

Tangentyere Council Inc.

Submission to Joint Select Committee

On Indigenous Administration

The Abolition of ATSIC

Background

Tangentyere Council was founded in the mid 1970's but did not become an Incorporated Body until 6 February 1979.

It was established to assist Aboriginal people, who had been living for a great many years in areas on the outskirts of Alice Springs, to gain some form of legal ownership in order that they could obtain services in the form of water, electricity and housing on the parcels of land. The Northern Territory Government has always had a policy whereby it will not provide services where there is no permanent tenure of land. This policy is still current.

Tangentyere Council negotiated with Government on behalf of the residents of the parcels of land and eventually was able to secure legal tenure to eighteen parcels of land in the form of Special Purpose Leases. These have since been converted to Leases in Perpetuity in favour of the occupants of the land, the respective Housing Associations and their members.

Each lease has an Incorporated Association, consisting of the residents of the Lease, and each Association is completely autonomous, having its own Constitution and Rules and having an elected Executive Body.

The eighteen Housing Associations are the Members of Tangentyere Council Inc., which in turn has its own Constitution and elected Executive Council. The Executive Members of Tangentyere Council are elected from the Office Bearers of the Member Associations.

Although each Association has its own Constitution the main objects are common to all, as they are also to Tangentyere Council. The main aims

are to “relieve the poverty, sickness, destitution, distress, suffering, misfortune or helplessness of Aboriginal People in Central Australia.”

Tangentyere Council has largely addressed the problem of basic services and great strides have been made in the provision of housing, though there is still some way to go and regular maintenance to the housing stock needs to be addressed.

Tangentyere receives funding from a variety of agencies, both Commonwealth and Territory, to assist in the performance of its duties towards its client group, the Town Camp residents. The types of program being funded include health, education, local government, housing and administration. The main funding body has been ATSIC, the Aboriginal and Torres Strait Islander Commission.

Governance

Each of the 18 Housing Associations has a representative and equal voice on the Tangentyere Council Executive Committee, and determine the direction and development of the organisation.

This means that the service development comes directly from the consumer voice. It also means service delivery is directly accountable to the consumer need.

Services provided by Tangentyere Council Inc.

Tangentyere Council provides a range of services to Aboriginal people resident in the Town Camps in Alice Springs. Some services are also available to Aboriginal people from the general Township area and from remote communities.

One Stop Shop

To improve access to essential services for clients Tangentyere has developed a “one stop shop”. Designed to minimise systems barriers the “one-stop-shop” provides access to the Tangentyere housing office, the Financial Counsellor, branches of Centrelink and Westpac bank and the Tangentyere Job Shop.

Tangentyere Bank Agency (Westpac)

This enables Town Camp residents to have their Centrelink benefits credited to their accounts or cheques mailed for credit to their accounts.

The Bank Agency has an ATM, which is available for use by Tangentyere clients, staff (and members of the general public if they wish). Customers can also have part of their income provided by way of Food Voucher and have their rent deducted from the income.

Centrelink Office.

Centrelink first opened an office at Tangentyere in 1997 with one part time staff member. It has recently been recognised as a branch of Centrelink in its own right with 8 full time staff. There is also a Family Assistance Office, which is part of Centrelink, and a Centrelink Psychologist visits on a regular basis to assist its clients.

Financial Counselling Service.

This service is provided for all Aboriginal People in Central Australia and not only Town Camp residents. The service provides assistance with deceased estate administration, taxation problems (but not the completion of Returns), consumer affairs issues and a wide range of other para legal matters.

Food Voucher System.

This system is operated through our finance department and allows people to have money deducted from their Centrelink payments into a “nutrition account” which is our food voucher system. This is a system of savings that ensures people are able to purchase food for their families regularly, to avoid the feast and famine cycle.

Together they provide a comprehensive and accessible service across housing, income and employment needs.

Tangentyere is arranged in 6 Divisions

Housing
CDEP
Social Services
Landcare
Human Resources
Finance

The following is a description of services delivered by our 4 main service delivery Divisions.

