breakdown. Confidence in their local political structures and processes may be reduced by repeated allegations of mismanagement… and intimidation… [leaving] many communities in despair. These are not fertile grounds for the active pursuit of self-governance. Effective Indigenous governance is unobtainable without well-resourced support services at the local level, targeting individuals and families.[53]

4.63 The Committee is pleased to note Reconciliation Australia's development of a framework for applied research into *Understanding and Developing Effective Indigenous Governance in Indigenous Communities*, with a range of partners, including the Australian National University, the Western Australian and Northern Territory governments and ATSIS.[54] This research will provide valuable insight into Indigenous governance in the Australian context.

Recommendation 10

The Committee recommends that the Commonwealth Government continue to support research into governance in Indigenous communities with a view to developing a body of knowledge that can be utilised to assist in the development of effective institutional governance in Indigenous communities.

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53 Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), Submission 10, p. 10. An example of failure and the stigma attached to failure was graphically outlined to the Committee where a community on the Murray lost sovereignty to a government bureaucracy over its proposal to develop a yabby farm. The enterprise was a failure and the stigma and impact of the perceived failure, some 20 years down the track, is still attached to the community, not to those responsible from within government. Commissioner Klynton Wanganeen, ATSIC, Transcript (13.02.04), p. 1482.

54 Reconciliation Australia, *Reconciliation Projects: Good Indigenous Governance*, <http://www.reconciliationaustralia.org/reconaction/recausprojects.html> (accessed 03.03.04).

Conclusions

4.64 The brief case studies of models of Indigenous governance from around Australia illustrate the diversity of possibilities, and show that the particular model of governance a community develops may very well be unique to that community.

4.65 The Committee understands that the most important element of governance strengthening and development is that governance models are developed *by* a community, not imposed on a community. Further, the Committee notes that Indigenous governance can complement external accountability requirements, particularly with the aid of developmental capacity building.

Accountability

4.66 Paragraph (b) of the terms of reference requires the Committee to consider the building of the capacities of Indigenous organisations to better deliver and influence the delivery of services in the most effective, efficient and *accountable* way.

4.67 Accountability is a critical tenet of governance. Clear and effective accountability arrangements give organisations (Indigenous and non-Indigenous) legitimacy and instil confidence, both from within and without.

4.68 In chapter three, the Committee addressed issues concerning problems relating to funding accountability and acquittal requirements encountered by Indigenous communities and organisations, and the resultant stress and pressure this placed on community members and leaders. The Committee also received evidence concerning the inherent tension between the external and internal accountability requirements faced by Indigenous organisations. One submission stated:

> There are pressures on Indigenous organisations to balance… external accountability versus internal accountability. External accountability is obviously the State authorities and the requirements of Western law. Internal accountability is a very

> complex thing. It will include accountability to local constituents and to different value and belief systems and so on.[55]

4.69 External and internal accountability, and the tension between them, will be examined in this section of the chapter, together with existing and potential ways of addressing both accountabilities in a complementary manner. This section ties in strongly with the following section on leadership.

External accountability

4.70 Accountability, as it is commonly thought of in the context of Indigenous organisations, is related to Indigenous bodies being accountable to governments or legislatures (and through them to the wider community) for the expenditure of public funds. This is *external* accountability and involves funding management, administration and adherence to legal processes.

Incorporation

4.71 Indigenous organisations can be incorporated (established as corporate entities) through a variety of legislative mechanisms including those under the Australian Securities and Investment Commission (ASIC), the Office of the Registrar of Aboriginal Corporations (ORAC), or through various State and Territory incorporating agencies. Bodies may wish to incorporate in order to fulfil legal requirements or to meet funding or lending bodies' requirements.

4.72 ORAC articulated why Indigenous organisations choose to incorporate:

> Communities cannot survive without incorporated bodies because they open the door to funding, land-holding, commercial enterprises [and] economic independence…[56]

4.73 *The Aboriginal Councils and Associations Act 1976* (the ACA Act), administered by ORAC, was enacted for the purpose of providing Indigenous groups and communities with a simple and inexpensive means of incorporation which had the flexibility to take account of Indigenous customs, needs and social organisation. ORAC advised the

55 Professor Jon Altman, CAEPR, ANU, Transcript (23.10.02), p. 24.

56 Ms Laura Beacroft, Office of the Registrar of Aboriginal Corporations (ORAC), Transcript (16.10.02), p. 7.

Committee that the ASIC philosophy, that bodies are basically created for commercial enterprises, was a very difficult philosophy to apply to all Indigenous organisations.[57] The Bill for the ACA Act was introduced in 1976. In introducing the Bill the then Minister for Aboriginal Affairs argued that the importance of the proposed measure was that it would recognise cultural differences between Aboriginal and non-Aboriginal societies, and would enable Aboriginal communities to develop legally recognisable bodies which reflected their own culture and did not require its subjugation to overriding Western European legal concepts.[58]

4.74 Criticisms of the effectiveness of the ACA Act prompted a review which sought to achieve a number of goals, including better reflecting the contemporary environment, promoting good governance and management, appropriately accounting for the special issues of Indigenous affairs, expanding dispute resolution and mediation assistance, and providing certainty for interactions with third parties.[59]

4.75 The ACA Act review has a focus on capacity building, with provisions to expand and improve existing tools to support Indigenous corporations, including a range of guidelines for constitution formation that allow for cultural fit, internal conflict resolution and internal accountability to members.[60] Legislative proposals arising out of the review are yet to be presented to Parliament.

The proliferation of corporations

4.76 The number of Indigenous incorporated bodies has risen exponentially over the last 15 years.[61] The Committee shares the concerns expressed in a number of submissions regarding this increase. In expressing its concern Indigenous Business Australia (IBA) saw no apparent correlation between the overall number of organisations and the Indigenous population numbers, and, based on overseas studies, suspected that one of the major contributors leading to the current debate on the need to improve capacity was the over-abundance of incorporated organisations within Indigenous Australia.[62]

57 Ms Laura Beacroft, ORAC, Transcript (16.10.02), p. 2 & p. 8.

58 Australia, House of Representatives 1976, Debates, vol 99 part 2, p. 2946. (03.06.76).

59 *Reform of the Aboriginal Councils and Associations Act 1976*.

60 *Reform of the Aboriginal Councils and Associations Act 1976*.

61 Ms Laura Beacroft, ORAC, Transcript (16.10.02), p. 6.

62 Indigenous Business Australia (IBA), Submission 29, p. 12, p. 13.

4.77 In October 2002 ORAC advised the Committee that there were approximately 2 800 corporations incorporated under the ACA Act. It was estimated that that was about half of all the incorporated Aboriginal and Torres Strait Islander corporations throughout Australia. Almost all the corporations under the ACA Act were not for profit and provided essential services such as medical and legal services.[63]

4.78 The results of proliferation can have a negative effect on the capacity of Indigenous organisations, as one submission noted:

> …the reality is that the current large number of organisations results in unhealthy competition for limited leadership "talent" and wasted energy competing for limited funds… There have also been examples where the perpensity (sic) to establish new organisations to respond to "opportunities" arising from new government funding programs results in family dominance of separate organisational structures and an increasing reliance on these structures to become de facto employment providers.[64]

4.79 ORAC considers that a number of changes to the ACA Act will address issues of proliferation by rationalising the number of incorporated bodies. These involve:

- identifying inactive corporations for deregistration;
- expanding pre-incorporation services to assist groups in considering alternatives to incorporation where appropriate; and
- enabling the Registrar to refuse to incorporate.[65]

4.80 ORAC has also noted that applications for incorporation tend to follow funding cycles, and that the current incorporation requirements of agencies may contribute to incorporation proliferation.[66] ORAC suggested that:

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63 Mr Garry Fisk, ORAC, Transcript (16.10.02), p. 2. At the time of giving evidence, ORAC advised that 95 per cent of the corporations were in WA, NT, QLD and NSW, and most were in rural or very remote areas.

64 IBA, Submission 29, p. 12.

65 Refusal to incorporate could occur in a case where a corporation is more appropriately incorporated with another Act due to its size and / or purpose. ORAC, 2004, *Response by the Office of the Registrar of Aboriginal Corporations to the Review of ATSIC*, pp. 2-3.

66 ibid, p. 3.

> There are many alternatives to the status quo… [such as] enabling small groups to receive funds through capable and responsive resource or regional agencies.[67]

4.81 The Committee looks forward to the legislative proposals arising out of the review of the ACA Act with interest.

Internal accountability

4.82 Reconciliation Australia emphasised that:

> Good governance requires accountability and, specifically, the accountability of Indigenous leadership to their Indigenous constituents.[68]

4.83 Reconciliation Australia went on to argue that the accountability of leaders to their Indigenous constituents was vital to developing a legitimate governance structure and was linked to wider issues of financial accountability. This, in turn, required community members to have a clear idea of the outcomes, ethics and standards they expected from the leaders, and to actively and confidently seek to ensure those outcomes.[69]

4.84 The Committee understands that internal accountability can be a complex area in Indigenous affairs, not only because of contradictions with external accountability (in terms of kinship / personal obligations versus bureaucratic / impersonal expectations), but also due to competing kinship or community expectations:

> [When] a governing committee is being formed… [m]any members…are voted in by family groups who see the primary role of that person as being to absolutely represent them and to compete very well in the resources struggle for, say, health services.… [Representing family members] is not an unethical position for that person to take in their context.[70]

4.85 As outlined below, the articulation of clear lines of accountability can ensure that expectations are met and transparent processes are adhered to.

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67 *ibid*, p. 3.

68 Reconciliation Australia, Submission 55, p. 14.

69 Reconciliation Australia, Submission 55, p. 14.

70 Ms Laura Beacroft, ORAC, Transcript (16.10.02), p. 7.

The tension between internal and external accountability

4.86 Evidence suggested that poor accountability can arise from conflicts between Western and traditional interpretations and expectations of accountability.

4.87 The necessity for Indigenous leaders to operate in both mainstream bureaucratic systems and to uphold complex traditional expectations, and to be accountable to both, involves operating in two very different systems. This creates conflict, as one submission noted:

> [If a leader] proceeds out of the community to become educated and build his skills to come back to the community, quite often the communities will see him as a sort of a traitor or someone who has been influenced by white society… and has lost connection to the real issues of the people.[71]

4.88 These two worlds can have different protocols and languages, as well as contradictory accountability requirements, which create an added layer of potential conflict.

4.89 Some communities have developed a 'cultural fit', so that their management style reflects what is appropriate to both Indigenous and mainstream expectations, as one submission stated:

> We have pursued a model of management which attempts to give our clan some control over our lives and make the white bureaucratic systems that are demanded by government, work in a way that is reflective of how things are done culturally amongst our people.[72]

4.90 The Harvard Model advocates a separation of powers between business management and politics. This is essentially the divide between internal and external accountability. Business management relates to the external accountability of Indigenous organisations to government (to meet legal requirements), while politics relates to internal accountability to families and communities. The third element in the separation of powers is dispute resolution, which, if instituted appropriately, would reduce internal conflict and create stability for third parties, such as investors and funding bodies.

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71 Mr Tony Lotton, Lake Tyers Aboriginal Trust and Bungyarnda Community Development Employment Projects Co-op Ltd, Transcript of discussion (19.02.03), p. 482.

72 Aboriginal Corporation Enterprising Services, Submission 38, p. 1.

4.91 Good governance has positive implications for addressing the complex issue of internal and external accountability. ORAC outlined a case study to the Committee that involved an Indigenous organisation successfully separating business management from traditional leadership to overcome accountability problems.

> … [Y]ou have the management body, where you bring in… skills that are required to interface with… external accountability and deal with the commercial realities, but the traditional leadership remains very much in control, dealing with the things that are properly the matters they want to address, which are traditional issues...
>
> The important thing about this direction is that the relationship between the management body, which is a separate incorporated body, and the traditional owners, is defined very clearly through agency and trust relationships.[73]

4.92 Evidence received by the Committee argued that limited understandings of accountability obligations could be addressed through governance training.[74]

Conclusions

4.93 Accountability, both internal and external, is critically important for Indigenous organisations and communities.

4.94 Instituting sound governance structures, including the separation of powers, has the potential to simplify existing accountability contradictions.

> Australian research, particularly from the Centre for Aboriginal Economic Policy Research on effective Indigenous governance models, show[s] that Indigenous organisations that have developed effective accountability processes and structures ensuring representation of their constituents are also those organisations that have been accountable to governments and funding bodies.[75]

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73 Ms Laura Beacroft, ORAC, Transcript (16.10.02), p. 7.

74 Such as Professor Job Altman, CAEPR, ANU, Transcript (23.10.02), p. 24; and Ms Laura Beacroft, ORAC, Transcript (16.10.02), p. 14.

75 AIATSIS, Submission 10, p. 11.

Leadership

4.95 In addressing the subject of community leadership, FaCS outlined to the Committee certain leadership theories and, in some detail, outlined the traits and skills commonly associated with effective leadership and the different styles of leadership. In addition to these qualities and behaviours, FaCS referred to particular challenges faced by Indigenous leaders, which were:

- the need to be able to be able to operate bi-culturally; and
- the need to have local legitimacy – the respect, trust and authority of the community.[76]

4.96 The Chairman of the Australian Indigenous Leadership Centre, Professor Mick Dodson, emphasised to the Committee that Indigenous capacity building, in part, was about developing strong local, regional and national governance and leadership. These factors were seen as being intrinsically interrelated. Professor Dodson stressed that they must be imbued with local Indigenous cultural values and aspirations. Leadership was about providing guidance or direction, whilst governance was about power, relationships, processes of representation, decision making and accountability. Professor Dodson went on to state:

> There are no quick fixes to voids in leadership and governance in any community. Capacity building for leadership in governance is—and I cannot stress this enough—a long-term dynamic process beyond the political cycle. My concern…is to convey the primacy of leadership in the community capacity building debate. Leadership requires different skills in different circumstances. Leadership requires activities that are collaborative, innovative and which build networks across sectors, and leaders must have strong community support. We all know that few people are born leaders. Leaders require nurturing, coaching and supporting. Leaders need exposure to experiences which build skills and role models to inspire and drive change. Leadership authority must be

76 FaCS also saw the leadership challenge as being to guide the evolution of Indigenous culture to accommodate change, to be sustainable and to accommodate two vastly different cultures. Also, a problem seen with Western-style democratic election processes was that they did not necessarily coincide with traditional ways of designating leaders and decision makers, and it was argued that governments should recognise that elected officials may not always be the real leaders and therefore 'power-brokers' in a community. FaCS, Submission 46, p. 27.

> culturally sanctioned and transferable into wider environments and contexts.
>
> There are not enough Indigenous leaders currently and there are certainly not enough Indigenous leaders emerging....[77]

4.97 Effective leadership is crucial to building and maintaining the capacities of Indigenous communities, as it is to all Australian communities. Key themes that arose in the course of the inquiry were the possibility of an emerging crisis due to a lack of capable Indigenous leaders, the pressures placed upon leaders in Indigenous communities and organisations, and the need for investment in young leaders.

Leadership capacity

An emerging crisis?

4.98 Concern was expressed regarding the capacity of future leaders and the overburdening of current leaders. A potential leadership crisis was seen as looming in many remote communities as older, often mission educated people are replaced by a younger generation, insufficient of whom were being groomed to take up leadership roles.[78] Low participation rates in primary, secondary and tertiary education were seen as creating a significant proportion of young people in remote communities with low skills or capabilities to take up the challenges of community governance and leadership in the future:

> Even now the number of capable leaders in a community is often inadequate for dealing effectively with the vast range of critical local problems. This can put inordinate pressure on a few individuals to be across a number of complex issues and services and contributes to "burn-out".[79]

4.99 The task to be faced is daunting, DIMIA stated:

> Few non-Indigenous Australians are, for example, required to act as rent collectors, landlords, community policemen or employers of their neighbours (or relatives). These and other onerous responsibilities often accrue to a small group of leaders in a

77 Professor Mick Dodson, AIATSIS and Australian Indigenous Leadership Centre (AILC), Transcript (13.02.04), p. 1444.

78 FaCS, Submission 46, p. 28.

79 FaCS, Submission 46, p. 28.

> community, who carry these burdens as well as being hampered by lack of educational background and experience.[80]

4.100 Evidence suggested that those who were able and willing to enter into politics, management or administration were often overburdened with the range of expectations placed upon them by external bodies as well as from the community:

> Individuals in communities who… have skills… are loaded up with responsibilities — sitting on councils and committees, translating at meetings and responding to many competing demands. These few people are often targeted by external bodies and agencies because of their skills and become the main means of communication and "consultation" with communities…[81]

4.101 As the workload, expectations and requirements of Indigenous leaders are often very high, the evidence suggests that people may be reluctant to take on or maintain leadership roles. The Centre for Aboriginal Economic Policy Research told the Committee that in its experience it was often the case that many Indigenous community members had enormous capacities, acquired from past experience and training, but they were somewhat reluctant to use those capacities in difficult organisational environments. Community members got burnt out in such environments and ended up withdrawing from them, either as employees or active members of governing bodies.[82]

Appropriate leaders

4.102 The Committee received many submissions outlining concerns that some leaders were being 'chosen' due to their ability to interface well with government bureaucracy, rather than because they were chosen by, or representative of, their communities.[83] This has implications for the potential of good governance, particularly concerning cultural fit.

4.103 Another issue of appropriateness concerned how 'leader' was conceptualised. Concern was expressed that 'leadership' was confined to those who headed organisations, were members of governing committees or councils, or who had been elected to ATSIC, which, it was argued, overlooked the potential for other forms of leadership outside of the

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80 DIMIA, Submission 42, p. 13.

81 The Fred Hollows Foundations, Submission 36, p. 18.

82 CAEPR, ANU, Submission 25, p. 4.

83 For example, Ms Laura Beacroft, ORAC, Transcript (16.10.03), p. 6.

corporate context.[84] The Committee recognises that this tendency confuses 'leadership' with 'management'.

4.104 This narrow recognition of leadership has implications for the development of leadership unrelated to administration, management and accountability requirements, but relating to other values (such as tradition, knowledge, pride, wisdom, language or stewardship) that may contribute to Indigenous wellbeing in other ways.[85] As was stated in evidence:

> We believe that there has to be a strengthening of all forms of leadership, and not just corporate leadership but things like social and entrepreneurial leadership and leadership that has its basis in law, custom and tradition. Indigenous organisations must have legitimate authority from the community, and such authority must accord with customs and traditions. Indigenous governing organisations must allow for greater local participation and control over community and social development.[86]

4.105 The Committee believes it is important not only to build the capacity of leaders in the corporate sense, but also to develop and support leaders and role models that create positive images of Aboriginality and celebrate and retain Indigenous culture.

Youth and leadership

4.106 The issue of leadership and youth arose in submissions in two streams. Firstly, the representation and involvement of youth in Indigenous leadership roles, and secondly, that much of the rural and remote younger generation may have neither the knowledge nor the skill to assume leadership roles.

4.107 The lack of capacity and knowledge of many young rural and remote Indigenous people is a critical issue. Submissions argued that many young people lack knowledge of traditional ways and lack appropriate levels of English numeracy and literacy to be effective leaders. As outlined above,

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84 Faculty of Aboriginal and Torres Strait Islander Studies and Centre for Indigenous Natural and Cultural Resource Management, NTU, Submission 27, p. 25.

85 Faculty of Aboriginal and Torres Strait Islander Studies, and Centre for Indigenous Natural and Cultural Resource Management, NTU, Submission 27, p. 25.

86 Ms Sonia Smallacombe, School of General Studies, Faculty of Indigenous Research and Education, Centre for Indigenous Natural and Cultural Resource Management, NTU, Transcript (27.11.02), p. 221.

there was concern over a looming leadership crisis. One Indigenous organisation noted:

> It is a critical time at the moment, in that a lot of the elders are passing away. The middle-aged people, who are the future elders, are the last of the people who have a reasonably good contemporary education and traditional education. Behind that there is a big gap and that gap is not going to be filled for a long time yet.[87]

4.108 One submission acknowledged there is a feeling that:

> … [T]he younger generation are in effect caught between two worlds. The doors to both worlds are closed.[88]

4.109 Conversely, many young Indigenous urban people are highly capable, but may not gain the respect of older, more traditional leaders, or they may lack an interest in Indigenous affairs. This juncture of legitimacy with capacity is critical for governance and is an issue that Indigenous communities need to address.

Leadership strategies and initiatives

Training and education

4.110 The Committee received evidence outlining a number of developments aiming to address Indigenous leadership issues, such as FaCS, which is developing Indigenous leadership through programs under the auspices of the Stronger Families and Communities Strategy, through its Potential Leaders in Local Communities initiative.[89]

4.111 The Australian Indigenous Leadership Centre, housed in the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), is an executive training facility working to foster the leadership skills and professional development of Indigenous Australians. It is an important forum for the sharing of ideas, experiences and skills for Indigenous people.[90] It is noteworthy that 75 per cent of the funding for the centre

87 Mr Terry Bullemor, Kardu Numida Incorporated, Wadeye, Transcript (26.11.02), p. 160.

88 Nyirrangu Muay Wurrga'ada Association Inc., Supplementary Submission 35.1, p. 9.

89 FaCS, Submission 46, p. 29.

90 AIATSIS, Submission 10, p. 15.

comes from the private sector, over 50 per cent of which comes from offshore.[91]

4.112 Another approach was outlined to the Committee by the Rumbalara Football / Netball Club, which has been instrumental in promoting a State-wide leadership program which has now been taken up by five other communities. The approach concentrated on youth and role modelling:

> …[Rumbaldra's] aim with the eight coaches across those eight teams, their assistants and the team managers that work with the teams is to run a leadership program and skilling them up to be able to do almost "train the trainer" type things so that they have got the skills to work with the group of kids that they have got under their umbrella. Some of those kids may be in the justice arena and coming before the Koori Court, some are out of the school system or on the verge of dropping out of the school system, some of them have mental health and emotional issues; they are coming out of circumstances of poverty, especially in single parent families, where the need for strong male role modelling is important. We expect our senior members to work with the junior members and encourage participation in the education system. The AFL might send up players from the AFL teams, and we are encouraging the policy that they do not go into the schools unless one of our members go with them. Then there is an exchange of role modelling and the lifting of the profile of a young leader here in Shepparton with the junior members. There is a constant focus on that sort of stuff.[92]

4.113 Submissions by some government bodies noted that there is a huge demand for leadership training in areas of accountability and administration. The Committee contends that this is management training and not 'leadership' training, but that raising the capacity of Indigenous people to meet external accountability requirements is important, indeed necessary, particularly concerning the management of funding. As one Indigenous organisation argued:

91 Professor Mick Dodson, AIATSIS and AILC, Transcript (13.02.04), p. 1481.

92 Mr Paul Briggs, First Nations Australian Credit Union, Rumbalara Football / Netball Club, and Common Fate Endorsed Program, Transcript of discussion (17.02.03), p. 378.

> There is a real need for the development of organisational cultures based upon delivering government services. This can only be achieved through adequate corporate governance training.[93]

4.114 The Committee sees the merit in skill transfer and mentoring to improve corporate governance and management, particularly when it is conducted while government or non-government sector staff are working in Indigenous communities. Evidence given by the Northern Land Council stated:

> Aboriginal people continue to require community-based training ("learning by doing") in negotiation skills, financial management and administration.[94]

4.115 Evidence received by the Committee indicates that some Indigenous communities have formed successful partnerships with the corporate sector as a means of facilitating skill transfer and combining local knowledge with corporate culture. An example of this is the Indigenous Enterprise Partnerships (Cape York), which has formed successful partnerships with Westpac Banking Corporation, Boston Consulting Group and a network of other contributing businesses.[95]

Recognition of leadership

4.116 The Committee recognises that 'leadership' comes in many forms and that many aspects of leadership do not stem from formal education. These other types of leadership involve people who contribute to the community, gain respect and act as role models. This type of leadership is for Indigenous communities to recognise, foster, promote and nurture.

4.117 An aspect of leadership that ran through a number of submissions, was the issue of inappropriate external recognition of leadership and the detrimental effects this can have on community cohesion and governance. For example, one submission noted:

> An attempt by an external body to change power relationships within a community, by recognising, for example, only the council chairperson as the legitimate leader, will cause resentment, turmoil and difficult relationships with the community.[96]

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93 Indigenous Land Corporation, Submission 17, p. 9.

94 Northern Land Council, Submission 43, p. 12.

95 Mr Michael Winer, Indigenous Enterprise Partnerships, Transcript (07.07.03), p. 745.

96 Batchelor Institute of Indigenous Tertiary Education, Submission 33, p. 4.

4.118 Similarly, Environment Australia argued that:

> Consultation with young articulate members of Indigenous communities is not equivalent to consulting with those members of the community who speak with authority, who are often older and sometimes less articulate in English.[97]

4.119 The Batchelor Institute argued that Indigenous leadership will be different for each community and that in one particular community there is likely to be more than one leader or leadership group, each of which has a particular role in different aspects of community life.[98]

4.120 Thus, the Committee contends that if government bodies can be accepting of leadership models unfamiliar to them, and accept and engage with the 'leadership' a community puts forwards as its representatives, this could go a long way towards improving relations.

Conclusions

4.121 There can be some contention over what is meant by 'leadership' and 'leadership training', and many conceptualisations of leadership are related to corporate governance management, administration and accountability capacities.

4.122 There is a need to enhance the capacity of many Indigenous organisations to meet corporate governance accountability requirements. The evidence suggests that this is best undertaken *in situ*, that is, in a hands-on manner, through the use of mentors, rather than in a structured, formal learning environment.

4.123 By increasing the capacity of existing and future leaders, and increasing the number of leaders, the load could be spread over more people and this could potentially increase the likelihood of leadership roles being an attractive career option, rather than a burden.

4.124 The Committee commends the approach taken by the Rumbalara Football / Netball Club. It also commends the approach taken by the Cape York communities and their corporate partners in the Indigenous Enterprise Partnership, particularly their development of mentor and secondee systems, and the focus on hands-on, practical work undertaken at the communities' request. This model has the potential to be duplicated

97 Department of the Environment and Heritage, Environment Australia, Submission 37, p. 4.

98 Batchelor Institute of Indigenous Tertiary Education, Submission 33, p. 4.

in other communities, though the Committee recognises that such a partnership can only develop over a long period of time, with genuine commitments from all parties.

4.125 The Committee notes the argument for ORAC to have more of a capacity building role in relation to corporate governance training, and looks forward to the legislative proposals arising out of the ACA Act review with interest.

4.126 The Committee commends the work of the Australian Indigenous Leadership Centre, and is of the view that government should ensure adequate funding for the centre to continue in its role, and in the development of its training facility.

4.127 The Committee acknowledges the argument for:

> … building governance training and monitoring into the design and delivery of every major funding program.[99]

Recommendation 11

The Committee recommends that the Commonwealth Government:

(a) investigate building a governance training and mentoring component into the provision of funding to Indigenous community organisations, and that the programs funded this way be monitored against agreed benchmarks and targeted outcomes; and

(b) continue to invest in and further develop appropriate training and mentoring programs in partnership with Indigenous people and, in particular, increase funding support for the Australian Indigenous Leadership Centre and other similar programs.

99 Mr Peter Vaughan, OATSIA, DIMIA, Transcript (04.06.03), p. 683.

Resources and infrastructure

4.128 In addressing the issue of capacity building in Indigenous communities, officials from the Government of Western Australia advised the Committee that, over the past three decades, policies of self-determination and self-management had not been supported by the transfer of the skills and resources necessary to satisfactorily achieve their aims. They also outlined some the unrealistic expectations that had been thrust on communities to run what, in effect, were small towns without the supports that were provided to mainstream local governments, stating:

> There are real systemic problems in keeping communities on track, and the lack of resources and the lack of recurrent investment in those communities has been a problem. Interventions in the past from agencies … have tended to take a fairly short-term approach, largely based on the protection of the investment of the funds that have invested in those communities rather than on a long-term and recurrent commitment to rebuilding those communities and to putting in place systemic and long-term strategies to ensure that they stay on track—not just the traditional bandaid approach...[100]

4.129 In its consideration of paragraph (b) of the terms of reference (building the capacities of Indigenous organisations to better deliver and influence the delivery of services), the Committee received evidence reflecting the impact limited resources and infrastructure have on an organisation's ability to maximise effectiveness, efficiency and accountability of service delivery. In this section the Committee will, in particular, address the issues of staffing Indigenous organisations and the development of partnerships between Indigenous organisations and the corporate and philanthropic sectors.

Staffing Indigenous organisations

4.130 In relation to the staffing of Indigenous organisations, issues that were highlighted in evidence were the lack of education and experience within some Indigenous communities and organisations and difficulties in recruiting and retaining competent staff, especially in remote areas.

100 Mr Trevor Tann, Department of Indigenous Affairs, WA Government, Transcript (05.08.03), pp. 897-898.

Further issues raised were the lack of mentoring and the poor competency of some staff recruited to work in remote areas.

4.131 The Centre for Appropriate Technology (CAT) advised the Committee that often, lack of education and experience not only meant that those within Indigenous organisations did not have the ability to meet the upward accountability requirements of the corporation, but that the time and effort spent attempting to fulfil these requirements impaired their ability to deliver the services to the community that the corporation was set up to provide.[101] Similarly, Community Councils were seen as experiencing serious difficulties that affected their communities. On occasion councillors did not have the capacity to ensure that appointees, such as chief executive officers and accountants, had the required financial and management expertise and (of significant concern to the Committee), it also appeared to CAT that external agencies responsible for appointing council employees did not have that capacity either. CAT went on to state:

> It is not unusual for the finances of Community Councils to be mismanaged by CEO's (sic) and for the results to impact heavily on the community. Community shops close down, CDEP days are reduced and essential machinery is sold off. Community morale diminishes significantly during these times, especially when these employees are not held accountable for their actions.
>
> It also appears to be rare for Council employees (in management positions) from outside the community to successfully transfer skills to community members, so that there is little capacity building within the councils and CEO's (sic) must continue to be employed from outside the Community.[102]

4.132 Problems recruiting competent and ethical staff to work in remote communities were highlighted:

> It is hard to get people to work in some of the jobs we are talking about. It is hard to find people with a reasonable level of skill and competence. It is even more difficult to find people who maintain a reasonable ethical standard. The difficulty is getting worse as we move into more complex areas of administration, as more funds

101 CAT, Submission 47, p. 7.

102 CAT, Submission 47, p. 7.

> flow into communities and as more programs have to be delivered by councils.[103]

4.133 Difficulties in retaining staff and the consequence of high staff turnover were also highlighted. CAEPR argued that:

> They [remote / regional Indigenous organisations] are very small organisations. We have to recognise that small organisations as a generic type of organisation probably have greater problems maintaining their capacity over time than larger organisations. You can be talking about very small numbers of employees where the turnover of key employees leads to whole administrative system breakdown and having to start from scratch.[104]

4.134 A private submission, whilst acknowledging that there were many highly skilled and dedicated non-Indigenous workers in remote communities, indicated that there were:

> ….also many "misfits, missionaries, madmen and megalomaniacs" who are sheltered in our remote Aboriginal communities. Anyone who has spent time in and around remote communities knows of the oddballs who wander from one community to another – lining their own pockets or merely occupying a desk while undermining what little self-confidence remains in the community until they are finally ejected...[105]

4.135 The difficulty in attracting suitable staff from outside also affects opportunities for local staff to acquire necessary skills:

> If you are trying to attract people to the Cape York communities to work as accountants in, say, Aurukun or Lockhart River, with relatively low levels of pay it is difficult to attract talented people, and that has a direct impact on the ability of that person to transfer capacity to the local community.[106]

4.136 The South Australian Department of Aboriginal Affairs suggested that the viability of developing and maintaining a central register of community advisers be investigated. The intention of the register would be to enable communities to have an easily accessible resource that could provide them

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103 Mr David Coles, Local Government and Regional Development, Northern Territory Government, Transcript (27.11.02), p. 190.

104 Dr William Sanders, CAEPR, ANU, Transcript (23.10.02), p. 25.

105 Mr Andrew Biven, (private capacity), Submission 2, p. 2.

106 Mr Benjamin Rimmer, Boston Consulting Group, Transcript of discussion (19.02.03), p. 455.

with the details of accredited people and thus allow the community some confidence in their selection of an adviser.[107] This is a proposal that the Committee supports (see Recommendation 12 at page 162).

4.137 The Committee was heartened to gain an insight into the approach to mentoring and skills transfer being undertaken by Indigenous Community Volunteers (ICV). ICV advised that, since September 2001, it had received 232 applications for skill transfer projects, 105 of which had been completed. ICV viewed the response as overwhelming. It received applications ranging from requests for assistance in raising chooks for fresh eggs, right through to major business development and IT projects.[108]

4.138 Because ICV only operated at the invitation of the communities and the communities owned the design of the projects, ICV had been allowed to match people appropriately, and this had generated a certain excitement and energy about what the communities were trying to achieve.[109]

Other issues relating to the resourcing of Indigenous organisations

4.139 In addition to basic staffing issues, it was put to the Committee in evidence that a range of resourcing issues affected the ability of Indigenous organisations to effectively deliver services. Indigenous Enterprise Partnerships (IEP) advised that in many Aboriginal organisations IEP was working with, as well as the broader issues of governance, it was really addressing issues as fundamental as basic human resource programs which were non-existent within those organisations. IEP was working with Indigenous organisations with agendas and high expectations from government and other regions to fix entrenched problems, yet some of the basic requirements of organisations were not there. Often it was because there was no funding for such positions or no access to the right sort of advice or expertise. IEP argued that those very basic building blocks were yet to be put in place.[110]

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107 Government of South Australia, Submission 51, p. 7. See also support by Commissioner Klynton Wanganeen, ATSIC, Transcript (23.09.03) p. 1207. The Department suggested that for administrative purposes the register be held in a Commonwealth Department.

108 Mr Paul Tyrrell, Indigenous Community Volunteers, Transcript (13.02.04), p. 1462.

109 Mr Paul Tyrrell, Indigenous Community Volunteers, Transcript (13.02.04), p. 1462. Mr Tyrrell added that, in about 80 per cent of the cases, at the completion of the project, the volunteer maintained contact with the community through relationships that had been built up through the transfer of skills.

