

Chapter 5

New South Wales

5.1 New South Wales (NSW) has Australia's largest Aboriginal population, with approximately 150 000 Aboriginal residents. Forty three per cent of this population live in major cities, 33 per cent in inner regional areas, 18.4 per cent in outer regional areas and 5.1 per cent in remote or very remote areas.¹

5.2 The committee heard that the Aboriginal population of New South Wales grew by six per cent between 2001 and 2006. The Aboriginal populations of regional centres such as Broken Hill, Dubbo and Tamworth have grown at rates of between 30–50 per cent at the same time as non-Aboriginal populations have remained steady or even decreased.² The Department of Aboriginal Affairs are projecting an Aboriginal population in the state of about 200 000 by 2021.³

5.3 The committee conducted site visits to Broken Hill, Cobar and Dubbo in November, 2008. A formal hearing was held in Sydney on 15 October 2009. This chapter reports on the evidence collected on these occasions and from various submissions from individuals and organisations in New South Wales.

5.4 As the committee was only able to conduct one formal hearing in NSW so far, it has been unable to form a comprehensive view of the state of regional and remote Indigenous communities in New South Wales. The committee has made observations in this chapter in regard to the NSW government's strategic policy, the justice system, maternal health, sexual abuse, and issues associated with government funding models that are shared with Western Australia.

Strategic policy: Two Ways Together

5.5 Two Ways Together is a 10 year plan (2003–2012) developed by the NSW government under which government agencies and Aboriginal communities commit to work in partnership to improve standards of living for Aboriginal people. It includes seven priority areas: health, education, economic development, justice, families and young people, culture and heritage and housing and infrastructure.

1 Ms Jody Broun, Department of Aboriginal Affairs, *Committee Hansard*, 15 October 2009, p. 88.

2 Ms Jody Broun, Department of Aboriginal Affairs, *Committee Hansard*, 15 October 2009, p. 88.

3 Ms Jody Broun, Department of Aboriginal Affairs, *Committee Hansard*, 15 October 2009, p. 89.

5.6 Ms Jodie Broun, CEO of the lead agency for implementation of Two Ways Together, the Department of Aboriginal Affairs, informed the committee of the guiding principle of the policy:

It is really about government working closely with Aboriginal communities. That is the principle and philosophy of it. It is about working in partnership with Aboriginal communities and recognising that Aboriginal people know best the needs of their community, and that there is not a one-size-fits-all. We are coming up with different solutions for different communities.⁴

5.7 The committee is supportive of any plan which seeks to use a community's own knowledge to inform policies that affect that community. Unfortunately the committee did not receive enough evidence on the effectiveness of Two Ways Together to be able to express a view about the effectiveness of the plan, but notes that this process appears to enjoy broad support.

5.8 The New South Wales Reconciliation Council (NSWRC) was supportive of the Two Ways Together policy, stating:

The plan is a firm commitment to work with Aboriginal communities rather than for Aboriginal communities – a stark contrast to the approach recently adopted by the Federal Government under the NTER. Genuine partnership and the full participation of Indigenous people in the design, implementation and monitoring of government policy and service delivery is essential for improving community well-being.⁵

5.9 However, the NSWRC noted in their submission that a 2008 NSW Legislative Council inquiry, *Overcoming Indigenous Disadvantage in NSW*, found that a genuine partnership between the NSW Government and Aboriginal communities was yet to be realised.⁶

Justice system

5.10 Indigenous offenders represent over 20 per cent of all offenders in custody and 18 per cent of community based offenders.⁷ In 2008, the imprisonment rate of the Indigenous population in NSW was approximately 2 500 imprisoned per 100 000 people.⁸ This compared to a non-Indigenous rate of approximately 150 per 100 000. When the bias towards imprisonment that arises from the younger age profile of the Indigenous population is accounted for, the Indigenous imprisonment rate is 12.5 times higher than the non-Indigenous rate.⁹ The Indigenous imprisonment rate in

4 Ms Jodie Broun, Department of Aboriginal Affairs, *Committee Hansard*, 15 October 2009, p. 90.

5 New South Wales Reconciliation Council, *Submission 61*, p. 4.

6 New South Wales Reconciliation Council, *Submission 61*, p. 4.

7 Department of Corrective Services, *Submission 68*, p. 1.

8 Australian Bureau of Statistics, *Prisoners in Australia, 2008*. Catalogue no. 4517.0.

NSW is the second highest in the nation after Western Australia (see Chart 4.1 in chapter four).