Housing Office

Tangentyere Council manages a comprehensive Housing Office having the following duties:

- Arrange & Support 18 AGM's per year
- Arrange & Support 6 weekly Housing Association Meetings for 19 associations
- Collect Rent
- Organise Construction of new housing and Repairs and maintenance of existing housing
- Annual Environmental Health Survey
- Receive post for all residents, sorts and distributes (not recognised or supported by Australia Post)
- Deal with evictions, temporary housing needs etc.
- Support Executive Meetings
- Liaise with the broader

Housing need

Based on independent Indigenous Housing Authority of the NT (IHANT) assessment and based on permanent resident numbers the shortage of housing in town camps amounts to 225 bedrooms.

This does not account for visitor numbers and the additional stress this places on houses.

It is not uncommon that some houses support a population of 25-30 people.

Old People's Service

This service provides meals on wheels, personal care, shopping, laundry, banking and assists people to get to hospital/doctors for appointments. The staff also ensure that clients take medicines/pills as required. Family and Community Carers are employed to provide support to High dependency Clients and Aged and Disabled clients in need of Support

2. CDEP Division

CDEP services

We manage 225 CDEP places with a strong training and development

approach. There are approximately 1/3 in full time positions, 1/3 in CDEP only positions, 1/3 in transition (employment and training program).

The CDEP services provide the refuse collection, wood collection and delivery, cleaning services, fencing and other direct services to Town Camps as well as overseeing the 225 participant placements.

CDEP enterprises

Through partnerships with agencies such as the Alice Springs Town Council we have provided contracted services such as Couch Control. Road Margins construction and Fencing.

3. Landcare Division

This service provides advice to remote communities on planning landscapes, planting trees and an education service that assists communities to do these things for themselves. The Landcare service propagates trees and shrubs from seed and collects seeds from communities for this purpose. It also purchases fruit trees from commercial nurseries for distribution to remote communities. ATSI support for this important service was withdrawn in the 2003/2004 year, despite our protests. Funding is provided for specific Programs by the National Heritage Trust.

4. Social Services Division

- Youth Services Department
- Social Justice Department
- Community Development & Health and Well Being Department
- Research Department

Youth Services Department

Safe Families. This program provides crisis accommodation and family reintegration for Aboriginal young people aged between 7 and 15 years of age who are homeless or living in at risk situations

Learning Centre. This program provides an intergenerational Learning Centre situated on one of the Town leases for that community and related members. It deals with family violence, education, health, inhalant substance misuse and other substance misuse through a community governed program

Youth Link-up Service. This is a regional petrol-sniffing program providing support and training to 12 identified remote communities to address petrol sniffing in the region.

Youth Activities Services. This service provides sport and recreation, out of school hours care and vacation care services across the housing associations working with up to 450 young people aged between 5 and 25 years.

Early Childhood Intervention Program. Play groups delivered on Town Camps focus on parenting skills, early childhood development skills and basic numeracy and literacy. This program also supports high-risk young and potential mothers

Community Development & Social And Emotional Well Being Department

Community Development and Environmental Health program This program focuses on comprehensive planning and development on selected town camps, and has coordinated the Immunisation program, Sexual Health Screening and Telephone establishment on town camps. It is also undertaking a full Health needs assessment on the camps.

Family Well Being program. This program provides community education and health promotion regarding social and emotional well being, counselling and support, and delivery of the Family Well Being course (36 week course). It trains local Aboriginal people as counsellors and trainers.

Social Justice Department

Day/Night Patrol Service. The night patrol is an award winning crime prevention program that provides early intervention and response to difficult behaviour and emergency in the community. It liaises with NT Police and other Agencies, such as Drug & Alcohol Service Association (DASA), and Alice Springs Hospital

Wardens and Return to Country Program. This is designed to assist people from remote communities who become stranded in Alice Springs to get back to their communities. The program works in partnership with the Alice Springs Town Council.

Remote Area Night Patrol. This is a support and advocacy service for the remote area night patrols throughout the Central Australian region.

Tangentyere Enterprises

Tangentyere Council is a grant in aid organisation. Over the past years we established a separate Enterprise arm which consists of independent commercial agencies: Tangentyere Construction, Recycled Organics, Tangentyere Jobshop and Tangentyere Design.

These were developed to provide indigenous employment in mainstream service areas and also to separate business activities from the Grant funding provided to the Council, that is the grant recipient activities.

Tangentyere Job Shop. Assists Aboriginal people to find employment. It also arranges for clients to attend interviews and prepares resumes for people who do not have the skills themselves. It also operates the IHANT Builder Trainer Program with apprentices in 7 remote communities constructing houses as part of their training to become qualified builders.