110 Mr Michael Winer, Indigenous Enterprise Partnerships, Transcript (13.02.04) p. 1463.

4.140 A witness told the Committee that there is under-resourcing of Indigenous organisations delivering services in terms of their policy and research functions:

> We [the Victorian Aboriginal Community Services Association] do not have, for instance, access to a policy officer position and we do not have access to research, yet we are called on more and more by government agencies at both the national and the state levels to provide advice, assistance and direction. While we are busy minding the house, we are not able to direct the traffic in the way that we should.[111]

4.141 Another witness informed the Committee that it is of crucial importance to Indigenous organisations that they have the capacity to employ people in planning and management positions. The stability of core funding to cover such roles would ensure that Indigenous organisations are able to deliver consistent, quality services:

> Having a proper structure to run an organisation is what I see as a big problem, when you talk about Aboriginal community capacity building. The other problem… is that, although we have the basics to run an Aboriginal organisation so we can deliver quality services, I am not aware of even one Aboriginal organisation in Victoria that has the capacity to employ policy development officers, skilled people to develop policies on our behalf.[112]

4.142 The Victorian Aboriginal Community-Controlled Health Organisation (VACCHO) went on to explain that one of the areas they have difficulty with is ways to build the skills base of their communities. Though the organisation is a registered training provider and provides specialist healthcare training, it highlighted the need to provide training to upskill management and middle management in the community-controlled health sector.[113] Ms Gallagher went on to say:

> If you look at the history of Aboriginal organisations in Victoria, at how they have developed and evolved—very slowly, I might add—you will see that in the very early days there was a lack of capacity and the skill base in our own communities was very

111 Mr Alfred Bamblett, Aborigines Advancement League, & Victorian Aboriginal Community Services Association Ltd., Transcript of discussion (19.02.03), p. 511.

112 Ms Jill Gallagher, VACCHO, Transcript of discussion (19.02.03), p. 488.

113 Ms Jill Gallagher, VACCHO, Transcript of discussion (19.02.03), pp. 488-489.

> limited. It still is, but we are moving on and we are getting the skill base.[114]

4.143 The Committee acknowledges that development and capacity building take time.

4.144 VACCHO also acknowledged that no organisation can provide all services, and that networks and partnerships were one method of getting around this issue:

> I know we cannot do everything ourselves as an organisation, so it is important to develop very good links and networks with mainstream services not only in the health sector but in the education and training sector and to look at scholarships and traineeships and giving opportunities to our people to access universities in a more appropriate way.[115]

4.145 The dilemmas facing many organisations were summed up by Kimberly Community Management Services:

> Community organisations are generally only supported to deliver services. They are not supported in their own management, yet often are managed by committees with limited time, knowledge and ability. They must respond to the bureaucratic needs of funding agencies, the service needs of the community, and the management needs of the organisation. All this occurs within a context of limited skills and experience, social, economic, and educational disadvantage, isolation and absence of support… It is little surprise that the management, staffing and operation of community organisations is often problematic.[116]

Infrastructure

4.146 The Fred Hollows Foundation advised the Committee that:

> Environments characterised by poverty, poor living conditions, high unemployment and almost total lack of amenities are not conducive to capacity building.
>
> Despite the fact that many remote Aboriginal communities are, in population, the size of small rural towns, they are not recognized

114 Ms Jill Gallagher, VACCHO, Transcript of discussion (19.02.03), p. 489.

115 Ms Jill Gallagher, VACCHO, Transcript of discussion (19.02.03), p. 489.

116 Kimberley Community Management Services, Submission 7, p. 2.

> as such, and are rarely equipped with more than the bare minimum of community infrastructure and facilities.[117]

4.147 Evidence referred to the lack of infrastructure, common in rural and remote areas, as hindering the ability of local Indigenous organisations to attract external staff. For example, in the provision of staff accommodation, Kardu Numida told the Committee:

> We [Wadeye] are the sixth largest town in the Northern Territory, but there is no public rental accommodation here. If we want to employ staff or trainees, not only do we have to find the money for a wage, we actually have to build them a…house.[118]

4.148 However, in addressing the basic lack of infrastructure in which capacity building can occur, the Fred Hollows Foundation saw a problem with the disparity in conditions of employment of local staff compared to outside staff:

> ….Aboriginal communities do not have the sort of facilities that are considered essential by mainstream communities and which are provided, often at Government expense in comparable sized towns— antenatal care, pre-schools and kindergartens, libraries, swimming pools, sporting facilities. Housing infrastructure is poor, incomes are low, and prices are high in what is usually the only store in the community.
>
> Such towns are considered hardship postings for non-Indigenous employees, who often receive special incentives (such as paid electricity, free housing and tax rebates) on top of their salaries as compensation for living in such disadvantaged conditions. Few non-Indigenous families are willing to bring up their children in such an environment.
>
> In contrast, Aboriginal employees in remote communities do not receive such benefits, so for example an Aboriginal council employee or teacher maybe doing exactly the same job, but is effectively paid less — and on top of their job and its demands, must cope at home with overcrowding, poor living conditions, social disturbance and other community problems.[119]

117 The Fred Hollows Foundation, Submission 36, p. 7.

118 Mr Terry Bullemor, Kardu Numida Incorporated, Transcript (26.11.02), p. 153.

119 The Fred Hollows Foundation, Submission 36, p. 8.

4.149 The different treatment of external staff compared to local staff is an important issue. FaCS, in addressing principles or guiding processes of models for building community capacity, referred to a list of eight community capacity building principles that have been developed and adopted by the National Community Building Network in the United States. The sixth principle was 'require racial equity'.[120]

4.150 In addition to affecting the ability of Indigenous organisations to attract staff, the lack of infrastructure can have other obvious effects on general community well being and the ability of organisations to deliver services. This is especially so in remote communities.[121]

4.151 The Centre for Appropriate Technology (CAT) provided figures to the Committee relating to infrastructure in Aboriginal and Torres Strait Island communities. CAT found it was widely recognised that many investments in housing and infrastructure had failed to produce long term improvements in community well-being. Community facilities such as housing, power plants and water supplies were not being adequately maintained and falling into disrepair.[122] Other evidence was given to the Committee outlining some of the infrastructure and equipment problems being encountered in a remote area.[123]

4.152 The Commonwealth Grants Commission's Inquiry into Indigenous Funding found:

> (i)Access to adequate infrastructure services is only likely to be an issue for Indigenous people living in remote locations, or in communities on Aboriginal land, including those adjacent to urban centres where the responsibility for provision of local government type services may be unresolved. While there have been significant improvements over recent years in the provision of infrastructure for Indigenous communities in remote locations, needs are still high in many small remote communities.
>
> (ii)The desirability of collaborative and co-ordinated approaches to service delivery, with a clear allocation of responsibilities, is

120 FaCS, Submission 46, p. 20.

121 CAT advised the Committee that the number of remote Indigenous Communities had grown over the last 30 years and that there were now approximately 110 000 Aboriginal people living in 1 291 discrete communities, with an average size of 107 people. Centre for Appropriate Technology Inc., Submission 47, p. 2.

122 Centre for Appropriate Technology Inc., Submission 47, pp. 3-5.

123 Mr John Kris and Mrs Suzanne Hodgson, St Pauls Island Council, Transcript (06.11.02) p. 95.

recognised through the negotiation of essential service agreements between ATSIC and the States, and agreements with local government. Extending these partnership arrangements is important to improving outcomes and service co-ordination.

(iii)There are clear links between the provision of infrastructure and environmental health outcomes and the outcomes in all functions covered by this Inquiry. Needs in these areas remain greatest in very small communities.

(iv)The distribution of infrastructure funds on a needs basis should be achievable in practice. The approach adopted by ATSIC for the National Aboriginal Health Strategy is based on needs and has a high level of Indigenous involvement in the decision making process.[124]

4.153 It is clear to the Committee that the lack of adequate infrastructure, whether it be staff housing, access to banking or premises for a community body, can inhibit the capacity of an organisation to operate effectively. This is especially so in small population centres in remote communities.

Indigenous-corporate partnerships

4.154 In the fourth section of this chapter the Committee will look at the benefits of Indigenous-corporate partnerships and explore ways of facilitating such partnerships.

4.155 The Committee received evidence indicating that in some partnerships, Indigenous communities have benefited from corporate organisations providing support through working with the community to talk to government. The development of Indigenous-corporate partnerships can take many forms and benefit the parties in different ways.

4.156 The partnerships could encompass both aid and development organisations and the business community. DIMIA emphasised the potentially significant benefit to be gained from extending partnerships between government and communities by drawing in other organisations with relevant expertise—both organisations that have traditionally

124 Commonwealth Grants Commission, *Report on Indigenous Funding 2001*, pp. 191-192

focused their attention on aid and development in third world countries and those from the business community.[125]

4.157 Aid and development organisations have begun to show interest in working with Indigenous communities and were seen by DIMIA as possessing a wealth of knowledge on communicating basic health practices, re-establishing education structures, developing self-sustaining communities through rural development, establishing essential infrastructure, improving governance and generally taking a capacity building approach to their engagement with communities.[126]

4.158 The Committee was advised that aid and development agency participation should be considered as complementary to government programs, rather than as a substitute. Some, such as World Vision and Oxfam Community Aid Abroad, were already working in Indigenous communities in Australia, often in innovative ways.[127]

4.159 Bringing the business sector into partnerships with government and the Indigenous community was also seen as assisting in building sustainable capacity. DIMIA referred to a number of instances of this happening within the Indigenous sector, giving the Rio Tinto Aboriginal Foundation as an example.[128]

4.160 In a private submission to the Committee Mr John McDonald proposed ways of increasing the numbers of Indigenous small businesses to ensure that the number of self-employed Indigenous Australians was comparable to the number in the general population. Mr McDonald also recommended the adoption of the mining industry model of partnership between Indigenous Australians, government and industry, to other sectors of the economy. Essential elements of the partnering approach were seen as:

- a well co-ordinated effort amongst the various governments and Commonwealth portfolios;
- a need to appoint a lead government agency (for each industry sector) to co-ordinate cross government support and to establish formal communication mechanisms at the strategic, operational and site levels;

125 DIMIA, Submission 42, pp. 23-24.
126 DIMIA, Submission 42, pp. 23-24.
127 DIMIA, Submission 42, pp. 23-24.
128 DIMIA, Submission 42, p. 24.

- participation by industry associations to undertake a more strategic approach towards the development of Indigenous small business; and
- the maintenance of a community profile and business directory by Indigenous communities.[129]

4.161 Reconciliation Australia noted that the Business Council of Australia recognised the significant role that Australian companies can play involving Indigenous individuals and communities in economic development. Reconciliation Australia recommended that the Department of Employment, Workplace Relations and Small Business (DEWR) devise programs designed to encourage private sector employers to enter into partnerships with Indigenous communities, and governments to stimulate capacity building at an individual and community level.[130]

4.162 Yarnteen Aboriginal and Torres Strait Islander Corporation (Yarnteen) advised the Committee that many corporate and Indigenous commentators, such as IBA, had been advocating the need to have government encourage business-to-business partnerships with Aboriginal communities in the corporate area. Yarnteen called for a commitment by government to consider its role in how it might create a 'business purpose' within this area and assist Indigenous business and corporate Australia to have the opportunity to negotiate partnerships to produce business and economic outcomes for Indigenous youth.[131]

Partnerships enhancing service delivery

4.163 Partnerships with both aid and development organisations and business organisations can be of fundamental importance in enhancing the ability of Indigenous organisations to better manage the delivery of services.

4.164 In its submission the Fred Hollows Foundation advised that, in pursuing its goal to help set up infrastructure and provide training needed to give disadvantaged communities independence and sustainability in treating blindness, it had come to recognise that sustainable change in these fields required what it termed a 'development approach':

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129 Mr John McDonald, (private capacity), Submission 24, p. 1. At Attachment A of his submission Mr McDonald also drew the attention of the Committee to a number of Indigenous small business developments in the mining industry.

130 Reconciliation Australia, Submission 55, p. 13.

131 Mrs Leah Armstrong, Yarnteen Aboriginal and Torres Strait Islander Corporation, Transcript (13.02.04), p. 1443.

> Our simple, working definition of "development" is that it is a process which transforms an individual, community or country from a position of dependence to a position of self reliance which is sustainable. A development approach means building capacity, encouraging self-reliance and working towards sustainability. It requires a determination to effectively transfer skills, technology and knowledge, and it requires the partners in that development to want what we can offer and to take mutual responsibility for managing the transfer. Real development occurs from within.[132]

4.165 The Committee also received evidence from corporations such as Rio Tinto, highlighting the beneficial outcomes of partnerships between Indigenous groups and the corporate sector. Rio Tinto articulated a clear guideline between what it was willing to undertake and what it believed government should properly undertake:

> …[Rio Tinto] has drawn quite a clear line about what is our responsibility and what is government responsibility. However, in development areas and capacity building, we will take a role where we are invited to.[133]

4.166 Rio Tinto told the Committee that where local Aboriginal communities had identified opportunities to increase effectiveness of programs government was already providing, through an injection of resources, the company could undertake to support those programs.[134] It conveyed the following example:

> The Townsville Aboriginal and Islanders Health Services wanted to set up a mums and babies program. They thought that the mainstream government program that was available in Townsville was not meeting their needs… The government provided the service but Aboriginal mums were not using it. The Aboriginal and Islanders Health Services approached our foundation seeking some support to set up a program that they thought would be tailored more to their needs. We and the Ian Potter Foundation provided that resourcing for two years, and there were substantial changes in mums attending the clinic prior to the birth of their child and subsequently. Indeed, the health and the birth weights of their babies were much improved.

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132 The Fred Hollows Foundation, Submission 36, p. 1.

133 Ms Janina Gawler, Rio Tinto Ltd, Transcript of discussion (19.02.03), p. 475.

134 Ms Janina Gawler, Rio Tinto Ltd, Transcript of discussion (19.02.03), p. 475.

> During that time, we and that Aboriginal organisation lobbied the government to seek support for long-term continuity of that program. Eventually the federal government came in with funding for that program, and I think in due course the state will follow. We would maintain a watching relationship to ensure that that is available over a few years, but then we would withdraw.[135]

4.167 The Committee considers that this type of relationship can be highly beneficial, with the advantages of such partnerships and agreements being in the lobby power of corporate organisations and the ability and willingness to aid developments with resource contributions.

Indigenous Enterprise Partnerships

4.168 The Committee received evidence from IEP, which is a coalition of corporate philanthropic organisations and smaller businesses and specialists. IEP is working to help create a real economy for Indigenous communities in the Cape York region, based on Indigenous leader Noel Pearson's philosophy of the right to take responsibility and of breaking the cycle of welfare dependency.[136] IEP described its board as:

> …very hands on and involved in think tanking and looking at how the corporate and business sectors can better engage with Aboriginal communities.[137]

4.169 Importantly, IEP has recognised the entrenched nature of welfare dependency in the Cape and has made a long-term, 20-year commitment to the region,[138] encouraging its business partners to make three-year renewable commitments, recognising changes in trends over time and the difficulties for businesses making longer term commitments.[139]

4.170 Though the Committee is primarily concerned with capacity building in relation to service delivery, it regards the work of IEP as a step forward in the process of diminishing the need for service delivery by contributing instead to economic development. IEP may also offer some insight into a different partnership approach for successful engagement with Indigenous communities.

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135 Ms Janina Gawler, Rio Tinto Ltd, Transcript of discussion (19.02.03), p. 475.

136 Mr Michael Winer, Indigenous Enterprise Partnerships, Transcript (07.07.03), p. 745.

137 Mr Michael Winer, Indigenous Enterprise Partnerships, Transcript (07.07.03), p. 745.

138 Mr Michael Winer, Indigenous Enterprise Partnerships, Transcript (07.07.03), p. 747.

139 Mr Michael Winer, Indigenous Enterprise Partnerships, Transcript (07.07.03), p. 749.

4.171 IEP works in a collaborative way with Indigenous community leadership and peak bodies in the Cape, having developed a method of engagement that supports community aspirations:

> What we do is very varied and it responds to Aboriginal requests for assistance... One of the things we found in our development was that it was critical for our partners to take a support role and not a leadership or ideas role. It seems so simple and obvious now, but it took a lot of work by the corporate and philanthropic sector to shift their mindset… What we really deliver is people. Through pro bono work, volunteers, secondments and fellowships we put several hundred people a year into Cape York and the Aboriginal organisations and also into mentor programs. They do a wide and varied range of things.[140]

4.172 IEP argued that there can be a tendency in government to expect immediate changes from the injection of resources, but that the larger context needs to be taken into account:

> This is where the government can sometimes fall down. They want those results quickly. They want them before the next election. They say something like, "We have invested a million dollars and there are only six small businesses up and running." However, we have to look at the big picture long term, the snowball effect and the change within the community that is required—the permission, the allowance and the will and the desire of people to engage in the economy.[141]

4.173 The Committee commends the work of IEP and looks forward to the conceptualisation of a model arising from the important work it is undertaking in the Cape York region, and the potential roll out or adoption of the model elsewhere in Australia.

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140 Mr Michael Winer, Indigenous Enterprise Partnerships, Transcript (07.07.03), p. 746. Mr Winer advised the Round Table Discussion that IEP's coalition included organisations such as Westpac Bank, Boston Consulting Group, the Body Shop, Myer Foundation, Colonial Foundation, Designworks, Gilbert and Tobin, Right Management and a broader support network. See Mr Michael Winer, Transcript (13.02.04), p. 1463.

141 Mr Michael Winer, Indigenous Enterprise Partnerships, Transcript (07.07.03), p. 748.

Strategies to encourage Indigenous-corporate collaboration

Corporate Leaders for Indigenous Employment Project

4.174 The Corporate Leaders for Indigenous Employment Project, an initiative of the Commonwealth Government, challenges corporate organisations around Australia to demonstrate their commitment to providing job opportunities to Indigenous Australians.

4.175 The project is part of the Indigenous Employment Policy, launched in 1999, and administered by DEWR.[142] The project involves some provision of funding to signatories in recognition of their commitment to Indigenous individuals and communities, while also recognising Indigenous Australians who take part through an annual awards ceremony. In April 2004, there were over eighty corporate signatories from around Australia.[143]

4.176 The Corporate Leaders Project is one way in which the Commonwealth can encourage corporate responsibility and private sector support for Indigenous employment advancement.

Partnerships for banking and financial support

4.177 The Committee received evidence on the need to improve financial understanding among Indigenous organisations and individuals, together with increasing the capacity of banking institutions to appropriately cater for Indigenous people. Evidence concerned addressing Indigenous people's capacity at two main levels, from basic personal banking and elementary financial literacy, to business and enterprise banking involving more complex financial knowledge and access to a wider range of services. Many of these issues are covered later in this report in chapter five, while information regarding partnerships between communities, banking institutions and government will be covered here.

4.178 One of the most successful and prominent partnerships between a banking organisation and Indigenous communities, is that between Cape

142 The Hon. Kevin Andrews, MP, Minister for Employment and Workplace Relations, Minister Assisting the Prime Minister for the Public Service, *More Companies Encouraged to Employ Indigenous Australians*, Media Release, Parliament House, Canberra, 16.10.03.

143 Australian Employment Services (DEWR), *Corporate Leaders for Indigenous Employment Signatories*, <http://www.workplace.gov.au/WP/Content/Files/ES/IEP_Corporate_Leaders.pdf> (accessed 16.04.04).

York Partnerships (CYPs) and Westpac Banking Corporation. Westpac sees its involvement in the CYP as a contribution toward fulfilling its social responsibility. The partnership has several aims, including the creation of a private sector economy, breaking welfare dependency through empowerment, and building sustainable skills and capacities.[144]

4.179 The partnership takes a multi-pronged approach, working at many levels to improve financial understanding and access. One method is the Family Income Management (FIM) initiative, which involves a three-way partnership between FaCS, Westpac and CYP. The trial goes from 2002 to 2004 in three communities in Cape York:

> FIM will assist families share their resources and build an understanding of responsibility which will re-empower families and individuals through the prioritised and planned use of financial resources.[145]

4.180 Westpac contribute significantly through the secondment of staff to the communities four times a year, for a duration of four weeks.[146] Westpac told the Committee:

> … we have benefited through the development of our own people while at the same time providing the opportunity for our people to share their skills and knowledge … to help local people achieve their goals.[147]

4.181 Westpac are working with the Australian Bankers Association to develop financial literacy initiatives, as well as continuing to develop programs such as Financial First Steps and Let's Talk, to involve Indigenous people in building their capacities and understanding basic financial management.[148]

4.182 As well as contributing staff secondees to communities, Westpac are part of the Commonwealth Government's Corporate Leaders for Indigenous Employment initiative, which involves signatories committing to the

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144 Paterson, G., 2003, Westpac Regional Community Partnerships, *Cape York Program*, <http://www.accpa.com.au/resources/Paterson_Westpac.pdf> (accessed 31.05.04)

145 Cape York Partnerships, *Family Income Management*, <http://www.capeyorkpartnerships.com/project/families/fim.htm> (accessed 31.05.04)

146 *ibid*

147 Mr Graham Paterson, Regional Community Partnerships, Westpac Banking Corporation, Transcript (13.02.04), p. 1455.

148 Mr Graham Paterson, Regional Community Partnerships, Westpac Banking Corporation, Transcript (13.02.04), p. 1455.

employment of Indigenous Australians. To date, this commitment has led to the development of fifty jobs within Westpac for Indigenous people.[149] Westpac are also involved with Indigenous Community Volunteers, which is a non-profit organisation that matches skills with community requests, and places people in Indigenous communities to mentor and pass on skills.[150]

4.183 Though Westpac is not the only banking organisation committed to such undertakings, it provided evidence to the Committee, and offers an illustration of the many levels at which a banking institution can make a real difference to Indigenous Australians, from on-the-ground skill exchange, to corporate agreements. One commendable aspect of the partnerships is the lead role taken by CYP, with Westpac becoming involved at the request of the Indigenous communities, and the communities being the driving force behind the projects. The case of Westpac illustrates the positive impact partnerships can have.

The banking industry

4.184 The Committee notes the Parliamentary Joint Committee on Corporations and Financial Services 2004 report *Money Matters in the Bush: Inquiry into the Level of Banking and Financial Services in Rural, Regional and Remote Areas of Australia*.[151] Several chapters of the report focussed on the issues faced by Indigenous Australians, and a number of recommendations were made relating to the way banks operate. These recommendations addressed problems common in many Indigenous communities where financial literacy is low, such as the cost of bank fees and the use of ATMs.

4.185 The report discussed obligations relating to the Safety Net Basic Bank Account described in the Code of Banking Practice. The Safety Net Basic Bank Account involves a service obligation on banks to deal with low income or disadvantaged people in a way that is different to other people, by offering accounts which may be more suitable to their needs in order to reduce the incidence of unwarranted or unnecessary fees charged to low or fixed income people. This service must however, be subject to the

149 Mr Graham Paterson, Regional Community Partnerships, Westpac Banking Corporation, Transcript (13.02.04), p. 1455.

150 Mr Graham Paterson, Regional Community Partnerships, Westpac Banking Corporation, Transcript (13.02.04), p. 1455.

151 Parliamentary Joint Committee on Corporations and Financial Services, 2004, *Money Matters in the Bush: Inquiry into the Level of Banking and Financial Services in Rural, Regional and Remote Areas of Australia.*

scrutiny of the ACCC. Among the sub-points of the recommendation relating to such accounts, the Joint Committee recommended the elimination of fees for bank balance inquiries and the removal of overdraft facilities.[152]

Banking and economic development

4.186 In addressing financial capacity building, Reconciliation Australia highlighted the need for improving Indigenous access to commercial and housing loan finance and joint venture capital, through partnerships between the private sector and Indigenous organisations. Reconciliation Australia also drew the Committee's attention to overseas examples that were improving the economic independence of Indigenous people, referring in particular to the scheme operated by the Bank of Montreal.[153]

4.187 The Bank of Montreal established an Aboriginal Banking unit in 1992, which provides an on-reserve housing loan program, a private home ownership program, and business banking to Aboriginal Canadians, taking a partnership approach.[154]

4.188 The Committee was heartened to hear of examples of partnership in Australia, for example, FaCS told the Committee that it has been working in partnership with the Traditional Credit Union (TCU) in the Northern Territory to develop education packages for communities, and to explore the expansion of the TCU's banking system.[155]

4.189 The Committee believes Indigenous people's ability to participate effectively in the economy is strongly related to access to services and an understanding of such services. The Committee explores banking issues further in chapter five.

Conclusions

4.190 Clearly, a long term commitment to rebuilding communities and establishing systemic and long term strategies to enhance the capacities of

152 *ibid,* pp. 243-245.

153 Reconciliation Australia, Submission 55, pp. 18-19.

154 Bank of Montreal, *Aboriginal Banking*, <http://www4.bmo.com/aboriginalbanking/0,4442,35649_975748,00.html?pChannelId=244704> (accessed 01.06.04).

155 Mr Barry Smith, FaCS, Transcript (25.06.03), p. 736.

communities and organisations to manage the delivery of services within communities is needed.

4.191 Strategies need to be put in place to attract suitable staff to assist Indigenous organisations, to mentor Indigenous staff and thus assist in the building of requisite skills. The Committee also believes that the development of a central register of community advisers as suggested by the South Australian Department of Aboriginal Affairs[156] will assist in this process.

4.192 In addressing the Committee a senior officer at the Department of Employment and Workplace Relations stated:

> The private sector is a huge part of our country. Essentially, it drives our market economy. It has a lot of talent and skills to contribute. I think it is an untapped resource. We need to put a lot of effort into how we can actually engage not just the large corporates but the medium size enterprises, who are more than happy to engage Indigenous people but are also struggling with how they should do that. We get a lot of feedback in our travels about how they can actually get involved.[157]

Recommendation 12

The Committee recommends that, in relation to Indigenous communities and organisations employing staff from outside their communities in service delivery roles, the Commonwealth Government initiate action to establish a central register to accredit people available to work for Indigenous communities and organisations in order to provide those communities and organisations with confidence in the selection of reputable staff. In particular, the register should:

(a) be compiled in collaboration with representatives from Indigenous communities and relevant State and Territory bodies responsible for the funding of Indigenous communities; and

(b) be maintained centrally, either through an agency such as the Department of Employment and Workplace Relations, or a central employment agency.

156 See paragraph 4.136 of this Chapter.

157 Ms Carolyn McNally, Priority Groups Policy Branch, Department of Employment and Workplace Relations, Transcript (13.02.04), pp. 1485-1486.

Recommendation 13

The Committee recommends that the Commonwealth Government:

(a) promote and further develop initiatives such as Indigenous Community Volunteers to enhance mentoring and skills development in Indigenous communities and organisations; and

(b) take a leadership role in encouraging partnerships and joint ventures between the private/corporate sector and Indigenous communities, organisations and individuals.

Conclusions on building the capacity of Indigenous organisations

4.193 This chapter has been concerned primarily with enhancing the capacity of Indigenous organisations to better deliver and influence the delivery of services to Indigenous people, on behalf of government. The Committee believes, however, that in order to move beyond the current level of need for the delivery of such services, employment through small business and enterprise development is essential. Micro and small business development was seen in evidence as providing an avenue for the achievement of economic development leading to increased Indigenous control over resources. In turn, this could be expected to lead to the building of capacities in a range of areas.[158]

4.194 The importance of the development of Indigenous small businesses to improved governance and service delivery was also referred to. Mr John McDonald stated:

> Indigenous small business development fosters self-reliance in more meaningful ways than employment in the public and private sectors. Small business promotes autonomy, self-confidence and respect. Small businesses owned and operated by Indigenous Australians are more likely to be accepted by Indigenous communities as a good place to work. Small businesses are generally community friendly. Indigenous small business development is fundamental to governance and service delivery

158 Dr Don Fuller, Flinders University, Submission 48, p. 1.

within Indigenous communities and should be singled out for government policy direction.[159]

4.195 The Committee received evidence from IEP in Cape York where, having recognised the total structural and community change required, IEP is assisting in moving towards the breaking of the cycle of welfare dependency and helping to create a real economy for the region through a range of initiatives. The attention of the Committee was drawn to a number of barriers to the development of small business together with strategies to assist business development,[160] many of which have been addressed elsewhere in the report. The Committee was particularly heartened by its observations and the evidence it received at Lombadina. Through skill and resourcefulness, together with assistance from the private sector and government organisations, Indigenous owned and operated businesses were succeeding at Lombadina, thus giving the Committee a glimpse of what could be achieved in the small business area.[161]

4.196 It is clear to the Committee that the responsibilities placed upon Indigenous organisations to deliver services within their communities have been substantial. The Committee believes, however, that whilst governments can do much to facilitate enhancement of the capacity of Indigenous organisations to better deliver these services, the impetus must come from the Indigenous community and the major responsibility lies with that community. In saying this, the Committee is acutely aware of the need to address certain underlying issues at the local level (and many of these will be discussed in the next chapter). The Committee recognises that governments and local authorities have heavy responsibilities in these areas.

4.197 The Committee has made a series of recommendations in this chapter which it believes will lead to enhancing the capacity of Indigenous organisations. It looks forward to the outcome of other developments such

159 Mr John McDonald, (private capacity), Submission 24, p. 3. Mr McDonald also referred to Canadian practice and recommended that governments use their purchasing power to directly promote Indigenous small business and encourage the growth of Indigenous owned and commercially operated financial institutions to improve access to capital.

160 See, for example, IBA, Submission 29; and Dr Don Fuller, Flinders University, Submission 48.

161 Mr Vincent Angus, Mudnunn Mud Crabbing and Camping, Mr Warren Clements, Ultimate Boat Charters, Mr Eric Hunter, Leveque Dingy Hire and Firewood and Mr Phillip McArthy, Ultimate Experience Charter Boat Company, Transcript (07.08.03), pp. 1062-1074.

as the governance research being undertaken by Reconciliation Australia and the legislative proposals arising from the review of the ACA Act.

4.198 The requirements that will enable a move beyond service dependency, towards sustainable economic development were stated succinctly by the Northern Territory Government:

> The evidence is clear-cut: without effective institutions of governance and genuine local decision making, the prospects of achieving sustainable economic development remain illusory.[162]

4.199 The Committee endorses this statement.

162 Mr Neil Westbury, Office of Indigenous Policy, Department of the Chief Minister, Northern Territory Government, Transcript (27.11.02), p. 175.

5

Building the capacity of individuals, families and communities

Introduction

5.1 This chapter will explore the final element of the terms of reference: strategies to assist Aboriginals and Torres Strait Islanders better manage the delivery of services within their communities. In particular, it examines strategies to build the capacities of:

> community members to better support families, community organisations and representative councils so as to deliver the best outcomes for individuals, families and communities.

5.2 The preceding chapters each had an overarching theme. The theme for the government chapter was integration, for the Indigenous organisations chapter it was governance, and for this chapter it is empowerment. The Committee takes empowerment to involve the strengthening and support of individuals to enable them to address their needs and aspirations, and to increase their control over decisions affecting their own lives.

5.3 This chapter will address building the capacity of individuals, families and communities at a number of levels, starting with primary capacity building areas. This approach is based on the assumption that until certain basic requirements are met, greater capacity building undertakings will be largely ineffective. The chapter will look at ways Indigenous groups are successfully addressing and challenging issues in their communities.

5.4 The Committee wishes to acknowledge a number of underlying issues, including historical circumstances; the multifaceted, complex and entrenched nature of Indigenous disadvantage; the inter-related and overlapping nature of both the causes of Indigenous disadvantage, and possible measures to address Indigenous disadvantage; regional differences, and the differing policy options open to rural, remote and urban areas; and lastly, to acknowledge calls from the Indigenous community to take responsibility for, and ownership of, decision making and solutions.

5.5 This chapter is intended to give voice to many of the Indigenous Australians and representatives of non-government organisations who gave their time to the Committee to be heard.

Setting the scene

5.6 Many submissions argued the importance of addressing underlying issues that affect Indigenous people's capacities, such as basic health, education and infrastructural issues. For example, the Centre of Aboriginal Economic Policy Research (CAEPR) argued that:

> …[T]he issue of capacity development cannot be divorced from wider issues like the education, health, housing and employment status of Indigenous people...[1]

5.7 A number of submissions emphasised the abilities of Indigenous people to provide solutions to their own problems. For example, the Faculty of Aboriginal and Torres Strait Islander Studies argued:

> Indigenous people no longer want to be treated as a category of disadvantaged Australians who need more "passive" service delivery, but as distinct political communities with rights and responsibilities.[2]

5.8 Similarly, Arwarbukarl Cultural Resource Association told the Committee:

> …Aboriginal people are probably the best at being experts on our own culture, who we are and how we interact with each other. We are the ones who are living it day to day and know how things are

1 Professor Jon Altman, Centre of Aboriginal Economic Policy Research (CAEPR), Australian National University (ANU), Transcript (23.10.02), p. 22.

2 Faculty of Aboriginal and Torres Strait Islander Studies and Centre for Indigenous Natural and Cultural Resource Management, Northern Territory University (NTU), Submission 27, p. 21.

> working in our communities and what can be done to improve our situation in this society.[3]

5.9 The Fred Hollows Foundation contended that less time should be spent 'inventing' solutions, when the answers may already lie in community initiatives:

> Whilst Aboriginal communities are more than well aware of their problems and can identify workable solutions, they are rarely given the support they actually need to put the solutions into effect… Supporting community initiatives reinforces community empowerment and engages community members in supporting their own people, rather than placing control outside the control of the community.[4]

5.10 Many submissions to the inquiry emphasised the importance of physical and social health and well-being for Indigenous people:

> Capacity building at the individual and family level aims ultimately to ensure that people have the capacity… [that is] the health, well-being and the confidence, as well as access to decision making processes, to make informed decisions about issues which affect them.[5]

5.11 The complexity of the issues, the diversity of solutions and the importance of empowerment were emphasised to the Committee in many submissions, for example, Indigenous Business Australia told the Committee:

> No one single issue is going to resolve or build capacity within communities; it is going to be a combination of strategies. I think that the underlying issue is that individuals, communities and family groups need to feel that they are empowered or going to be empowered to make decisions and that their lives are not going to be determined by service agencies or external forces.[6]

5.12 The stark contrasts in Australia were emphasised by the Fred Hollows Foundation:

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3 Mr Abie Wright, Arwarbukarl Cultural Resource Association (ACRA), Transcript (07.04.03), p. 556.

4 The Fred Hollows Foundation, Submission 36, p. 20.

5 Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), Submission 10, p. 9.

6 Mr Ronald Morony, Indigenous Business Australia (IBA), Transcript (04.12.02), p. 304.

> In a country which enjoys one of the highest standards of living and, with the exception of its Indigenous population, one of the highest life expectancies in the world, the harsh reality for all Indigenous communities is one of very poor health, short life expectancy, low education standards, poverty and very poor living conditions.[7]

5.13 The Committee agrees that until basic issues of dysfunction and disadvantage in Indigenous communities are addressed, greater capacity building efforts will remain largely ineffective. The following sections will canvass primary healthcare and early intervention, basic primary education, adequate housing, and basic access to justice, law and safety related services, going on to discuss employment and training.