5.11 A paper released in 2008 by the NSW Bureau of Crime Statistics and Research found that the adult Indigenous imprisonment rate rose by almost 50 per cent between 2001 and 2008 in NSW.¹⁰ The paper found that the increase was due to more Indigenous defendants being refused bail, longer remand periods, more Indigenous offenders receiving prison sentences and longer prison sentences.

The growth in the sentenced prisoner population appears to be due, in the main, to an increase in the proportion of Indigenous offenders given a prison sentence and the length of the prison terms imposed. There has been no overall increase in the number of Indigenous adults convicted but there was an increase in the number convicted specifically of offences against justice procedures. These results suggest that the substantial increase in the number of Indigenous people in prison is due mainly to changes in the criminal justice system's response to offending rather than changes in offending itself.¹¹

5.12 Mr Luke Grant, Assistant Commissioner for the Department of Corrective Services, spoke of an overemphasis on imprisonment arising from poorly informed community perceptions regarding the justice system.

There has been a recent review of public perceptions around sentencing in New South Wales. The Sentencing Council commissioned the review and the Bureau of Crime Statistics completed it. They asked people about their satisfaction with the level of sentences for particular types of offences. They found that the community suggested—something of the order of 70 per cent of people—that sentences were not long enough...

...The people who thought that sentences were too short had no idea how long they were. The people who were less educated and who relied upon the television as their source of information about the justice system were people who basically were expressing an ignorant view. There was a fundamental supposition that imprisonment keeps people safe...

...What do not go hand in hand with that are the negative effects of incarceration. If you remove someone from their community and their family, irrespective of whether their family is an antisocial family or not, their means of social support and employment, you have to spend an enormous amount of money just mitigating those effects before you can

9 Australian Bureau of Statistics, *Prisoners in Australia, 2008*, Catalogue no. 4517.0.

10 Jacqueline Fitzgerald, 'Why Are Indigenous Imprisonment Rates Rising?', Issue Paper no. 41, NSW Bureau of Crime Statistics and Research, August 2009, p. 1.

11 Jacqueline Fitzgerald, 'Why Are Indigenous Imprisonment Rates Rising?', Issue Paper no. 41, NSW Bureau of Crime Statistics and Research, August 2009, p. 6.

actually do anything about changing a person's behaviour. Incarceration of itself has a criminogenic effect.¹²

5.13 The committee has discussed issues of justice and imprisonment at length in chapter four of this report in the context of Western Australia. In that chapter, the committee called for greater investment in programs that would address the underlying causes of offending and reoffending. This included a recommendation to further investigate the cost effectiveness of various rehabilitation programs given the high cost and negative effects on recidivism resulting from imprisonment.

5.14 The NSW Department of Corrective Services is aware of the high cost of imprisonment and the scope for both saving money and delivering better outcomes, but has not undertaken a comprehensive cost-benefit analysis of the situation.

We do not really have an organised program of doing cost-benefit analyses for programs. Individual programs are assessed on that basis. When an evaluation is being conducted of a particular program, the cost implications are considered. However, the bottom line, which is a fairly self-explanatory one, is that prisons cost over \$200 a day. It is almost impossible to dream up a community based option that would cost you more than that per day for each person. You are talking about \$1,500 a week you could spend on each person and have a cheaper option than a prison based program...

...The cost-benefit stuff is something that really is quite poorly done nationally. In terms of correctional outcomes, we focus on recidivism as our major measure—recidivism at what cost. In terms of the costings, if you are comparing it to the cost of an alternative sanction or the cost to victims, court processing, policing and so on, this is something that has not been done particularly well.¹³

5.15 The committee considers that there is a need for national research into this critical area. In addition, the public perception that increased imprisonment will lead to greater public safety and lower rates of offending needs to be challenged.

