

The Parliament of the Commonwealth of Australia

The Effectiveness of Support Services for Aboriginal and Torres Strait Island Communities

INTERIM REPORT

HOUSE OF REPRESENTATIVES
STANDING COMMITTEE ON ABORIGINAL AFFAIRS

SEPTEMBER 1988

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES
STANDING COMMITTEE ON ABORIGINAL AFFAIRS

REPORT ON THE EFFECTIVENESS OF SUPPORT SERVICES
FOR ABORIGINAL AND TORRES STRAIT ISLAND COMMUNITIES

PREPARED BY
THE SECRETARY OF DEFENCE
AND
THE SECRETARY OF THE HOUSE OF REPRESENTATIVES

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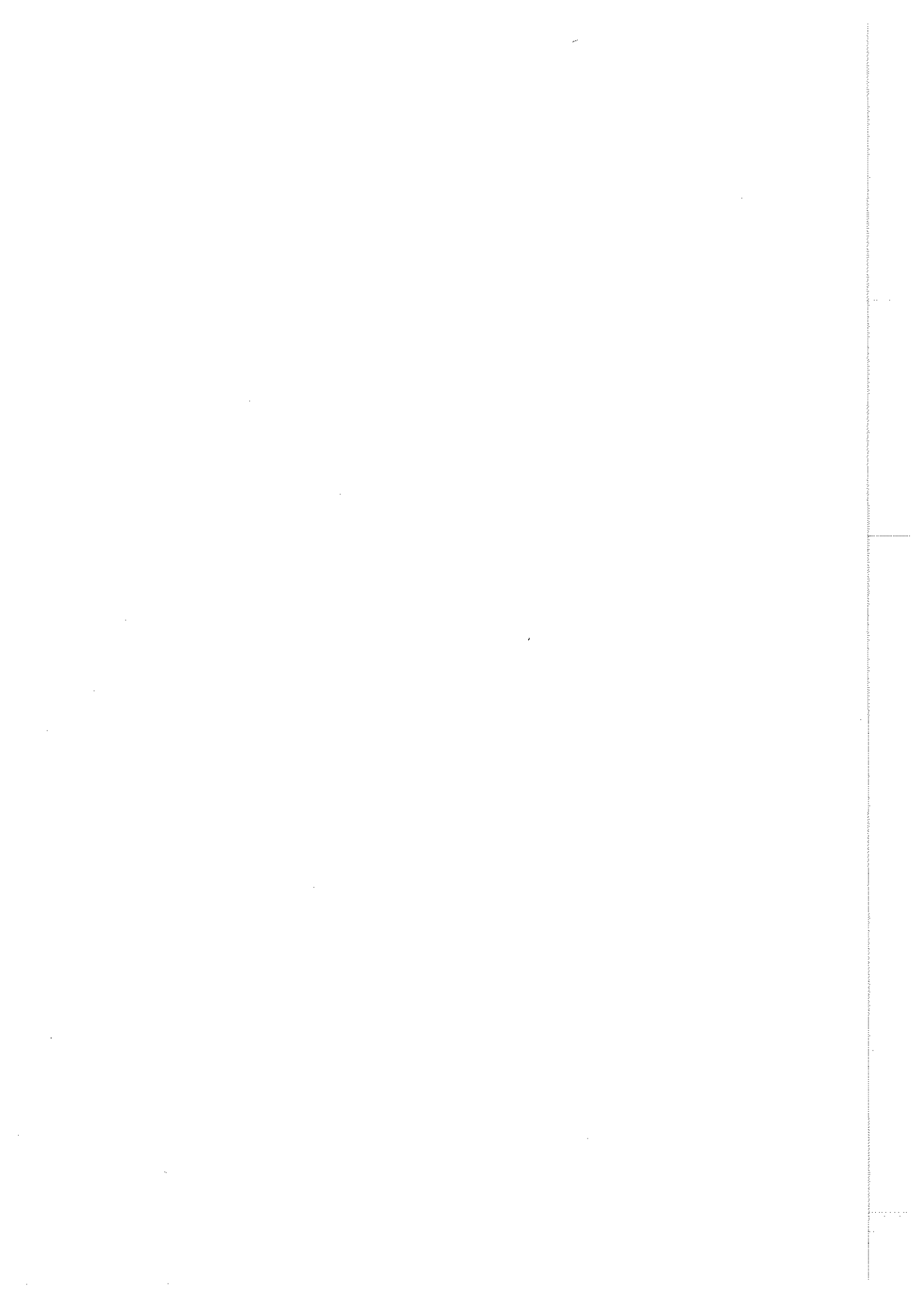
Terms of Reference of the Inquiry

The Committee inquire into and report on the effectiveness of existing support services within Aboriginal and Torres Strait Island communities, including administrative and advisory services.