Tangentyere Design. This Architectural Company is oldest enterprise and was started to ensure that the housing of residents was designed to meet their cultural and lifestyle needs.

Tangentyere Constructions. Developed to provide Indigenous employment and traineeship in the construction industry. A “Builder Trainer” Program is conducted by Tangentyere Constructions under which Trainees in remote communities are constructing homes under the tuition and guidance of qualified builders. This is supported by the Indigenous Housing Authority of the Northern Territory and the Department of Community Development, Sport & Cultural Affairs.

Provisions of the ATSIC Amendment Bill

- Overall the provisions of the ATSIC Amendment Bill and the sketchy information on the replacement structure constitutes a denial of the right of Indigenous people to self-determination.
- This is of considerable concern as self-determination needs to be enhanced and strengthened to bring about positive change. The ATSIC Amendment Bill is contrary to the aspirations of Indigenous people.

- It is contrary to the recommendations of all of the major and authoritative reports conducted into Indigenous affairs (ie Commonwealth Grants Commission 2000, Productivity Commission 2003, HoRSCATSIA, “Many Ways Forward” 2004)
- At Tangentyere we pride ourselves on being a model ‘self-determining’ organisation. This underpins our structure and service delivery. The potentially destructive impact of removing self-determination will be seen in the immediate future. Our concern is that once again we will be experimented on – and that in another 5 – 10 years time we will all be back to discuss what went wrong. Of considerable concern is that these changes have occurred without any effort on the part of Government to inform Indigenous people of these changes or to include Indigenous people
- The response by Government has been hasty, unplanned and has left Indigenous organisations, ATSIC/ATSIS staff and Government staff in a place of uncertainty. There has been no protection implemented for organisations in relation to levels of funding and ongoing funding stability. Despite assurances by the Minister, Tangentyere Council has seen two programs suffer from reduced funding levels for this financial year.
- Tangentyere Council was an example of success of the ATSIC structure despite difficulties we faced at times as an organisation. Tangentyere Council received core administrative funding from ATSIC. From this core administration and governance we then attracted 8 times that funding for program delivery. Half of our \$11M annual budget was received from ATSIC for CDEP, Administration and Housing and smaller programs. The remaining funding was attracted from other government and philanthropic funding. ATSIC funding provided us with a base to attract the majority of our funding from other areas. Ironically the local ATSIC office was not always supportive of Tangentyere Council and we often had to battle unjustified bias, rather than be held up as a success of which they could also be proud. This lack of support has never been more evident than it has been following the election of the last Regional Council led by the current Chairperson
- Tangentyere Council is concerned that the real issues about ATSIC have been overlooked in the current debate. The practical application of the ideal of self-determination was limited in practice by the bureaucratic culture that informed ATSIC from the start. Coombes & Wolfe both saw ATSIC’s bureaucratic culture as an

impediment to the to the innovations required for the successful implementation of elements of self-determination.

Removal of the ATSIC Board

- At the national as well as international level ATSIC has an important role to play in the process of providing greater power to Indigenous peoples.
- The combined representative and executive functions ensured that Indigenous interests gained access to the executive processes of government.
- At the ATSIC Review consultations in Central Australia Tangentyere supported a changed role for the National Board, which would have strengthened powers to provide political advocacy; set national policy and benchmarks; monitor service delivery and outcomes; and provide an annual “Indigenous State of the Nation” report through the Minister to the Parliament;
- It must be acknowledged that the employment of staff under the Public Service Act was a strong disincentive to the realisation of self-determination. Employees of the Commission are answerable to the Chief Executive Officer. A situation criticised by the House of Representatives Standing Committee on Aboriginal Affairs in the 1990 report and 1998 Review of ATSIC recommended that this practice cease. This practice was also of ongoing concern of the elected arm at regional and national level.
- The elected arm of ATSIC was chronically understaffed. It was not until the regionalisation reforms in 2000 that Regional Councils had dedicated Executive and Senior Policy Officers.
- Tangentyere Council accepts that there were issues with the Board that needed to be addressed, however we do not endorse the removal of the Board to deal with unsavoury and distasteful issues. It is important that Indigenous people with the support of Government ensure that their national representative board promotes the voice of the people in a true, honest and ethical manner. Where problems arise this must be addressed in partnership. It is not acceptable that Government over-ride the interests of Indigenous people. This reflects past history of

oppression that led to the many social problems that our people face today.