5.16 During a visit to Dubbo, the Dubbo City Council spoke to the committee about recent actions taken in the city in response to increasing rates of crime and consequent national media attention. Since 2003 crime has dropped dramatically and the Council attributes this to addressing problems such as poor education, low socio-economic status and unemployment. Taking this approach was against the original wishes of the community who wanted tougher laws and an increased police presence.¹⁴

12 Mr Luke Grant, Department of Corrective Services, *Committee Hansard*, 15 October 2009, p. 78.

13 Mr Luke Grant, Department of Corrective Services, *Committee Hansard*, 15 October 2009, p. 86.

14 Committee meeting notes, 18 November 2008.

5.17 One witness suggested that politicians needed to show leadership on the issue in order to better inform and win over voters:

I think governments need to take a far more considered view of what the public really thinks and there are many circumstances in which people who are initially opposed to an idea can be brought around to an idea if they have a persuasive politician or minister providing the arguments. There was a time, for example, when I was younger that people thought that we ought to have tariffs everywhere, people thought we should never have an immigration program whenever the unemployment rose. Everybody was hotly opposed to it. We wanted walls around Australia and we did not want migrants coming in but over time, as a result of leadership shown by both sides of politics, people came to see the advantages for Australia of immigration programs, of reducing tariffs and so on. I think the same story can be said of law and order. You cannot persuade the public overnight to think that we should let everybody out of jail—personally I would be opposed to it—but you can persuade them that there are circumstances in which we can do better than put someone in jail and it is a matter of persisting with the argument, especially amongst opinion leaders.¹⁵

5.18 The committee considers this an extremely important issue and will follow developments in the field closely. As was discussed in chapter two, the committee is gravely concerned about the very high levels of Indigenous people coming into contact with the criminal justice system, and considers that the Commonwealth, states and territories should take a greater role in driving reforms in this area that are based on sound evidence, not popular and misinformed opinion.

Maternal Health

5.19 During the visit to Dubbo, the committee heard from members of the Murdi Paaki Regional Assembly about a problem with accommodation and support services when women travelled to Dubbo in order to give birth. The lack of support was leading to mothers delaying their travel to the point that some were giving birth en route.¹⁶

5.20 The committee asked Housing NSW whether there were any plans to improve the supply of short-term accommodation for services such as maternal health. In response, Housing NSW informed the committee that they were aware of the issue and were in discussions with the Commonwealth Department of Family, Housing, Community Services and Indigenous Affairs (FaHCSIA).

It is an area though that we recognise needs some work and we have been having some discussions with FaHCSIA about how we might build in some opportunities for short-term accommodation, particularly for birthing reasons, into the Remote Indigenous Housing Partnership. We have not

15 Dr Don Weatherburn, NSW Bureau of Crime Statistics and Research, *Committee Hansard*, 15 October, p. 31.

16 Committee meeting notes, 17 November 2008.

proposed anything in the first two years of the program, but we are certainly having ongoing discussions with FaHCSIA about what we might build into the subsequent years of the program.¹⁷

5.21 Housing NSW also informed the committee that they funded a program providing short-term accommodation, working with non-government housing organisations and community housing providers.¹⁸

Sexual assault

5.22 The Women's Legal Service (WLS) informed the committee of the difficulty associated with women reporting instances of sexual assault in small communities. Confidentiality is a major issue in communities where people know one another and the sense of shame felt by women in these communities is an impediment to reporting sexual assault.¹⁹

5.23 The committee heard that peer pressure within a community can often result in women not making statements to police.

Quite often the practice is that the charge is dropped if the victim does not appear. I think that is a problem because I have noticed a perception amongst our client groups for using language like, 'I have decided not to charge him', or, 'I think I should charge him for that', when deciding whether or not to report domestic or sexual violence as if it is the victim's responsibility to make the decision as to whether or not that is a crime that should be reported and prosecuted. That perception feeds into the perception in the community which is that it is the victim's fault if a prosecution proceeds, whereas actually a crime is a crime and it is for the police to police and for the courts to judge and the victim is a witness in that situation.²⁰

5.24 The resources available in each town can also play a major factor in how comfortable a woman can feel in reporting sexual abuse. The WLS informed the committee that no one was currently available to administer a rape investigation procedure in Bourke at the time of the hearing. Clients of the WLS were under the impression that reporting a sexual assault would necessitate lengthy travel to other centres.