Membership of the Committee

Chairman	Mr C A Blanchard, MP
Deputy Chairman	Mr C G Miles, MP
Members	Mr J N Andrew, MP* Mr I M D Cameron, MP Mr G Campbell, MP Mr D M Connolly, MP Mr M D Cross, MP Mr J Gayler, MP Mr W E Snowdon, MP Mr R E Tickner, MP
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Inquiry Staff	Mr P Stephens Mrs W Allen Mrs C Brien Mr P Ratas

* Mr J N Andrew, MP resigned from the Committee on 24 August 1988 and was replaced by Mr A Webster MP, after the report had been agreed to.



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Conduct of the Inquiry

The inquiry into Support Services for Aboriginal and Torres Strait Island Communities was referred to the Committee on 18 November 1987 by the Minister for Aboriginal Affairs, the Hon Gerry Hand MP. The inquiry was referred to the Committee by the Minister after the Committee had considered a range of possible inquiries and decided that the area of support services for Aboriginal and Torres Strait Island communities was one that was in need of a detailed investigation.

The Committee was asked by the Minister to inquire into and report on:

The effectiveness of existing support services within Aboriginal and Torres Strait Island communities, including administrative and advisory services.

The inquiry was advertised in national newspapers throughout Australia in late November 1987. The Committee sought written submissions from Commonwealth, State and Territory government departments and agencies involved in the provision of support services to Aboriginal and Torres Strait Islander communities. The Committee was particularly interested in receiving submissions from Aboriginal community organisations and individuals interested in the area of support services. As a result 41 written submissions were received from organisations and individuals. A number of these submissions were from Aboriginal organisations. The submissions were published in separate volumes and consisted of over 1500 pages of evidence. A list of organisations and individuals who made submissions is at Appendix 1.

The Committee has examined 67 witnesses to date in relation to their formal submissions at public hearings which were held in Brisbane, Woorabinda (QLD), Perth, Kintore (NT) and Canberra.

The names of witnesses and the organisations they represented are listed at Appendix 2. The transcript of oral evidence taken at public hearings comprises 482 pages. The transcripts of evidence to the inquiry are available for inspection at the House of Representatives Committee office, the Australian National Library and the Commonwealth Parliamentary Library. The Committee also received a number of documents unsuitable for incorporation in the transcript. These documents were treated as exhibits and a list of these is at Appendix 3.

As well as receiving formal written submissions and conducting formal public hearings, the Committee travelled extensively throughout Australia visiting Aboriginal and Torres Strait Island communities. A list of places visited by the Committee is at Appendix 4. These trips enabled the Committee to come to grips with the wide range of issues and to meet many individuals concerned with the delivery of support services to Aboriginal and Torres Strait Island communities. The visits and informal discussions were designed to cover the

entire spectrum of the support service delivery process. In this regard, the Committee met with Aboriginal community representatives, members of Aboriginal community and Local Government councils, government department representatives, mainstream Local Government council members and individuals interested in the Committee's inquiry.

During the course of the inquiry it became evident that the broad nature of the terms of reference for the support services inquiry allowed a wide variety of issues to be raised and many have interpreted the 'support services' as relating to Aboriginal and Torres Strait Islander needs for services ranging from essential-type services such as water, electricity, roads, and basic services such as education, employment, health and housing. The breadth of the inquiry's terms of reference has not enabled the Committee to sufficiently concentrate on the diverse issues that have been raised. Therefore, the Committee has adopted a new approach which will allow it to respond more adequately to its terms of reference by dealing in detail with the diversity of issues which come under the terms of reference. The areas on which the Committee will focus its further inquiries and an outline of the issues to be covered are at the end of the report.