Primary healthcare and early intervention

5.14 The Committee notes the World Health Organization definition of health:

> A state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.[8]

5.15 Indigenous understandings of health go a step further and have a community focus. The National Aboriginal and Torres Strait Islander Health Council defined health as:

> Not just the physical well-being of the individual but the social, emotional, and cultural well-being of the whole community.[9]

5.16 The Committee received evidence on the multifaceted, interlinked nature of disadvantage. For example, one submission pointed to health research showing that unless people gained control over their lives, their health would not improve.[10] Similarly, one submission cited the National Aboriginal Health Strategy Working Party (1989) which stated:

> It is not merely a matter of the provision of doctors, hospitals, medicines. Health to Aboriginal peoples is a matter of determining

7 The Fred Hollows Foundation, Submission 36, p. 5.

8 World Health Organization, 1946, cited in Australian Bureau of Statistics (ABS), *The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Peoples 2001,* p. 3.

9 National Aboriginal and Torres Strait Islander Health Council (NATSIHC), 2001, cited in ABS, *The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Peoples 2001,* p. 3.

10 Central Australian Remote Health Development Services Ltd. (CARHDS), Submission 21, p. 2.

> all aspects of their life including control over their physical environment, of dignity, of community self esteem, and of justice.[11]

A coordinated approach to primary healthcare

5.17 The Tangentyere Council told the Committee:

> … there are three parts to primary health care. There is the treating of illnesses, there is the prevention of illnesses and there is health promotion... In order to get an effective primary health care strategy going, you need to run those three concurrently.[12]

5.18 A Tangentyere Council member emphasised the importance of preventative measures, rather than curative programs, and highlighted the interconnected nature of issues impacting on health:

> … [Tangentyere's] remote area night patrols are very much an injury prevention strategy that works upstream. I am very tired of seeing all the dollars go to the curative model and never the upstream models. It is prevention that we try to work on by having good housing and good environmental health. If you are working upstream, you are preventing illnesses. We know the statistics of Aboriginal people at the end curative model.[13]

5.19 The Committee received evidence from a small number of organisations promoting health through sports clubs. The Committee commends this lateral approach to health. Rumbalara Football / Netball Club told the Committee:

> Nobody funds us to run a football club, but people fund us to run health promotions and those types of things… [The] Rumbalara Aboriginal Cooperative and the medical centre … use the vehicle of the club to get access to the young people. They run [health] programs through that, and we support those programs.[14]

5.20 VACCHO emphasised to the Committee the importance of community-based, locally owned, culturally appropriate and adequately resourced primary healthcare facilities, arguing that:

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11 Victorian Aboriginal Community Controlled Health Organisation Inc. (VACCHO), Submission 28, p. 2.

12 Mr William Tilmouth, Tangentyere Council, Transcript (25.09.03), p. 1293.

13 Mr William Tilmouth, Tangentyere Council, Transcript (25.09.03), p. 1292.

14 Mr Paul Briggs, First Nations Australian Credit Union, Rumbalara Football / Netball Club, Common Fate Endorsed Program, Transcript of discussion (17.02.03), p. 379.

> The implementation of a community controlled and holistic model of health service provision is essential to improving health outcomes for Aboriginal people.[15]

Aboriginal Community-Controlled Health Services

5.21 The Committee received evidence from several Aboriginal Community-Controlled Health Services (ACCHS). ACCHSs have been operating in Australia for over 25 years and have made a positive impact on the health and wellbeing of Indigenous people.[16] In 2001, there were over 120 ACCHS delivering culturally appropriate, holistic primary healthcare around Australia.[17] A member of the Aboriginal Health and Medical Research Council of New South Wales advised the Committee that:

> The philosophy… with the medical services is that the local Aboriginal community controls their services. That then makes them culturally appropriate and they are able to best adapt to local Aboriginal community needs, with the flexibility and speed required. Most importantly, they are able to make Aboriginal health services accessible to the community.[18]

> Some positive outcomes… are the improved health of Aboriginal communities in which they [ACCHS] deliver health services; a drastic reduction in hospital admission rates; early intervention programs, which improve health; programs such as immunisation, which are extremely successful at the moment; education, in terms of health; employment; and increased community morale. Empowering communities to deal with their own problems and make their own decisions within their own areas is extremely important to the restoration of Aboriginal health in this country...[19]

5.22 The witness also argued:

> Aboriginal community-controlled health services have a proven track record for being stable and viable… The services have

15 VACCHO, Submission 28, p. 2.

16 VACCHO, Submission 28, p. 3.

17 Ms Sandra Bailey, Aboriginal Health and Medical Research Council of New South Wales (AHMRCof NSW), Transcript (08.04.03), p. 646.

18 Ms Sandra Bailey, AHMRCof NSW, Transcript (08.04.03), p. 647.

19 Ms Sandra Bailey, AHMRCof NSW, Transcript (08.04.03), p. 647.

> competent staff, effective corporate governance and financial accountability.[20]

5.23 Yet despite this success, the VACCHO noted that:

> Although ACCHS provide an invaluable service to the Aboriginal community and play a vital role in the health and wellbeing [of Aboriginal people,] it is fair to say that the majority ACCHS are struggling through [the] burden of poor facilities and [a] general lack of proper resourcing.[21]

5.24 Many ACCHS have formed partnerships with State and Territory governments, building on the recommendations of the 1989 *National Aboriginal Health Strategy*. In New South Wales, for example, the ACCHS formed a partnership with the State health department and have an advisory role, representing the Aboriginal community on health issues.[22] The Committee was told:

> The partnership is very important because it recognises Aboriginal community-controlled health services as an entity and as an equal partner. If we are going to fix Aboriginal health, we have to get on with the business and we have to do this together. If the public health system is delivering health services to Aboriginal people, it makes sense that they ask the Aboriginal people what is the best way to do it.[23]

5.25 The Committee notes the release of the *National Strategic Framework for Aboriginal and Torres Strait Islander Health: Framework for action by Governments* in July 2003, which builds on the work of the 1989 *National Aboriginal Health Strategy* (NAHS).[24] The document is intended to complement the NAHS, which remains a landmark document used extensively by health professionals today. The new framework for government action builds on the NAHS and addresses approaches within the contemporary policy environment and planning structure.[25]

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20 Ms Sandra Bailey, AHMRCof NSW, Transcript (08.04.03), p. 656.

21 VACCHO, Submission 28, p. 3.

22 Ms Sandra Bailey, AHMRCof NSW, Transcript (08.04.03), p. 651.

23 Ms Sandra Bailey, AHMRCof NSW, Transcript (08.04.03), p. 651.

24 National Aboriginal and Torres Strait Islander Health Council (NATSIHC), 2003, *National Strategic Framework for Aboriginal and Torres Strait Islander Health: Framework for action by Governments*, Canberra.

25 *ibid*, p. ii.

Aboriginal Health Workers

5.26 An essential component of the Aboriginal Community-Controlled Health Services is Aboriginal Health Workers, as one witness argued:

> … Aboriginal health workers… are the cornerstone of the Aboriginal medical services. They are crucial to providing the linkage between the health professionals—doctors, nurses and specialists—and the Aboriginal patient. They have a very important role in terms of bridging the cultural gap, which has been a barrier to accessing health services in the past.[26]

5.27 Central Australian Remote Health Development Services described the role of an Aboriginal Health Worker:

> A health worker has defined roles in care, in dispensing of medication. They have certain tasks to do—very basic things—and then they refer the case to the registered nurse if they think they cannot handle the case or if there is a doctor on duty at that time they freely talk to the doctor about management of the case.[27]

5.28 The Committee heard that, though the role of Aboriginal Health Workers was originally intended to involve acting as a first point of contact talking to people in communities to promote good health, prevent illness and identify instances of the need for a doctor or nurse, this was not the reality. Rather, due to the shortage of Aboriginal Health Workers and other medical professionals, the role involved a much larger component of primary healthcare service delivery, rather than preventative health promotion.[28]

> The reality is that that [original purpose] does not happen because we do not have many health workers out there. Therefore, they get involved in providing primary health care —sick care in the health centre—rather than going out to the community and doing the identifying, the promoting and the preventing, which is believed to be the job of a health worker.[29]

5.29 Early intervention is critically important, particularly in areas where education and advice can empower people and reduce the advancement

26 Ms Sandra Bailey, AHMRCof NSW, Transcript (08.04.03), pp. 651-652.
27 Mrs Maryanne Amu, CARHDS, Transcript (25.09.03), p. 1262.
28 Mrs Maryanne Amu, CARHDS, Transcript (25.09.03), p. 1261.
29 Mrs Maryanne Amu, CARHDS, Transcript (25.09.03), p. 1261.

or effect of a disease. Diabetes is becoming a major problem for Indigenous Australians, and one area of primary intervention for diabetes is in the area of nutrition. A representative from Koori Diabetes Service Victoria told the Committee:

> We asked them [Koori people] what were the main problems with diabetes management, and they said there were no Aboriginal nutritionists in the state, or virtually in Australia… [And so] we are going to train Aboriginal health workers to take another path—that is, to be nutritionists. They can then be implemented into their own medical services, or wherever they want to work, but the point is that we will have Aboriginal nutritionists working amongst Aboriginal people.[30]

The cultural context

5.30 The Committee received evidence concerning the benefits of Indigenous people or other appropriately trained people, providing health services to Indigenous people, particularly highlighting the advantages of effective communication. Mr Richard Trudgen told the Committee:

> … poor communication stops people receiving almost all news or knowledge from outside their language and cultural domain… It also includes what may well be life-saving information from health professionals. It stops them knowing what they are giving consent for, how to comply with medical instructions and how to intervene in their own health problems. In this way, poor communication directly impacts on high mortality rates.[31]

5.31 One witness conveyed a story from Richard Trudgen's book *Why Warriors Lie Down and Die*,[32] which emphasised problems that can arise when the language and worldview of a doctor and patient are different. In this case, the patient, a Yolŋu man, had had kidney problems for 13 years and was being diagnosed with an enlarged heart, requiring dialysis. He visited a specialist who diagnosed his condition, and yet:

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30 Mr Colin Mitchell, Koori Diabetes Service Victoria, Transcript of discussion (19.02.03), p. 509.

31 Aboriginal Resource & Development Services Inc., Submission 15, p. 2.

32 Mr Stuart McMillan, Aboriginal Resource and Development Services Inc., Transcript (27.11.02), p. 235. Trudgen, R., 2000, *Why Warriors Lie Down and Die: Towards an understanding of why the Aboriginal people of Arnhem Land face the greatest crisis in health and education since European contact*, Aboriginal Resources and Development Services Inc., Darwin, pp. 98-112.

> … because David [the patient] repeated all that the specialist had said to him in rote fashion, the [nursing] sister had assumed that he understood. [The sister did not understand that] The Yolŋu people are an aural society and are clearly taught to repeat messages very accurately. Sometimes the message carrier will not even know the meaning of the message but will repeat the words accurately… [The] sister also said that David could ask his Aboriginal health worker relatives…. [but did not understand that, as] He was an older male—he could not ask questions of young females, even one that was a close relative.[33]

5.32 The story went on to note that the patient David still did not understand his condition, so Trudgen offered to accompany him to revisit the specialist and to translate the doctor's explanation in a way David could understand, both linguistically and conceptually. Thus:

> After 13 years, a 30-minute consultation and 20 minutes of extra conversation had made a significant difference in David's level of understanding and his ability to do something about his health condition. Why had that happened? Firstly, he had asked the questions and received the answers in his own language. Secondly, the understanding had come through the world view and conceptual knowledge base which he had. It did not appear just like a white fella story to shut a black fella up.[34]

5.33 This example clearly shows the benefits of understanding both the underlying conceptual issues and the cultural protocols in order to achieve clear communication. Another witness told the Committee that:

> We do not have enough [Aboriginal Health Workers]. We have very few men. A lot of Aboriginal men will not go to a woman.[35]

5.34 Again, this quote highlights a cultural protocol which mainstream agencies and service deliverers may not be conscious of, but which will fundamentally affect a program's potential to succeed.

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33 Trudgen, R. cited by Mr Stuart McMillan, Aboriginal Resource and Development Services Inc., Transcript (27.11.02), pp. 236-237.

34 Trudgen, R. cited by Mr Stuart McMillan, Aboriginal Resource and Development Services Inc., Transcript (27.11.02), p. 236.

35 Dr Paul-David Ryan, Apunipima Cape York Health Council, Transcript (07.07.03), p. 803.

Linking health, literacy, training, education and health promotion

5.35 Northern Territory North Zone ATSIC Commissioner Hill told the Committee:

> We believe you need to be healthy to be educated and you need to be educated to be healthy…[36]

5.36 Central Australian Remote Health Development Services (CARHDS) told the Committee that:

> We [CARHDS] have been pushing very hard here the idea that literacy is a critical health issue. Self-management is a critical health issue… The term that has been used at our board level is that English is the language of negotiation.[37]

5.37 A witness from Apunipima Cape York Health Council spoke of the importance of raising the 'personal wellbeing index', explaining that improving health was not just about more professionals or about more money, but about education and early intervention:

> We have a lot of young men suiciding. We are not going to stop Indigenous suicides by putting in more mental health professionals. We reduced cardiac issues, for example, in this country not by having more cardiologists but by health literacy—change of diet, more exercise, more awareness. The cardiologists help manage it better. We could put lots of shrinks in Cape York but it would not reduce suicide. But if we raise what I call the personal wellbeing index—that whole thing of a man or a woman being able to have employment and enjoy the benefits of family and of culture and of life across the spectrum—then we will reduce suicide.[38]

5.38 The Committee received evidence indicating that many Indigenous people did not use mainstream services when they were available due to fear or misunderstandings of the current hospital system.[39] One emphasised the need to engage hospital liaison officers:

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36 Commissioner Kim Hill, Aboriginal and Torres Strait Islander Commission (ATSIC), Transcript (27.11.02), p. 210.

37 Ms Dorothy Lucardie, CARHDS, Transcript (25.09.03), p. 1260.

38 Dr Paul-David Ryan, Apunipima Cape York Health Council, Transcript (07.07.03), pp. 802-803.

39 Ms Jill Gallagher, VACCHO, Transcript of discussion (19.02.03), p. 490.

> Hospital liaison officer positions are vital... They can engage in our community and inform people about accessing public hospitals to their full potential.[40]

5.39 Another witness articulated how a partnership between Rumbalara Aboriginal Cooperative and the local hospital involving an Aboriginal health worker undertaking liaison work, had had a major impact on pre and post natal care:

> People would just present [to the hospital] to deliver their babies. There was no history or antenatal sort of stuff. Our [Aboriginal Health] worker has done a lot of work with the individuals and the hospital, as well, to improve those things. The worker has encouraged the hospital to be a little bit more supportive and to provide more culturally sensitive services. Antenatal and postnatal care is now conducted here at Rumbalara, and their [the hospital's] paediatrician and their obstetrician come out here. With teenage pregnancies, they are able to work with the younger mums and support them and their families through those times, and the Aboriginal worker provides that crucial link.[41]

5.40 The Committee sees this sort of empowering education as vitally important to encourage Indigenous people to use mainstream services and to learn what those services have to offer. This sort of health promotion can help break down barriers and encourage good health.

Training Aboriginal Health Workers

5.41 Concerning the training of Aboriginal Health Workers, CARHDS informed the Committee that:

> Literacy is a critical health issue for people to gain employment and to take on the role of Aboriginal health worker.[42]

5.42 Literacy can be challenging for prospective Aboriginal Health Workers when English is not their first language. CARHDS told the Committee:

> There are very low literacy levels and, quite often, numeracy levels among senior people who take the Aboriginal health worker positions. You are looking at English as a foreign language. People

40 Ms Jill Gallagher, VACCHO, Transcript of discussion (19.02.03), p. 490.

41 Mr Justin Mohamed, Rumbalara Aboriginal Cooperative, Transcript of discussion (17.02.03), p. 385.

42 Ms Dorothy Lucardie, CARHDS, Transcript (25.09.03), p. 1260.

> who speak three or four different languages then try to gain English on top, and it is a culture which normally does not use literacy…[43]

5.43 In order to facilitate the training of Aboriginal Health Workers, CARHDS operate a system where the workers identify their training needs and then CARHDS deliver that service in a way that is acceptable to the workers:

> The critical factor about that was that the Aboriginal people, the participants themselves, were in control of that learning and were identifying what they needed to learn. So it was not an external agency saying, "You need to learn these things to meet this qualification"; it was about the Aboriginal health workers, saying, "These are the things I need to learn about." And we [CARHDS] delivered according to that. So it is about who is driving what the learning outcomes are going to be.[44]

5.44 The Committee frequently heard that training for Aboriginal Health Workers is best undertaken *in situ*, that is, in a practical way in an environment the worker is comfortable and familiar with:

> Aboriginal health workers need to work together with people who are in work practice on the ground. That is the best education. I do not want to see people going off into [learning] institutions….[45]

Conclusions

5.45 English literacy and numeracy are crucial to empowering Indigenous people to be able to help themselves and to care for others in the health context.

5.46 Ongoing medical training for Aboriginal Health Workers is best provided *in situ*, in areas identified by the workers.

A complementary health system

5.47 The Central Australian Aboriginal Congress stated that it, and Aboriginal Medical Services Alliance Northern Territory (AMSANT), should be viewed as part of the health system, not as something outside of it.[46]

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43 Ms Dorothy Lucardie, CARHDS, Transcript (25.09.03), p. 1260.

44 Ms Dorothy Lucardie, CARHDS, Transcript (25.09.03), p. 1267.

45 Dr John Boully, (private capacity), Transcript (23.09.03), p. 1257.

46 Ms Donna Ah Chee, Central Australian Aboriginal Congress, Transcript (25.09.03), p. 1277.

Congress highlighted that Aboriginal Medical Services are part of the overall complementary health system of Australia.[47]

5.48 The Committee also acknowledges the work of organisations such as CARHDS, which offers orientation programs for medical staff coming into Aboriginal Community Controlled Health Organisations. The CARHDS program has several stages, involving information exchange to reduce the culture shock that often accompanies exposure to life in a remote Indigenous community; a personal support focus to prevent the likelihood of isolation; and introductions to relevant local agencies and staff.[48] These sorts of programs fill a specialist niche, and Aboriginal community-controlled organisations are well placed to undertake such cross cultural training, both with their own employees, and with those of mainstream agencies.

5.49 Koori Diabetes Service Victoria told the Committee how it fulfilled a function of training Aboriginal health workers, and providing cross-cultural advice to mainstream specialists:

> We are designing programs where we will train up the [Aboriginal] health workers, so we are handing the power back to the health workers in their own communities… If we empower them and make sure they have a diabetes clinic in their own service then we will see a lot more Kooris accessing the services. In the cross-cultural context, next month we are going to Mildura to talk to GPs, specialists, endocrinologists and dieticians about how to work in with the Aboriginal community regarding diabetes.[49]

Conclusions

5.50 Evidence presented to the Committee emphasised the multiple overlapping causes of ill-health and highlighted the need for a holistic approach to improving health outcomes. Education and enhancing communication were viewed as integral to this.

5.51 Health education and health promotion are vital to improving the health status of Indigenous people by allowing them to help themselves. The Committee commends the focus of many submissions on preventative healthcare and early intervention. Health promotion activities and

47 Ms Donna Ah Chee, Central Australian Aboriginal Congress, Transcript (25.09.03), p. 1277.

48 Ms Dorothy Lucardie, CARHDS, Transcript (25.09.03), p. 1265.

49 Mr Colin Mitchell, Koori Diabetes Service Victoria, Transcript of discussion (19.02.03), p. 509.

facilitation positions such as those of Aboriginal Health Workers and Hospital Liaison Officers are invaluable in improving health outcomes for Indigenous people through encouraging access to health services.

5.52 Aboriginal Community Controlled Health Services provide valuable, appropriate, effective health services to many Indigenous people, yet suffer from funding insecurity. The Committee commends partnerships between ACCHSs and Commonwealth, State and Territory governments and their health organisations, which enhance the effectiveness of, and increase communication between, organisations.

5.53 The Committee therefore commends efforts to improve health outcomes for Indigenous Australians, and, in particular, supports:

- initiatives focused on health education and early intervention that work in a preventative rather than curative way, particularly those working to enhance health for children and young people;
- the recruitment of additional Indigenous Health Workers and Liaison Officers;
- the resourcing of ACCHSs in an equivalent way to other health service providers;
- the fostering of partnerships between ACCHSs, mainstream health services and government agencies, to share knowledge and resources, build support for the ACCHSs, and encourage the placement of health professionals in Indigenous communities; and
- the co-location, where appropriate, of mainstream and Indigenous medical services in order to share resources and infrastructure.

Primary education, numeracy and literacy

5.54 The Committee views education as of the utmost importance. Basic numeracy and literacy form a strong foundation on which empowerment rests, and they are essential for banking, using services, understanding funding applications, providing services, gaining employment, and enterprise development.

5.55 The Committee received considerable evidence addressing the importance of education, particularly basic numeracy and literacy; why education is failing many Indigenous students; and how elements of the way education

is designed and delivered could be developed to be more relevant and beneficial to Indigenous people.

Setting the context

5.56 The Committee would like to acknowledge the National Indigenous English Literacy and Numeracy Strategy (NIELNS), which aims to achieve English literacy and numeracy for Indigenous students at levels comparable to those achieved by other young Australians. NIELNS focuses on six key elements: achieving attendance; overcoming hearing, health and nutrition problems; pre-schooling experiences; getting good teachers; using the best teaching methods; and measuring success, achieving accountability.[50] The Supporting Statement from Indigenous Australians endorsing the NIELNS strategy states:

> Our people have the right to a good education. Our children need the skills, experiences and qualifications to be able to choose their futures. Our communities need young people coming through with the education and confidence to be effective leaders. We need young people who can be advocates for our people, able to take their place in Australian society and business and still keep their culture strong.[51]

5.57 Many Indigenous people highlighted the importance of education as a pathway to employment. A member of the Palm Island Community Justice Group told the Committee:

> Education is the key to getting our black doctors and our black lawyers; education is the key to having our black politicians. Numeracy and literacy is a priority for us.[52]

5.58 Indigenous Business Australia (IBA) also characterised education as the building block to achieving employment and economic development.[53] Yet Professor John Lester told the Committee that we have reached a crisis point in school attendance:

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50 Department of Education, Science and Training (DEST), *National Indigenous English Literacy and Numeracy Strategy*, <http://www.dest.gov.au/schools/indigenous/nielns.htm> (accessed 10.05.04).

51 *ibid*

52 Councillor Deniece Geia, Palm Island Aboriginal Council, Transcript (08.07.03), p. 816.

53 Mr Ronald Morony, IBA, Transcript (04.12.02), p. 299.

> The biggest issue that I think we face is that our students just are not engaged in classrooms.[54]

5.59 Author of the independent review of Indigenous education in the Northern Territory, *Learning Lessons*, Mr Bob Collins told the Committee:

> … every Australian, irrespective of their ethnic background, needs as a minimum year 7 literacy and numeracy. That is the last year of primary school. You have no hope of having any degree of control over you own life if you have not got that minimum standard. It does not matter who you are or what your background is.[55]

5.60 The Committee agrees that education is vitally important, particularly primary literacy and numeracy as basic building blocks to further education and the ability to function in Australian society. The Committee acknowledges that education must engage people and be meaningful in order to improve attendance, uptake and outcomes. The following sections will explore arguments for making education more relevant to Indigenous Australians.

Linking culture, language and education

5.61 The interrelated issues of language, culture and self-esteem were frequently brought to the Committee's attention in relation to education. A teacher from a remote community school told the Committee:

> I think any student who feels very confident in themselves and has a very clear understanding of their self-identity is naturally going to bring those skills into other subject areas. If they feel good about themselves, they are going to feel good about everything else they are doing.[56]

5.62 Similarly, Reconciliation Australia's 2003 report *Reconciliation: Together we're doing it* stated:

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54 Professor John Lester, Umulliko Indigenous Higher Education Research Centre, University of Newcastle, Transcript (07.04.03), p. 566.

55 The Hon. Bob Collins, (private capacity), Transcript (27.11.02), p. 167.

56 Mrs Ingrid Walkey, Strelly Community School, Transcript (06.08.03), p. 976.

> …a strong sense of who you are and how you feel about yourself, your culture and your place in society affects how you behave and how you take responsibility for solving your own problems.[57]

Language

5.63 Although many government-based submissions emphasised the need for English language acquisition, many Indigenous people emphasised the need for the teaching and retention of both traditional languages and English:

> Language is important to our children. They have to learn both ways: our language and English.[58]

5.64 Mr Richard Trudgen emphasised the importance of understanding how to communicate:

> … miscommunication is occurring on both sides… That is not the fault of the teachers, doctors, sisters and support staff who go to Indigenous communities. It is not the fault of the Indigenous people. In a sense it is the fault of a society that is not approaching the transfer of knowledge in an intellectual way and not using good theory to say that if you need to understand something you probably need to understand it in your first language, which you think and construct knowledge in.[59]

5.65 Trudgen went on to argue that:

> The argument is clearly that the best acquisition of English occurs when you teach as long as you possibly can in the first language. The literature is complete—it is irrefutable—in that the longer you teach in their first language, the better the acquisition of English is going to be.[60]

5.66 Mr Bob Collins told the Committee:

> … there are no kids in classrooms in Australia that face a bigger challenge than an Aboriginal kid in a remote community learning

57 Reconciliation Australia, 2003, *Reconciliation: Together we're doing it: 2003 Reconciliation report*, Canberra, p. 2

58 Mr Monty Hale, Nomads Charitable and Educational Foundation, Transcript (06.08.03), p. 964.

59 Mr Richard Trudgen, Aboriginal Resources and Development Services Inc., Transcript (27.11.02), p. 238.

60 Mr Stuart McMillan, Aboriginal Resource and Development Services Inc., Transcript (27.11.02), p. 241.

> English. You cannot get, in my experience, two cultures that are more dissimilar in their world views than the Western culture we belong to and traditional Aboriginal culture… In an Aboriginal community, one of the very few places where standard Australian English is routinely spoken is the school. It is not spoken in the community outside the school gate… If you do not go to school very often—the only place in the community where standard Australian English is spoken—your chances of acquiring good English are pretty grim. English needs to be taught as a foreign language in Aboriginal communities, not as a second language.[61]

5.67 The Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) told the Committee:

> For a school teacher whose job is to impart literacy and numeracy skills to a student, if that student does not have the basic capacity to communicate in … English…, then the relationship is doomed from the start.[62]

5.68 However, DIMIA emphasised to the Committee that:

> All communication has to be adapted to its audience in order to communicate.[63]

5.69 Some schools do teach traditional languages. A teacher from Strelly Community School told the Committee:

> … I think it is highly important that we continue to teach Nyungmarta [language] in the school for the students' benefits in maintaining their cultural identity, maintaining the language—keeping its importance—and valuing where these students are coming from: their community, beliefs and culture. It is an incredible self-esteem aspect of their education as well, I believe—self-identity.[64]

5.70 In some schools, cultural camps are used as a vehicle for traditional language acquisition or retention. A representative from Nomads Charitable and Educational Foundation told the Committee:

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61 The Hon. Bob Collins, (private capacity), Transcript (27.11.02), pp. 168-169.

62 Mr Stephen Oxley, Department of Immigration and Multicultural and Indigenous Affairs (DIMIA), Transcript (04.06.03), p. 694.

63 Mr Peter Vaughan, DIMIA, Transcript (04.06.03), p. 687.

64 Mrs Ingrid Walkey, Strelly Community School, Transcript (06.08.03), p. 975.

> Initially, we started with a very heavy bilingual component. That has been cut back over the years, simply because the emphasis has been on numeracy and literacy. We have had to do it. Many of the bilingual aspects are carried out in camps. The people go out and live traditionally for a week at a time and Nyangumarta is the main language spoken at those camps.[65]

5.71 The importance of language was emphasised to the Committee throughout the evidence, in terms of schooling and education, cultural pride and self-esteem, and the global importance of language retention.

5.72 The Committee therefore commends efforts to teach and retain traditional languages, and thus enhance the self-identity of students, and supports the teaching of English as a second language in schools where English is not the community's first language.

Culture and history

5.73 Much evidence emphasised the importance of Indigenous children knowing and understanding their history and their culture. One witness told the Committee:

> If we do not know who we are and where we have come from, we do not know where we are going.[66]

5.74 Arwarbukarl Cultural Resource Association (ACRA) told the Committee:

> We think that identity has a lot to do with our kids and has a lot to do with the problems they are facing today. A lot of our kids do not know who they are. They know they are Aboriginal, but that is the extent of what they know. They do not know the traditional ways. They do not know their language. They do not know how to go out and gather bush tucker. They do not know protocols. They do not know how to interact with a lot of the elders in their community… We established Arwarbukarl, with the help of Yarnteen, because a lot of our people are not aware of our traditional history…[67]

5.75 Mr Patrick Dodson, of the Lingiari Foundation, emphasised the importance of Aboriginal people learning about their spirituality as a basis

65 Mr Raymond Butler, Nomads Charitable and Educational Foundation, Transcript (06.08.03), p. 960.

66 Mr Abie Wright, ACRA, Transcript (07.04.03), p. 556.

67 Mr Abie Wright, ACRA, Transcript (07.04.03), p. 555.

for ethical and moral behaviour, and personal and community growth and development:

> The foundations for behaviour are often imparted in that same process of learning the spirituality of your country and of your roles and functions within an Aboriginal society.[68]

5.76 Reconciliation Australia's submission contained a quote from the National Indigenous Men's Issues Conference by Professor Mick Dodson, which stated:

> We need to work on creating an education system that is more responsive to our boys and young men. Better education, qualifications and skill will aid our self-determination and care for our community. Of course that alone is not enough, we have to play our roles as fathers or uncles or cousins or big brothers telling our young men and boys what it means to be accepted as a proper decent functional Aboriginal man.[69]

Valuing education

5.77 Mr Patrick Dodson spoke about the importance of developing a culture around valuing education:

> You have to start at the pre-primary age group, basically, and create a sense of what the learning environment is about... Gradually you build on the desire to learn. I think that is an important ingredient. If you do not get a sense that education is about a pursuit for knowledge, if it is simply about discipline and compliance to the disciplinary structures, then you are never going to go anywhere in the school system.[70]

5.78 Another component in the valuing of education is the link between education and employment, with one witness telling the Committee:

> … when talking to a lot of the young [Indigenous] people today what they say to me is, "Why should we bother? All we can look forward to is CDEP." We have to be able to provide a hope for

68 Mr Patrick Dodson, Lingiari Foundation, Transcript (08.08.03), p. 1100.

69 Professor Mick Dodson, cited in Reconciliation Australia, Submission 55, p. 13.

70 Mr Patrick Dodson, Lingiari Foundation, Transcript (08.08.03), p. 1103.

> those young people and say, "You have a future beyond CDEP"…[71]

5.79 A witness from the Catholic Education Office of Western Australia told the Committee:

> I believe that we will really value education when we Aboriginal people control some of the schooling, in terms of having teachers, principals and things... You go to Beagle Bay and you see those two [Aboriginal] teachers who are there now. Those kids do not just aspire to go through school; their aspiration is to study when they finish school… I think our valuing of education is growing where we have got good exposure, but I think we have to do better for people in some of our remote communities.[72]

Attendance

5.80 The need to address underlying quality of life issues and to make education more relevant was emphasised by Mr Bob Collins:

> … I think the major impediments still remain making education relevant to Aboriginal people. In terms of where Aboriginal people prioritise things, with most Aboriginal people that I know education is not high up on the list. Getting through the day is the challenge.[73]

5.81 A witness in Lombadina told the Committee that some parents lacked the will to send their children to school:

> Nowadays, the kids here, if they do not want to go school, they do not. There is no parent discipline I suppose, in that sense, to make their kids go to school… You cannot just look at what is here now, you have to look behind the history and at why people are like that. There are big issues from way back why parents are like that… There is a breakdown in the families in my generation where they have lost their parenting skills.[74]

5.82 The Dubbo Aboriginal Community Working Party also linked education to parents, and suggested the need for families to be supported:

71 Mr Ronald Morony, IBA, Transcript (04.12.02), p. 304.

72 Mr Norman Brahim, Catholic Education Office of Western Australia, Transcript (05.08.03), p. 957.

73 The Hon. Bob Collins, (private capacity), Transcript (27.11.02), p. 169.

74 Mr Peter Sibosado, Djarindjin Aboriginal Corporation, Transcript (07.08.03), p. 1029.

> … the support mechanisms need to be put into families, because our teenage mums and dads are becoming younger and younger and there is nothing there to support them or educate them on the importance of education. If they have not had it then they are not going to pass it on to their kids, so that is a big issue.[75]

5.83 The same witness went on to indicate that the structure of schools and the capacity of teachers contributed to lack of attendance and interest:

> … the structure of school is not for our kids: being stuck in classrooms all day and having teachers who do not really understand them or know how to support them… [The teachers] have not got the level of expertise...[76]

5.84 The Committee received evidence on a number of innovative programs aimed to encourage attendance and therefore improve educational outcomes. These are discussed in the following paragraphs.

Gumala Mirnuwarni (coming together to learn)

5.85 The Gumala Mirnuwarni (coming together to learn) program in the Pilbara (WA), has been in place since 1997, originally arising from the community's desire to see their children participating in schools.[77] It has involved collaboration and partnership between children, parents, schools, State and Commonwealth education authorities, three resource partners and a philanthropic organisation, in a program designed to improve educational outcomes for local Indigenous students.[78] A representative of Rio Tinto outlined one element of the project:

> It is a personal commitment contract. The document is, "I, the child, agree to go along to school and I, the family member, agree to support my child going to school." So there is a reciprocity contract, I suppose, rather than a formal legal document… If the child does not participate in school, then they are not welcome at the after-school program, the special program, that has been set up

75 Mrs Shirley Wilson, Dubbo Aboriginal Community Working Party, Transcript (07.11.03), p. 1433.

76 Mrs Shirley Wilson, Dubbo Aboriginal Community Working Party, Transcript (07.11.03), p. 1433.

77 Ms Janina Gawler, Rio Tinto Ltd., Transcript of discussion (19.02.03), p. 470.

78 Reconciliation Australia, Submission 55, p. 11.

> for them. So there is an expectation that their participation in school will lead to enhanced benefits.[79]

5.86 The results of Gumala Mirnuwarni have been extremely successful, with the initiative outlining its key strategies and history as follows:

- Education Enrichment Centres were established in Karratha and Roebourne, as places where students can study after school, with supervision and support. Homework and individual tutoring was undertaken. The centres were set up with educational resources including computers with internet access. Attendance was open to any student, not just project students.
- The Aboriginal Tutorial Assistance Scheme (ATAS) has been accessed via a bulk funding arrangement with DEST.
- Each student was assigned a school-based mentor, who meets regularly with the student to monitor academic progress and general well-being.
- Extra curricular activities could be arranged to develop confidence and abilities. These included visits to industry and education facilities, cultural awareness camps and self-esteem and learning workshops.
- Cultural awareness workshops were run for school staff.
- Family support for students.
- The project adopted a low profile with no publicity.
- The project sought to engage a full range of community and government organisations in working together.[80]

5.87 DEST told the Committee that:

> The government have recognised how successful the Gumala Mirnuwarni project was and we have taken it on board. We have not actually replicated it, but used it as a basis for work that was done under the Australians Working Together banner. Working Together for Indigenous Youth has rolled out the idea of compacts around the country, where you have the important mix of industry and local or regional community interests, or agencies working together with family, with schools, with industry and key partners. We acknowledge the importance of that.[81]

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79 Ms Janina Gawler, Rio Tinto Ltd., Transcript of discussion (19.02.03), p. 474.