- The employment conditions of staff, the resourcing of the elected arm, the training and support of the elected arms, all undermined the effective operation of ATSIC. Some of these issues were highlighted in the reports by the House of Representatives Standing Committee on Aboriginal Affairs in 1990 report and 1998 Review of ATSIC.

Regional Councils

- The Amendment Act abolishes Regional Councils in 2005. The Minister has made public statements that the majority of Regional Councils are useless. This is not based on evidence.
- In Central Australia the participation rate in Regional Council elections was strong and was comparable or higher than other voluntary elections. ATSIC elections were keenly contested and the voter participation rate had continued to rise. This demonstrates strong support for an elected model.
- Regional Councils had relatively limited power. There was a small amount of funding available compared to the need. (This point has been made with some authority by the Commonwealth Grants Commission in its review of Indigenous funding). Over 80% of the ATSIC Budget was excluded from the Councillors' discretion, being already committed to major projects like CDEP.
- The lack of staffing and resources inhibited policy and planning development. Finlayson and Dales found that the theory and vision of self-management sat uncomfortably alongside its practice, while structural relationships were determined largely by bureaucratic practices and administered by centralisation administration. (1996:85)
- Driven by these concerns in 1998 the Regional Councils in Central Australia explored the establishment of Regional Authorities (Kalkaringi Constitutional Convention) with expanded roles that could embrace regional Indigenous government and consequential autonomy.

- The creation of the TSRA gave impetus to this debate – although further development was thwarted by lack of government commitment.

Amendments to IBA, ILC etc.

- The amendments increase the power of the Minister and the bureaucracy over these organisations and their power as independent statutory authorities becomes severely diminished.
- The ILC and IBA will be given the ATSIC assets – effectively they will become part of the national estate. Some of these assets, such as the land where Yeperenye Shopping Centre is, were gifted from Churches etc, for the benefit of Aboriginal people. It has been ATSIC and Aboriginal representatives and organisations that have developed this gift into a business.

Mainstreaming

- A rigorous national study (Neutze, 1999) showed that while more was being spent per capita in most program areas on Indigenous peoples, this was insufficient to off-set multiple disadvantages suffered in other areas, including barriers to access by Indigenous people to mainstream programs.
- Town Campers provide the example of how cultural and language barriers exclude people from services – that are or should be readily available for all.
- All major Government inquiries into Indigenous affairs funding point to the failure of the mainstream agencies and states. The failures incorporate funding failure to the degree that the Commonwealth Grants Commission recommended that extra conditions attached to grants be sought “that target some of the expenditure of mainstream Special Purpose Payments.”
- The example of health also points to the serious policy failure on Indigenous issues. The PHCAP roll-out in Central Australia is a classic example, disregarding the advice of the elected arm, the roll-out wasted \$m and there was little accountability for this failure.
- Tangentyere advocates for funding allocations to be based on need. We support the development of a framework for ‘fiscal equalisation’ similar to that employed by the Grants Commission, where

disability measures are used to weight allocations according to agreed principles.

- Tangentyere Council also advocates for evidence-based policy and service delivery. Within Tangentyere we have established a research hub in partnership with major universities. Town campers are undertaking research collaboratively with these universities. This approach has yielded a significant depth of information that mainstream researchers were excluded from collecting.

b) The proposed administration of Indigenous programs and services by mainstream departments and agencies:

- Tangentyere Council will work within whatever funding structure is presented to us, however we reject the assumption that the mainstream approach is inherently superior to the structure of ATSIC. Indigenous outcomes under current mainstream jurisdictions such as health and education and law enforcement are appalling.
- Tangentyere Council urges Government to honour the integrity and importance of Aboriginal organisations to continue to deliver programs to their populations. Tangentyere Council sees the risk of mainstream funding leading to the mainstreaming of service provision, delivered by bodies with little understanding of indigenous issues, nor the history and experience in developing precise indigenous policies in relation to funding..
- Tangentyere Council urges the Government to reflect on the current inadequacy of mainstream programs
- Tangentyere Council also advocates for evidence-based policy and service delivery. Agencies must show evidence of their service provision, accountability, efficiency and effectiveness both at a consumer and a funding level. There must also be evidence on the need for service for it to be funded.
- Tangentyere is a model of best practice in relation to Governance and service provision. We represent an effective COAG model. We recommend to Government that agencies such as ours be funded with single coordinated funding arrangements that support the administrative and service structure to allow for stability and

improved service outcomes. This may be in the form of direct consolidated funding for our organisation.