The cooperation and assistance given to the Committee during the course of the inquiry needs to be mentioned. Thanks must be extended to all witnesses who gave evidence and other individuals and organisations who made submissions. The Committee is most grateful to members of Aboriginal communities and organisations who provided valuable information during informal discussions and the Queensland, and Western Australian and Northern Territory Governments for their cooperation with this inquiry. The Committee looks forward to a similar response to its further inquiries on this reference.

Introduction

1 The broad nature of the terms of reference for the support services inquiry has allowed a wide variety of issues to be raised with the Committee, both in formal submissions and informal discussions with communities. Many have interpreted the 'support services' in the terms of reference as relating to Aboriginal and Torres Strait Islander needs for services ranging from essential-type services such as water, electricity and roads and other basic services such as education, employment, health and housing. The evidence to the inquiry has revealed the extent of Aboriginal and Torres Strait Islander needs for many of the services which other Australians take for granted as part of their normal living conditions. A summary of evidence to the Committee demonstrates the depth of concern about basic needs. (See Appendix 5 for a summary of evidence to the inquiry to date.)

2 This situation is naturally a matter of great concern to the Committee and these needs must be addressed by governments. Recent reports such as the Human Rights and Equal Opportunity Commission report on Tomelah, and the Committee's own earlier reports on the homelands movement, education and health have highlighted these areas of need and governments are very much aware of them. It is largely a matter of governments now taking action to meet the basic needs of Aboriginal and Torres Strait Island communities throughout Australia. The Committee notes the priorities which have been given by the Commonwealth Government in its 1988-89 Budget to funding for essential services and community infrastructure in the most grossly disadvantaged communities in north-west New South Wales, Central Australia, the Kimberley region and the Torres Strait.

3 During the inquiry the Committee travelled to the Torres Strait to hold discussions with local communities and organisations. In the course of the visit it became apparent that the problems and needs of the Torres Strait are substantial and have not been addressed sufficiently by governments. The distinct cultural and ethnic heritage of Torres Strait Islanders was also impressed on the Committee.

4 The Committee's inquiry has highlighted concern about the context of service delivery to Aboriginal communities. What the evidence to the Committee has demonstrated is that satisfying Aboriginal needs is more complicated than just funding the provision of infrastructural services and facilities and assuming that the needs will be met as a consequence. In fact the context of service delivery to Aboriginal communities, characterised as it is by a plethora of government and non-government funding and delivery agencies, marked cultural differences between the deliverers of services and the recipients, and the structures which exist in Aboriginal communities to interact with service agencies, is anything but uncomplicated. As Bolger, who has done work in the East Kimberley region, noted in her submission 'the whole area of funding and administration of programs for Aborigines is now immensely complex (and) Aborigines are required to deal with a bureaucratic maze'.¹ It is this

context of service delivery that the Committee wishes to concentrate on in its inquiry without ignoring the needs of Aboriginal people for services as expressed to the Committee in visits to communities.

5 The diversity of Aboriginal communities implies that the delivery of services must match the differing circumstances of the communities. During the inquiry it has become apparent to the Committee that the diversity of communities ensures that it is difficult to provide services in a uniform way. Woorabinda, for example, represents a certain type of Aboriginal community where a local government council is in control; other communities may have a community council with a community adviser; or the community may be a small outstation where services are being delivered through a resource agency.

6 The purpose of this interim report is to outline the general context of service delivery to Aboriginal communities and highlight the major problems which have been identified by the Committee. However, the breadth of the inquiry's terms of reference has not enabled the Committee to sufficiently concentrate on the diverse issues that have been raised. Therefore, the Committee proposes to divide its terms of reference into a number of discrete areas about which it will seek more evidence and upon which it will present discrete reports and recommendations following further inquiry by the Committee. The Committee considers that this approach will allow it to respond more adequately to its terms of reference by dealing in detail with the diversity of issues which come under the terms of reference.

Definitions of 'Support Services' and 'Effectiveness'

7 The Committee has pointed to the wide interpretation that has been made of 'support services' in submissions to the inquiry. It has been taken to include the full range of services which are provided to Aboriginal communities. However, for the purposes of its inquiry the Committee defines support services more narrowly. By 'support services' the Committee means the administrative, management and advisory services which enable Aboriginal and Torres Strait Island communities to run their own affairs and regulate the provision of basic services to them.