80 DEST, *Learning for all: Gumala Mirnuwarni – Coming together to learn*, <http://www.dest.gov.au/archive/iae/analysis/learning/1/gumala.htm> (accessed 12.05.04).

81 Ms Kate Brodie, DEST, Transcript (18.06.03), p. 712.

5.88 DIMIA highlighted the importance of innovative approaches to improving school attendance which have been initiated by some Indigenous communities:

> ... we need to be encouraging innovation. I think there are a lot of novel or new ideas being tried in Indigenous communities in order to get better engagement with the education system. It is things like the no school, no pool thing.[82]

No School, No Pool

5.89 A report[83] investigating the benefits of salt water swimming pools in remote Aboriginal communities in Western Australia discussed the *No School, No Pool* concept.

5.90 After the publication of reports suggesting that Aboriginal children may benefit from reductions in pyoderma (known locally as 'skin sores') and otitis media (glue ear) through access to salt water swimming pools, the Western Australian Government built 25 metre, part shaded, salt water pools in three remote Aboriginal communities.[84] In order to encourage school attendance, entry to the pool was allowed on the production of a pass earned through school attendance, therefore, no school, no pool.

5.91 Swimming in salt water provides the equivalent of a nasal and ear washout and cleans the skin. The trials showed a number of positive health and social benefits including a reduction in pyoderma and glue ear, increased school attendance, children learning to swim (reducing rates of drowning), and a reduction in petty crime. The report concluded that:

> The community's enthusiasm for the intervention and support for the study have been key to the success of the project… The costs involved [in the provision of salt water swimming pools] will be a small price to pay for the reduction in severe chronic disease and improved health, educational, and social outcomes in this seriously disadvantaged segment of Australian society.[85]

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82 Mr Stephen Oxley, DIMIA, Transcript (04.06.03), p. 686.

83 Lehmann, D., Tennant, M., Silva, D., McAullay, D., Lannigan, F., Coates, H., and Stanley, F., 2003, *Benefits of swimming pools in two remote Aboriginal communities in Western Australia: intervention study*, PubMed Central, BMJ Publishing Group.

84 *ibid*

85 *ibid*

Conclusions

5.92 The Committee commends creative and innovative approaches to encouraging school attendance, particularly when there are positive spin offs in other areas, such as social and health improvements.

Pathways, early intervention and the utilisation of role models

5.93 The Committee received evidence on the importance of providing role models and of creating pathways for young Indigenous people in education, and beyond education.

Yamuloong Association

5.94 A witness from Yamuloong Association described its school-to-work program to the Committee, in which it encourages Aboriginal young people to stay in school, to go on to further education, or to go directly into employment:

> … we currently have relationships with 22 different high schools and we run what we call school-to-work orientation programs that are fully focused around providing our Aboriginal kids with identity, motivation, self-esteem and career opportunities.[86]

5.95 One of the ways in which Yamuloong builds self-esteem and motivates Indigenous youth is to provide role models:

> We put in front of the kids Aboriginal people who are currently going through university obtaining a degree or who have completed some formal training at university. The reason we do that is to promote role models. We continually promote role models within that program by introducing the kids to people who may have failed at school but have succeeded after school with university and so on.[87]

5.96 Yamuloong's approach is preventative, working with students right through from primary school to secondary school:

> We have taken the approach that, rather than trying to fix the problem when they have left school, we will attempt to fix the problem whilst they are in school.[88]

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86 Mr Sean Gordon, Yamuloong Association Inc., Transcript (07.04.03), pp. 553-554.

87 Mr Sean Gordon, Yamuloong Association Inc., Transcript (07.04.03), p. 563.

88 Mr Sean Gordon, Yamuloong Association Inc., Transcript (07.04.03), p. 554.

5.97 Yamuloong highlighted the importance of encouraging confidence in young people:

> We need to equip Aboriginal people as best we can to go out there and live in society and actually interact and coexist with pride in themselves and their culture...[89]

5.98 The Yamuloong Association told the Committee that its workplace English language and literacy program had had excellent results:

> We put 10 young Aboriginal boys into that [workplace English language and literacy] program who were aged between 16 and 21. The 10 boys in the program were all around the numeracy and literacy level of year 3 or year 4, which was astonishing. I have two of those young blokes working here with me. What we achieved with those guys was to move them from year 3 or year 4 levels up to year 6. The change in their attitude, motivation, confidence and self-esteem, just in getting up three grades, was unbelievable.[90]

Cape York Youth Network

5.99 The Cape York Youth Network coordinator told the Committee that they have developed a youth strategy to encourage learning, training, working, and saving, by getting young people involved in CDEP to abide by four mandatory requirements in order to receive their CDEP pay:

> First, they have to be in some form of literacy and numeracy training, whether it be in school or on an adult literacy and numeracy program being run in Aurukun. Secondly, they have to be in some form of real training such as training in small motors, light engineering, digital network activities, IT communication, libraries and so on—training that is real. Another mandatory requirement is that they participate in youth enterprise activities… [such as in the] Aurukun youth enterprise DVD store… The fourth requirement involves getting each young person who has signed up on CDEP to put away $15 of their CDEP and put it into an account to provide a youth resource bank.[91]

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89 Mr Abie Wright, ACRA, Transcript (07.04.03), p. 562.

90 Mr Sean Gordon, Yamuloong Association Inc., Transcript (07.04.03), p. 563.

91 Mr Donald De Busch, Cape York Youth Network, Cape York Partnerships (CYP), Transcript (07.07.03), p. 774.

5.100 This innovative 'carrot and stick approach'[92] is helping to develop, encourage, educate and train young people.

Moree Aboriginal Employment Strategy

5.101 The Committee also commends the work of the Aboriginal Employment Strategy (AES) in Moree, facilitated by Mrs Cathy Duncan and Mr Dick Estens, which focuses on employment through mentoring, working from a business perspective. They told the Committee:

> We are a company that looks at the words "pride", "passion" and "commitment" and instils them back into our Indigenous communities. Aboriginal people are very proud people, but for many years there has not been a lot for them to be proud about… We try to look at what our people want to be and take them there in reality.[93]

5.102 The AES is about working in partnership with the wider community and in reuniting factions within the Indigenous community to work together toward the same goal:

> We are an organisation that is in partnership, and we are only as good as our partners. As Indigenous people, we are only as good as the non-Aboriginal people that stand with us and walk with us. We tend to work together, learn together and live a little bit together. We realise that in society we all live in different worlds… I think in Moree we have been successful in creating what I like to call modern-day corroborees. It is about getting Aboriginal people to start to work together, because we have a lot of factions.[94]

5.103 The AES takes a pragmatic view of education:

> We have put together programs that have looked at school to work transitions—not warm and fluffy government ones but ones that are real, such as for a kid who was not coping in school and needed to be taken out in year 8 and given two days a week in a workplace. Now that young gentleman is in the third year of a panel-beating apprenticeship. I do not believe any kid needs to be taken out of a school but, at the end of day, schools are white institutions which were not created for Indigenous kids. We have

92 Mr Donald De Busch, Cape York Youth Network, CYP, Transcript (07.07.03), p. 774.
93 Mrs Cathy Duncan, Aboriginal Employment Strategy Ltd. (AES), Transcript (07.11.03), p. 1384.
94 Mrs Cathy Duncan, AES, Transcript (07.11.03), p. 1385.

> to look at the structures that are around Indigenous people and, if they are falling through them, look for avenues out.[95]

5.104 The innovative approach of the AES involves long-term, sustainable development:

> We are about building sustainable jobs for our people for life. We are about leaving lasting relationships in communities that build for their children and for the future.[96]

Education: not just for children and young people

5.105 The Committee received many submissions indicating that it is not just the education of children that is important, but, in many cases, the education of the whole community. A member of Ardyaloon Incorporated told the Committee that:

> I think education is at the basis of a lot of the issues, too, and I do not mean education as in necessarily just our children; I am talking about the community as a whole.[97]

5.106 The Catholic Education Office of Western Australia told the Committee:

> In our schools, our focus is to try and develop community through the development of children. In that whole process, we engage in lots of activities which try to empower families and Aboriginal people within the community to help us in that task.[98]

St Pauls Island Council

5.107 St Pauls Island Council in the Torres Strait told the Committee that the Council takes a supportive and consultative approach to the community's training and education needs, and plans for and invests in the community's education by putting money aside.[99] The school children also come in to the community council twice a year so they are involved in the process, and the council members act as mentors.[100]

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95 Mrs Cathy Duncan, AES, Transcript (07.11.03), p. 1384.

96 Mrs Cathy Duncan, AES, Transcript (07.11.03), p. 1386.

97 Ms Gayle Cook, Ardyaloon Inc., Transcript (07.08.03), p. 1060.

98 Mr Norman Brahim, Catholic Education Office of Western Australia, Transcript (05.08.03), p. 946.

99 Mrs Suzanne Hodgson, St Pauls Island Council, Transcript (06.11.02), p. 93.

100 Mrs Suzanne Hodgson, St Pauls Island Council, Transcript (06.11.02), p. 93.

5.108 The Council also invests in adult education, as the community felt under-skilled and wanted to address the problem. The community saw tradespeople and professionals coming in, working, then taking their skills and money away with them. They did not want this to happen, so enlisted the Council to help them skill up their own people to form an economic base in the community.[101] St Pauls Island Council emphasised to the Committee the importance of their community members learning from people outside the community and gaining new skills:

> … we said: what is the point of our people being qualified and only ever working here? We want to be able to pass on skills that people can use anywhere in the world, not just in the Torres Strait. So we encourage everybody to go away for 12 months and learn from other people as well and see how things are done differently down south—learn something, bring it back. What that does is expand their experience and they have got more chance of helping the people up here.[102]

Flexible education structures

5.109 In course of the inquiry, the Committee was made aware of other initiatives to enhance the education opportunities for Indigenous young people. Examples included the initiatives being undertaken in Balga Senior High School in Western Australia (particularly the Child Care Centre), and the pilot of the Core of Life program being undertaken in conjunction with the Talking Realities program at Whyalla in South Australia. These initiatives are innovative approaches to encouraging attendance through recognising barriers to school attendance, such as teen pregnancy. The Balga initiative involves a crèche on the school grounds and support for young mothers to continue their education, while the Whyalla program involves life education and the encouragement of young people to take responsibility for, and to understand their actions.

Conclusions

5.110 The Committee was heartened by such innovative approaches to building capacity and empowering people, particularly the successful use of role models and supportive mentoring to inspire and encourage people into work or education. Many submissions focused on the lack of pathways for young Indigenous people. The type of approaches mentioned above help

101 Mrs Suzanne Hodgson, St Pauls Island Council, Transcript (06.11.02), p. 87.

102 Mrs Suzanne Hodgson, St Pauls Island Council, Transcript (06.11.03), p. 93.

identify those pathways and support Indigenous people to achieve in the areas of education and employment.

The capacity of teachers

5.111 Concern over the ability of teachers to relate to, understand and teach Indigenous students was highlighted in a number of submissions. One witness told the Committee that the capacity of the teacher has an impact on the children's interest and attendance:

> It depends on the types of teachers… We have had teachers before who are very good and they really care for the kids. You see it in the way they encourage the kids to learn and also help them to help themselves do all sorts of things.[103]

5.112 Another witness told the Committee that Indigenous communities can have difficulties in attracting teaching staff:

> The image of dysfunctional communities that has been created by the press means that we are getting fewer and fewer applications for teachers. In the early days, we were overwhelmed with them, but over the last two years we have found it very difficult to get suitable teachers.[104]

5.113 The Catholic Education Office of Western Australia told the Committee that it employs and provides professional development and training to 120 Aboriginal teaching assistants across WA.[105] A major focus of the Office is on encouraging Aboriginal teachers to return to their local communities once they are trained, highlighting the importance of Aboriginal teachers as role models to Aboriginal children:

> At the moment, for example, in Beagle Bay we have two Aboriginal teachers who come from that community, who have done their training and are now contributing to that community in a real and significant way. If you are talking about capacity building, I cannot think of better examples.[106]

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103 Mr Andrew Sampi, Djarindjin Aboriginal Corporation, Transcript (07.08.03), p. 1029.

104 Mr Raymond Butler, Nomads Charitable and Educational Foundation, Transcript (06.08.03), p. 961.

105 Mr Anthony Giglia, Catholic Education Office of WA, Transcript (05.08.03), p. 950.

106 Mr Anthony Giglia, Catholic Education Office of WA, Transcript (05.08.03), pp. 950-951.

5.114 DEST brought to the Committee's attention the work of Adrian Brahim, ATSIC Kalgoorlie Regional Manager, who was preparing teachers to work in remote Indigenous communities by:

> … presenting a video and saying to teachers and the universities in Perth, "Before you come out, have a look at this video. Have a look at the environment, the language, the social and alcohol issues et cetera. Understand where you are going and that you need to change your views of the world".[107]

5.115 In relation to remote communities and teachers, Bob Collins told the Committee that a lot of cross-cultural education was 'completely useless', as the way it was delivered could often have detrimental effects.[108] He explained that one young teacher had received complex cross-cultural education on skin relationships and information on what was and was not appropriate behaviour, but that:

> By the time she had finished it [the course], she was terrified to talk to an Aboriginal or look at one…[109]

5.116 However, Mr Collins explained that Indigenous communities themselves could deliver useful cross-cultural orientation. He went on to explain that a community in the Tiwi Islands had produced its own resource material:

> … the community has produced its own resource material… which includes a significant component of language. A lot of common names and common conversational… is given to teachers at the time they are recruited to go to the Tiwi Islands. It is friendly material for them because they are teachers. They are used to reading books. By the time they get to the island, they are in a position to ask informed questions. Local people are then employed and paid—resources are available to do this—to come into the school to talk to the recruits about that community… I think that is the way it should be delivered. It should be delivered in the communities.[110]

5.117 In relation the development of teaching methods, the South Australian Government told the Committee that it is building up research by requiring that Aboriginal education teachers conduct action research

107 Mr Shane Williams, DEST, Transcript (18.06.03), p. 707.
108 The Hon. Bob Collins, (private capacity), Transcript (27.11.02), p. 173.
109 The Hon. Bob Collins, (private capacity), Transcript (27.11.02), p. 173.
110 The Hon. Bob Collins, (private capacity), Transcript (27.11.02), p. 173.

(research while doing).[111] An important element of this is sharing information about what works for Indigenous students with teachers and other schools:

> What works for different schools may be slightly different but they can be adapted. We insist that Aboriginal education teachers initiate action research and, with the Aboriginal Education Unit's support, that these people write up their projects showing baseline data improvements or, if there have not been improvements, why there have not been improvements. We publish that so that it can be shared. We also hold conferences for those teachers to share that information.[112]

5.118 The witness went on to state that in South Australia, all schools where there are 20 or more Aboriginal students have an Aboriginal education worker, who is an Aboriginal person, and that there are approximately 70 Aboriginal teachers at the school level and 13 at the preschool level.[113]

5.119 The Committee commends the gathering of research on establishing methods to achieve better educational outcomes for Indigenous students.

Special needs students

5.120 The Committee received some evidence on the rising number of Indigenous children requiring 'special needs' teaching as a result of poor hearing or deafness from glue ear and learning difficulties from foetal alcohol syndrome. A witness from Palm Island told the Committee:

> A lot of children in our schools suffer with ADD and a lot of children have alcohol syndrome. There is no real support there for them to learn.[114]

5.121 A representative of Apunipima Cape York Health Council explained that:

> We know that children affected by foetal alcohol syndrome find it difficult to socialise. It is a bit like ADD: they do not react in the same way to external stimulus as children not affected by that

111 Ms Jillian Miller, Aboriginal Education Unit, Department of Further Education, Employment, Science and Technology, South Australian Government, Transcript (23.09.03), p. 1180.

112 Ms Jillian Miller, Aboriginal Education Unit, Department of Further Education, Employment, Science and Technology, SA Government, Transcript (23.09.03), p. 1180.

113 Ms Jillian Miller, Aboriginal Education Unit, Department of Further Education, Employment, Science and Technology, SA Government, Transcript (23.09.03), p. 1181.

114 Councillor Delana Foster, Palm Island Aboriginal Council, Transcript (08.07.03), p. 816.

> syndrome, they need different routines of feeding and schooling, they have poor concentration in school. They really need intensive assistance at community level right through their cycle.[115]

5.122 The Committee acknowledges the increase in the incidence of health and environmental problems affecting learning. The increasing incidence of deafness and foetal alcohol syndrome are of great concern. Adding to these illnesses are the cumulative affects of reduced energy levels and developmental progress from poor nutrition, and the negative effects of alcohol and substance misuse on school attendance and learning abilities generally. The young age of the Indigenous population and the expected population increases will only exacerbate these problems unless appropriate and sustainable health and community related capacity building can take place.

5.123 Many Indigenous organisations recognise the current issues and are working with early intervention and education programs. For example, in recognition of the causes and effects of foetal alcohol syndrome, Apunipima Cape York Health Council is implementing a prevention program:

> … the intervention strategy that Apunipima is working on now is to ensure that girls from the age of 12 or 13 onwards, just as they are reaching puberty, understand the impacts of drinking on their future children, to ensure that mothers intending to become pregnant—and fathers too—understand the impacts of drinking on children and to ensure that there are community support networks for children who are affected. So it is a program that can work at a number of levels and has great potential.[116]

Community ownership of and involvement in schools

5.124 The research undertaken as part of the Harvard Project on American Indian Economic Development indicated that Indigenous community involvement in schools positively affected attendance rates, which improved literacy and numeracy. Additionally, Indigenous community involvement led to a feeling that they were *their* schools, rather than

115 Ms Jacqueline Lavis, Apunipima Cape York Health Council, Transcript (07.07.03), p. 765.

116 Ms Jacqueline Lavis, Apunipima Cape York Health Council, Transcript (07.07.03), p. 765.

someone else's schools imposed on them.[117] A member of the Harvard Team went on to tell the Committee:

> When our people get involved in the curriculum and on our own school boards in our own communities, the community begins to benefit. The children have a reason to go to school, to stay in school. They are taught in their own culture, they are taught in their own language… but they are also taught about the larger society as well. That has not happened everywhere, but where it occurs, changes are made—in literacy and in lower welfare dependency.[118]

5.125 A member of the Palm Island Aboriginal Council told the Committee:

> It is about community ownership. Give us the school and we will run it. We will own it and we will put in our own programs and we will set up our own disciplinary measures.[119]

5.126 Professor Lester, who was the first Aboriginal professor of Aboriginal studies in New South Wales and the first Aboriginal principal of a TAFE college in Australia, told the Committee:

> … there could be no more important area than getting communities to come up with their own answers. We need to have the capacity to work with communities in that regard. Education should be delivered flexibly enough so that it is responsive to community needs, not dictatorial of what people in ivory university towers perceive is needed in communities… That is the way we have to go: let the community articulate its needs and let education support and develop it from that point on.[120]

Indigenous education advisory bodies

5.127 The Committee received evidence from the Victorian Aboriginal Education Association (VAEA), which is a State-wide Koori-controlled community organisation consisting of representatives from early childhood through to tertiary education, from all over Victoria. It is the

117 Professor Stephen Cornell, Udall Center for Studies in Public Policy, University of Arizona, Harvard Project on American Indian Economic Development, Transcript (03.11.03), p. 1369.

118 Mr Neil Sterritt, Sterritt Consulting Ltd., Harvard Project on American Indian Economic Development, Transcript (03.11.03), p. 1369.

119 Councillor Deneice Geia, Palm Island Aboriginal Council, Transcript (08.07.03), p. 816.

120 Professor John Lester, Umulliko Indigenous Higher Education Research Centre, University of Newcastle, Transcript (07.04.03), p. 572.

peak advisory body to the State government in relation to education policy and strategic programming.[121]

5.128 The VAEA believes it may have been the first Koori community representative group to form a partnership with a State government in relation to education.[122] The partnership document is referred to as Yalca, and the VAEA have renewed it with successive governments since its inception in 1990.[123] The initial focus of the partnership document was the provision of services and the development of those services to be more amenable to, and accepting and welcoming of, Koori students. The partnership has evolved and is now focussed on outcomes and on the student. Mr Bamblett told the Committee:

> We are [now] saying, "Let's focus on the student; let's get the student to the table." You can have the best programs in the world but, if you do not have the students sitting at the desk in the learning environment, they are not going to learn.[124]

5.129 The VAEA also have a strong focus on community engagement and involvement, and on encouraging community participation. The involvement of community representatives has grown in the last two decades, from five to 27 communities.[125]

5.130 The VAEA argued the importance of making learning environments welcoming to Koori people, but also emphasised the importance of changing parents' attitudes to school and attendance:

> We [VAEA] want to put in place education centres so we can change the pattern, so we can change parents' attitudes. We want to work with parents and say, "It is important that your children attend school every day. They have to be there for the literacy and numeracy lessons. They can't come late because schools are structured in a particular way and there's a lesson your children have to learn." We work in the early childhood area and that is where we have to start. We have to start at the very beginning to ensure that our Koori kids are getting through and completing

121 Mrs Geraldine Atkinson, Victorian Aboriginal Education Association Inc. (VAEA), Transcript of discussion (19.02.03), p. 495.

122 Mr Lionel Bamblett, VAEA, Transcript of discussion (19.02.03), p. 498.

123 Mrs Geraldine Atkinson, VAEA, Transcript of discussion (19.02.03), p. 496.

124 Mr Lionel Bamblett, VAEA, Transcript of discussion (19.02.03), p. 498.

125 Mr Lionel Bamblett, VAEA, Transcript of discussion (19.02.03), p. 498.

> VCE, or even getting to year 9 and being able to read and write and become numerate.[126]

5.131 The Committee commends such a collaborative approach and the pooling of knowledge and cooperation to achieve shared goals. The Committee is heartened to see such a State-wide Koori body working toward improving educational outcomes. The Committee also commends the VAEA in working with parents to encourage an approach that values education.

5.132 A witness from Victoria indicated to the Committee that, though significant developments have been made in support and advisory services (such as the VAEA), these valuable resources were not being accessed by many schools:

> We keep talking about partnerships. There does not seem to be that partnership. We have regional Koori education development officers, we have the local Indigenous education groups, but schools ignore their existence. They think that they know how to deal with these issues, and they do not.[127]

Conclusions on education

5.133 Though educational outcomes are still unacceptably low for Indigenous Australians, the Committee recognises that improvements are being made through the efforts of Indigenous organisations, Indigenous communities and Indigenous people themselves, as well as through the efforts of government, particularly with collaboration and partnerships with Indigenous groups.

5.134 The Committee acknowledges that improving across the board educational outcomes will take time, and that capacity building and empowering approaches can produce outstanding results through encouraging and supporting people to take responsibility and control over their own futures.

5.135 Action needs to be undertaken at a variety of levels to achieve short term results and to prepare for longer-term achievements. Contributions to improving educational outcomes will vary depending on the situation, particularly in differences between urban, regional or remote settings.

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126 Mrs Geraldine Atkinson, VAEA, Transcript of discussion (19.02.03), p. 501.

127 Mrs Linda Haynes, South West Institute of TAFE, Transcript of discussion (18.02.03), p. 404.

5.136 The Committee supports efforts to invest in Indigenous-led organisations working to empower and support Indigenous students and create pathways from school to work, or school to further study.

Banking services and financial literacy

5.137 The matter of Indigenous people having access to, and understanding of, banking services in rural and remote areas is of concern to the Committee. There is much evidence to suggest that a lack of understanding of financial matters is detrimental to the ability of some Indigenous people to save money, to ration income, to navigate banking related technology, to avoid exploitation by dishonest operators, to access capital, and to function as full members in the economy. As one submission noted:

> Individuals without access to banking services are… at an economic disadvantage. Without the ability to save, individuals are denied a range of economic opportunities and, in particular, the opportunity to break out of the "poverty trap".[128]

5.138 The Committee received evidence highlighting the difficulties that arise when people do not understand how the banking system works, such as checking an account balance multiple times without realising this will incur large fees. Capacity needs to be built both at the level of the individual and at the level of banking institutions, both of which can be enhanced with the help of governments.

The banking industry

5.139 Indigenous Business Australia (IBA) emphasised the lack of banking services in many remote communities, and went on to tell the Committee:

> When we talked to the banks some of them were very surprised at the information that we provided to them of the difficulties that are confronted in remote communities.[129]

5.140 It is of concern to the Committee that some banks were not aware of the issues faced by people in rural and remote parts of Australia. There is a substantial body of knowledge relating to Indigenous banking issues in Australia. This can be seen through inquiries such as the Parliamentary Joint Committee on Corporations and Financial Services, 2004 report

128 Stegman, cited in FaCS, Submission 46, p. 23.

129 Mr Morony, IBA, Transcript (04.12.02), p. 299.

Money Matters in the Bush: Inquiry into the Level of Banking and Financial Services in Rural, Regional and Remote Areas of Australia; through workshops such as that undertaken in 2002 by Reconciliation Australia;[130] through research by organisations such as ANU's Centre for Aboriginal Economic Policy Research and papers such as *Banking on Indigenous communities: Issues, options, and Australian and international best practice*[131] produced in 2002; through information produced by banks such as Westpac and its Regional Community Partnerships section; and through publications produced by Indigenous organisations such as Cape York Partnerships. Thus, it appears to the Committee that it is not a lack of information, but a lack of will and commitment by key players.

5.141 In relation to the way governments interact with banking institutions, Mr Joseph Elu of IBA told the Committee:

> … in Canada and America they treat banking and financial services as an essential service to the community where regulators put down certain rules that apply and if you do not meet those rules you lose charter. In Australia, governments and/or regulators treat banks as if they are untouchables… [The] banking board of Canada took it on themselves to … [produce] a curriculum that is written by the banks and put into the education system to teach kids on financial and banking services. And, of course, the ABA here say they have no money to do such things.[132]

5.142 The Committee notes the Canadian banking situation with interest and believes the concept merits further investigation. The Committee supports the recommendation made by the Joint Committee on Corporations and Financial Services, recommending that the Australian Bankers' Association examine the work being undertaken by the Canadian Bankers' Association, with a view to adopting similar practices.[133] However, the Committee believes this should be undertaken in partnership with the Commonwealth Government and with Indigenous input.

130 Reconciliation Australia Banking Workshop, held in Sydney 2002.

131 See <http://www.anu.edu.au/caepr/Publications/WP/CAEPRWP18.pdf>

132 Mr Joseph Elu, IBA, Transcript (04.12.02), p. 297.

133 Parliamentary Joint Committee on Corporations and Financial Services, 2004, *Money Matters in the Bush: Inquiry into the Level of Banking and Financial Services in Rural, Regional and Remote Areas of Australia*, Recommendation 26, p. 253 – The Committee recommends that the banking industry take a far more active and constructive role in improving the level of financial literacy for all Australians but particularly among Australia's Indigenous people. It recommends that the ABA examine closely the work being undertaken in Canada by the Canadian Bankers' Association with a view to adopting similar practices.

5.143 The Committee believes the Commonwealth Government needs to take a leadership role in ensuring the banking industry is aware of the unique challenges faced by Indigenous people in remote and rural areas, and that banking organisations work with governments and communities in addressing such issues. A successful model of such a tripartite partnership involves Westpac, FaCS and Cape York Partnerships, previously discussed in chapter four.

Support services

5.144 The Committee cannot emphasise enough that it is not just the provision of services to rural and remote Indigenous communities that is essential, but also the accompaniment of such banking services with education and support. For example, in relation to the banking program in Tangentyere, FaCS told the Committee:

> … because they have banking officers there to train people in terms of banking, initially the loss of cards, replacement of cards and that sort of thing was pretty high. But over the life of the project people became used to using cards and using the ATM, which we had installed by Westpac at Tangentyere. It was a safe environment, and they could call on a banking support officer for help to use it. People can choose to take the card or to store it at Tangentyere, and indications are that it is actually working well.[134]

5.145 Indigenous Business Australia also emphasised the importance of support and education services:

> … what we are trying to build in is not only putting in facilities—just putting in an ATM in remote communities is not the answer—but coupling that with education and support; and we looked at a couple of examples. The one being run by Tangentyere Council and the Traditional Credit Union out at Darwin are providing that level of support.[135]

5.146 Both young people and adults may require financial literacy training, which indicates the need to introduce an understanding of financial matters in school environments, together with teaching adults as they access services. Literacy and numeracy in general are much lower for Indigenous than for non-Indigenous Australians, and this contributes to

134 Mr Barry Smith, FaCS, Transcript (25.06.03), p. 735.

135 Mr Ronald Morony, IBA, Transcript (04.12.02), p. 300.

problems surrounding financial literacy. The need for training involves knowledge of basic banking, and once that foundation is established, the need for more complex financial training will arise for some people, particularly in relation to business and enterprise development, as one witness told the Committee:

> Aboriginal people, when going into business, do not have a history of business. They do not have generations in business, like the Greek community or the Vietnamese community—when those cultures migrate here, they have that history and they also have families to support them [in business]. Our communities do not have that. They are starting up on their own. A lot of them do not have the assets to be able to go to a bank and say, "We want to borrow money." … It is a basic lack of business understanding... We do not have Aboriginal people in business or with a history of being in business. We have a few successful models that we can look at, like Balarinji, but not much apart from that.[136]

Strategies to build financial literacy

5.147 The need to assist some Indigenous people to understand financial matters is clear, as is the need for governments, communities and banks to work together. The Committee received evidence from a number of innovative programs and partnerships designed to empower Indigenous people to operate in the economy, such as:

- the Traditional Credit Union, which was established in 1994 to provide culturally appropriate financial services to Aboriginal people living in remote communities in the Northern Territory, particularly those disadvantaged by a lack of existing services;[137]
- the First Nations Credit Union, which was established in 1999 as a division of Australian National Credit Union, to assist Aboriginal and Torres Strait Islander peoples take better control of their finances and economic futures by establishing an independent Indigenous Credit Union owned and operated by Indigenous people;[138]

136 Ms Esmai Manahan, Transcript of discussion (18.02.03), p. 401.

137 For more information see Traditional Credit Union Limited, <http://www.tcu.com.au/home/default.asp> (accessed 02.06.04)

138 For more information see First Nations Australian Credit Union, <http://www.australiancu.com/firstnations/home/default.asp> (accessed 02.06.04)

- the Family Income Management initiative, which is a partnership between Westpac, FaCS and Cape York Partnerships to assist families share their resources and build an understanding of responsibility which will re-empower families and individuals through the prioritised and planned use of financial resources;[139]
- the *Money $tory* initiative, a financial literacy program, which is used by Indigenous organisations across Northern Australia to improve people's abilities to participate in decision making and management;[140] and
- the Centrepay system provided by Centrelink, where recipients of eligible payments from Centrelink nominate amounts to pay for services such as rent or power, which are automatically transacted, free of charge.[141]

Conclusions

5.148 Access to basic banking services and an elementary knowledge of how banking works are fundamental to improving the quality of life of Indigenous people.

5.149 There are many innovative initiatives working to address the lack of banking services in some communities and the lack of financial knowledge of some groups, though much more could be done to address such issues. The Committee hopes to see a greater commitment by the banking industry, working together with governments and Indigenous communities.

Crime, safety and justice

5.150 This section will cover crime, safety and justice issues, exploring sentencing models, preventative measures, community justice groups, night patrols and partnerships with police. The Committee received

139 For more information see Cape York Partnerships, Family Income Management, <http://www.capeyorkpartnerships.com/project/families/fim.htm> (accessed 02.06.04)

140 For more information see Friends of the Fred Hollows Foundation: Hugh Lovesy, <http://www.hollows.org/resources/profiles/hugh_lovesy.htm> (accessed 02.06.04)

141 For more information see Centrelink, Centrepay, <http://www.centrelink.gov.au/internet/internet.nsf/services/centrepay.htm> (accessed 02.06.04)

evidence of a variety of approaches to increasing community safety, reducing crime and making justice processes more effective and relevant. A separate section specifically addressing family violence and alcohol and substance misuse follows.

Cooperative justice models

5.151 The Committee received evidence on various models of cooperative justice, such as the Koori Court in Victoria and Circle Sentencing in New South Wales. These are not the only examples of such cooperative approaches, but they are some on which the Committee received evidence.

The Koori Court, Shepparton Magistrates' Court

5.152 The Committee received evidence on the implementation of the Victorian Aboriginal Justice Agreement, which arose from a long period of consultation with Aboriginal community groups and successive Victorian Governments to produce a series of reforms, including the trial of a Koori Court system.[142] The first task of the Justice Agreement included the development of a Liaison Officer role to provide magistrates with insights about Koori offenders, to link offenders and their communities and connections for the purposes of court and sentencing, to ensure that the Court continued to engage in cultural education, and to ensure the flow of information between local communities, the chief magistrate and the executive team.[143]

5.153 The second task included the development of an Aboriginal bail justices training program, involving the recruitment and training of Aboriginal people to fill bail justice positions. The Senior Magistrate told the Committee:

> The bail justices program was part of a recognition that Aboriginal people were not in the justice system in positions of power or in positions where they were having their knowledge recognised, and also their knowledge of the manner in which their communities could be assisting in bail processes.[144]

5.154 The third task of the Agreement was the development of the Koori Court, created under the *Magistrates Court (Koori Court) Act 2002*, to sentence

142 Dr Kathryn Auty, Victorian Magistrates' Court, Transcript of discussion (17.02.03), p. 346.
143 Dr Kathryn Auty, Victorian Magistrates' Court, Transcript of discussion (17.02.03), p. 346.
144 Dr Kathryn Auty, Victorian Magistrates' Court, Transcript of discussion (17.02.03), p. 347.

Koori defendants who have pleaded guilty. The Koori Courts are part of a two-year pilot program. The Shepparton Koori Court began in 2002, and the trial was extended to Broadmeadows in 2003. The Koori Court system was based on the Nunga Court model in South Australia. Queensland also operates an Aboriginal Court, the Murri Court in Brisbane.

