

Chapter 5

Cross Portfolio Matters

5.1 This chapter contains key issues discussed during the 2012-2013 additional estimates hearings for cross portfolio Indigenous matters pursuant to Resolution of the Senate of 26 August 2008.¹ The following portfolio departments were in attendance:

- Families, Housing, Community Services and Indigenous Affairs
- Health and Ageing
- Education, Employment and Workplace Relations

5.2 The committee heard evidence from portfolio departments on Friday 15 February 2013. Areas of the portfolios were called in the following order:

- General Matters
- Closing the Gap
- Stronger Futures
- Indigenous Land Corporation
- Indigenous Business Australia
- Office of the Registrar of Indigenous Corporations (ORIC)
- Health Issues
- Employment and Economic Development
- Indigenous Housing

*General Matters*²

5.3 The morning session began with a discussion of the number of late answers to questions on notice in the cross portfolio Indigenous matters area following supplementary estimates. The committee requested notification from FaHCSIA in the future when the department becomes aware of a significant delay in providing answers to estimates questions on notice. The Chair put on record that,

this is a standard process in our committee and we understand the difficulty, particularly with the wide range of issues and a number of questions... If there is going to be a delay with particular answers because of the complexity or because you need to get in contact with other people, we need to be advised of that.³

1 *Journals of the Senate*, No. 22, 26 August 2008, p. 683.

2 *Proof Estimates Hansard*, 15 February 2013, pp. 3–8.

3 *Proof Estimates Hansard*, 15 February 2013, p. 3.

5.4 And additionally:

...I would put on record our disappointment with the answers from the Northern Land Council ...I know it was followed up by the secretariat. It took the secretariat a number of contacts with the Northern Land Council to get responses and the last of those came through last night... I particularly wanted it put on the record that numerous contacts were made.⁴

5.5 Mr Dillion noted that:

In relation to the Northern Land Council, I also put on record that we have recorded on file 26 follow-ups from the department to the Northern Land Council between November 2012 and last night.⁵

5.6 The committee requested a briefing from FaHCSIA on the reporting processes and arrangements in place between the Land Councils and the Royalty Associations. The committee was keen to ascertain what governance processes are in place to monitor the transfer of royalty funds from the Aboriginals Benefit Account to the responsible Land Council for distribution to Aboriginal corporations under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act).⁶

5.7 The committee also discussed funding options for successful programs that are first developed through one-off grants provided by the Aboriginal Benefits Account.⁷

Closing the Gap⁸

5.8 The committee discussed specific programs directed to closing the gap in life expectancy between indigenous and non-indigenous Australians, as well as infant mortality, numeracy and literacy. Discussion focused on the difficulty in obtaining data around early childhood education programs directed to this outcome. The issue of data consistency was highlighted by both the department and the Coordinator General for Remote Indigenous Services, Mr Brian Gleeson. Senator Scullion summed up the discussion of access to childhood education by noting that access needs to be accompanied by attendance if these measures are to reach a satisfactory outcome.⁹

5.9 The committee returned to the problem of matching progress to particular measures, most notably income management. Ms Hefren-Webb, Branch Manager, Welfare Payments reform commented,

4 *Proof Estimates Hansard*, 15 February 2013, p. 4.

5 *Proof Estimates Hansard*, 15 February 2013, p. 4.

6 *Proof Estimates Hansard*, 15 February 2013, p. 6.

7 *Proof Estimates Hansard*, 15 February 2013, pp. 7–8.

8 *Proof Estimates Hansard*, 15 February 2013, pp. 8–19.

9 *Proof Estimates Hansard*, 15 February 2013, p. 14.

I guess what I was talking about yesterday was not the question that there is no measureable data on outcomes for children but how do you attribute them to a particular program in the context of a very complex policy environment.¹⁰

Stronger Futures¹¹

5.10 The committee's questions around Stronger Futures included questions on collaboration between the Commonwealth and Northern Territory governments and the scrutiny provisions relating to licensed premises. The department outlined the decision making process for review of licensed establishments, and particularly the timeline involved in the review, clarifying that a review will not necessarily focus on breach of licence conditions and is more concerned over whether an establishment is associated with harm in the community.

5.11 The committee moved to a discussion of alcohol management plans, powers of referral for the alcohol and other drugs tribunal, and possibilities for dealing with persons referred if the tribunal is abolished. The committee also discussed the ways that the Commonwealth is generally handling programs jointly funded by the Northern Territory that have lost funding as a result of Territory budget cuts.

Indigenous Land Corporation (ILC)¹²

5.12 The ILC provided an update on its employment programs, particularly Ayres Rock Resort. Senator Scullion congratulated the ILC on the calibre of this facility.¹³ The committee asked questions about money expended by the ILC for procuring a consultant to facilitate an ILC board and senior management planning day. The committee questioned the ILC about its procurement processes and the number of actual quotes obtained as opposed to the number of organisations approached about the supply of a service.¹⁴

5.13 The committee asked questions of officers from FaHCSIA and the ILC concerning the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act) and the procedures undertaken by the board of the ILC during the time that Mr Bruce Gemmell was resigned from his position as CEO of the ILC. The committee also inquired into the legal advice received by FaHCSIA, with regard to this event.¹⁵

10 *Proof Estimates Hansard*, 15 February 2013, p. 13.

11 *Proof Estimates Hansard*, 15 February 2013, pp. 19–24.

12 *Proof Estimates Hansard*, 15 February 2013, pp. 24–32.

13 *Proof Estimates Hansard*, 15 February 2013, p. 25.

14 *Proof Estimates Hansard*, 15 February 2013, pp. 24–27.

15 *Proof Estimates Hansard*, 15 February 2013, pp. 27–30.