8 'Effectiveness' is a concept that is difficult to define in the context of support services in Aboriginal communities because outcomes in this area are hard to identify. The Department of Community Services and Health noted in its submission that effectiveness in terms of services to Aboriginal communities could be judged by the extent to which those services maximise a 'state of well-being' in Aboriginal communities. Assessment of a 'state of well-being' would include considerations of health and welfare, individual development, family life, cultural fulfilment, command over goods and services, the physical environment, personal safety and the administration of justice, and social opportunity and participation in social life.² It was also noted that

'effectiveness' was also concerned with minimising the resources redistribution effects on the rest of the Australian community of providing services to Aboriginal communities.

9 The Department of Aboriginal Affairs judges the efficiency and effectiveness of its programs by the following broad criteria:

- that Commonwealth policies and programs improve the circumstances and general well-being of Aboriginals;
- that the programs financed have objectives and achieve outcomes consistent with Government policy, reflect the priorities of Aboriginal people and represent an effective use of Government funds; and
- that the processes of policy formulation increase the capacity of Aboriginals to control their own affairs.³

10 These statements point to the major means which the Committee considers are essential for assessing effectiveness of Aboriginal support services. Effectiveness must include:

- improving the circumstances and general well-being of Aboriginal communities;
- increasing the capacity of Aboriginal people to control their own affairs and the provision of services to them that meet their needs; and
- utilising government funding without duplication of effort and with appropriate accountability both of Aboriginal organisations and government funding agencies.

The Committee is mindful of this definition of effectiveness in its discussion of the process for delivery of services to Aboriginal communities.

Background to Government Policies and Practices

11 As noted above, the context of support service delivery to Aboriginal communities is much more complicated than just government and other agencies delivering services and Aboriginal people and communities receiving them as passive consumers. There can at times be a simplistic assumption that such a direct delivery of services would overcome many of the problems which exist in service delivery. Certainly a simplification of the process and a reduction in the number of agencies involved will address some of the problems which exist in the provision of support services and this will receive attention in future

Committee inquiries. However, the problems which the Committee has identified, and will outline below, indicate that there are major problems other than the plethora of agencies and organisations involved in the process. An explanation of how the context of service delivery has developed demonstrates the important purpose served by many of the mediatory agencies which have been established. It also reveals many of the problems that have arisen which inhibit the effective supply of support services to communities.

12 The provision of support services to Aboriginal communities has changed significantly in the last 20 years due to a number of political, policy and economic factors. Without wishing to document the history of Aboriginal affairs policy making over the last 20 years, the Committee highlights the important influences which have given rise to the context of service provision for Aboriginal communities as it is today. In doing so the Committee points to the complexity that has developed in service delivery and the problems that have arisen.

Division of funding responsibility

13 One of the most crucial developments in the provision of support services was the entry of the Commonwealth Government into the field of Aboriginal affairs following the successful 1967 referendum. Previously the Commonwealth Government had had only a minor role in Aboriginal affairs in the States, although it had a more significant role in the Northern Territory for which it had responsibility. The effect over the past 20 years of the successful passage of the referendum has been an increasing involvement by the Commonwealth Government in funding a range of support services in Aboriginal communities. The Commonwealth has tended to become involved not only because of the constitutional amendment giving it responsibility in Aboriginal affairs, but also in lieu of State and local governments providing to Aboriginal communities sufficient resources to meet their needs.

14 However, the increasing Commonwealth involvement has taken place without an adequate definition of the respective roles of Commonwealth and State Governments for the provision of services. As a result the number of agencies providing services to communities has increased without there being an adequate co-ordination and co-operation between them. The problem of lack of coordination and cooperation extends beyond conflict between agencies at differing levels of government to conflicts between agencies at the same level. It further extends to an inability or lack of desire on the part of agencies to co-ordinate and co-operate with the Aboriginal communities and organisations they are supposed to be assisting. Bolger noted in relation to the Kimberley region:

Not only is there ignorance and lack of cooperation, but outright hostility is also apparent between some agencies. This is particularly true between Commonwealth and State agencies and between government and Aboriginal organisations. In most cases the

hostility seems to be due to complete lack of appreciation of the other's role, coupled with a lack of willingness to try to reach an understanding of another agency's work or the problems they may face.⁴