5.155 The Koori Court involves tailoring sentences to the cultural needs of Koori offenders in order to address concerns arising from the Royal Commission into Aboriginal Deaths in Custody and to reduce re-offending rates. The Court process is more informal than other Courts, and involves the Magistrate, a Koori Elder or Respected Person, the Aboriginal Justice Worker, and Koori defendants and their families, all of whom can contribute during the court hearing.[145] The Koori Justice Officer emphasised the importance of the involvement of Koori Elders and Respected Persons in the Court:

> … the elders and respected persons play a role in laying down the law and what the community code of conduct is… It is good having a magistrate who is able to hand down sentences and also speak about what the law is which we live under[,] but then our elders and respected persons can also speak about the cultural laws and how they are linked.[146]

5.156 The Senior Magistrate told the Committee of the importance of affording respect to Indigenous Elders and Respected Persons:

> So in terms of capacity building… we think that what we are doing is ensuring that the respect that people have previously had afforded to them in their communities is carried in through the doors of the courts.[147]

5.157 The Magistrate went on to emphasise the significance of actively promoting the accessibility of the Koori Court in Shepparton:

> That [community spirit and accessibility] simply cannot be underestimated. By having Aboriginal people work in the courts we have effectively stripped it of its white veneer... In building

145 The Magistrates' Court of Victoria, *What is Koori Court?* <http://www.magistratescourt.vic.gov.au/CA256CD30010D864/page/Specialist+Court+Jurisdictions-Koori+Court?OpenDocument&1=60-Specialist+Court+Jurisdictions~&2=20-Koori+Court~&3=~> (accessed 21.05.04).

146 Mr Daniel Briggs, Koori Court Division, Shepparton Magistrates' Court, Transcript of discussion (17.02.03), pp. 355-356.

147 Dr Kathryn Auty, Victorian Magistrates' Court, Transcript of discussion (17.02.03), p. 349.

> capacity for Aboriginal people and justice in Shepparton the answer is to have the door open and your ear open as well, and that is what we are trying to do.[148]

5.158 The Committee notes the March 2004 announcement of the intention to create a Children's Koori Court to address juvenile over-representation in the justice system.

Circle Sentencing

5.159 The Committee received some evidence on the Circle Sentencing trial in New South Wales. At the time of hearing evidence, Circle Sentencing in NSW involved a trial in Nowra. One witness told the Committee:

> It is not a separate Koori court; it is part of the existing court. When someone is going to be sentenced, the whole court adjourns out to somewhere where everyone sits down in a circle and talks about it—people from the community, the elders, the magistrate, representatives from the police, the offender, and his or her family. It takes all day to do one sentence, so it is very resource intensive.[149]

5.160 It was argued that the outcomes of this approach were better than sentencing Indigenous people through the conventional court system, both in terms of compliance with community service and periodic detention orders, and in terms of the community feeling that justice had been served. However, the model was criticised for being resource intensive.[150]

Youth conferencing

5.161 A similar approach to the conference style of Circle Sentencing had been developed in NSW, relating to the *Young Offenders Act 1997*. One witness told the Committee:

> … [The process] involves conferences which are not quite like circle sentencing but on a vaguely similar model where you involve community members, the young offender and their family members or support people, and the victim. The feedback from

148 Dr Kathryn Auty, Victorian Magistrates' Court, Transcript of discussion (17.02.03), p. 354.

149 Mr Richard Wilson, Sydney Regional Aboriginal Corporation Legal Service, Transcript (08.04.03), p. 641.

150 Mr Richard Wilson, Sydney Regional Aboriginal Corporation Legal Service, Transcript (08.04.03), p. 641.

> our clients is that having to face their victims is much harder than going to court and being told by the magistrate not to do it again or even being locked up for a short period of time. I think the police still see it as a softer option, ironically, when our clients see it as a harder option. That is having some impact in terms of letting young people know the results of their actions… [But] It is something that perhaps is underutilized, because it involves the police in seeing it has a hard option.[151]

5.162 The evidence suggests that the perpetrator seeing the implications of their actions and being shamed by their community can work as a stronger deterrent than impersonal punishments such as incarceration. Measures to prevent further offending, such as supporting young people to find work or participate in education and training activities are commendable.

Conclusions

5.163 The Committee considers that preventative and supporting approaches to justice will contribute to reducing the overwhelmingly high incidence of Indigenous incarceration. Though such measures may at first seem resource intensive, if the result is a reduction in repeat offending, then the initial costs will result in savings to both the criminal justice system and society in general over the long term.

5.164 The acknowledgement of tradition and custom, the involvement of elders, and the inclusion of the offender's family and community members, have been shown to be effective, particularly with an approach that acknowledges and discourages wrongdoing, while at the same time offering support and encouragement to change the offender's behaviour.

5.165 The Committee commends the Koori Court and Circle Sentencing models, while also acknowledging the work of other cooperative justice models throughout Australia.

Community responses to crime and safety

5.166 The Committee received evidence from communities that were addressing crime in positive ways, such as through the development of community policing initiatives, called Aboriginal Community Patrols, Night Patrols,

151 Mr Richard Wilson, Sydney Regional Aboriginal Corporation Legal Service, Transcript (08.04.03), p. 642.

Street Patrols, Bare Foot Patrols, or Mobile Assistance Patrols, depending on locality, and the development of Community Justice Groups.

5.167 The Western Aranda Rel-aka Aboriginal Corporation explained to the Committee that it was working to build the capacity, pride and respect of their community:

> We talk about the past, the present and the future. We talk about how the old people used to look after the land before, how they were strong with law and culture. We are trying to bring that to the present now, to our children now, to work towards our future so they can be strong like the elders, looking after their land and culture and be responsible and respectful. That is what the committee works for.[152]

5.168 In relation to their committee focussing on family violence, the Western Aranda Rel-aka Aboriginal Corporation told the Committee:

> We have perpetrators on our committee. We have victims on our committee. Everybody says, "Why do you have people like that?" We wanted them on the committee so they can see the wrongs that they are doing and that hurting their people is not tolerated anymore. We speak openly about it. We have people sitting there that lost many, many people. And that is when I can refer to the sad stories, why we get together and talk about our own people. And we embarrass our own people: "You were like this. You were a woman basher. Now you are a committee member." It is good. So we kind of put them down and we praise them. We show them where they used to be. Nobody is perfect. We have all got our own mistakes, our own children. So we use that. We do not just go and say, "You are bad. You did this and that." No, we say, "You were bad but now you're coming a long way to be good."[153]

5.169 Many witnesses to the inquiry explained to the Committee that the will exists in many communities to address crime and violence. A member of the Tangentyere Council told the Committee:

> The women [here] are a driving force in regard to having a safe community. If they want a safe community, they will stand up and

152 Mrs Alison Hunt, Western Aranda Rel-Aka Aboriginal Corporation, Transcript (25.09.03), p. 1329.

153 Mrs Alison Hunt, Western Aranda Rel-Aka Aboriginal Corporation, Transcript (25.09.03), p. 1334.

> they will make it safe, such is the force of some of the grandmothers.[154]

5.170 Tangentyere Council told the Committee of a program it ran that was designed to reduce repeat offending relating to driving licences:

> … we are part of a drink-driving licence thing in the jail. About 60-odd per cent of the Aboriginal population are in there either because they have not got a licence or for a drink-driving offence. So what we have done is work very closely with IAD [Institute for Aboriginal Development] and the prison officials to set up a driving school in the prison that gives people their licences before they are released. A lot of those people have never had a licence before. It would be the first time that they have had a licence and they may value it a lot more. So we are hoping that that will reduce the amount of people going to jail for those offences.[155]

5.171 Many Indigenous groups have set up committees and councils to address crime and safety issues in their communities. These range from formal Justice Councils, to men's, women's and youth groups.

5.172 The Queensland Government told the Committee about the legislative changes it had instituted to provide statutory power to community justice groups:

> The amendment to the Community Services (Aborigines) Act [QLD] provides, for [the] first time, statutory backing and legislative support for community justice groups. We are confident that those sorts of alternative governance mechanisms are absolutely critical to Aboriginal communities… The community justice groups are particularly important in providing, revitalising and re-energising Indigenous law in both of its forms—law and lore. It is a key pillar in terms of restoring justice in communities by applying the first principle of justice—that is, it should be administered by your peers. So, for the first time, community justice groups will be recognised in legislation. Ten groups on the mainland have now been submitted to our minister to be processed through into statutory regulation.[156]

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154 Mr William Tilmouth, Tangentyere Council, Transcript (25.09.03), p. 1303.

155 Mr William Tilmouth, Tangentyere Council, Transcript (25.09.03), pp. 1299-1300.

156 Mr Tony Dreise, Department of Aboriginal and Torres Strait Islander Policy, Queensland Government, Transcript (09.07.03), p. 858.

5.173 The Committee is heartened to see Indigenous groups taking responsibility for addressing crime and safety issues in their communities, and commends State and Territory governments that are supporting and working with such groups. A number of submissions highlighted the personal danger members of such justice related groups may face from community opposition:

> It is not always easy… for people such as community justice group members on the ground, living in the community. It takes a lot of courage for them to be involved in these things...[157]

5.174 The Committee acknowledges the strength of people trying to address such complex and demanding issues.

Cross-cultural training for police

5.175 A number of Indigenous organisations indicated the development of partnerships with local police. These partnerships took a number of forms, with one common theme being communities providing training for local police, to help them understand Indigenous perspectives and the particular issues and intricacies of a particular community. For example, the Rumbalara Aboriginal Cooperative informed the Committee:

> Next week for two days we have cross-cultural training with the police. Ten local policemen—it is compulsory for them—are going to spend time at Barmah, where the main family groups here originated from. They are coming over here for the day to do some cross-cultural training with the police, giving them a little bit of knowledge about the local community and not just the text book stuff. It will give them a little bit more face-to-face and hands-on experience.[158]

5.176 A witness from the Victorian Aboriginal Community Services Association told the Committee that it undertook cross-cultural training for the judiciary in Victoria:

> We have had them go away for the weekend and stay at the one place. They have been able to have the sort of program where they are exposed, if you like, to the stories from Aboriginal people, the things that are there and the things that they need to be aware of

157 Ms Barbara Flick, Department of Aboriginal and Torres Strait Islander Policy, Queensland Government, Transcript (09.07.03), p. 873.

158 Mr Justin Mohamed, Rumbalara Aboriginal Corporation, Transcript of discussion (17.02.03), pp. 384-385.

> when Aboriginal people front them. It has borne some good fruit. We have made some good friends out of it, and there are people who have worked pretty well in terms of the Koori Court and other things.[159]

5.177 The Committee supports the exchange of information that forms part of such cross-cultural training exercises, and the building of networks and relationships that form a foundation for working together towards a shared goal.

Legal services

5.178 The Committee received evidence concerning differential funding received by mainstream service providers in comparison to Aboriginal community controlled organisations:

> …we [the Sydney Regional Aboriginal Corporation Legal Service] are… a community controlled organisation—that is, controlled by members of the Aboriginal community through our board—and we provide services very similar to those of the Legal Aid Commission but the resourcing we get per staff member would be nothing like what the mainstream service gets per head of staff. So the onus is always on us to do things very cheaply. Obviously, it is our objective to not compromise the service we provide. What we are getting at is that we are striving to provide a very high standard of service but we are not resourced per staff member, or per matter dealt with, in the same terms as the mainstream service—which is not to suggest we want to become part of the Legal Aid Commission. I do not think we would be effective if we lost our community control.[160]

5.179 The Sydney Regional Aboriginal Corporation Legal Service also told the Committee that it received a flow of clients coming over from mainstream service providers, increasing its client base each year, but that it did not believe this was accounted for in funding formulas. The organisation acknowledged how much it relied on the dedication of its staff, but that the current level of under-resourcing was unsustainable.[161]

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159 Mr Alfred Bamblett, Victorian Aboriginal Community Services Association Ltd, Transcript of discussion (19.02.03), p. 505.

160 Mr Ralph Scott, Sydney Regional Aboriginal Corporation Legal Service, Transcript (08.04.03), p. 640.

161 Mr Ralph Scott, Sydney Regional Aboriginal Corporation Legal Service, Transcript (08.04.03), p. 640.

5.180 This point replicates that made in previous chapters of the report, where Indigenous organisations were not recognised or rewarded for doing well, and were in fact sometimes disadvantaged for doing well by having a greater strain on already limited resources.

5.181 The Committee notes the current inquiry by the Joint Committee of Public Accounts and Audit into Indigenous Law and Justice (as advertised in April 2004),[162] and the Government's announcement of proposed reforms to enhance the competitiveness of Indigenous legal aid tenders.[163]

Family violence

5.182 The Committee acknowledges the Commonwealth's *Partnerships Against Domestic Violence* (PADV) initiative launched in 1997. The Commonwealth initiative works, together with the States and Territories, to conduct a wide range of innovative projects to stimulate new activities and enhance existing work, coordinated by a taskforce housed in the Office of the Status of Women.[164] Initial research into PADV has shown:

> … that any response to family violence in Indigenous communities needs to acknowledge the social, cultural and historical context of that community. Indigenous family violence is associated with a complex set of factors. Historically, programs have been ineffective because they have: ignored the impacts of colonisation on community, spiritual and cultural identity and wellbeing; compartmentalised the associated problems of family violence; lacked a whole-of-community focus; not adopted a developmental approach to service delivery and community involvement and ownership.[165]

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162 See Joint Committee of Public Accounts and Audit, *Inquiry into Indigenous Law and Justice, Terms of Reference*, <http://www.aph.gov.au/house/committee/jpaa/atsis/tor.pdf> (accessed 12.05.04).

163 See Senator Amanda Vanstone, Minister for Immigration and Multicultural and Indigenous Affairs, *Legal Aid Reforms To Benefit Indigenous Australians*, Media Release, Parliament House, Canberra, 04.03.04.

164 See Partnerships Against Domestic Violence (PADV), *What is Partnerships?* <http://www.padv.dpmc.gov.au/partner.htm> (accessed 14.05.04).

165 PADV, *Indigenous Family Violence, Phase 1 Meta-Evaluation Report*, p. 13, <http://www.padv.dpmc.gov.au/oswpdf/meta_indigenous04.pdf> (accessed 13.05.04).

5.183 The Committee notes the preference of the term 'family violence' over 'domestic violence', as articulated in a PADV paper:

> Aboriginal people and Torres Strait Islanders do not believe that the term "domestic" violence adequately describes what is happening within their families and communities and have indicated they prefer to use the term "family violence" to bring into focus "the trauma of the inter-connecting and trans-generational experiences of individuals within families, to show the continuity between how we have been acted upon and how, in turn, we may then act upon ourselves and others".[166]

5.184 The PADV paper presents a definition of family violence from the *Tjunparni: Family Violence in Indigenous Australia* report, where 'family violence' involves the behaviours and experiences of:

> … beating of a wife or other family members, homicide, suicide and other selfinflicted injury, rape, child abuse and child sexual abuse. … When we talk of family violence we need to remember that we are not talking about serious physical injury alone but also verbal harassment, psychological and emotional abuse, and economic deprivation, which although as devastating are even more difficult to quantify than physical abuse.[167]

5.185 The causes of family violence in Indigenous communities were identified in a report commissioned by PADV which identified multiple causes for the high rates of violence in Indigenous communities including:

- Marginalisation and dispossession;
- Loss of land and traditional culture;
- Breakdown of community kinship systems and Indigenous law;
- Entrenched poverty; and
- Racism.[168]

5.186 The PADV paper notes the influences of alcohol and drug misuse:

> … research in Indigenous communities indicates a direct correlation between the two [family violence and alcohol and drug misuse], with between 70 and 90 per cent of all assaults being

166 PADV, *Meta Evaluation, Indigenous Projects*, Bulletin 6 April 2001, p.1, <http://www.padv.dpmc.gov.au/oswpdf/meta6a.pdf> (accessed 13.05.04).

167 *ibid*, pp. 1-2.

168 Blagg, H., cited in PADV, *Indigenous Family Violence, Phase 1 Meta-Evaluation Report*, p. 27, <http://www.padv.dpmc.gov.au/oswpdf/meta_indigenous04.pdf> (accessed 13.05.04).

> committed while the perpetrator was under the influence of alcohol or drugs.[169]

5.187 The need for community strength and family healing were emphasised in the paper, along with Indigenous ownership and restorative approaches to justice:

> Many Aboriginal writers identify ownership and control of the issue of family violence as an imperative for Indigenous people in Australia at this point in time, and favour restorative approaches to justice.[170]

> In Indigenous approaches to addressing family violence, community development has been advocated, with a strong emphasis on community ownership of strategies and programs of change… The community development approach is not unique to family violence. Indigenous community leaders have had a commitment to this approach to address a variety of issues in their communities, to strengthen communities and promote healing.[171]

5.188 The PADV began in 1997 with initial funding of $25 million. In the 1999-2000 budget another $25 million was committed for phase two, over four years.[172] Of this funding, $6 million was allocated to support Indigenous community based projects focused on reducing family violence over the 1999-2003 period.[173] In the 2003-2004 budget the PADV was extended for one year.[174] The Committee is concerned that the funding only provides for a small number of initiatives in Indigenous communities. For example, in 2000, there were 31 initiatives funded to address Indigenous family violence, while in 2001 there were 37 initiatives funded.[175]

5.189 The Committee is concerned that the Government's support for PADV may be declining over time, and that a significant investment in enabling

169 PADV, *Indigenous Family Violence, Phase 1 Meta-Evaluation Report*, p. 27, <http://www.padv.dpmc.gov.au/oswpdf/meta_indigenous04.pdf> (accessed 13.05.04).

170 *ibid*, p. 44.

171 *ibid*, p. 37.

172 PADV, *Partnerships Phase 2*, <http://www.padv.dpmc.gov.au/partner2.htm> (accessed 01.06.04).

173 Indigenous Family Violence Grants Program, PADV, *National Indigenous Family Violence Grants Programme*, <http://www.padv.dpmc.gov.au/IFV/ifvgp.html> (accessed 01.06.04).

174 Budget 2003-2004, *Budget Paper 2, Women's Program Funding*, <http://www.budget.gov.au/2003-04/bp2/html/expense-16.htm> (accessed 01.06.04).

175 Indigenous Family Violence Grants Program, PADV, National Indigenous Family Violence Grants Programme, <http://www.padv.dpmc.gov.au/IFV/ifvgp.html> (accessed 01.06.04).

and supporting Indigenous communities to address family violence, over the long term, is required.

5.190 The PADV has produced numerous reports for many different aspects of the partnership, with the aim of the evaluations to:

- document the range of activities and evaluate the effectiveness of the initiatives while promoting good practice and disseminating knowledge and information on domestic violence;
- inform government decisions about the future directions for national action to prevent domestic violence; and
- assist in meeting accountability requirements for the overall initiatives funded by Partnerships.[176]

5.191 The diversity of the projects that received funding through the PADV, combined with the inherent difficulties in measuring family violence, result in complications in terms of overall evaluation and accountability. However, the Committee believes a summary of the impact PADV may have had on reducing Indigenous family violence is required.

Recommendation 14

The Committee recommends that the Commonwealth Government's Partnerships Against Domestic Violence (PADV) produce a report to Parliament on the impacts of PADV initiatives funded to address Indigenous family violence and that procedures be implemented to ensure that the report presented to the House of Representatives stands referred to this Committee.

Alcohol and drug misuse

5.192 The Committee received some evidence on the detrimental effects of alcohol and drug misuse in Indigenous communities, and received evidence of some community responses to preventing and addressing such effects.

5.193 One witness with many years experience working in the fields of drug and alcohol misuse and Aboriginal health told the Committee:

176 Department of Prime Minister and Cabinet, *Partnerships Against Domestic Violence: National Evaluation of Partnerships*, <http://www.padv.dpmc.gov.au/evalu.htm> (accessed 01.06.04).

> I do not think… [that you] can just ban alcohol in communities because what happens is half the community leaves, and it is usually those in the productive ages. They go and live in town and spend most of their time in town. They leave their kids at home so their grandparents are trying to look after the kids. The kids then get into all sorts of strife because the grandparents cannot look after fit, young, active kids. Either that or there is a lot of alcohol running back into the community. What is not happening is we are not teaching people in any way how to handle alcohol. We are just saying, "Don't have it." That has not worked. Somewhere along the line we have got to start to introduce ideas of the more responsible consumption of alcohol.[177]

5.194 A representative of Queensland's Department of Aboriginal and Torres Strait Islander Policy reinforced the need for Indigenous communities to be part of the decision making process:

> We need to address this question about alcohol in the communities—and not with prohibition. We have to work with the community to get them to set the standards, not have government imposing the standards.[178]

5.195 A member of the Cape York Land Council reported that the community in Arukun had developed an alcohol management plan and created a justice group:

> Now Aurukun is one of the safest communities to live in Cape York. It was one of the most volatile places, but because Aboriginal people got up and took responsibility, with the support of Indigenous lead organisations and the council, now the school attendance has doubled. There has been no domestic violence in that community—nothing.[179]

5.196 The Committee was also impressed with the success of the community alcohol management arrangements in place at Lombadina, where the canteen opens for restricted hours and persons are limited to a set number of drinks each evening.[180]

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177 Mr Andrew Biven, (private capacity), Transcript (23.09.03), p. 1242.

178 Ms Barbara Flick, Department of Aboriginal and Torres Strait Islander Policy, Queensland Government, Transcript (09.07.03), p. 867.

179 Mr Richie Ahmat, Cape York Land Council, Transcript (07.07.03), p. 786.

180 Mr Basil Sibosado, Lombadina Aboriginal Corporation, Transcript (07.08.03), pp. 1019-1020.

5.197 The Committee received some evidence on the importance of safe houses as a way of preventing violence and abuse brought on by alcohol and drug misuse. The Dubbo Aboriginal Community Working Party advised the Committee:

> One of the things that came out of the seminar regarding domestic violence was a safe house. That is what we need in our community—a safe house. The other issue about domestic violence is that the women's refuge here is totally booked out; you cannot get in there. They would like to see the perpetrator, meaning the male, taken from the house instead of the mother and the child. The child and the mother could remain in a safe environment and the guy could be taken from the house and not put in jail but put in a safe place as well. He could recuperate overnight and deal with what has happened the next day, because it is usually related to either drugs or alcohol.[181]

5.198 A representative from the Apunipima Cape York Health Council relayed the Aurukun community message in relation to alcohol and government services, in which they favoured supportive responses to perpetrators:

> The Aurukun messages are clear. The community justice group there is a very powerful group of older people. They are asking that there should be counselling services to support people who are detoxifying from the effects of alcohol. They are asking that their out-station movement be supported so that they can take people away from the community on country so that they can access different lifestyles of exercise and nutrition via bush tucker. They are asking that all government agencies do not turn their back on community and think it has been ticked off, that there is ongoing support for rehabilitation and detoxification and that assistance is provided to the community to manage the issues that then surface once alcohol has been taken away from the community.[182]

5.199 The Committee did not seek specific evidence on strategies to address alcohol and substance misuse and their effects on the capacities of Indigenous communities. Within the Committee there are divergent views as to the best measures of addressing these issues. The Committee notes

181 Mrs Shirley Wilson, Dubbo Aboriginal Community Working Party, Transcript (07.11.03), p. 1427.

182 Ms Jacqueline Lavis, Apunipima Cape York Health Council, Transcript (07.07.03), p. 766.

the view of the Member for Kalgoorlie that policies of banning alcohol in Indigenous communities and creating 'dry' communities may create additional problems such as binge drinking, corruption and smuggling, and can suffer from inadequate policing. The Committee also notes the view of the Member for Kalgoorlie that the following measures would assist in addressing the problem:

- the Commonwealth Government call upon State and Territory governments to increase resources to assist Indigenous communities control the illegal trafficking of alcohol and other drugs and the abusive use of petrol, spray cans and glue;
- more emphasis be placed on the introduction of controlled legal alcohol sales within communities, provided that:
  - ⇒ all members of management committees of social clubs or other relevant community organisations have local police clearance; and
  - ⇒ access to relevant premises is granted to members only;
- action be taken to enable the courts to empower community elders to ban visits by individuals known to be disruptive, violent or engaged in illegal or fraudulent activities;
- agencies and their representatives work to obtain commitments from community leaders to participate in programs to dramatically reduce drug and alcohol abuse in Indigenous communities; and
- agencies, following negotiation with community leaders and representatives, assess the potential of establishing voluntary trials whereby food vouchers are provided in lieu of Centerlink payments, thus ensuring that community members are spared the temptation to spend lump sum payments on drinking binges and substance abuse, and that trial outcomes in terms of behavioural change and health issues be documented for future reference.

The Committee has concluded that this is such an important issue that the Government should refer to the Committee the issue of alcohol and substance misuse in Indigenous communities for inquiry and report.

Recommendation 15

The Committee recommends that the issue of strategies to address alcohol and substance misuse in Indigenous communities be referred to this Committee for inquiry and report.

Young people at risk

5.200 The Rumbalara Aboriginal Cooperative informed the Committee of its youth and family program, which involved working with families where children may need to be removed, in partnership with the Department of Human Services (DHS):

> [The burri program] … is about four years old now. "Extended care" is the other term we use for foster care, because foster care is sometimes not a very positive term. We work with families and the local Department of Human Services. We know that some kids will need to be removed. We try to educate and train up a group of foster care parents from the community—some are Aboriginal and some are not. We make sure they culturally keep to our values and principles. On the other side of it, the program works with the family where the child may have been removed from to get them ready to have their child back. That is our whole philosophy behind it, and that seems to work fairly well.
>
> We have embarked on a couple of other programs which include the family in decision making. So when children are removed or orders are put on them we get the whole family to sit around the table—a bit like the Koori courts—with DHS and we say, "This is why there has been a notification made and these are the things which would stop the notification going any further." It may be that the child needs to attend school more regularly, and when you have a group of family members around maybe a brother or someone will say, "I can pick them up and make sure they get to school." That saves the whole mess of going through the system and getting involved in the courts and all the rest of it. That has worked very well. It is only a new program; it is being evaluated as we speak.[183]

183 Mr Justin Mohamed, Rumbalara Aboriginal Corporation, Transcript of discussion (17.02.03), pp. 385-386.

5.201 The Rumbalara organisation advised the Committee that it tries to prevent problems, rather than clean up after them. It also outlined a young offender diversionary scheme it was about to launch, stating that it:

> … [is] looking not only at the issue at hand but also at the underlying issues, whether it is anger management, dealing with grief and all those sorts of things.[184]

5.202 With a similar approach, the Tangentyere Council told the Committee of a program it has been developing through negotiation with the community and service providers in Alice Springs to help young homeless Indigenous people. The program would involve the provision of crisis accommodation and appropriate family placement, through a family care agreement, to ensure stability for the young person, Tangentyere would then take responsibility for that young person:

> It ensures that young Indigenous children are not taken out of their communities, that they are cared for appropriately within appropriate structures. But the statutory responsibility for that will be moved from the government to Tangentyere Council for that program and those young people.[185]

Conclusions

5.203 The reported pervasiveness of family violence in Indigenous communities is of grave concern. The location and size of some communities make support services or intervention difficult to deliver. The Committee was heartened to see strong community responses to family violence. Community owned processes that change attitudes to violence, help offenders to change their behaviour, and support victims, can be highly successful.

5.204 Family violence responses involve a wide range of overlapping service provider domains, including justice, law enforcement, health, and family services. Cooperation between service providers is essential, as is cooperation between service providers and Indigenous families and communities. The evidence from Indigenous people argues that Indigenous communities understand their issues and know the solutions,

184 Mr Justin Mohamed, Rumbalara Aboriginal Corporation, Transcript of discussion (17.02.03), p. 386.

185 Ms Jane Vadiveloo, Tangentyere Council, Transcript (25.09.03), p. 1298.

and that one of the most effective activities of service providers is to support communities to deliver their own solutions.

Housing

5.205 As summarised in chapter two, inadequate housing is a major issue for Indigenous people, particularly in remote areas where the costs of housing construction and repair are high and environmental conditions harsh. Home ownership for Indigenous people is much lower than national averages, with rental accommodation largely provided by a variety of community and government housing organisations in rural and remote areas. Overcrowding is a major issue. The Committee takes housing to include not only the structure of the house itself, but also health infrastructure relating to sanitation, such as running water.

5.206 Overcrowding is recognised as a major contributor to the spread of disease, as a member of the Bawinanga Aboriginal Corporation told the Committee:

> …a lot of the diseases and a lot of the illnesses that occur in Maningrida are environmental. Rheumatic heart disease, tuberculosis, shingles and a lot of the gastrointestinal conditions that occur in children are directly attributable to overcrowding. If we could reduce the amount of overcrowding and increase sanitation, we would eliminate a huge number of the illnesses that affect our community.[186]

5.207 Many groups are addressing housing and health issues through prevention and good environmental health, such as Tangentyere Council.[187] Housing quality is also linked to education, as the Northern Territory Office of Indigenous Policy told the Committee:

> [In some communities] …you have 16 people living per house, what does that do in terms of people's ability to attend school, or to get a decent sleep at night?[188]

186 Mr James Lamerton, Bawinanga Aboriginal Corporation, Transcript (25.11.02), p. 135.

187 Mr William Tilmouth, Tangentyere Council, Transcript (25.09.03), p. 1292.

188 Mr Neil Westbury, Office of Indigenous Policy, Department of the Chief Minister, Northern Territory Government, Transcript (27.11.03), p. 179.

5.208 Adequate and appropriate housing is not only a fundamental need for individuals and families in Indigenous communities, but the existence of buildings are necessary in areas such as the provision of office space or employee housing. For example, Kardu Numida in Wadeye told the Committee that the shortage of public rental accommodation meant that if the organisations wanted to employ staff, it had to build them a house.[189]

5.209 The housing shortage common in most Indigenous communities is not just a factor of there not being enough houses now, or the houses requiring repair, but also a lack of housing for the future. A member of Maningrida Council told the Committee:

> Unfortunately, we are still running at approximately 14 people per house, which seems to indicate that there are a hell of a lot of houses yet to be built for Maningrida to go back to a nice balanda standard of two people per bedroom… Of course, we will never catch up, because the population is expanding very rapidly. That expansion is not just by natural increase, but [as] Maningrida becomes a larger regional centre with… more services… it attracts more and more people and the housing problem is exacerbated accordingly. If we got funding to build 100 houses tomorrow morning and then we stopped the population from increasing somehow or other, we would still bring the average down to about 10 or 11 per house. One hundred houses cost millions of dollars, which they are never going to give us anyway.[190]

5.210 Maningrida Council told the Committee that the life span of Indigenous housing is short, which relates to the different standards of Indigenous specific housing construction:

> … certain types of houses really only have a lifespan of 10 years. They are supposed to last for 15 years… we have just gone over to block construction, which at least has the ability to go beyond 15 years. They are pretty solid, they are easy to maintain and they do not rust out or anything like that. We have a maritime environment here, so it is a problem.[191]

189 Mr Terry Bullemor, Kardu Numida Incorporated, Transcript (26.11.03), p. 153.

190 Mr John Horgan, Maningrida Council, Transcript (25.11.02), p. 135.

191 Mr John Horgan, Maningrida Council, Transcript (25.11.02), p. 135.

5.211 Some evidence received by the Committee referred to the importance of a sense of ownership over houses. This was considered to reduce damage and extend the life of houses. St Pauls Island Council told the Committee:

> With the system we have in place now with the community members, we actually get them to sit with the council to look at the designs of the houses they want. They get to pick the colour scheme, whether it is high-set or low-set, whether they need to put another room in, revamp the whole design of the house to their liking. We negotiate with them. It gets that feeling of ownership of the building, and you find out the infrastructure then has an extra year in the life span, whereas before, with the contractors, people moved in and they saw a house that they had no input into and the life span was basically cut in half. Doing all of these little things within the puzzle has really created a feeling of ownership amongst community members.[192]

5.212 St Pauls Island Council also brought the Committee's attention to the benefits of local community members constructing houses:

> [Back in the 80s] You just got what you got; the council got the material, contractors came in, they built it up, and we ended up with families of 15 living in three-bedroom houses… [Recently,] we tapped into the apprenticeship program and started putting our boys in by bringing in local tradesmen. That cut the costs down; we could actually build an extra house with the budget that we got… If you bring in an outside contractor, that will only give you one house. But, because we did it locally, we could build two houses—a four-bedroom and a three-bedroom house, or a different design that would actually cater to our needs… This established employment within the community and got our people trained and qualified; it achieved the goals of what the community wanted…[193]

Home ownership

5.213 The Rumbalara Aboriginal Cooperative told the Committee of its strategies to encourage Indigenous home ownership:

> We are talking with people and working with people who have never had anyone in their family line own a home. So it is not as if

192 Mr John Kris, St Pauls Island Council, Transcript (06.11.03), p. 89.

193 Mr John Kris, St Pauls Island Council, Transcript (06.11.02), p. 89.

> they can go to mum or dad and ask them how to do it or go and speak to their bank; those structures are not there… If we can provide that support through our business and say, "We recommend you go to this bank" and then ask the bank to look after these people for us then we are playing a similar role to that of parents in the wider Australian community, which a lot of our people do not have.[194]

Conclusions

5.214 The Committee notes the conclusions of the Commonwealth Grants Commission in its *Report on Indigenous Funding 2001*, which found, inter alia, that:

- Indigenous people rely more heavily than others on renting, especially public housing and community housing, and initiatives to promote home ownership are needed if this situation is to be changed;
- overcrowding and poor quality housing is more prevalent in rural and remote regions, while housing affordability is a greater problem in urban regions;
- ATSIC and State housing bodies are improving the sustainability and viability of the community housing sector through the development of new management models; and
- there are several different ways the housing needs of Indigenous people are being addressed and there have been strong moves to better co-ordinate, plan and target Indigenous-specific funding through the:
  - ⇒ development of formal agreements with the States to jointly plan and co-ordinate programs and, in some cases, to create Indigenous housing authorities that are responsible for service delivery;
  - ⇒ development of new management models for community housing; and
  - ⇒ targeting of specific funding to rural and remote regions.[195]

5.215 The Commonwealth Grants Commission also concluded that the small amount of mainstream funding allocated to remote regions in the past suggested that these funds were not targeting areas where Indigenous

194 Mr Justin Mohamed, Rumbalara Aboriginal Corporation, Transcript of discussion (17.02.03), p. 387.

195 Commonwealth Grants Commission, 2001, *Report on Indigenous Funding 2001*, pp.172-173.

need was greatest. However, there have been improvements in the measurement of housing need over the last decade. The Commission found that the improvement of administrative data has improved measurement of need, will further assist in the better targeting of housing funds, and will address the current distribution of Indigenous-specific funds to accord more broadly with needs.[196]

Employment and training

Indigenous Employment Policy

5.216 The Indigenous Employment Policy was introduced by the Commonwealth Government in July 1999, and has three elements: Job Network, the Indigenous Employment Programme (comprising a number of projects) and the Indigenous Small Business Fund.