At the moment victims know that they have to travel to Dubbo, Orange or Bathurst sometimes after being raped. That is an absolutely unacceptable thing to go through. And they receive transport one way but then have to

17 Mr Michael Allen, Housing NSW, *Committee Hansard*, 15 October 2009, p. 99.

18 Mr Michael Allen, Housing NSW, *Committee Hansard*, 15 October 2009, p. 100.

19 Ms Donna Hensen, Women's Legal Services, *Committee Hansard*, 15 October 2009, p. 15.

20 Ms Natascha Rohr, Women's Legal Services, *Committee Hansard*. 15 October 2009, p. 16.

make their own way home again. This impacts hugely on whether they are going to report it or not.²¹

5.25 The committee wrote to the Director-General of NSW Health to clarify whether a qualified person was available in Bourke to undertake this testing, and if so how long this had been the case. The committee has not yet received a reply to this request and intends to follow up this issue its next report in 2010.

5.26 The committee is very concerned about the prospect of places like Bourke not having a person qualified to perform this procedure after a rape is reported as it will deter people from reporting sexual assault if they know that in order for the requisite evidence to be collected, they have to undergo a long journey to another town.

Funding arrangements

5.27 A common issue raised with the committee by groups in both New South Wales and Western Australia was the difficulty caused by funding arrangements for service delivery currently put in place by governments. Given the commonality of issues between the states that the committee has observed, the discussion about funding in this chapter is not restricted to New South Wales, but will also use evidence from Western Australia.

5.28 Problems with government funding structures can be categorised under three main points. Firstly, many witnesses voiced a need for greater flexibility in funding arrangements. Secondly many witnesses informed the committee that short term funding often set up a pilot programs or initiatives to fail, or severely impacted on the efficiency of a program. Lastly, witnesses from a range of services attested to the burden placed on their organisations by the excessive reporting required by government departments. These three issues are discussed below.

Flexibility

5.29 The need for greater flexibility from governments was discussed in chapter two of this report. The chapter included comments by witnesses who were critical of the centralised structure of governments and problems with consultation and communication with communities. Many witnesses in both New South Wales and Western Australia informed the committee that the inflexible nature of government funding and the centralised decision making that determined funding criteria and allocation often prevented local organisations from running the programs they knew the community needed.

5.30 The Wheatbelt Development Commission (WDC) in WA raised this point, stating:

Any government funding by nature of accountability has to have guidelines and criteria. I think you heard a bit this morning that the decision making

21 Ms Donna Hensen, Women's Legal Services, *Committee Hansard*, 15 October 2009, p. 15.

and criteria are established by people who are a long way away from where the problem is. The public sector is relatively centralised nowadays, as are the banks and other major organisations. It is very difficult for local people to influence the selection criteria and what the money is made available for. You end up putting applications in for...but it is not really what you want the money for, but you still have to equip and spend the money anyway. So I think that, somehow, we need to get some flexibility into funding.²²

5.31 The WDC gave a recent example of how funding sources were often mismatched to what was actually needed on the ground:

It is fairly common. Here is one interesting example. We went to Perth at one stage...because we had spoken to some local Indigenous people and we decided that land based activity and getting groups of people work-ready for land based activity was what we wanted to do. We went in and had a look at all the funding sources for that. One of the federal groups had recognised that they were not putting much money into the wheat belt and wanted to talk to us about funding. We told them what we wanted to do and they said, 'Our money is not for that. Have you got anything to do with art? There is a lot of money for arts.'²³

5.32 The geography of the Wheatbelt region was also unsuited to the delivery of programs as intended by various funding sources:

The difference between us and, for example, the Kimberley is that in the Kimberley you may have 200, 500 or 600 Aboriginal people in a discrete community that are all the same group. We can have one family in this town, one in this town and one in that town. The funding models and the project models are based around a central point, which works in Geraldton and Albany and those sorts of places, but that will only work for the people in that one town. So there is a lack of flexibility in the way the service is delivered.²⁴

5.33 The Kimberly Language Resource Centre informed the committee of the difficulty they had in finding funding for an Indigenous language program for children due to the lack of any flexibility for such programs or potential funding sources:

To apply for funding, we have to have a product at the end of it—a book, a dictionary. That is not how we want to go. We want to be able to take our kids out bush and immerse them in the language so they are hearing it and picking it up. There is really no product at the end of that. For us to be able