5.14 The committee also inquired into funding support provided to the National Centre for Indigenous Excellence (NCIE), by the ILC, in particular, remuneration provided to members of the NCIE board, and the actions of CEO in authorising a contribution from the NCIE towards the construction of a statue.¹⁶

Indigenous Business Australia (IBA)¹⁷

5.15 The committee had been requesting, over the course of previous estimates, a letter to the board of IBA from the then General Manager, Mr Ron Morony, dated 17 March 2010. The letter addressed issues of administration of IBA, in particular the relationships between the Board and the officers of IBA. This letter was tabled by IBA at the hearing. After consultation with the committee, a response by the IBA to Mr Moroney's letter was published on the committee's website.

5.16 The committee briefly returned to its discussion of IBA's investments in Tjapukai Aboriginal Cultural Park, which had been discussed during the 2012-13 budget estimates hearings.¹⁸

Office of the Registrar of Indigenous Corporations (ORIC)¹⁹

5.17 The committee briefly questioned ORIC and FaHCSIA officers about funding of the Jawoyn Association Aboriginal Corporation. Mr Bevan, Registrar, Office of Registrar of Indigenous Corporations, noted that inquiries into this issue are ongoing and he was therefore unable to make substantive comments. Mr Dillon and Ms Hand, Deputy Secretary and Chief Operating Officer gave a brief account of FaHCSIA's funding of this organisation.

Health²⁰

5.18 Mr Smyth, First Assistant Secretary, Population Health Division, provided an update on the Indigenous Marathon Program, and Ms Killen, Assistant Secretary, Program Management and Evaluation Branch, outlined future funding for programs after the expiry of the National Partnership Agreement on Closing the Gap in Indigenous Health Outcomes, noting that the Commonwealth's contribution to the Agreement does not end at the end of this financial year.

5.19 The committee also discussed the progress of a range of Indigenous health strategies in the areas of chronic disease, hearing health, smoking rates, mental health, dialysis and renal health, and aged care.

16 *Proof Estimates Hansard*, 15 February 2013, pp. 30–31.

17 *Proof Estimates Hansard*, 15 February 2013, pp. 32–34.

18 See Senate Community Affairs Legislation Committee, *Report on Budget Estimates 2012-13*, June 2012, p 34.

19 *Proof Estimates Hansard*, 15 February 2013, pp. 34–35.

20 *Proof Estimates Hansard*, 15 February 2013, pp. 35–48.

Employment and Economic Development²¹

5.20 Officers from the Department of Education, Employment, and Workplace Relations (DEEWR) provided a detailed progress update on the operation of the Indigenous Employment Program (IEP), noting that the program has seen unprecedented demand over the last 12 months and the department therefore had to put together a priority list for future funding. Ms Wood, Group Manager, Indigenous Economic Strategy, explained that the IEP is useful for employers develop new models or innovate but is not a recurrent funding source; rather, the program is project based. DEEWR officers undertook to provide the priority list for future IEP funding on notice to the committee. The committee then discussed specific IEP funded projects.

5.21 Moving to the Remote Jobs and Communities Program (RJCP), the committee queried the justification for excluding the great southern area from the 59 remote regions identified under the program. Ms Milliken, Group Manager, Income Support and Remote Service Implementation, explained that the classification draws on historical measures of remoteness from other employment services. Ms Milliken also provided the committee with detail of the assessment process and selection criteria for the RJCP, and the timeline for its adoption.

5.22 The committee also discussed community action plans, the Australian Employment Covenant, and the report on the review of the Vocational Training and Employment Centre model. Senator Scullion expressed his disappointment at being unable to view the report.

Indigenous Housing²²

5.23 Immediately prior to discussion under this outcome, FaHCSIA officers had responded to a written question from Senator Scullion relating to ownership and management of remote housing, noting that the 'vast majority of remote houses are actually located on Aboriginal land trust land and therefore the ownership is with the land trust whether or not they are then leased to someone else.'²³

5.24 The committee discussed the progress of the National Partnership Agreement on Remote Indigenous Housing (NPARIH) including the tenancy agreements in public housing, land tenure reform to enable the development of a private housing sector, and the division of Commonwealth and Northern Territory government expenditures under NPARIH.

5.25 In relation to tenancy agreements, FaHCSIA officers gave detail of progress in this area, including a brief description of the tenancy support program. Ms Edwards

21 *Proof Estimates Hansard*, 15 February 2013, pp. 48–58.

22 *Proof Estimates Hansard*, 15 February 2013, pp. 59–69.

23 *Proof Estimates Hansard*, 15 February 2013, p. 57.

added that, 'the enhanced tenancy support and tenancy management arrangements are a fundamental part of the reforms that the NPARIH has brought. It is certainly something we take very seriously.'²⁴ Senator Scullion noted that in his experience many of the occupants have trouble understanding the underlying nature of tenancy arrangements.

5.26 There appeared to be agreement between the committee and the officers of FaHCSIA on the need for land tenure reform to enable private tenure and the development of a private housing sector alongside the existing public housing sector:

Mr Dillon: This is why NPARIH focuses on structural reforms and in particular why it focuses on land tenure reform. These remote communities are the only part of Australia where there is absolutely no private sector investment in the housing market. There is no home ownership and there is no housing market; therefore, everything falls to the social housing sector. That is untenable going forward over the next 20, 30 or 40 years. Yes, there can be a social housing sector, but surely we aspire to a situation where there is more than social housing in these places.

Senator SCULLION: I do not think you will get disagreement from me or from probably most people in this place on that.²⁵

Senator Claire Moore
Chair

24 *Proof Estimates Hansard*, 15 February 2013, p. 62.

25 *Proof Estimates Hansard*, 15 February 2013, p. 65.