5.217 Job Network is a national network of private and community organisations (Job Network members) dedicated to finding jobs for unemployed people, particularly the long term unemployed.[197] Some Job Network Members provide specialist services, one of which is providing services for Indigenous people.[198]

5.218 The Indigenous Employment Programme comprises:

- the Corporate Leaders Project, which involves a partnership between Australian companies and the Commonwealth Government, where companies commit to employing Indigenous Australians and the Commonwealth provides flexible funding and a mix of assistance;
- the Wage Assistance initiative which helps Indigenous job seekers find long term employment either through Job Network or their own efforts. Employers are eligible for funding to assist with costs;
- the Structured Training and Employment Projects (STEP) scheme which involves the provision of flexible financial assistance to businesses

196 *ibid*, pp.172-173.

197 Australian Employment Services, *Job Network*, <http://www.workplace.gov.au/Workplace/ESDisplay/0,1282,a0%253D0%2526a1%253D537%2526a2%253D629,00.html> (accessed 18.05.04).

198 *ibid*

which offer structured training, for example, apprenticeships, leading to lasting employment opportunities for Indigenous job seekers;

- the National Indigenous Cadetship Programme (NICP) which supports companies prepared to sponsor Indigenous tertiary students as cadets. Cadets undertake full-time study and work experience during long vacation breaks and are usually employed by the company at the completion of their studies;
- the Community Development and Employment Projects (CDEP) Placement Incentive initiative which provides a $2 200 bonus to CDEP sponsors for each placement of a participant in a job outside CDEP and off CDEP wages; and
- the Voluntary Service to Indigenous Communities which matches skilled volunteers with the needs of Aboriginal and Torres Strait Islander communities.[199]

5.219 The Indigenous Small Business Fund (ISBF) can fund Indigenous organisations to assist Indigenous people to learn about business, develop good business skills and expand their business. It also provides funding to individuals for the development of business ideas that have good business potential.[200] This is complemented by the Indigenous Capital Assistance Scheme, which aims to increase employment opportunities for Indigenous Australians by giving Indigenous businesses access to culturally appropriate commercial finance and professional advice, as well as mentoring support services, through a participating financial institution.[201] Additionally, a trial is currently underway in Cape York (QLD), Murdi Paaki (NSW) and Shepparton (VIC) called the Self Help Programme, which involves individual assistance to Indigenous Australians to establish their own businesses through financial literacy training, self-employment initiatives, business advice and support, and a small repayable grant system. The trial began in April 2003, initially for 12 months, was expanded and is now due to finish in April 2005.[202]

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199 *ibid*

200 *bid*

201 Australian Employment Services, *Indigenous Capital Assistance Scheme*, <http://www.workplace.gov.au/Workplace/ESDisplay/0,1282,a3%253D5980%2526a0%253D0%2526a1%253D537%2526a2%253D524,00.html> (accessed 18.05.04).

202 Australian Employment Services, *Self Help Programme*, <http://www.workplace.gov.au/Workplace/ESDisplay/0,1282,a3%253D5795%2526a0%253D0%2526a1%253D537%2526a2%253D524,00.html> (accessed 18.05.04).

Community Development and Employment Projects

5.220 The CDEP scheme arose from Indigenous communities wanting an alternative to the effects of passive welfare dependency, and involves the voluntary pooling of funds that would otherwise have been social security entitlements, which are then paid out as wages to CDEP participants.

5.221 Community Development and Employment Projects (CDEP) involve Indigenous community organisations being funded by ATSIC (at the time of report writing), to undertake employment projects that relate to needs in the community, the activities of which develop the participant's work and employment skills, with the long term goal being employment in the mainstream labour market. Participating in a CDEP involves remaining qualified for income support and receiving a CDEP Participant Supplement (CPS) of an extra $20.80 per week on top of income support.[203]

5.222 There are a limited number of CDEP positions. After the Spicer Review in 1997, there was a freeze on the expansion of CDEP positions, which had previously been increased each year. In the 2003-2007 period however, the budget allocated funding for the expansion of CDEP by 1 000 places per year.[204]

5.223 In April 2003, Indigenous Employment Centres (IECs) commenced operation. IECs assist CDEP participants to find work outside CDEP in areas where there are job opportunities. The services offered by an IEC may involve increasing job search skills, accessing training, helping to find employment, ongoing mentoring and support, and help to access other services.[205] This initiative is intended to move Indigenous people from CDEP to mainstream employment.

5.224 The Government's Welfare Reform Agenda produced the *Australian's Working Together* package, in response to the McClure Report which reviewed Australia's welfare system and recommended improvements and changes. A key policy platform of the reform agenda was the

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203 Centrelink, *Community Development Employment Projects (CDEP)*, <http://www.centrelink.gov.au/internet/internet.nsf/services/cdep.htm> (accessed 18.05.04).

204 DIMIA, 2003-2004, *Part C: ATSIS Budget Statements, Section 2: Outcomes and outputs information* <http://www.immi.gov.au/budget/budget03/2003-04_imia_pbs_14_atsis_section2.pdf> (accessed 24.05.04).

205 Australian Employment Services, *Indigenous Employment Centres*, <http://www.workplace.gov.au/Workplace/ESDisplay/0,1282,a0%253D0%2526a1%253D537%2526a2%253D630,00.html> (accessed 18.05.04).

principle of 'mutual obligation', which imposes expectations on eligible job seekers in return for the receipt of unemployment allowances.[206] Part of the 'mutual obligation' policy involves the encouragement of people to look for work more actively and to take part in activities to increase their skills, working on the idea that individuals have a responsibility to help themselves and to contribute to the community.[207] The 'mutual obligation' principle resulted in changes to CDEP, with a greater emphasis on employment, and less on community development.

5.225 An accurate picture of CDEP involvement can be hard to generate, for example, the 2001 Census recorded 17 800 Indigenous CDEP participants, yet 32 000 participants were recorded for administrative purposes at that time.[208] The majority (69 per cent) of CDEP participants were in very remote areas, while 10 per cent were in remote areas. [209]

CDEP: an assessment?

5.226 Information submitted to the inquiry by the Centre for Aboriginal Economic Policy Research stated:

> CDEP schemes have been operating in Indigenous communities since 1977. However, under the 1987 Aboriginal Economic Development Policy and more particularly since the Spicer Review of CDEP (Spicer 1997), the original emphasis on "community development" has gradually been replaced, at the policy level at least, by a focus on the scheme's capacity to facilitate enterprise development and to prepare individuals for employment in the mainstream labour market.[210]

5.227 As with most programs in Indigenous affairs, CDEP has been subject to many reviews. Criticisms have been levelled at the CDEP program for a number of reasons, including the assumption that as many as one third of participants did not work.[211] Criticisms have also been levelled at various

206 CDEP National Program Centre *Australians Working Together: Helping people to move forward*, <http://www.atsic.gov.au/programs/economic/CDEP/Doc/2> (accessed 18.05.04).

207 *ibid*

208 ABS, 2004, *Labour force status of Aboriginal and Torres Strait Islander peoples*, Year Book Australia 2004, cat. no. 4713.0.

209 *ibid*

210 Martin, D., 2001, *Community development in the context of welfare dependence*, The Indigenous Welfare Economy and the CDEP Scheme, CAEPR, ANU, Exhibit 16, p. 33.

211 Spicer, I., 1997, *Independent Review of the Community Development Employment Projects (CDEP) Scheme*, p. 2.

government stakeholders for loading up responsibilities and expectations on CDEP organisations, without any additional monetary reimbursement.[212]

5.228 The Committee received evidence both criticising and supporting CDEP, with some suggesting that CDEP is good in theory, but fails to be implemented appropriately, as one witness told the Committee:

> I am concerned that CDEP is not being used to fully support and provide services to Aboriginal communities. As a result of that, our Aboriginal communities are disintegrating and domestic violence is increasing. Everything that is happening could be reduced if CDEP were better operated in the communities.[213]

5.229 Another witness told the Committee that CDEP has evolved and is now less effective than when in its original form:

> In its holistic form the CDEP is a fantastic program if it is left to achieve the community outcomes and if it is left to the community to decide this is where it is going. But when you start tweaking this and that, the program becomes unmanageable… The CDEP is an example of where they have just tweaked here and there and made it an unmanageable program.[214]

5.230 CDEP is providing positive results for some communities, such as Worn Gundidj Aboriginal Cooperative in Warrnambool (VIC), where a CDEP wage subsidy is passed on to host employers, who take on an Aboriginal person as an apprentice, with the employer paying the difference between the gross wage, super, and the funding from CDEP.[215]

> Among the local ones, we have a cabinet-making apprentice, a builder, a solid plasterer, fibrous plasterers and several bricklayers—there has been huge interest from young kids to do bricklaying apprenticeships—and they are all hosted with mainstream businesses who support them in their job and provide

212 Bartlett, P. 2001, *CDEP and the sub-economy: Milking the CDEP cow dry*, The Indigenous Welfare Economy and the CDEP Scheme, CAEPR, ANU, Exhibit 16, p. 194.

213 Mrs Mary Attwood, Port Hedland Regional Aboriginal Corporation, Transcript (06.08.03), p. 984.

214 Mrs Leah Armstrong, Yarnteen Aboriginal and Torres Strait Islanders Corporation, Transcript (07.04.03), p. 561.

215 Mrs Jennifer Lowe, Worn Gundidj Aboriginal Cooperative, Transcript of discussion (18.02.03), p. 433.

> them with all the workplace experience and training that they need to fulfil their apprenticeships.[216]

5.231 Participants can choose a trade, and Worn Gundidj will find an employer to host them to undertake apprenticeship training in that trade area. The program has been so successful that employers now come to Worn Gundidj asking if they have anyone available to undertake an apprenticeship.[217] This type of CDEP activity has also proven to be a transition off CDEP:

> Their contract ends when their apprenticeship ends, so the expectation is that they cease employment with us on CDEP and gain full-time employment with that host employer, or move interstate with their trade certificate and get a job somewhere else.[218]

5.232 The work of Worn Gundidj is commendable; however, this approach to CDEP is only possible in areas where there are job markets. The possibilities for CDEP organisations in urban areas or regional centres are very different to those in more remote areas where businesses and job opportunities may not be available. In such remote areas, the work undertaken by CDEP participants is more likely to be based around municipal service provision and activities centring around contributing to the community.

5.233 In some Indigenous communities, CDEP is providing funding for a range of service delivery activities. Tangentyere told the Committee:

> In terms of what currently exists with placements, the CDEP participants are employed within a night patrol service… Our nutrition and our maintenance/security person are both CDEP subsidised positions. We have… positions located at Centrelink offices. The positions located with our HOPS and old people's services are CDEP subsidised positions. The positions that provide fencing and those sorts of services are CDEP subsidised positions. So really the CDEP at the moment is subsidising positions across quite a lot of service delivery areas, from health to municipal services to old people's services, learning and education.[219]

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216 Mrs Jennifer Lowe, Worn Gundidj, Transcript of discussion (18.02.03), p. 433.
217 Mrs Jennifer Lowe, Worn Gundidj, Transcript of discussion (18.02.03), p. 433.
218 Mrs Jennifer Lowe, Worn Gundidj, Transcript of discussion (18.02.03), p. 434.
219 Ms Jane Vadiveloo, Tangentyere Council, Transcript (25.09.03), p. 1294.

5.234 The Committee is concerned that the delivery of essential services is being undertaken by people subsidised by a CDEP wage, when in other equivalent-sized communities workers are being paid competitive salaries to deliver similar services, often through government funding. This two-tiered system is not equitable.

Training and employment

5.235 The Committee received evidence on vocational training and how important it is that it be linked to CDEP, yet evidence was also received indicating that such mandatory training can result in courses that are ineffective:

> All over the place, I find there are training providers who simply want black bums on seats… Too often, particularly in regional and country areas, Aboriginal groups and other groups are stuck with what are in a lot of instances lazy training providers, who purely want to get bums on seats. There needs to be a severe look at that system within the education system.[220]

5.236 When discussing the privatisation of tertiary training providers, one witness told the Committee:

> In order for Indigenous people to get the best results out of their education and training, the people who are delivering services must also share the same passion and compassion for people to get those skills. In a lot of cases private companies enrol a lot of people on the first day purely to obtain the training bucks that come with it, end of story.[221]

5.237 Evidence suggested a number of problems in relation to training, such as: there being many locations where training was not available; locations where training was available, but was not relevant to local job markets, or where there were no job markets; and training that was tokenistic, with training providers being ineffective. The Committee also received evidence suggesting that training could be a great source of pride, give trainees confidence, improve skills, and increase employment.

5.238 The Committee contends that training issues differ markedly depending on the location, the connections between training and job markets, and the calibre of the training providers. Successful programs tended to be those

220 Mr John Collyer, Worn Gundidj, Transcript of discussion (18.02.03), p. 405.

221 Mr Mark Manado, Kimberley College of TAFE, Transcript (08.08.03), pp. 1119-1120.

that had good links with local businesses, that provided appropriate and effective training, that supported trainees into jobs, and that followed up on trainees by providing support and mentoring.

Conclusions

5.239 This chapter has canvassed issues brought to the Committee's attention in relation to building the capacity of Indigenous individuals, families and communities. The chapter has particularly focused on Indigenous-driven initiatives, and on giving voice to Indigenous Australians who contributed to the inquiry process. The Committee believes it is important to convey the successes of Indigenous-driven initiatives working to address areas of dysfunction and disadvantage, and has done this throughout the chapter.

5.240 The overwhelming argument within the evidence has been the need for Indigenous people to be more involved in the design and delivery of services. This functions on many levels, from policy advice, to training mainstream providers, to directly providing services to participating in effective partnerships. The evidence also indicated that in many cases, Indigenous people understand the issues and the solutions, but are not supported or resourced to implement initiatives in a sustainable way.

5.241 The 'no one size fits all' argument was a common theme, as the diversity of Indigenous people, communities and locations often result in generalist approaches to service delivery being ineffective. On a policy level, diversity can be problematic, and a diverse approach may appear expensive and time-consuming, but the Committee contends that it is more cost-effective to address needs in a targeted, real and effective way, than to apply general programs that are ineffectual. The evidence suggested that no one was better placed to understand location- or community-specific issues and to contribute to the design and delivery of targeted services better than Indigenous people themselves.

5.242 Another theme in the evidence was the inequitable funding between non-Indigenous and Indigenous organisations providing equivalent services, such as local government amenity and infrastructure services, or community controlled health services. The Committee agrees that organisations providing similar services should receive equitable funding.

5.243 Education was highlighted as a major issue, particularly the need for the achievement of benchmarks in basic numeracy and literacy. Education was seen as a fundamental cornerstone of capacity building, as it creates the ability to operate in Australian society. However, the maintenance of

Indigenous language and culture were emphasised by many Indigenous people, together with the importance of English literacy.

5.244 Health is critical. As a report on Indigenous health stated, 'health is life'. The Committee commends approaches to health that involve prevention through health education by Indigenous people, for Indigenous people. The Committee also supports greater investment in positions that facilitate Indigenous access to mainstream services, such as Hospital Liaison Officers.

5.245 Justice, crime and safety issues are problematic in many rural and remote areas where police and justice services are not readily available. The Committee commends community responses to crime prevention, and welcomes Indigenous approaches to address alcohol and substance misuse, particularly those that involve supporting and educating community members to take responsibility for their actions and to change their behaviour. The Committee is generally supportive of cooperative justice models, but awaits proof of their success, which can of course only be gauged in the long term.

5.246 Housing is a major issue, with overcrowding and poor sanitation having negative ramifications, particularly those affecting good health. The Committee is very supportive of efforts to train community members to produce houses and housing products locally. The Committee acknowledges the many changes that have recently occurred in the housing policy area, and awaits the results of these improvements over the long term.

5.247 The Committee is generally supportive of CDEP and has seen communities where initiatives have had positive effects on the community, while also receiving evidence of CDEP initiatives that were not functioning appropriately or well. Training appropriateness and effectiveness are dependent upon location and provider calibre.

5.248 The Committee was heartened to receive evidence of many Indigenous-driven initiatives and looks forward to seeing them provide real, lasting and positive change to the lives of Indigenous people. The Committee strongly encourages governments and their agencies to work with and support Indigenous groups to achieve shared goals and real outcomes.

6

A way forward

6.1 In this chapter the Committee provides an overview of the report, an assessment of progress, and an emphasis on the importance of change. The Committee particularly stresses the need for a new approach by the government sector, and the need to build the capacity of Indigenous communities and organisations.

6.2 This inquiry has primarily been concerned with measures to improve the delivery of services to Aboriginal and Torres Strait Islander Australians, particularly measures to build the capacities of governments, together with Indigenous organisations and communities, to result in the more effective management, funding and delivery of services. These services involve mainstream and Indigenous-specific services delivered by government agencies, departments and offices, as well as services delivered by Indigenous organisations on behalf of governments.

6.3 The standard of living of many Indigenous Australians is well below the national average, and on most scales, Indigenous Australians are disadvantaged, having lower life expectancy, lower health levels, lower education and training rates, lower employment levels, and higher contact with the criminal justice system. The causes of disadvantage are complex and multifaceted, and relate to a variety of causes, including historical circumstances. Yet despite this chronic state of disadvantage, Indigenous people tend to access services at a rate lower than that of other Australians. Therefore, the Committee has focused on strategies to improve the delivery of appropriate and effective services to a level that is equitable to that of other sectors of Australian society.

6.4 Policy options for the delivery of services to Indigenous communities are complicated by a number of factors including the chronic state of

disadvantage, multiple and overlapping causes of disadvantage, geographic dispersal and remoteness, specialist needs requiring tailored programs, and jurisdictional blurring and cost shifting.

6.5 Measures to address Indigenous disadvantage require the efforts of Indigenous organisations and individuals, together with a collaborative and cooperative effort at all levels of government. It was frequently put to the Committee that there are no magic solutions or 'silver bullets', that there is no 'one size fits all' solution, and that measures to address Indigenous disadvantage transcend political cycles and require long term commitment and cooperation. As ATSIC stated:

> No one has all the answers. The solutions, which contribute to long-term, sustainable development, will come from sharing knowledge and information about what works on the ground.[1]

The inquiry

6.6 Over the course of almost two years of inquiry, the Committee has received evidence from individuals, Indigenous and non-government organisations, and governments from all over Australia concerning the improvement of services to Indigenous Australians. Although many Indigenous Australians live in urban areas and rural centres, much of the evidence related to Indigenous communities in rural and remote areas, which is reflected in the report. It is in many of the smaller rural and remote communities that the levels of service delivery are lowest and the levels of disadvantage are highest.

6.7 As outlined at the commencement to chapter three, the Committee agreed that for there to be a real change in the effectiveness of service delivery, and ultimately improvements in the outcomes for Indigenous Australians, a significant change in the approach of governments needs to occur. The primacy of the role of government led to the construction of the report addressing the terms of reference in the reverse order to that in the original referral.

6.8 There were two main themes in the evidence. Firstly, that Indigenous people understand the issues, want to take responsibility and control, and want to work in collaboration with governments; and secondly, the need for governments to change the way they do business, both with Indigenous Australians, and within and between governments.

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1 ATSIC, Submission 66, p. 12.

6.9 The main arguments surrounding Indigenous community organisations and the delivery of services involved governance and the need for corporate management training, while the main arguments surrounding government changing the way it does business involved integration within and between governments, together with engagement in genuine communication and partnerships with Indigenous communities.

6.10 The main emphasis for building the capacity of Indigenous individuals, families and communities, involved Indigenous people wanting to be able to exercise genuine decision-making control over their daily lives. Empowering and supportive approaches were identified as the main strategies to improve quality of life and to reduce dependence on service delivery.

Progress

6.11 Over the length of the inquiry, developments and progress have been made across all levels, though the Committee is sceptical over how much real progress has actually been made in either absolute or relative terms.

6.12 The Committee believes there is a balance between recognising that addressing the complex and entrenched nature of Indigenous disadvantage will take time, and recognising the urgency of addressing, or the very least, alleviating, the chronic state of Indigenous disadvantage.

6.13 Although the responsibility for the provision of the majority of services to Indigenous Australians remains primarily with the States and Territories, the Commonwealth Government has a significant leadership role. Acting alone it cannot ensure the most effective use of resources. However, the Commonwealth has achieved considerable indirect influence over the actions of State, Territory and non-government providers through the development of partnerships, agreements and other collaborative arrangements, national policies and its leadership in key Ministerial councils.

6.14 The Committee notes key Commonwealth developments, including: the release of the Overcoming Indigenous Disadvantage framework commissioned by COAG and undertaken by the Steering Committee for the Review of Government Service Provision; the 2003 Indigenous Compendium reviewing government service provision to Indigenous Australians; the findings of the 2001 Commonwealth Grants Commission inquiry into Indigenous funding; and the whole of government COAG Indigenous communities trials.

6.15 The evidence suggests, however, that though developments are occurring, progress is slow. The Aboriginal and Torres Strait Islander Social Justice Commissioner's 2003 report was critical of progress in addressing the chronic state of Indigenous disadvantage, indicating that what change is occurring is slow, and may not necessarily be sustainable in the long term. The Commissioner reported that it was difficult to see any progressive trend towards the reduction of inequality, even in areas where there had been some improvement in absolute terms:

> There is an overwhelming sense that the crisis situation that Indigenous peoples face is highly likely to worsen substantially over the next decade due to the faster growth rate of the Indigenous population (in other words, that government programs will not be able to keep up with the growth of the Indigenous population with the result that it will become increasingly difficult to maintain the status quo or prevent a further deterioration in key areas of well-being). The absence of a clear accountability framework for governments, including benchmarks and targets, is a matter of great urgency in addressing this situation.[2]

6.16 The Committee too, is sceptical of progress, while also acknowledging the inadequacies in data collection that may show such progress or lack there of. The Committee also contends the importance of benchmarks and holding governments to account in relation to outcomes.

The importance of change in the government sector

6.17 There is significant onus on governments to address the needs of Indigenous Australians more appropriately and more effectively, both through changes in the direct provision of services, and through changes to the provision of funding for Indigenous organisations to deliver services.

The delivery of services by governments

6.18 There are many aspects of government service delivery, from higher level policy and program development, to the on the ground, face to face service delivery. Interwoven with this is the provision of mainstream and

2 Aboriginal and Torres Strait Islander Social Justice Commissioner, Dr. William Jonas AM, 2003, *Social Justice Report 2003,* Human Rights and Equal Opportunity Commission, Sydney, p. 3.

Indigenous-specific services. In addition, the whole service delivery context is overlaid by jurisdictional and responsibility blurring, combined with cost-shifting. This produces a complex web of service delivery.

6.19 The challenges faced by governments are multifaceted, and organisational structures and operations are entrenched. Capacity building for governments is not an easy task, and while the Committee acknowledges that organisational change takes time, strong leadership and a commitment to change can speed up the process considerably.

6.20 Evidence received by the Committee argued the need for governments to build their capacity on two main levels: firstly, by increasing communication and cooperation within and between governments, and secondly, by improving communication and cooperation with Indigenous communities and groups. This second element involves taking a capacity building and empowering approach to the delivery of services, and engaging in developmental activities such as mentoring and skill transfer. It also involves accepting, at a policy level, that each community is different, and that approaches to addressing the needs in a community must acknowledge 'where the community is at'. Some governments articulated an understanding of such approaches, for example, FaCS emphasised in its submission that there was no one model for building community capacity, but that there were a number of guiding principles. The Committee particularly notes three of these principles:

- build on community strengths;
- start from local conditions; and
- value cultural strengths.[3]

6.21 The Western Australian Government Inquiry into Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities, *Putting the Picture Together*, undertook a comprehensive review of service delivery and outlined a number of 'best practice' suggestions. Among those specific to family violence, was a service delivery strategy that the Committee sees as applicable to guide programs across many service delivery areas. The research indicated that approaches to service delivery are most successful when they:

- are tailored to meet the needs of specific localities;
- are based on community development principles of empowerment;

3 Kingsley *et al* cited in Department of Family and Community Services and Centrelink (FaCS), Submission 46, p. 20.

- are linked to [other] initiatives… and similar problems in a holistic manner;
- employ local people where feasible;
- respect traditional law and customs where appropriate;
- employ a multidisciplinary approach;
- focus on partnership between agencies and community groups;
- add value to existing community structures where possible…; and
- place more emphasis on intervention that maintains family relationships and "healing".[4]

6.22 The Committee received evidence of governments and their agencies / departments / offices taking such a capacity building and developmental approach to working with Indigenous organisations and communities to improve service delivery. The Committee is heartened to hear of such developments, and eager to know how much genuine capacity building is occurring, and to see evidence of real outcomes and improvements.

6.23 At the Commonwealth level, it is understood that the COAG Indigenous community trials are operating on a framework with a similar approach to that outlined above, and at State and Territory levels a multiplicity of projects are underway or being developed to incorporate principles of community development and empowerment.

6.24 The Committee is concerned that strong emphasis is being put on the COAG Trials when they are yet to show tangible results, or to set or achieve benchmarks in all Trial sites. The Trials are being promoted as a symbol of change, and as an indication of a Commonwealth commitment to both Indigenous communities and to whole of government coordination. However, the Committee has concerns regarding their experimental nature and that concrete indications of progress or publication of outcomes are yet to be produced, and believes that an effective reporting and accountability process needs to be implemented.

The delivery of funding by governments

6.25 Though many Indigenous organisations are now delivering services to their own communities, they are doing so on behalf of governments,

4 Blagg, H., cited in: Gordon, S., Hallahan, K. & Henry, D., 2002, *Putting the picture together: Inquiry into Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities*, Department of Premier and Cabinet, Western Australia, p. 396.

through the provision of public funding. Governments therefore, have a responsibility to ensure those funds are dispensed appropriately and effectively. Reconciliation Australia's submission cited John Ah Kit MLA, who said:

> I can't overstate the importance of capacity building for Aboriginal community organisations. Without it we're just setting up Aboriginal people to fail. There is no point in Aboriginal people having power to make decisions unless we make sure they have the knowledge, skills and capacity to make those decisions.[5]

6.26 The detrimental effects of devolving resources and responsibilities without appropriate capacity were highlighted to the Committee with events such as the recent collapse of the Tiwi Health Board.

6.27 The Committee emphasises the importance of governments recognising where communities or organisations are at, and responding to that level through the provision of appropriate support, and, if a community is effectively delivering services and meeting accountability requirements, to allow those organisations freedom to operate. The Committee was repeatedly told that all Indigenous families and communities are different, and that there is no one size fits all approach to address the complex sets of issues faced by each family or community. As a way of acknowledging this diversity, and the various stages different communities were at, one witness told the Committee:

> We developed… a program called "hands on, hands off and hand up". Basically, you categorised the communities into those three areas. If it was "hands on", they needed lots of work; they needed to have lots of agencies working collaboratively. If it was "hand up", they needed less support, maybe the generation of income, but obviously a concerted effort to give the community a hand up. If the community or the organisation was doing exceptionally well, we called it "hands off"—leave them bloody alone, give them the money and let them get on with the job.[6]

6.28 Indigenous Business Australia reinforced that capacity building needs to be accompanied by a power shift, indicating that:

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5 Reconciliation Australia, Submission 55, p. 10.

6 Professor John Lester, Wollotuka School of Aboriginal Studies, and Umulliko Indigenous Higher Education Research Centre, University of Newcastle, Transcript (07.04.03), p. 572.

> International research would suggest that there would seem little point pursuing capacity building unless Indigenous people are concurrently being given genuine opportunities to exercise decision making power over those matters which are central to their future.[7]

6.29 Though many Indigenous organisations successfully apply for funding to deliver government services to their communities, the overwhelming evidence received by the Committee suggests that the way in which governments deliver funding often compromises the ability of Indigenous organisations to appropriately or sustainably address their needs. These criticisms include the length of funding cycles; the complex reporting requirements; the piecemeal nature of funding; the focus on funding for 'trials', but not for ongoing, successful programs; and the lack of government integration resulting in duplication over funding areas and intended outcomes.

The development of partnerships between governments and Indigenous groups

6.30 Evidence submitted to the inquiry emphasised the need for governments to engage in genuine partnerships with Indigenous groups, and explored methods for developing the effectiveness of such partnerships in the delivery of services.

6.31 The Committee wishes to highlight the importance of the development of genuine partnerships, which involve a sharing of power and responsibilities, as FaCS noted:

> A partnership is not the same as a purchaser/provider relationship…a philanthropic/beneficiary relationship … [or] a funder/grantee relationship. The key elements that distinguish a "partnership" relationship from other kinds of relationships include:
>
> - shared goals;
> - shared risk;
> - shared power;
> - shared work and contributions; and
> - that all parties benefit.[8]

7 Indigenous Business Australia (IBA), Submission 29, p. 6.

8 FaCS, Submission 46, p. 37.

6.32 The Committee emphasises that partnerships are not about consultation, nor about the imposition of policy on communities, but they are about genuine dialogue, and shared and agreed upon responsibilities and outcomes.

Building the capacity of Indigenous organisations

6.33 Evidence to the inquiry brought attention to accountability issues in the expenditure of public funding by Indigenous organisations. There was evidence to suggest that accountability issues were both real and imagined. There was an overwhelming call for appropriate corporate governance training. As DIMIA stated:

> [Governments]… tend to use Indigenous community organisations as the principal vehicle for delivering government programs. That ranges from everything from primary health care to housing, legal aid, even forms of local government and day-to-day policing functions… That puts an enormous amount of pressure on those communities and on the community organisations. Often they are communities that are suffering abnormal degrees of dysfunction, be it substance abuse, violence or whatever. So community capacity building becomes quite central in those circumstances because these communities and their organisations are the vehicles we are using for the delivery of government programs.[9]

6.34 In smaller, rural and remote communities, the provision of government services from outside the communities can be prohibitively expensive and time consuming due to distance factors, whereas Indigenous organisations within these communities are well placed to deliver services in a more cost effective manner. This serves the purposes of governments, who are obliged to provide such services to all Australians, and it serves the interests of Indigenous communities who wish to take responsibility for service provision, deliver such services in ways appropriate to their people, and to provide local jobs.

6.35 In responding to calls for greater involvement in the planning and delivery of services, the development of Indigenous organisational capacity becomes essential. Evidence cautions a shifting of the power

9 Mr Peter Vaughan, Office of Aboriginal and Torres Strait Islander Affairs (OATSIA), Department of Immigration and Indigenous and Multicultural Affairs (DIMIA), Transcript (04.06.03), p. 681.

balance from governments to communities without the accompaniment or assurance of appropriate capacity. Richie Ahmat told the Committee that Indigenous people want to take responsibility, but that there needs to be a genuine power shift with that responsibility that allows a greater level of autonomy:

> We are saying the key word for Indigenous people in Australia is to take responsibility. We want to take the responsibility, but you have to undo the shackles. We always talk about the shackles—well you have to undo those shackles, because there are enough of us now, who are smart and astute, to deliver for our mobs a better lifestyle, better health, economic development, the range of works, whatever you want to call it. But we are saying, "Let us take the lead role."[10]

Governance

6.36 The importance of governance was a central theme in evidence regarding capacity building in Indigenous organisations. The Harvard Model was referred to in evidence, both in support of its applicability to Indigenous organisations in Australia, and in criticism of the model's appropriateness given the differences between Australia and North America's historical events and contemporary policy. The Committee contends that, though the North American Indian historical and policy contexts are different, the model makes useful observations and suggestions on Indigenous governance.

Building the capacity of Indigenous individuals, families and communities

6.37 The Committee received a wide range of evidence relating to service delivery, particularly concerning the roles of governments, and, to a lesser extent, issues surrounding Indigenous organisations. Much of the evidence regarding Indigenous organisations related to the expectations placed on them by governments, and so involved suggestions on how to build the capacity of governments to respond to these issues. In relation to building the capacity of individuals, families and communities, it was difficult to separate out ways to build capacity, without referring to the services that could help build those capacities. Thus, the last chapter addressing the terms of reference focused on Indigenous-driven initiatives

10 Mr Richie Ahmat, Cape York Land Council, Transcript (07.07.03), p. 785.

that were addressing issues of Indigenous disadvantage in ways that involved capacity building and empowerment. Many of these initiatives involved helping people to help themselves.

6.38 The Committee believes there is a balance between acknowledging the chronic state of Indigenous disadvantage and promoting the success of initiatives that are having an impact on addressing such disadvantage. Though there is a very long way to go until Indigenous Australians are experiencing a quality of life equitable to that of Australian society as a whole, progress is occurring, change is slow, and positive stories need to be told, as Reconciliation Australia's 2003 report stated:

> The positive news is essential to combat commonly held misconceptions about Indigenous Australians and to demonstrate that when Indigenous communities are supported in taking control, persistent problems can be overcome… Publicising such positive initiatives has the added advantage of encouraging and informing others who are looking to find ways to make a worthwhile contribution to reconciliation.[11]

6.39 Sharing positive stories is important, both to address commonly held negative misconceptions of Indigenous Australia, and to share information and models that work. As DIMIA told the Committee:

> Many communities have, in the face of these difficulties, achieved successes that are inspirational and a source of great community pride. It is important that these successes are acknowledged and celebrated. Information about them needs to be shared, so that other communities can consider applying and adapting them to their own needs, and governments use them to inform policy making and programme delivery.[12]

Conclusions

6.40 The Committee believes that implementation of its recommendations should improve policy direction and management structures, and improve service delivery to Indigenous Australians. The recommendations in this report aim to ensure that:

- basic data collection is nationally consistent and comparable, and focussed on outcomes;

11 Reconciliation Australia, *Reconciliation: together we're doing it: 2003 Reconciliation Report*, p. 11

12 DIMIA, Submission 42, p. 13

- the Government institute a coordinated annual report to Parliament on its progress in achieving agreed outcomes and benchmarks;
- a comprehensive evaluation is made of the COAG Trials, and a regular report on progress is made to Parliament;
- improved integration, coordination and cooperation within and between levels of government in consultation with Indigenous Australians occurs;
- a strong commitment is made to improving the capacity of government agencies; and
- the development of partnerships between the private/corporate/philanthropic sectors and Indigenous organisations is encouraged and supported.

6.41 Underlying these recommendations is the essential need for a total cooperative effort by all Australian governments.