22 Mr Grant Arthur, Wheatbelt Development Commission, *Committee Hansard*, 8 October 2009, p. 51.

23 Mr Grant Arthur, Wheatbelt Development Commission, *Committee Hansard*, 8 October 2009, pp 53–54.

24 Mr Grant Arthur, Wheatbelt Development Commission, *Committee Hansard*, 8 October 2009, pp 54–55.

to get funding to do something like that—we call it teaching on country—it is very hard. There are no criteria that fit this.²⁵

The main issue is when the submission rounds are open and you are writing your criteria that are set down in wherever—Canberra, Perth—on how your project fits into the conditions that they are giving the funding out of, we would not usually fit those criteria. What they see in Canberra as the criteria for this year, whatever they may be—documentation, archiving—are not what we need. We need to be able to take our kids out bush to teach them and that does not fit. It is not a high ranking against the criteria that they are giving out the money on. So we do not get the money.²⁶

5.34 The committee notes that sound investment requires the best possible information in order to direct funds to the areas with the greatest benefit to the communities. Generally, community based organisations and service delivers and the communities themselves are the holders of this information. They are naturally more aware of what is required by a community than those in a central government policy-making environment. It is thus essential that government funding mechanisms are able to capture the information held by those at the ground level. The evidence before the committee suggests that this is not currently the situation and that greater flexibility will be required in order to maximise the efficient allocation of government funding.

5.35 The committee is therefore encouraged by the New South Wales Government Partnership Communities Program, part of the Two Ways Together strategic plan.

5.36 Ms Jodie Broun of the NSW Department of Aboriginal Affairs explained the motivation of the strategic plan to the committee at the hearing in Sydney.

It is really about government working closely with Aboriginal communities. That is the principle and philosophy of it. It is about working in partnership with Aboriginal communities and recognising that Aboriginal people know best the needs of their community, and that there is not a one-size-fits-all. We are coming up with different solutions for different communities.²⁷

5.37 Genuine partnerships with communities will enable those with the best information to ensure funding decisions are informed and efficient.

Security of Funding

5.38 Another major issue referenced by witnesses in New South Wales and Western Australia was the need for long term funding. The committee takes long term funding to mean at least three years, but ideally, five to ten years. Many witnesses told

25 Ms Vikki Butters, Kimberley Language Resource Centre, *Committee Hansard*, 25 August 2009, p. 25.

26 Ms Vikki Butters, Kimberley Language Resource Centre, *Committee Hansard*, 25 August 2009, p. 26.

27 Ms Jodie Broun, Department of Aboriginal Affairs, *Committee Hansard*, 15 October 2009, p. 90.

the committee it took time for any service to find their feet and develop relationships with the community, meaning the first six months to a year may not yield any results.

...if a service is funded for a year or funded for two years, you have the same situation that we find with our teachers in our 12 remote area schools, that the first year is spent by people trying to embed themselves in the community and the second year is often useful, if people have learned something in the first year. When you have services that are financed for two years and then they stop, it is really setting agencies and setting communities up to fail.²⁸

5.39 The Association of Children's Welfare Agencies also highlighted the difficulty of a new service succeeding given a funding window of three years or less.

Anybody who worked in regional or remote Australia would know that three years is just enough time to build relationships and for anything to start working. By the time we start seeing good outcomes that is when the funding stops and something else comes up or other parallel programs come onboard and people experience myriad programs that do not necessarily connect with each other and they are not necessarily coordinated. Hence, we see patches of outcomes rather than a consistent outcome across the board, and that is why we do not see sustainable changes or sustainable outcomes.²⁹

5.40 Similarly, a limited funding duration often resulted in the last few months of a service being occupied with negotiations for new funding. The net result is an inefficient use of funds resulting from short-term funding and a higher likelihood of a program failing.