Other Related Matters

- Tangentyere takes a consensus approach. This has been successful for 25 years, bringing together 8 major different language groups to govern the organisation effectively. We undertake this approach at a regional level seen in programs such as our builder-training program, remote area night patrols, Central Australian Youth Link up Service (CAYLUS), Bush Land Management and our representation on the Central Land Council (CLC). These models of governance, decision making, consumer ownership and accountability must be protected into the future.
- At Tangentyere we pride ourselves on being a model 'self-determining' organisation. This underpins our structure and service delivery. The model of governance is based on proportionally representative consumer direction. The *Many Ways Forward: report of the inquiry into capacity building and service delivery in Indigenous communities*, stated "The committee was very encouraged by the high level of effective service delivery it saw as a result of this model of governance." P 122 s4.47
- Tangentyere Council advocates strongly evidence based assessment of need and service outcomes. In response we have established a research hub in partnership with major universities (Flinders University, Curtin University, Edith Cowen University, Charles Darwin University) to undertake rigorous research into Indigenous issues. The research is driven by and undertaken by Indigenous people and town camp residents. Town campers are undertaking research collaboratively with these universities to ensure research integrity and validity. The outcomes can inform our agency, government and consumers in relation to need, service outcomes and policy direction. We must better use the information that we have before us within the community and within the history of the Aboriginal organisations if we are to truly improve the situation of our people.
- The Tangentyere approach to research has been adopted by the Central Remote and Alice Springs Regional Councils in partnership with the NT Government, CLC, Centre for Remote Health, Centre

for Aboriginal Economic Policy Research and Desert Knowledge CRC – in the Economic Framework Study that is being undertaken to inform Regional Planning.

- Tangentyere Council sustains strong partnerships to maintain effective services. These include an active MOU with the Alice Springs Town Council, the Police and the Universities listed above. We are yet to develop an MOU with Lhere Artepe, however we have approached them to develop this partnership which could provide a strong cultural leadership for Alice Springs. We are yet to receive a response.
- We sustain partnership approaches in many of our program which include working relationship with remote area communities and a number of agencies and organisations within Alice Springs. These include Rheleka Committee, Central Australian Aboriginal Congress Youth Team, Reconnect, Central Australian Aboriginal Legal Aid Service (CAALAS), Alice Springs Youth Accommodation & Support Services Inc (ASYASS), CLC, NT Education Department, Batchelor College, Institute for Aboriginal Development (IAD) and various others. It is not possible to provide effective service delivery in isolation. Government practice, funding and policy must assist in sustaining these effective partnership arrangements.

The development and success of Tangentyere Council has been its consumer base. Any move by Government on indigenous service provision must place indigenous people at the core of consultation, development and implementation of service delivery resulting in a sense of ownership and responsibility by the consumer.

Why should we accept advice from those who do not have to live by the consequences of that advice?

Tangentyere Council as a model of effective service delivery

Town Camps

18 Town Camps all independently incorporated, within and on the outskirts of Alice Springs

Population of Town Camps:

1435 adults (ABS), approximately 500 children and youth

TOTAL 1935

Housing Stock

- 193 Houses
- 14 Community Facilities
- 22 Ablution Blocks
- 70 Tin Sheds
- 4 Demountables

(All structures at times are used to house people due to overcrowding and visitors)

Conclusion

“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. The Commonwealth Grants Commission report of 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...”

p43 s 2.8.1 Many Ways Forward: report of the inquiry into capacity building and service delivery in Indigenous communities.)

Tangentyere Council recognises that there are strengths and weaknesses in the ATSIC structure.

Tangentyere Council does not endorse the Aboriginal and Torres Strait Islander Commission Amendment Bill.

Tangentyere Council does endorse a review of ATSIC/ATSIS in consultation with and determined by Aboriginal people to improve the representative structure, the provision of service and its terms of reference.

The removal of ATSIC as National Representative Body for Indigenous peoples without consultation, and without an alternative structure agreed to by Indigenous people is ethically wrong.

Without Client participation and involvement at all levels of decision and policy making, we never quite achieve the full meaning of Democracy nor do we attain an ethical standard to accountability. This is true for Government, representative bodies and service providers.