6.42 Although the recommendations in the report are directed at government, there are clearly complex challenges confronting Indigenous Australia. As the Queensland Government told the Committee, Government must take responsibility for those things it is best placed to do, and communities must take responsibility for those things they can only do themselves. Communities cannot be expected to solve their own problems, and government is not capable of improving life in communities without the commitment of the community.[13]

6.43 There is much that governments can do to assist and support Indigenous communities in setting their own priorities and establishing governance structures. As outlined in the report, many Indigenous organisations and communities face complex demands. Much can be done to assist the development of leaders and managers, to mentor and train staff, to ensure that available staff to assist organisations and communities are properly accredited and held responsible for their performance, and to generally enhance the capacity of Indigenous organisations to meet corporate governance accounting requirements, and to encourage good institutional governance. A positive sign in this area is the initiatives being taken to develop partnerships with government and private sector/aid organisations.

13 Queensland Government, Submission 56, p. 7.

6.44 The Committee was heartened to hear of the many success stories from Indigenous communities where innovative and creative ways of facilitating empowerment, building capacity, and addressing community issues were improving the lives of community members. The Committee particularly commends Indigenous communities' partnerships with the corporate sector, philanthropic organisations, governments, and government agencies, departments and offices.

6.45 Key elements of the way ahead therefore involve major challenges to governments, to Indigenous organisations and to communities and individuals. It involves a revision of approaches by governments and a move away from conventional methods of service delivery which reinforce dependency to the pursuit of real partnerships with Indigenous organisations and communities. A challenge to move from the rhetoric of partnerships to being a real resource, together with a commitment to incorporating capacity building into the design and implementation of partnerships for service delivery. Not only do governments need to take steps to change the outlook and direction of their own agencies and to provide an integrated approach and lift the capacity of their own officers, steps also need to be taken towards enhancing the capacity of Indigenous organisations.

6.46 This inquiry has largely been about service delivery, and about building the capacity of stakeholders. At the first level, this involves building the capacity of governments to be more responsive and effective in addressing the service delivery needs of Indigenous Australians. The second layer, which meshes and overlaps with that, is about building the capacity of Indigenous people and organisations so that they can then deliver or influence the delivery of services more effectively. The third layer is about building capacity so that the need for service delivery is reduced, and the way to do that is work together to improve Indigenous people's quality of life.

6.47 The Steering Committee for the Review of Government Service Provision produced the *Overcoming Indigenous Disadvantage: Key Indicators 2003* report, in the forward of which Chairman Mr Gary Banks stated:

> During our consultations, we learned of many initiatives that were making a difference at the community level. However, progress at this level may not be evident in aggregate statistics. Such initiatives underline the importance of governments' contribution, but they also show that other ingredients are needed. As one Indigenous leader has publicly declared, "man cannot live by service delivery alone". Contributions from the private sector and,

> not least, Indigenous people themselves, will also be important to overcoming Indigenous disadvantage.[14]

6.48 Clearly the first priority is alleviating the chronic state of Indigenous disadvantage, an intermediate step involves the development of Indigenous organisations delivering service to their own people, and the final goal, is a reduction in the need for government service delivery. As part of this progression, and in moving beyond the current level of need for service delivery, employment through small business and enterprise development is essential.

Barry Wakelin MP

Chairman

June 2004

14 Mr Gary Banks, Steering Committee for the Review of Government Service Provision (SCRGSP), 2003, *Overcoming Indigenous Disadvantage: Key Indicators 2003*, Productivity Commission, Canberra, p. v.

Dissenting remarks

Member for Solomon, David Tollner

While acknowledging the commitment and good intentions of Committee members I cannot, in all conscience, sign off on the Report without expressing reservations.

As the sole Country Liberal Party MHR, I have a duty to represent the broad policies of my party and the views that I believe best reflect my Northern Territory constituency. The Northern Territory is unique in Australia in that Aborigines constitute a significant proportion of population, many times their representation in any other state or territory.

Nowhere in Australia are Aboriginal people more clearly defined, most protected from dispossession, most resourced with natural wealth, best equipped with knowledge of traditional beliefs and culture, than in the Northern Territory.

And nowhere are Aboriginal people more institutionalised beneath a plethora of competing bureaucracies and agencies, charities and councils, trusts and associations.

The recommendations of the Committee will therefore impact proportionally upon the Northern Territory. For these reasons – my party membership and the people I represent - I am compelled, regrettably, to submit these dissenting remarks.

State intrusion

Aboriginal Australians are excluded from Australian society and a healthy life style and economy by being treated differently, by being treated as a special race-based problem, by seeing separate structures set up to determine their future as though it was somehow separate to the future of all Australians.

The direct relationship between the collapse of responsibility in Aboriginal society and the growth and assumption of responsibility by the state is not addressed, nor the issue of services without obligation or reciprocity even though they have been identified as major factors disempowering Aboriginal communities and causing social dysfunction.

I believe it is time to recognise 'the terrible unintended affects of well -intentioned policy', to decide that 'people don't need soothing. They need jolting. They need to be shocked' and to 'mention the unmentionables' of many Aboriginal communities today. (Do Indigenous Youth Have a Dream? – Bob Beadman. Menzies Research Centre).

The Committee expresses its disappointment that past Parliamentary Committee recommendations, such as those of the House of Representatives Standing Committee on Aboriginal Affairs Report 'A Chance for the Future: Training in Skills for Aboriginal and Torres Strait Island Community Management and Development' have not been implemented and that problems identified 15 years ago continue to persist'. (1.45-1.47)

The Committee acknowledges, in reference to the House of Representatives Standing Committee on Aboriginal Affairs Report 'We Can Do It!' the words of Cape York leader, Noel Pearson: "We've produced mountains of thinking around Aboriginal Affairs … [but] … as the mountains of paper have accumulated … the social situation's gone down …' (1.50)

The Committee cites evidence from the Harvard Project (1.86) that 'the cycle of welfare dependency' runs counter to 'capacity building' in Aboriginal communities' and quotes Reverend Nic Frances' submission that 'passive welfare' limits choice for individuals and communities, adding "there is a time for governments to stand back and get out of the way". (3.189)

Despite these references the recommendations call for a greater government effort from its agencies (Recommendations 5, 6, 7(g)), and additional layers of administrative process (Recommendation 6), and government monitoring (Recommendations 10, 11) - with only the briefest reference to the role of the private sector in advancing the ability of Aboriginal communities to gain control over their affairs. (Recommendation 13 (b)).

The Report proposes that Aboriginal and Torres Strait Islander Affairs become 'a permanent agenda item at future COAG meetings'. (Recommendation 2) and seeks to establish an over-arching role for Parliament to measure progress against the Priority Outcomes of the Headline Indicators of Indigenous disadvantage as established by the Steering Committee for the Review of Government Service Provision. (Recommendations 4(a, b)).

While acknowledging past failures and the continuing counter-productive intrusion of government agencies in community affairs, particularly in relation to welfare services, the recommendations fail to tackle these central issues thus risking a judgement that the Report will only add to Noel Pearson's 'mountains of accumulated paper' while continuing, and even magnifying, the public sector role in Aboriginal administration.

Land Rights

I am disappointed that my attempts to make the disincentives to community advancement of the Commonwealth protectionist Land Rights legislation in the Northern Territory were considered to be beyond the scope of the Committee's inquiry.

I believe that in the Northern Territory the differing and complex land laws and regulation impact negatively upon Aboriginal advancement but the Committee has chosen neither to examine nor comment on the issue.

It has been argued that a former ATSIA Committee dealt with this issue at length, in its consideration of the Reeves Review. However, there is no doubt that that Committee's deliberations were manipulated to ensure the Reeves Review was discredited and that any real consideration of reform of the 1976 legislation was shelved.

The uncertainties regarding dual native title and land rights legislation are continuing disincentives to 'capacity building' in Aboriginal communities. In the Northern Territory even the provision of government education, health, transport and other essential services are compromised by a land management regime which fails to allow for public ownership and, to a great extent, private investment.

David Tollner, MP

MEMBER FOR SOLOMON

A

Appendix A – List of submissions

Submission	Organisation
1	Mrs Beres Sessions
2	Mr Andrew Biven
3	Torres Strait Regional Authority
4	Mr Allan Horsley, Australian Communications Authority
5	Aboriginal Evangelical Fellowship Family and Youth Services Inc.
6	Murdi Paaki Regional Council
7	Kimberley Community Management Services
8	Key Centre for Tropical Wildlife Management, Northern Territory University
9	Municipal Association of Victoria
10	Australian Institute of Aboriginal and Torres Strait Islander Studies
11	City of Mandurah
12	Wyong Shire Council
13	Kardu Numida Incorporated
14	Aboriginal Housing Board of Victoria

15	Aboriginal Resource & Development Services Inc.
16	Aboriginal Hostels Limited
17	Indigenous Land Corporation
18	Wollotuka School of Aboriginal Studies, University of Newcastle
19	Local Government Association of the Northern Territory
20	Department of Education, Science and Training
20.1	Department of Education, Science and Training
20.2	Department of Education, Science and Training
21	Central Australian Remote Health Development Services Ltd.
22	Svea Pitman
23	Department of Transport and Regional Services
24	Mr John McDonald
25	Centre for Aboriginal Economic Policy Research, Australian National University
26	Office of the Registrar of Aboriginal Corporations
27	Faculty of Aboriginal and Torres Strait Islander Studies and Centre for Indigenous Natural and Cultural Resource Management, Northern Territory University
28	Victorian Aboriginal Community Controlled Health Organisation Inc.
29	Indigenous Business Australia
30	Central Australian Aboriginal Congress Inc.
31	Department of Communications, Information Technology and the Arts
32	Tangentyere Council Inc.
33	Batchelor Institute of Indigenous Tertiary Education
34	Mr Mick Pittman
35	Confidential
35.1	Nyirrangu Muay Wurrga'ada Association Inc.

35.2	Confidential
36	The Fred Hollows Foundation
37	Department of the Environment and Heritage, Environment Australia
38	Aboriginal Corporation Enterprising Services
39	Oxfam Community Aid Abroad
40	Indigenous Communities Coordination Taskforce
41	Pilbara Regional Council
42	Department of Immigration and Multicultural and Indigenous Affairs
43	Northern Land Council
44	Aboriginal and Torres Strait Islander Social Justice Commissioner, Human Rights and Equal Opportunity Commission
45	Northern Territory Government
46	Department of Family and Community Services and Centrelink
47	Centre for Appropriate Technology Inc.
48	Dr Don Fuller, Flinders University
49	Aboriginal Services Division, Department of Human Services, South Australia
50	Dr John Boully
51	Government of South Australia
52	Mr Duncan Beggs
53	Queensland Government Department of Housing
54	Lake Tyers Aboriginal Trust, Bungyarnda CDEP Co-op Ltd.
55	Reconciliation Australia
55.1	Reconciliation Australia
56	Queensland Government
57	Government of Western Australia

58	David Huggonson
59	Victorian Aboriginal Education Association Incorporated
60	Marlene Atkinson
61	The National Coalition of Aboriginal and Torres Strait Islander Social Workers Inc. & Australian Association of Social Workers
62	ATSIC Many Rivers Regional Council
63	Aboriginal Housing Company Ltd.
64	Aboriginal Legal Rights Movement Inc.
65	Apunipima Cape York Health Council
66	Aboriginal and Torres Strait Islander Commission
67	Lingiari Foundation Incorporated
68	Department of Employment and Workplace Relations
69	Mr Rod Towney
70	Mr Rollo Manning
70.1	Confidential
71	ATSIC South Australian Zone Commissioner, and ATSIS South Australia State Office
72	Dubbo Aboriginal Community Working Party
73	New South Wales Department of Aboriginal Affairs
74	Confidential
75	National Native Title Tribunal
76	Confidential

B

Appendix B – List of exhibits

No.	From	Exhibit Title
1	University of Queensland	The Making of Northern Territories & Canada's Indigenous Hinterlands
2	University of Queensland	Negotiating Nationhood, Renegotiating Nationhood: Canada's Nanavut and Nunavut's Canada
3	University of Queensland	Nations With Whom We Are Connected
4	Kimberly Community Management Services	Kimberley Community Management Support - A Feasibility Study to Establish a Management Support Service for Community Organisations in the Kimberley
5	AIATSIS	AIATSIS Research Program
6	AIATSIS	Promoting knowledge and understanding of Australian Indigenous cultures, past and present
7	AIATSIS	Aboriginal Studies Press – Catalogue 2002
8	AIATSIS	Guidelines for Ethical Research in Indigenous Studies
9	AIATSIS	Australian Indigenous Cultural Network
10	Wyong Shire Council	Internalized Racism

11	Aboriginal Resource & Development Services	A Community Development Radio Service
12	Aboriginal Resource & Development Services	Djambatj Mala: Why Warriors Lie Down and Die: Towards an understanding of why the Aboriginal people of Arnhem Land face the greatest crisis in health and education since European contact. Richard Trudgen.
13	Municipal Association of Victoria	Toomnangi
14	Centre for Aboriginal and Economic Research	Review of the Native Title Representative Bodies 1995
15	Centre for Aboriginal and Economic Research	If you have a dream to make it happen. Approaches to Maximising Educational Engagement Among Young Indigenous Students
16	Centre for Aboriginal and Economic Research	The indigenous welfare economy and the CDEP scheme
17	Centre for Aboriginal and Economic Research	Aboriginal nutrition and the Nyirranggulung health strategy in Jawoyn Country
18	Centre for Aboriginal and Economic Research	Ngukurr at the millennium: A baseline profile for social impact planning in South East Arnhem Land
19	Centre for Aboriginal and Economic Research	Why only one in three? The Complete Reasons for Indigenous School Retention
20	Centre for Aboriginal and Economic Research	Land rights at risk? Evaluations of the Reeves Reports
21	Centre for Aboriginal and Economic Research	Indigenous residential treatment programs for drug and alcohol problems: Current status and options for improvement
22	Centre for Aboriginal and Economic Research	Some competition and consumer issues in the Indigenous visual arts industry
23	Centre for Aboriginal and Economic Research	Indigenous community stores in the 'frontier economy': Some competition and consumer issues

24	Centre for Aboriginal and Economic Research	Jurisdictional devolution: Towards an effective model for Indigenous community self-determination
25	Centre for Aboriginal and Economic Research	Towards an Indigenous order of Australian Government: Rethinking self-determination as Indigenous affairs policy
26	Centre for Aboriginal and Economic Research	Population futures in the Australian Desert, 2001-2016
27	Centre for Aboriginal and Economic Research	Urban CDEPs as Indigenous Employment Centres: Policy and community implications
28	Centre for Aboriginal and Economic Research	Sustainable development options on Aboriginal land: The hybrid economy in the twenty-first century
29	Centre for Aboriginal and Economic Research	Building Indigenous learning communities
30	Centre for Aboriginal and Economic Research	A regional CDEP for four remote communities? Papunya, Ikuntji, Watiyawanu and Walungurru
31	Centre for Aboriginal and Economic Research	Community Participation Agreements: A model of welfare reform from community - based research
32	Centre for Aboriginal and Economic Research	Indigenous autonomy in Australia: Some concepts, issues and examples
33	Centre for Aboriginal and Economic Research	Giving credit where it's due: The delivery of banking and financial services to Indigenous Australians in rural and remote areas
34	Centre for Aboriginal and Economic Research	Indigenous families and the welfare system: The Yuendumu community case study, Stage Two
35	Centre for Aboriginal and Economic Research	Autonomy rights in Torres Strait: From whom, for whom or over what?
36	Centre for Aboriginal and Economic Research	Is Welfare dependency 'welfare poison'? An assessment of Noel Pearson's proposals for Aboriginal welfare reform

37	Centre for Aboriginal and Economic Research	Indigenous Australians and the rules of the social security system: Universalism, appropriateness and justice
38	Centre for Aboriginal and Economic Research	Anangu population dynamics and future growth in Ulurr- Katatjuta National Park
39	Centre for Aboriginal and Economic Research	'If It wasn't for CDEP': A case study of Worn Gundidj CDEP, Victoria
40	Centre for Aboriginal and Economic Research	CDEP in town and country Arnhem Land: Bawinanga Aboriginal Corporation
41	Centre for Aboriginal and Economic Research	A case study of the Bungala CDEP: Economic and social impacts
42	Centre for Aboriginal and Economic Research	Education, training and careers: Young Torres Strait Islanders, 1999
43	Centre for Aboriginal and Economic Research	Career aspirations and orientation to work: Young Torres Strait Islanders, 1999
44	Centre for Aboriginal and Economic Research	Job searching and careers: Young Torres Strait Islanders, 1999
45	Centre for Aboriginal and Economic Research	Social exclusion, social capital and Indigenous Australians: Measuring the social costs of unemployment
46	Centre for Aboriginal and Economic Research	Regionalisation of Northern Territory land councils
47	Centre for Aboriginal and Economic Research	Changing places: Indigenous population movement in the 1990s
48	Centre for Aboriginal and Economic Research	The Ngurratjuta Aboriginal Corporation: a model for understanding Northern Territory royalty associations
49	Centre for Aboriginal and Economic Research	Northern Territory land rights: purpose and effectiveness
50	Centre for Aboriginal and Economic Research	New and emerging challenges for Native Title Representative Bodies
51	Office of the Registrar of Aboriginal Corporations	Review of the Aboriginal Councils and Associations Act 1976

52	Central Australian Aboriginal Congress	Literacy Issues & Primary Health Care Service Delivery in Central Australia
53	Department of Communications, Information Technology and the Arts	Telecommunications Action Plan for Remote Indigenous Communities
54	Yarnteen Aboriginal & Torres Strait Islander Corporation	Capacity Building Forum Brisbane - 29, 30 August 2002
55	Nyirrangu Muay Wurrga'ada Association Inc	Registrar of Aboriginal Corporations, Notice pursuant to section 60A of the Aboriginal Councils and Associations Act 1976 (as amended)
56	Nyirrangu Muay Wurrga'ada Association Inc	Video tape accompanying submission by the Nyirrangu Muay Wurrga'ada Association
57	The Fred Hollows Foundation	Report of a Visit to The Fred Hollows Foundation Projects In The Northern Territory
58	The Fred Hollows Foundation	Aboriginal Nutrition and the Nyirranggulung Health Strategy in Jawoyn Country
59	Office of the Registrar of Aboriginal Corporations	Talking Points for appearance on 16th October 2002
60	Centre for Aboriginal and Economic Research	Indigenous small enterprise development in northern Australia: Implications for Policy
61	Flinders University Adelaide	Indigenous small enterprise development: The Case of Ngukurr, Northern Australia
62	Flinders University Adelaide	The Community Development Employment Projects Scheme - A Critical Review
63	Flinders University Adelaide	Ngukurr Field Report - Stage Two
64	Flinders University Adelaide	Indigenous Economic Development in Northern Australia
65	Centre for Aboriginal and Economic Research	Annual Report from Bawinanga Aboriginal Corporation

66	Centre for Aboriginal and Economic Research	Report from ACCC - Competition, consumer issues for Indigenous Australians
67	Torres Strait Regional Authority	Torres Strait Regional Authority - Torres Strait Cultural Centre Information Pamphlet
68	Kubin Community Council	Five Year Community Plan
69	St Pauls Island Council	St Pauls Island Council Human Resources Policy
70	St Pauls Island Council	St Pauls Island Council Housing Development Plan
71	St Pauls Island Council	Housing Plan St Pauls Island Council Registered Builder and Registered Training Provider
72	South Australian Government	Finding of Inquest into Death of Kunmanara Hunt
73	South Australian Government	Finding of Inquest into Death of Kunmanara Thompson
74	South Australian Government	Finding of Inquest into Death of Kunmanara Ken
75	Torres Strait Regional Authority	Department of Aboriginal & Torres Strait Islander Policy & Development - Review of Funding to Aboriginal and Island Councils
76	Maningrida Council	Maningrida Council News Issue No.2 – 23 September 2002
77	Ms Felicity Douglas	Bawinanga Aboriginal Corporation Human Service Projects
78	Maningrida Jobs Education & Training Aboriginal Corporation	Maningrida Jet Centre
79	Malabam Health Board Aboriginal Corporation	Maningrida Health Board Aboriginal Corporation
80	Kardu Numida Incorporated	Further development of a construction industry Port Keats / Daly River Reserve, August 2002

81	Kardu Numida Incorporated	Thamarrurr - Partnership News, November 2002
82	Kardu Numida Incorporated	Workshops
83	Kardu Numida Incorporated	Plan for Women and Family Dreams for the Future "Our Wealth is Family"
84	Local Government Association of the Northern Territory	2001-2002 Annual Report, Local Government Association Northern Territory
85	Local Government Association of the Northern Territory	Hansard transcript of Economics, Finance & Public Administration Committee, 8 October 2002
86	Northern Territory Library and Information Service	Department of Community Development, Sport & Cultural Affairs – Arts Museum and Library Services – Knowledge Centres
87	Northern Territory Library and Information Service	Factors which influence the successful implementation of digital technology in Aboriginal communities.
88	Mr Peter Toyne	Remote Service Delivery Initiatives in the Warlpiri Region - A Case Study for Implementation, Peter Toyne, November 2002
89	Aboriginal Resource & Development Services	Indigenous Health, Sharing the true stories: improving communication between Aboriginal patients and healthcare workers, 20 May 2002
90	Aboriginal Resource & Development Services	A Community Develop Radio Service for the Yolŋu clan nations of north-east Arnhem Land, the Report of the Radio Broadcasting Station Feasibility Study
91	Larrakia Development Corporation Pty Ltd	Saltwater People - Larrakia Nation Briefing Papers
92	Larrakia Development Corporation Pty Ltd	Darla – raise your sights

93	Reconciliation Australia	Reconciliation Australia Submission to Joint Committee on Corporations and Financial Services in Rural, Regional and Remote Areas of Australia
94	Perron Island Enterprise Aboriginal Corporation	Submission from Perron Island Enterprise from Mr Victor Moffatt Perron Island Enterprise Aboriginal Corporation
95	Mr John McDonald	Some key stats -Indigenous Australians
96	Office of the Registrar of Aboriginal Corporations	Public Release of Review Report
97	Mr Tom Redston	Galiwinku Knowledge Centre - Draft Discussion Paper
98	Office of the Registrar of Aboriginal Corporations	Meet the Roles and Responsibilities of a Board Member – Learning Guide
99	Ms Natalie Siegal	Research Paper on Remote Magistrates' Courts
100	Victorian Aboriginal Community Services Association Ltd.	VACSAL Background Paper and Organisational Chart
101	Victorian Aboriginal Education Association Inc	Wurreker (The Message Carriers) The Koori Community and TAFE in Victoria in Equal Partnership
102	Boston Consulting Group	Submission to the Inquiry into Capacity Building in Indigenous Communities
103	Victorian Aboriginal Education Association Inc	Guide for Management - Aboriginal Child Care Services
104	Victorian Aboriginal Education Association Inc	Yalca - A Partnership in Education and Training for the New Millennium, Koori Education Policy 2001
105	Victorian Aboriginal Community Services Association Ltd.	Koori Community Leadership Program
106	The Bungyarnda CDEP Co-Op Ltd	Discussion notes for Public Hearing, Wednesday 19th of February

107	Aboriginal Housing Board of Victoria	Following points about Victoria Based on Discussion Meeting Held with Representatives from Other Melbourne Metro Organisations.
108	Rio Tinto Ltd.	Rio Tinto – Aboriginal Policy and Programs Briefing notes February 2003
109	Indigenous Partnership Strategy	Indigenous Partnership Strategy and Accompanying Notes
110	Rumbalara Aboriginal Co-operative Ltd.	Rumalara Aboriginal Co-operative Ltd – Overview of Co-operative
111	Bangerang Cultural Centre	Bangerang Keeping Place
112	Koori Economic Employment Training Agency	Shepparton Regional Indigenous Community Employment & Development Strategies
113	Mr Paul Briggs	"Rumba on the rise" The Story of the Rumbalara Football and Netball Club
114	Koori Economic Employment Training Agency	Culture, Community and a Common Fate
115	Victorian Magistrates' Court	One of Many Ways Forward – The Role of the Magistrates' Court in changing perceptions, encouraging Indigenous access to justice and delivering on the recommendations of the Royal Commission into Aboriginal Deaths in Custody (1988-1991)
116	Mr Paul Briggs	First Nations Australian Credit Union
117	Rumbalara Aboriginal Co-operative Ltd.	Rumbalara Aboriginal Cooperative Ltd. 2002 Annual General Meeting Report
118	Environment Australia	Respecting our Culture -Tourism Development Program
119	Environment Australia	Burdontorzillo Corporate Profile
120	Environment Australia	Supplementary Information on Training of Indigenous Employees

121	Mr John McDonald	Department of Indian Affairs and Northern Development Corporate Services, Evaluation of the Procurement Strategy for Aboriginal Business
122	Reconciliation Australia	Putting the Picture Together - Inquiry into Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities
123	Koori Business Network	Indigenous Employment Program, Ballarat and District Final Report
124	Reconciliation Australia	Partnerships for Success, The Graham (Polly) Farmer Foundation
125	Reconciliation Australia	Moree Aboriginal Employment Strategy
126	Australian Council of State School Organisations	ACSSO Indigenous Education Project – Report and Leaflet, June 2001
127	Aboriginal Health & Medical Research Council of NSW	Ensuring Progress in Aboriginal Health, A Policy for the NSW Health System
128	Aboriginal Health & Medical Research Council of NSW	Monograph Series: Primary, Secondary and Tertiary Health Care Services to Aboriginal Communities
129	Aboriginal Health & Medical Research Council of NSW	NSW Aboriginal Health Partnership Agreement 2001
130	Aboriginal Health & Medical Research Council of NSW	New South Wales Aboriginal Health Strategic Plan
131	Aboriginal Health & Medical Research Council of NSW	Map of Council Regional Boundaries
132	Aboriginal Health & Medical Research Council of NSW	NSW Aboriginal Health Information Guidelines
133	Aboriginal Health & Medical Research Council of NSW	Model Aboriginal Health Partnership
134	Sydney Regional Aboriginal Corporation Legal Service	Urgent needs for further resources
135	Aboriginal Housing Company	Redfern Community Social Plan, Pemulwuy Redevelopment Project Redfern

136	The Fred Hollows Foundation	Centre for Aboriginal Economic Policy Monograph - Aboriginal Nutrition and the Nyirranggulung Health Strategy in Jawoyn Country
137	The Fred Hollows Foundation	Newsletter - Walking alongside each other – helping Indigenous communities to help themselves
138	Yarnteen Aboriginal & Torres Strait Islander Corporation	The Quigley Grapevine: Pre-issue, Issue No. 1, 2 and 3
139	Yarnteen Aboriginal & Torres Strait Islander Corporation	In Digital Access
140	Yarnteen Aboriginal & Torres Strait Islander Corporation	Yarnteen Corporate Profile
141	Yamuloong Association	Yamuloong Corporate Profile
142	Many Rivers Regional Council	Many Rivers Regional Plan 2003-05
143	Murdi Paaki Regional Council	Working Together: A proposed framework of regional governance for the Murdi Paaki Region of New South Wales
144	Murdi Paaki Regional Council	Review of Indigenous Participation in the Development of Commonwealth Policies and Programs (the ATSIC review)
145	Murdi Paaki Regional Council	Barwon Darling Alliance
146	Murdi Paaki Regional Council	Murdi Paaki ATSIC Region - Aboriginal Community Governance Resource Kit
147	Office of the Registrar of Aboriginal Corporations	A Modern Statute for Indigenous Corporations: Reforming the Aboriginal Councils and Associations Act, Final Report of the Review of the Aboriginal Councils and Associations ACT 1976 (Cth
148	Reconciliation Australia	Ministerial Statement 19 March 2003: Commonwealth Native Title Funding
149	Department of Education, Science and Training	National Report to Parliament on Indigenous Education and Training, 2001

150	Dept. of Family and Community Services	ATSIC Family Violence Action Plan
151	Dept. of Family and Community Services	Indigenous Parenting and Family Well Being Initiative Projects
152	Apunipima Cape York Health Council	Funding for Implementation of the River of Life
153	Apunipima Cape York Health Council	Health Outpost Submission
154	Apunipima Cape York Health Council	Community Health Plans
155	Apunipima Cape York Health Council	Healthy women / men mean strong families
156	Apunipima Cape York Health Council	Grog Babies
157	Apunipima Cape York Health Council	Foetal Alcohol Syndrome & Foetal Alcohol Effect (FAS / FAE)
158	Apunipima Cape York Health Council	Mara Ngi Men's Leadership Forum 2002
159	Queensland Government	Australian Housing Ministers' Ten Year Statement Of New Directions For Indigenous Housing. Building a Better Future: Indigenous Housing to 2010
160	Queensland Government	Aboriginal and Torres Strait Islander Housing Operation Plan 2001-2002
161	Queensland Government	Community Housing Management Strategy
162	Queensland Government	Agreement Between the Commonwealth Government, the Queensland Government, Torres Strait Regional Authority and the Island Coordinating Council for the Planning and Coordination of Housing and Infrastructure for Torres Strait Islanders and Aboriginal People Living in the Torres Strait Region

163	Queensland Government	Agreement Between the Commonwealth of Australia and the Aboriginal and Torres Strait Islander Commission and the Aboriginal Coordinating Council for the Provision of Housing and Infrastructure for Aboriginal and Torres Strait Islander People in Queensland (Excluding the Torres Strait Region)
164	Queensland Government	Aboriginal and Torres Strait Islander Housing Operation Plan 2002-2003
165	Queensland Government	Social Housing Skills Development Strategy (3-5 Year Strategy Training Plan)
166	Balkanu Cape York Development Corporation Pty Ltd	Balkanu's Business Hub Strategy
167	Joyce Palmer Health Service	Capacity Building in Indigenous Communities, The Joyce Palmer Health Service Experience
168	Australian Army	Health Training Team Activities During AACAP 03
169	Department of Education, Science and Training	What Works. The Works Program Improving outcomes for Indigenous students
170	Mr Victor Hunter	Rough notes to public hearing questions
171	The Government of Western Australia	Strategic Objectives – Evaluation Strategy
172	ATSIC	Ngarda Civil & Mining
173	Kimberley College of TAFE	Outline of Aboriginal Short Course Units to Certificate IV Business (Governance)
174	Kimberley College of TAFE	Kimberley TAFE Course Brochure 2003
175	Port Headland Regional Aboriginal Corporation	Port Hedland - background information
176	Kimberley College of TAFE	Young Indigenous Enterprise

177	Kimberley College of TAFE	Indigenous Community Governance Training in 2003, Recommendations to Kimberley College of TAFE
178	ATSIC	Speech read by Commissioner Griffiths at public hearing
179	Australian Army	ATSIC Army Cooperation Assistance Program (AACAP) Palm Island
180	Boston Consulting Group	Creating a Real Economy for Indigenous Cape York
181	Desert Peoples Centre	Desert Peoples Centre - a catalyst for change in the Desert. Volume One: Our Statement, Volume Three: Our Research
182	Ngaanyatjarra Council	Ngaanyatjarra Council - Doing Business With Government
183	Western Australia Government	Report to the Second Meeting of the Indigenous Affairs Advisory Committee (IAAC), IAAC working group on child abuse in Aboriginal communities
184	Western Australia Government	Western Australia Police Service Project - Policing Remote / Discrete Communities in Western Australia
185	Department of Transport and Regional Services	Shared Responsibility Update June 2003
186	ATSIC South Australia State Office	Partnering Agreement between The Government of South Australia and The Aboriginal and Torres Strait Islander Commission First Annual Report, December 2002
187	ATSIC South Australia State Office	Aboriginal and Torres Strait Islander Commission, Patch-up or Prevention? A call for action on poverty in metropolitan Adelaide
188	Flinders University Adelaide	Research Report - The Community Development Employment Projects Scheme: A Critical Review

189	Reverend William Edwards	Statement for House of Representatives Select Committee on Aboriginal Affairs
190	Aboriginal Legal Rights Movement, Native Title Unit	Congress Native Title Management Committee
191	ATSIC Alice Springs	Storecharter - A Service Charter for Stores Serving Remote and Indigenous Communities
192	Central Australian Remote Health Development Services	Central Australian Remote Health Development Services (CARHDS)
193	Tangentyere Council Inc.	Tangentyere Council Annual Report 2001-2002
194	Tangentyere Council Inc.	Opening Statement to the Capacity Building in Indigenous Communities Inquiry - William Tilmouth, Tangentyere Council
195	ATSIS / ATSIC Alice Springs	Summary of the Evaluation of the Central Remote Model
196	Western Aranda Rel-aka Aboriginal Corporation	Western Aranda Relekha Committee
197	Desert Knowledge Australia	Desert Knowledge Australia Thriving Desert Knowledge Economies
198	Centre for Appropriate Technology Inc.	The Livelihoods Opportunity
199	Centre for Appropriate Technology Inc.	Planning for the Future Centre for Appropriate Technology CAT Plan 2003-2006
200	Centre for Appropriate Technology Inc.	Centre for Appropriate Technology Inc. Presentation to House of Representatives Standing Committee
201	Central Australian Remote Health Development Services	Notes from Task Force on NT Indigenous Adult English Language and Literacy
202	Central Australian Remote Health Development Services	Literacy Issues & Primary Health Care Service Delivery in Central Australia, A Position Paper for Central Australian Remote Health Development Services

203	Tangentyere Council Inc.	Background information on Tangentyere Council Inc.
204	Aboriginal Drug and Alcohol Council of South Australia	Petrol Sniffing & Other Solvents. A Resource Kit for Aboriginal Communities
205	Indigenous Communities Coordination Taskforce	Shared Responsibility Agreement between the Commonwealth of Australia the Northern Territory Government and the Thurmarrurr Regional Council
206	Moree Aboriginal Employment Strategy Ltd.	Aboriginal Employment Strategy Ltd 'A Best Practice Model'
207	Moree Aboriginal Employment Strategy Ltd.	Folder Newspaper Clippings, Aboriginal Employment Strategy
208	Binaal Billa Regional Enterprise Employment Training Aboriginal Incorporated (BBREETAC)	Notes by Mark Costa - BBREETAC
209	Binaal Billa Regional Enterprise Employment Training Aboriginal Incorporated (BBREETAC)	About BBREETAC
210	Dr John Boully	Memorandum of Understanding between Umoona Tjutagku Health Service Inc, Umoona Aged Care Aboriginal Corporation Inc, Umoona Community Council Inc, District Council of Coober Pedy, SA Centre for Rural and Remote Health, Coober Pedy Hospital and Health Service Inc, Northern and Far Western Regional Health Service Inc, The Department of Human Services, The Department of Health and Aged Care
211	Dr John Boully	Proposed Governance Arrangement flow chart
212	National Sorry Day Committee	Address to Members of the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs
213	Confidential	