...how long does it take for you to be a local in remote communities? If you think about a three-year contract, in my view that is a service contract. It really should be a partnership. People in their heads think that it is a three year piece of work, but the reality is that in small towns or communities it takes people six to eight months to be able to have the relationships and to be able to start functioning well enough. That is just how it is. It takes time to be accepted. It takes time to know who to go to and not to go to, how this works, how that works and how to influence that. I am being generous, but I suspect from my experience that it is around six to eight months before people will start giving you that because they see that you are still there for a start. That has brought your three years down to 2½ years. If it is a three-year contract and the end is ambiguous and fuzzy about what is going to happen, you are spending the last six months trying to position yourself to get something else. Your three years, in effect, has probably come down to between 18 months or two years of effective operation.³⁰

28 Fr Matthew Digges, Catholic Diocese of Broome, *Committee Hansard*, 26 August 2009, p. 71.

29 Ms Sylvia Ghaly, Association of Children's Welfare Agencies, *Committee Hansard*, 15 October 2009, p. 5.

30 Mr Phillip Leslie, Mission Australia, *Committee Hansard*, 15 October 2009, p. 46.

5.41 The Wheatbelt Development Commission spoke of the corrosive effect on community morale resulting from programs stopping and starting due to unsecured funding arrangements.

...we have refused to get involved with other communities in our region...unless we can get three years funding, because the cycle of working with Indigenous people is that you constantly run a project that runs out of money and then you have to wait for five years and start again. The people get excited and then they are let down, get excited and are let down. We have said that unless we get some funding that will carry us through to when it is a success, instead of failure after failure, we are not interested.³¹

5.42 UnitingCare also emphasised the need to develop trusting relationships with communities, stating that secure long term funding is needed in order to develop this trust.

...what we need are service delivery models that are long term in their approach, that can provide space for flexible and innovative service delivery, and for building trust and long-term relationships with families and communities. I am sure it will not escape you that the key words in those sentences are 'long-term', 'flexible' and 'trust'. Short-term funding arrangements or programs that are frequently implemented as pilot programs only cannot achieve meaningful engagement with regional and remote Indigenous communities. This is particularly true of communities where there is intergenerational experience of social exclusion and isolation.³²

5.43 The committee heard a similar story in Fitzroy Crossing where Nindilingarri Cultural Health Services informed the committee of the disruption caused by policy and funding changes in Canberra and Perth. This was particularly frustrating to the organisation as it took them time to communicate each policy to the community as a whole.

Government funding and changes throw us out of whack. It can take you up to two years to get that kind of understanding here right across the valley and the communities. Just when you are getting that understanding on the ground and getting something happening, another government comes in, shifts the goalposts and we say, 'Guess what, team? We've got to kick the other way now.' That just throws the whole process of trying to establish anything in this valley right out of whack. It takes the wind out of the sails of the people who work hard out in the bush. It takes the wind out of the

31 Mr Grant Arthur, Wheatbelt Development Commission, *Committee Hansard*, 8 October 2009, p. 57.

32 Ms Jane Woodruff, UnitingCare Children, Young People and Families, *Committee Hansard*, 15 October 2009, p. 65.

sails of the community, I am sure. We are tired of it. We want longer term planning and funding of programs and projects.³³

5.44 The committee recognises that part of the logic behind short term funding is the need for governments to ensure that they are funding successful enterprises. If a program or service is not successful, continual funding can be a waste of government resources. However, this creates a dilemma. Governments may refuse to continue to fund new programs without indicators that the program is a success. However, a program may fail as the funding has not been of a sufficient duration to allow the program to efficiently operate.

5.45 Mission Australia suggested a model whereby funding was committed for 10 years with a regular reporting period to monitor progress and a secure governance structure in place.

Mr Leslie—If it was a partnership agreement rather than a service agreement where every three months you send in another report detailing what you did with this, that and the other, you have a genuine partnership where governance includes members from the community, the organisation and the funder who actually govern it properly and it is long term and that is built into it, in my view that would be a better way to go.

Senator MOORE—On a three-year time frame?

Ms Hampshire—No, not in a three-year time frame. A 10-year funding agreement does not mean that you just account at the end of the 10 years. There are easy ways to build in accountability as you go, but you have some level of certainty at the start-up that you are there for 10 years. That is not only important for us. It is actually much more important for the community because they say, ‘You’re going to stick around’, and as Mr Leslie said, this is significant.³⁴

5.46 The committee recognises the dilemma faced by governments and the tension between the need for accountability and efficient use of these funds on one hand, with the need to provide an appropriate structural and resource framework which supports programs to succeed. However, the committee considers that longer term funding, particularly in relation to existing services that have relationships with communities, and with government agencies should be prioritised by governments.