214	Central Australian Aboriginal Congress	Central Australian Regional Substance Misuse Strategic Plan
215	Confidential	

C

Appendix C – List of public hearings & witnesses

WEDNESDAY 16 OCTOBER 2002, CANBERRA

Office of the Registrar of Aboriginal Corporations

Mr Peter Armstrong, Director, Regulation

Ms Laura Beacroft, Registrar

Mr Garry Fisk, Director, Corporate Relations

Ms Toni Matulick, Special Projects Adviser

WEDNESDAY 23 OCTOBER 2002, CANBERRA

Centre for Aboriginal Economic Policy Research, Australian National University

Professor Jon Charles Altman, Director

Dr William Garrison Sanders, Fellow

Ms Diane Evelyn Smith, Fellow (Anthropology)

TUESDAY 5 NOVEMBER 2002, THURSDAY ISLAND

Island Coordinating Council

Mr Henry Garnier, Chair

Torres Strait Regional Authority

Mr Michael Fordham, General Manager

Mr Terry Waia, Chairperson

TUESDAY 5 NOVEMBER 2002, PORUMA (COCONUT ISLAND)

Poruma Island Council

Mr Raymen Flauid, Councillor

Mr Francis Pearson, Chairperson

Mrs Ida Mai Pearson, Councillor

Torres Strait Regional Authority

Mr Michael Fordham, General Manager

WEDNESDAY 6 NOVEMBER 2002, MOA ISLAND (St Pauls)

St Pauls Island Council

Mrs Suzanne Hodgson, Financial and Training Consultant

Mr John Toshie Kris, Chairperson

Mr John David Paiwan, Chief Executive Officer

Mr Wilhelm Pedro, Deputy Chairman

Mr Donald Van Rysinge, Councillor

Torres Strait Regional Authority

Mr Michael Fordham, General Manager

WEDNESDAY 6 NOVEMBER 2002, MOA ISLAND (Kubin)

Kubin Community

Mr Billy Missi

Kubin Community Council

Mr Roy Gewai, Deputy Chairman

Ms Matilda Neilman, Chief Executive Officer

Mr Saila Savage, Chairman

Mr Lama Trinkoon, Housing Officer

Torres Strait Regional Authority

Mr Michael Fordham, General Manager

MONDAY 25 NOVEMBER 2002, MANINGRIDA

Bawinanga Aboriginal Corporation

Mr Peter Danaja, Liaison Officer

Ms Felicity Jane Douglas, Human Services Coordinator

Mr James Lamerton, Chief Executive Officer, Malabam Health Board

Mr Gordon Machbirrbirr, President

Mr Ian Ross Munro, General Manager

Ms Helen Williams, Worker, Women's Centre

Mrs Kimberlee Marjorie Short, Coordinator, Women's Community Development Employment Program

Danila Dilba Aboriginal Health Service

Mr Cyril Benjamin Oliver, Project Officer

Djelk Rangers

Mr Dean Yibarbuk, Coordinator, Indigenous Senior Ranger

Malabam Health Board

Mr Norman Winter Nardika, Treasurer

Maningrida

Mr Willie Neimugini, Traditional Elder

Maningrida Arts and Culture

Mrs Apolline Kohen, Arts Director

Maningrida Council

Mr David Bond, Chief Executive Officer

Mr Morris Geinbaraba, President

Mr Dene Hereen, Member

Mr John Horgan, Council Clerk

Maningrida Health Board

Mr Gordon Machbirrbirr, Executive Member

Maningrida Jobs Education and Training Aboriginal Corporation

Mr Scott McCall, Executive Officer

TUESDAY 26 NOVEMBER 2002, WADEYE

Kardu Numida Incorporated, Wadeye

Mr Terry Bullemor, Town Clerk

Mr Felix Bunduck, President

Mr Francis Bunduck

Mr Kieran Bunduck

Mr Joseph Chula

Mr Gilbert Karui, Member

Mr Lawrence Koolumboort, Member

Mr Les Kundjil, Member

Mrs Theadora Narndu, Council Vice-President

Mr Dale Seaniger, Deputy Town Clerk

Northern Territory Department of Community Development, Sport and Cultural Affairs

Mr Bill Ivory, Senior Development Officer

Palngun Wurnangat Association, Wadeye

Mrs Mary Bunduck, Member

Thamarrurr Council, Port Keats

Mr Leon Melpi, Member

WEDNESDAY 27 NOVEMBER 2002, DARWIN

Appearing in a private capacity

The Hon. Bob Collins

Aboriginal and Torres Strait Islander Commission (ATSIC)

Mr Kim Hill, Commissioner, North Zone

Aboriginal Health and Hospital Services

Ms Jennifer Cleary, Assistant Secretary, Community Health

Aboriginal Resource and Development Services Inc

Mr Stuart John McMillan, Administration Manager, Educator

Mr Richard Ian Trudgen, Business Manager, Public Officer

ADrail

Mr Duncan Robert Beggs, Community Relations Manager

Australian Football League, Northern Territory Pty Ltd

Mr Peter Colin Atkinson, Manager, Game Development

Batchelor Institute of Indigenous Tertiary Education

Ms Veronica May Arbon, Director

Mrs Rosalie Lynette Kunoth-Monks, Deputy Chairperson

Department of Community Development, Sport and Cultural Affairs

Mr Michael Campion Dillon, Chief Executive

Department of the Chief Minister

Mr Neil Westbury, Director, Office of Indigenous Policy

Flinders University

Dr Don Edwin Fuller, Head, School of Business Economics

Local Government and Regional Development

Mr David Coles, Executive Director

Local Government Association of the Northern Territory

Mr Tony Francis Tapsell, Chief Executive Officer

Northern Territory Library and Information Services

Ms Phillipa Jane Webb, Assistant Director, Client Services

Northern Territory Police, Fire and Emergency Services

Mr Douglas Alan Smith, Assistant Commissioner Operations Command

Northern Territory University

Ms Sonia Ann Smallacombe, Associate Dean, School of General Studies, Faculty of Indigenous Research and Education, Centre for Indigenous Natural and Cultural Resource Management

Dr Peter Whitehead, Director, Australian Research Council Key Centre for Tropical Wildlife Management

Perron Island Enterprise Aboriginal Corporation

Mr Timothy Burr Burr, Member

Mr Victor Andrew Moffatt, Chairperson

Mr William Nikolakis, Economic Consultant

Tiwi Health Board Trust

Mr Rollo Manning

THURSDAY 28 NOVEMBER 2002, DARWIN

Itinerants Project, Darwin and Palmerston

Mr Leon Barry Morris, Acting Coordinator

Land Care Community Development Program

Mr Joe Raymond, Supervisor

Larrakia Development Corporation

Mr Gregory John Constantine, Executive Director

Larrakia Nation

Ms Pauline Baban, Aged Care Worker, Larrakia Aged Care

Mrs Lorna Brunton, Aged Care Coordinator, Larrakia Aged Care

Mr Colin Holtze, Carer, Larrakia Aged Care

Ms Roxy Irene Musk, Research Officer, Larrakia Referral Centre

Ms Rosemary Parfitt, Community Member

Ms Gail Edwina Williams, Member

Ms Tanya Williams, Carer, Aged Care Service

Larrakia Nation Aboriginal Corporation

Mr Cecil Thomas Lewis, Acting Coordinator

Mr Les Loy, Board Member

WEDNESDAY 4 DECEMBER 2002, CANBERRA

Indigenous Business Australia

Mr Joseph Benjamin Elu, Chairman

Mr Ronald Arthur Morony, General Manager

Mr Ian Allen Myers, Deputy General Manager

WEDNESDAY 11 DECEMBER 2002, CANBERRA

Appearing in a private capacity

Mr John Gregor McDonald

WEDNESDAY 12 FEBRUARY 2003, CANBERRA

Environment Australia

Mr Peter Cochrane, Director of National Parks

Mr Bruce Rose, Assistant Director, Indigenous Policy Coordination Section

MONDAY 17 FEBRUARY 2003, MOOROOPNA

Common Fate Endorsed Program

Mr Paul Briggs, Committee Member

First Nations Australian Credit Union

Mr Paul Briggs, Chairman

Goulburn Valley Community Development Employment Program

Mr John William Martin, Chief Executive Officer

Koori Economic Employment Training Agency

Mr Adrian John Appo, Chairperson

Koorie Employment Enterprises

Mr John William Martin, Chief Executive Officer

Rumbalara Aboriginal Cooperative

Mr John William Martin, Board Member

Mr Justin Mohamed, Chief Executive Officer

Ms Lena Morris, Manager, Aged Care

Rumbalara Football/Netball Club

Mr Paul Briggs, President

Shepparton Magistrate's Court

Mr Daniel Briggs, Koori Justice Officer, Koori Court Division

Mr John Martin Murphy, Magistrate

Victorian Magistrate's Court

Dr Kathryn Helen Auty, Senior Magistrate

TUESDAY 18 FEBRUARY 2003, WARRNAMBOOL

Aboriginal and Torres Strait Islander Commission (ATSIC) Tumbukka

Mr Tim Chatfield, Chairperson

Centrelink

Mr Murray Wayne Eccles

Community Connections (Victoria) Ltd

Ms Cheryl Kathleen Umbers, Financial Counsellor and Consumer Advocate

Ms Lyneve Whiting, Program Leader (South-West Region), Sustainable Futures, Department of Primary Industries; and President/Board Member

Department of Innovation, Industry and Regional Development

Ms Esmai Manahan, Manager, Koori Business Network

Mrs Jodie Lee Ryan, Aboriginal Business Development Officer, Koori Business Network

Department of Primary Industries

Mr Jeremy Paul Moloney, Community Consultation Officer

Essendon Football and Community Sporting Club

Mr Alan Gordon Burton, General Manager

Mr Frank Scerri, Community Development Employment Program Employee

Friends of Tower Hill

Mr John Robert Sutherland, Convenor

Greater Green Triangle Area Consultative Committee

Ms Toni Hancock, Facilitator

Parks Victoria

Mr John Gerard McInerney, Ranger in Charge, Shipwreck Coast

South West Institute of Technical and Further Education

Ms Linda Christine Haynes, Koori Liaison Officer

State Friends Network Committee

Mr Bernard Fox, Convenor

Warrnambool City Council

Ms Sara Kirstin Esposito, Economic Development Officer

Councillor James Gilbert Nicol, Mayor

Western Regional Drug and Alcohol Service

Mrs Sharyn Amos, Drug and Alcohol Clinical Specialist / Drug and Alcohol Acquired Brain Injury Clinician

Westvic Work Force

Mr Miles Coverdale, Manager

Worn Gundidj Aboriginal Cooperative

Mr Ronald George Bates, Community Development Employment Program Employee, Textiles Design Artist / Director

Mr John Ronald Collyer, Chairman

Mr Maxwell Robin Hall, Community Development Employment Program Employee

Mr Bradley Joseph Harrison, Community Development Employment Program Employee

Mr Kane Horvath

Mr Robert James Lowe, Director / Koori Educator

Mrs Jennifer Lowe, Community Development Employment Program Employee / Finance Officer

Mr Daniel Charles Mackley, Community Development Employment Program Employee

WEDNESDAY 19 FEBRUARY 2003, MELBOURNE

Appearing in a private capacity

Mr Daniel Travis James

Aboriginal Affairs Victoria

Mr Anthony Vincent Cahir, Executive Director

Ms Karen Milward, Director, Planning and Development Branch

Aboriginal and Torres Strait Islander Commission (ATSIC)

Mr Troy Austin, Commissioner, Victorian Zone

Mr Gavin Thomas Brown, Deputy Chairperson, Tumbukka Regional Council

Mr David Peter Pollack, Manager, State Policy Centre

Aboriginal Housing Board of Victoria

Ms Beverley Joy Murray, Chief Executive Officer

Aborigines Advancement League

Mr Alfred John Bamblett, Chairperson

Boston Consulting Group

Mr Colin B. Carter, Senior Adviser

Mr Benjamin J.H. Rimmer, Project Leader

Koorie Diabetes Service Victoria

Mr Colin Mitchell, Manager

Lake Tyers Aboriginal Trust and Bungyarnda Community Development Employment Projects Co-op Ltd

Mr Tony Lotton, Economic Development and Training Coordinator

Rio Tinto Ltd

Ms Janina M. Gawler, Manager, Aboriginal Relations

Victorian Aboriginal Community Controlled Health Organisation

Ms Jill Gallagher, Chief Executive Officer

Victorian Aboriginal Community Services Association Ltd

Mr Alfred John Bamblett, Executive Officer

Mr Doug Smith, Project Worker

Victorian Aboriginal Education Association Inc

Mrs Geraldine Atkinson, President

Mr Lionel Bamblett, General Manager

WEDNESDAY 19 MARCH 2003, CANBERRA

Aboriginal Hostels Ltd

Mr Keith Clarke, General Manager

Mr Russell Lane, Deputy General Manager

Reconciliation Australia

Mr Jason Glanville, Policy and Programs Director

Ms Jennifer Ann Chandler, Chief Executive

The Hon. Frederick Michael Chaney, Co-chair

Ms Siobhan McDonnell, Project Coordinator, Banking and Finance

WEDNESDAY 26 MARCH 2003, CANBERRA

Australian Institute of Aboriginal and Torres Strait Islander Studies

Mr Steven Raymond Larkin, Deputy Principal

Ms Kirstie Parker, Executive Officer, Australian Indigenous Leadership Centre

Dr Lisa Strelein, Manager and Research Fellow, Native Title Research Unit

Dr Luke Taylor, Director of Research

Mr Russell Charles Taylor, Principal

MONDAY 7 APRIL 2003, YAMULOONG

Aboriginal and Torres Strait Islander Commission (ATSIC)

Mr Stephen Vincent Blunden, Regional Council Chairperson, Many Rivers Regional Council

Mr Rick Griffiths, Commissioner, North East Zone

Mr Andrew John Riley, Regional Manager

Awabakal Newcastle Aboriginal Cooperative

Mr Raymond Frederick Kelly, CEO

Arwarbukarl Cultural Resource Association Inc

Mr Abie James Wright, President

University of Newcastle

Professor John Henry Lester, Director, Umulliko Indigenous Higher Education Research Centre

Wollotuka School of Aboriginal Studies

Professor John Henry Lester, Head

Yamuloong Association Inc

Mr Sean Gordon, General Manager

Yarnteen Aboriginal and Torres Strait Islanders Corporation

Mrs Leah Marie Armstrong, General Manager

Youloe-Ta Indigenous Development Association Inc

Ms Kellie Maree Pipe, CDEP Manager

TUESDAY 8 APRIL 2003, REDFERN

Aboriginal Health and Medical Research Council of New South Wales

Ms Sandra Bailey, Chief Executive Office

Mrs Pat Delaney, Programs Manager

Mr John Williams, Policy Analyst

Aboriginal Housing Co. Ltd

Mr Grant Christian, Chairperson

Mr Michael Henry Mundine, Chief Executive Officer

Mr Peter Valilis, Project Manager

Fred Hollows Foundation

Ms Claire Colyer, Research Officer

Dr Mark Gillies, Board Member

Ms Olga Havnen, Manager, Indigenous Programs

Human Rights and Equal Opportunity Commission

Mr Darren Dick, Director, Social Justice Unit, Office of the Aboriginal and Torres Strait Islander Social Justice Commissioner

Ms Margaret Donaldson, Director, Native Title Unit

Dr William Jonas, Aboriginal and Torres Strait Islander Social Justice Commissioner, Office of the Aboriginal and Torres Strait Islander Social Justice Commissioner

Metropolitan Local Aboriginal Land Council

Mr Paul Coe, Member

Ms Norma Ingram, Manager

New South Wales Department of Aboriginal Affairs

Ms Jody Broun, Deputy Director General

Mr Andrew Cappie-Wood, Director General

Premier's Department

Mr Michael Ramsey, Project Director, Redfern/Waterloo Partnership Project

Redfern Aboriginal Corporation

Ms Vicki Ann Ashton, Company Secretary

Mr Roy Arthur Haines, Resource Officer

Sydney Regional Aboriginal Corporation Legal Service

Mr Trevor Charles Christian, Manager

Mr Ralph William Scott, Finance Manager

Mr Richard John Wilson, Deputy Principal Solicitor

WEDNESDAY 4 JUNE 2003, CANBERRA

Department of Immigration and Multicultural and Indigenous Affairs

Mr Stephen George Rice Oxley, Assistant Secretary, Social Programmes and Reconciliation Branch, Office of Aboriginal and Torres Strait Islander Affairs

Mr Peter Vaughan, Executive Coordinator, Office of Aboriginal and Torres Strait Islander Affairs

WEDNESDAY 18 JUNE 2003, CANBERRA

Department of Education, Science and Training

Ms Kate Brodie, Director, Strategic Directions Team, Indigenous Group

Mr Shane Hoffman, Branch Manager, Business Management Branch, Indigenous Group

Mr Shane Williams, Manager, Indigenous Group

WEDNESDAY 25 JUNE 2003, CANBERRA

Department of Family and Community Services

Mr Tony Carmichael, Assistant Secretary

Ms Fiona Anne Dempster, Assistant Secretary, Family and Children's Policy

Mr Barry Smith, Assistant Secretary, Indigenous Policy and North Australia Office

MONDAY 7 JULY 2003, CAIRNS

Appearing in a private capacity

Ms Gina Chevathun

Aboriginal and Torres Strait Islander Commission (ATSIC)

Mr Richard Edward Aspinall, Manager, Whole of Government Unit, Cape York Justice Strategy

Mr Terrence Joseph O'Shane, Chairperson, Cairns and District Regional Council

Commissioner Lionel Quartermaine, Commissioner, North Queensland

Apunipima Cape York Health Council

Ms Jacqueline Mary Lavis, Project Manager, Whole of Health Planning, Primary Health Care Access Program

Dr Paul-David Ryan, Public Health Officer

Balkanu Cape York Development Corporation Pty Ltd

Mr Anthony Roediger, Boston Consulting Group Project Officer

Mr Anthony Varnes, Business Unit Manager

Mr Edmond Willie Woibo, Hub Manager

Cape York Land Council

Mr Richie Ahmat, Executive Director

Cape York Partnerships

Mr Donald De Busch, Representative, Cape York Youth Network

Department of Employment and Workplace Relations

Ms Mina Podbereski, Senior Project Manager, Indigenous Affairs Cape York

Ms Hilary Riggs, Senior Adviser, Indigenous Affairs Cape York

Indigenous Enterprise Partnerships

Mr Michael Paul Winer, Chief Executive Officer

Peninsula Regional Council

Mr Eddie Ralph Woodley, Chairperson

TUESDAY 8 JULY 2003, PALM ISLAND

Appearing in a private capacity

Mrs Florence Izzard

Ms Erica Florence Kyle

Mr Stephen Hal Walsh

Joyce Palmer Health Service

Mr Craig Alick Egan, Nurse Practice Coordinator, Acting Chairperson / Director of Nursing

Ms Nanette Muir, Director of Community Health, Townsville Health Service District

Dr Georgina Pagey, Medical Superintendent

Ms Lavinia Rabuka, Health Worker

Ms Alison Rowbottom, Acting Indigenous Health Worker

Palm Island Aboriginal Council

Councillor Delena Foster, Chairperson

Councillor Deniece Geia, Councillor

Councillor Alf Lacey, Councillor

Palm Island Community Justice Group

Ms Josephine Grace Geia, Chairperson

Mr Sevese Isaro, Executive Member

Mrs Dulcie Isaro, Executive Member

Mr Ralph Watson, Executive Member

Mr Owen Wyles, Executive Member

Queensland Department of Housing

Ms Mary (Michelle) Brown, Director, Community Renewal

Mr Bruce Walker, Manager, Renewal Delivery, Community Renewal

Mr Rhianon Walsh, Community Renewal Planner, Community Renewal

Queensland Health

Ms Maria Peachey, Action Indigenous Health Coordinator, Townsville Health Service District and Northern Zone Management Unit

Queensland Police Service

Senior Sergeant Christopher James Hurley, Officer In Charge, Palm Island

Townsville Health Service District

Dr Andrew Johnson, Executive Director of Medical Services

WEDNESDAY 9 JULY 2003, BRISBANE

Appearing in a private capacity

Ms Svea Ingrid Bai Pitman

Department of Aboriginal and Torres Strait Islander Policy

Mr Tony Dreise, Executive Director, Strategic Partnership Office

Ms Barbara Flick, Executive Director, Policy Directorate

Queensland Department of Housing

Mr Alex Ackfun, General Manager, Aboriginal and Torres Strait Islander Housing

Ms Patricia Ann McMurray, Acting Manager, Program Development Unit, Aboriginal and Torres Strait Islander Housing

Ms Leanora Spry, Project Support Officer, Aboriginal and Torres Strait Islander Housing

TUESDAY 5 AUGUST 2003, PERTH

Bloodwood Tree Association

Councillor Robert David Neville, Manager

Catholic Education Office of Western Australia

Mr Norman Brahim, Coordinator, Aboriginal Student Support Team, Student Support Section

Mr Anthony Giglia, Assistant Director, Planning and Resources Section

Community Housing Coalition of WA

Mr Mike Newbigin, Executive Officer

Department for Community Development

Mrs Jennifer Margaret Collard, Acting Executive Director, Indigenous Policy Directorate

Department of Housing and Works

Mr Patrick Egan, Special Initiatives Development Officer

Department of Indigenous Affairs

Ms Benita Marie Cattalini, Senior Policy Officer

Mr Trevor Neil Tann, Assistant Director, Policy and Equity

Department of Justice

Ms Kate George, Director, Aboriginal Policy and Services

Department of the Premier and Cabinet

Mr Shawn Boyle, Director, Social Policy Unit

Kimberley Community Management Services

Ms Jan Lewis, Chairperson

Port Hedland Indigenous Media Aboriginal Corporation

Mr Arthur Alfred Gear, Director

Town of Port Hedland

Councillor Robert David Neville, Deputy Mayor

WEDNESDAY 6 AUGUST 2003, PORT HEDLAND

Aboriginal Legal Service

Mr Victor Woodley, Vice President

Murambarinya Aboriginal Corporation

Ms Jean MacKay, Deputy Chair

Ngarda Sport and Recreation

Ms Helen Brahim, Administrator Coordinator

The Nomads Charitable and Educational Foundation

Mr Raymond Butler, Chairman

Mr Monty Hale, Chairman of the School Council

Mr Crow Yougarla, Board Member

Pilbara Indigenous Women's Aboriginal Corporation

Ms Joan Jillian Chong Wee, Coordinator

Pilbara Aboriginal Women's Corporation

Ms Trudy Hayes, Committee Member

Port Hedland Regional Aboriginal Corporation

Mrs Mary Attwood, ANS Worker

Strelley Community

Mr Crow Yougarla, Senior Lawman and Elder

Strelley Community School

Mr Christopher Ainsley Murree Walkley, Co-Principal

Mrs Ingrid Anne Walkley, Co-Principal

Tjalka Warra Community

Mr Raymond Drage, HACC Coordinator

Wangka Maya (Language Centre)

Mr Bruce Thomas, Chairman

Wirraka Maya Health Service

Ms Carolyn Anne Marian, Remote Area Registered Nurse

THURSDAY 7 AUGUST 2003, LOMBADINA

Aboriginal and Torres Strait Islander Services (ATSIS)

Mr Warren Clements

Ardyaloon Inc

Mr Andrew Carter, Chairperson

Ms Gayle Cook, Chief Executive Officer

Mr Dennis Davey, Elder

Mrs Irean Davey, Councillor

Mr Peter Hunter, Councillor

Djarindjin Aboriginal Corporation

Mr Brian Lee, Committee Member, Youth Officer

Mr Ross Phillips, Vice Chairperson, Environmental Health Officer

Mr Cornelis Jan Pley, Chief Executive Officer

Mr Andrew W. Sampi, CDEP Coordinator, Committee Member-Secretary

Mr Peter Sibosado

Leveque Dingy Hire and Firewood

Mr Eric Hunter, Sole Owner

Lombadina Aboriginal Corporation

Mr John Ockerby, Committee Member

Mr Basil Sibosado, Chairperson

Mr Robert Sibosado, Tourism Manager

Mr Trevor William Sibosado, Vice-Chairperson

Mrs Caroline Frances Sibosado, Administration Officer

Mudnunn Mud Crabbing and Camping

Mr Vincent Angus, Chairman

Ultimate Experience Charter Boat Company

Mr Phillip Terence McCarthy, Director

FRIDAY 8 AUGUST 2003, BROOME

Appearing in a private capacity

Mr Victor Everard Hunter

Aboriginal and Torres Strait Islander Services (ATSIS)

Mr Richard Trevena, Regional Manager

Kimberley College of TAFE

Mr Mark Manado, Aboriginal Development Officer

Mr Rory Whitelaw, Lecturer

Lingiari Foundation

Mr Patrick Dodson, Chair

Mr Paul Lane, Executive Director

Shire of Broome

Mr Greg Powell, Chief Executive Officer

WEDNESDAY 13 AUGUST 2003, CANBERRA

Aboriginal and Torres Strait Islander Commission (ATSIC)

Mr Rick Griffiths, Commissioner, New South Wales East Zone

Aboriginal and Torres Strait Islander Services (ATSIS)

Ms Adrienne Gillam, Acting Group Manager, Economic and Social Participation Group

Ms Kerrie Nelson, Team Leader, Capacity Building and Integrated Development Team

Dr Loucas Nicolaou, Branch Manager, Community Development and Education Branch

WEDNESDAY 10 SEPTEMBER 2003, CANBERRA

Department of Defence (Army)

Lieutenant Colonel Harold James (Harry) Jarvie, Staff Officer Grade One, Headquarters Land Command Engineers, Land Headquarters Department of Defence (Army)

Lieutenant Colonel Mark Alan Shephard Commanding Officer, 19th Chief Engineer Works, Land Command Department of Defence (Army)

MONDAY 15 SEPTEMBER 2003, CANBERRA

Department of Transport and Regional Services

Ms Joan Armitage, Assistant Secretary, Regional Policy, Policy and Research Group

Mr Paul Davies, Director, Rural Transactions Centre Section, Regional Analysis and Performance, Regional Programs

Mr Geoffrey Villalba, Senior Indigenous Policy Officer, Regional Policy

Mr Geof Watts, Director, Economic Policy, Local Government and Natural Disasters, Regional Programs

TUESDAY 23 SEPTEMBER 2003, ADELAIDE

Appearing in a private capacity

Mr Andrew Biven

Dr John Boully

Reverend William Howell Edwards

Aboriginal and Torres Strait Islander Commission (ATSIC)

Commissioner Klynton Wanganeen, South Australian Zone

Aboriginal and Torres Strait Islander Services (ATSIS)

Ms Lorraine Susan Merrick, Acting Regional Manager

Mr Michael Penberthy, Senior Policy Adviser

Aboriginal Legal Rights Movement

Mr Alfred Parry Agius, Executive Officer, Native Title Unit

Ms Sally Skyring, Manager, Policy and Programs, Native Title Unit

Flinders University

Dr Donald Edwin Fuller, Head, Business Economics

South Australian Government

Mr Peter Buckskin, Chief Executive, Department for Aboriginal Affairs and Reconciliation

Mr Bob Burton, Principal Policy Officer, Department of Further Education, Employment, Science and Technology

Ms Sally Castell-Mcgregor, Acting Director, Aboriginal Services Division, Department of Human Services

Ms Lynda Forrest, Acting General Manager, Operations, Department for Aboriginal Affairs and Reconciliation

Ms Jillian Miller, Superintendent, Aboriginal Education Unit, Department of Further Education, Employment, Science and Technology

THURSDAY 25 SEPTEMBER 2003, ALICE SPRINGS

Aboriginal and Torres Strait Islander Commission (ATSIC)

Mr Clarry Robinya, Chairperson, Central Remote Regional Council

Aboriginal and Torres Strait Islander Services (ATSIS)

Mr Kevin Kerrin, Network Regional Manager

Ms Rhonda Loades, Deputy Regional Manager

Central Australian Aboriginal Congress

Ms Donna Ah Chee, Deputy Director

Mr Clive Rosewarne, Research and Policy Officer

Central Australian Remote Health Development Services

Mrs Maryanne Amu, Board Member

Ms Dorothy Lucardie, Chief Executive Officer

Mr Allan Randall, Health Services Educator

Centre for Appropriate Technology Inc

Mr James Bray, Chairman

Mr Noel Hayes, Board Member

Dr Bruce William Walker, Director

Centrelink

Miss Susan Payne, Centrelink Site Manager

Department of the Chief Minister

Mr John Baskerville, Executive Director, Southern

Desert Knowledge Australia

Mr Paul John Acfield, Member, Steering Committee,

Mr Harold James Furber, Member, Steering Committee, and Chair, Desert People's Centre

Dr Kenneth Alan Johnson, Executive Officer

Dr David Mark Stafford Smith, Member, Steering Committee, and Chief Executive Officer, Desert Knowledge Cooperative Research Centre

Tangentyere Council

Miss Susan Payne, Centrelink Site Manager

Mr William Tilmouth, Executive Director

Ms Jane Shanthini Vadiveloo, Manager, Social Services

Western Aranda Rel-aka Aboriginal Corporation

Mrs Alison Hunt, Committee Member

Ms Mildred Inkamala, Committee Member

Mrs Mavis Malbunka, Committee Member

Mr Lloyd Spencer, Committee Member

Ms Lynette Spencer, Committee Member

Ms Marion Swift, Committee Member

Mr Gus Williams, Committee Member

MONDAY 13 OCTOBER 2003, CANBERRA

Indigenous Communities Coordination Taskforce

Ms Dianne Hawgood, Executive Director

Ms Michelle Patterson, SES Officer

Mr Geoffrey Richardson, SES Officer

MONDAY 3 NOVEMBER 2003, CANBERRA

Harvard Project on American Indian Economic Development

Dr Manley Begay, Director, Native Nations Institute, University of Arizona

Professor Stephen Cornell, Director, Udall Center for Studies in Public Policy, University of Arizona

Mr Neil Sterritt, President, Sterritt Consulting Ltd

FRIDAY 7 NOVEMBER 2003, DUBBO

Aboriginal Employment Strategy Ltd

Mrs Cathy Joyce Duncan, Chief Executive Officer, Chairperson

Mr Richard Lucas Estens, Director, Vice-Chair

Binaal Billa Regional Enterprise Employment Training Aboriginal Inc

Mr Mark Robert Costa, Chief Executive Officer, Public Officer

Dubbo Aboriginal Community Working Party

Mrs Patricia Doolan, Member

Mrs Shirley Wilson, Chairperson

Miss Lorraine Wright, Member

Dubbo City Council

Councillor Greg Matthews, Mayor

Councillor Warren Mundine, Deputy Mayor

FRIDAY 13 FEBRUARY 2004, CANBERRA

Appearing in a private capacity

Reverend Nicolas Frances

Aboriginal and Torres Strait Islander Commission

Mr Cliff Foley, Commissioner for New South Wales Metropolitan

Mr Lionel Quartermaine, Acting Chairperson, Board of Commissioners

Mr Klynton Wanganeen, Commissioner for South Australia

Aboriginal and Torres Strait Islander Services

Mr Richard Aspinall, Manager, Whole-of-government Unit

Mr Tom Calma, Acting Manager, Community Development and Education Branch

Ms Adrienne Gillam, Acting General Manager, Economic and Social Participation Group

Aboriginal Employment Strategy Ltd

Mrs Cathy Duncan,Chief Executive Office and Chairperson

Mr Richard Estens, Vice-Chair

Australian Indigenous Leadership Centre

Professor Mick Dodson, Director

Australian Institute of Aboriginal and Torres Strait Islander Studies

Professor Mick Dodson, Director

Boston Consulting Group

Mr Anthony Roediger, Project Leader

Centre for Aboriginal Economic Policy Research, Australian National University

Professor Jon Altman, Director

Dr William Sanders, Fellow

Department of Education, Science and Training

Ms Kate Brodie, Team Leader, Indigenous Transitions

Mr Shane Williams, Indigenous Education Leader and Branch Manager, Strategic Policy and Planning Branch

Department of Employment and Workplace Relations

Ms Kylie Emery, Assistant Secretary, Indigenous Employment Program Branch

Ms Carolyn McNally, Assistant Secretary, Priority Groups Policy Branch

Department of Family and Community Services

Ms Suzi Lodder, Special Adviser, Indigenous Policy Branch

Ms Margaret Moreton, Acting Assistant Secretary, Indigenous Policy Branch

Department of Health and Ageing

Ms Yael Cass, Assistant Secretary, Office for Aboriginal and Torres Strait Islander Health

Ms Helen Evans, First Assistant Secretary, Office for Aboriginal and Torres Strait Islander Heath

Department of Immigration and Multicultural and Indigenous Affairs

Mr Bryan Palmer, Assistant Secretary, Social Programs and Reconciliation

Department of Transport and Regional Services

Mr Paul Davies, Director, Rural Transaction Centres Program

The Fred Hollows Foundation

Ms Claire Colyer, Research Officer

Ms Olga Havnen, Manager, Indigenous Program

Human Rights and Equal Opportunity Commission

Mr Darren Dick, Director, Social Justice Unit

Indigenous Business Australia

Dr Joseph Elu, Chairman

Indigenous Communities Coordination Taskforce

Ms Dianne Hawgood, Executive Director

Ms Michelle Patterson,Deputy Director

Indigenous Community Volunteers

Ms Cherylann Keighran, Project Officer

Mr Paul Tyrrell, Chief Executive Officer

Indigenous Enterprise Partnerships

Mr Michael Winer, Chief Executive Officer

Indigenous Land Corporation

Mr David Galvin, General Manager,

Mr Len Owen, Director, National Operations

National Aboriginal Community Controlled Health Organisation

Ms Dea Delaney Thiele, Chief Executive Officer

Mr Anthony McCartney, Chairperson

Office of the Registrar of Aboriginal Corporations

Ms Laura Beacroft, Registrar

Oxfam Community Aid Abroad

Ms Annabel Brown, Indigenous Australia Program Officer

Mr Anthony Kelly, Education and Training Coordinator

Reconciliation Australia

Hon. Frederick Chaney, Co-Chair

Ms Jackie Huggins, Co-Chair

Torres Strait Regional Authority

Mr Mike Fordham, General Manager

Westpac

Mr Graham Paterson, Head, Regional Community Partnerships

Yarnteen Aboriginal and Torres Strait Islanders Corporation

Mrs Leah Armstrong, Executive Director

MONDAY 22 MARCH 2004, CANBERRA

Aboriginal and Torres Strait Islander Commission (ATSIC)

Commissioner Lionel Quartermaine, Acting Chairman

Ms Joann Schmider, Team Leader, Capacity Building and Integrated Development

Mrs Patricia Thompson, Senior Adviser

Aboriginal and Torres Strait Islander Services (ATSIS)

Mr Tom Calma, Branch Manager, Community Development and Education Branch