Overburden

5.47 A report by the Cooperative Research Centre for Aboriginal Health released in August 2009 titled *The Overburden Report: Contracting for Indigenous health services* (the *Overburden Report*) found that Aboriginal Controlled Community

33 Mr Patrick Davies, Nindilingarri Cultural Health Services, *Committee Hansard*, 24 August 2009, p. 52.

34 Ms Anne Hampshire & Mr Phillip Leslie, Mission Australia, *Committee Hansard*, 15 October 2009, pp 46–47.

Health Services are 'funded in more complex ways, and from more sources, than equivalent mainstream health care organisations, and that this is a barrier to providing responsive care, and brings heavy overhead costs.'³⁵

Our study confirms the complexity and fragmentation of funding, and the heavy burden of acquiring, managing, reporting and acquitting funding contracts for both providers and funders. This problem affects Indigenous organisations across many portfolio areas (housing, land, education etc.) and is widely recognised.³⁶

5.48 The committee's observations in New South Wales and Western Australia are consistent with the findings of the Overburden Report. For instance, the Kimberley Aboriginal Medical Services Council informed the committee that they administered approximately 60 funding grants and that they had to report quarterly on most of them, taking several staff members two weeks to accomplish.³⁷

5.49 Nindilingarri Cultural Health Services suffered from a similar problem, complaining that the size of the grant did not seem to have any bearing on the amount of reporting required.

Mrs Muir—We have a big mob of grants that are all onerous in their reporting requirements—just little bits here, there and everywhere to do little bits of anything and everything. But you still have to do the same level of reporting, regardless of whether you get \$300,000 out of them or whether you get half a million dollars, \$800,000 or \$900,000 out of them. So, yes, we have multiple grants and we have to report on them all, which is really onerous for the staff³⁸

5.50 The problem was not limited to the non-government sector, as Western Australian Country Health informed the committee:

As with all grants, there is time taken in putting a submission together and meeting the deadlines of the grants coming up and that is fairly standard. There is a fair amount of reporting tied up with relatively small grants. Whether the grants are for \$1.6 million or for \$100,000 there seems to be the same level of reporting required³⁹

5.51 Ironically, attempts by the Commonwealth to reduce reporting requirements caused Nindilingarri to have to report twice due to late communication of the change:

35 Cooperative Research Centre for Aboriginal Health, *New research shows complexity of Indigenous health funding an impediment to success*, Press release, 17 August 2009.

36 Cooperative Research Centre for Aboriginal Health, *The Overburden Report: Contracting for Indigenous health services (short summary)*, August 2009, p. 2.

37 Ms Lynette Masuda, Kimberley Aboriginal Medical Services Council, *Committee Hansard*, 26 August 2009, p. 30.

38 Mrs Patricia Muir, Nindilingarri Cultural Health Services, *Committee Hansard*, 24 August 2009, p. 68.

39 Mr Sean Conlan, Western Australian Country Health Service, *Committee Hansard*, p. 12.

...obviously through COAG there have been significant changes in the reporting on the [Office for Aboriginal and Torres Strait Islander Health (OATSIH)] funding. Our OATSIH report was due in on 15 August, and I sent our report through on 11 August, only to receive an email back from our project officer to say, 'Your funding reporting requirements have changed; you will no longer be reporting this way.' Attached was a letter, dated 11 August, to advise us of the change in the reporting.

Senator MOORE—With a due date of 15 August?

Mrs Muir—The due date was the 15th, and it was sent in on the 11th. It was a response letter, mind you.

Senator MOORE—Can we get a copy of that?

Mrs Muir—You certainly can. She said that these letters should have arrived; however, the letter from Canberra arrived two days later, which was the 14th—the day before the report was due. That is terrible, because I believe we are now expected to do that reporting again in a different form.

Senator MOORE—And you went through blood to get yours in by 11 August.

Mrs Muir—Absolutely.⁴⁰

5.52 The committee commends The Overburden Report to the Commonwealth, state and territory governments and encourages governments to be mindful of the burden imposed on organisations by reporting requirements.

Senator the Hon Nigel Scullion

Chair

40 Mrs Patricia Muir, Nindilingarri Cultural Health Services, *Committee Hansard*, 24 August 2009, p. 69.