15 The Woorabinda Aboriginal Council also noted it was imperative for all government agencies to liaise and cooperate with the Council and with each other. It stated that the level of coordination and cooperation required had not taken place in the past.⁵

16 Some of the problems created by a lack of co-ordination are referred to in a submission from the Commonwealth Department of Community Services and Health:

- the existence of many players in the process including lobby groups and other political influences may mean that Aboriginal and Torres Strait Island needs are not accorded an appropriate funding priority in terms of amount and targeting of funds;
- it could be easy for the States to blame the Commonwealth, and for the Commonwealth to blame the States, if it is perceived that inadequate funds are being provided for support services for Aboriginal and Torres Strait Island communities;
- in the past the Commonwealth, with a national responsibility for Aboriginal and Torres Strait Island affairs, has not been uniformly highly successful in influencing States on spending on Aborigines and Torres Strait Islanders in the areas of health, education, housing and infrastructure; and
- funding of support services for Aborigines and Torres Strait Islanders through the States, while inescapable and in some cases preferable, can introduce some inefficiencies into the funding process, because funds are simply being passed from one body to another.⁶

17 Now that a third tier of government, local government, which has traditionally been seen to have the role of providing essential-type services to the general community, is becoming involved the picture becomes even more complicated.

Conflict in policies and practices

18 The involvement of a range of agencies from differing levels of government has not just created a lack of co-ordination in relation to funding of support services. There have also been conflicts in policies and practices that have added complexity to the process of service delivery. This conflict in policies in relation to the Toomelah community in New South Wales was discussed in a recent Human Rights and Equal Opportunity Commission report. That report noted the disadvantages that had flowed to the Toomelah community as a result of the policy conflicts.⁷ The Committee discusses the impact of differing policies on the practice of service delivery to Aboriginal communities.

Commonwealth Government policy and practices

19 The increasing involvement of the Commonwealth Government in funding services to Aboriginal communities has led it to have increasing influence over policy generally in Aboriginal affairs. Following the 1967 Referendum, policies at the Commonwealth level began to move from the then well established ones of assimilation to ones which gave increasing recognition to the right of Aboriginal people to retain their own values and lifestyles and determine their own future within the Australian community.

20 This change in policy direction became incorporated in a policy of self-determination. The approach of self-determination, as enunciated by the Whitlam Government, recognised the authenticity of Aboriginal culture as a distinctive part of Australian society. It also envisaged Aboriginal people 'deciding the pace and nature of their future development within the legal, social and economic restraints of Australian society'.⁸ Further, self-determination was concerned with achieving greater equality and equality of opportunity for Aboriginal people.

21 The self-determination approach as first enunciated thus embodied the following elements:

- 1) the ability of Aborigines and Aboriginal communities to make the decisions which affect their lives; and
- 2) the retention by Aboriginal people of their distinctive cultural identity, lifestyle and values;
- 3) the achievement by Aborigines of greater social and economic quality vis-a-vis the majority of the Australian community.

22 These three elements continue to be enunciated as central to what self-determination as a policy is about. In its submission to the inquiry, the Department of Aboriginal Affairs stated that self-determination was 'based on the recognition of the equal right of Aboriginal people along with other

Australians to determine their own future within the Australian community' and to retain their identity and lifestyle as a distinct cultural group.⁹ The Department stated that self-determination was also about improving 'the social and economic circumstances of Aborigines by encouraging them to take charge of their own affairs.'¹⁰

23 Even within these elements of the policy of self-determination the Department of Aboriginal Affairs noted potential conflict in policy objectives. It stated that there could be an incompatibility between economic and social advancement, as measured in European terms, and the retention of Aboriginal lifestyle and values:

'Progress' and 'advancement' within the broader Australian society may require Aborigines taking on, to some extent, non-Aboriginal values and notions of economic and administrative rationality. The pursuit of a traditional lifestyle and the achievement of this advancement are not necessarily always compatible objectives.¹¹

This problem is fundamental as it reflects the questions raised by the cultural interface between European and Aboriginal societies. It is a problem to which the Committee will give attention in its future inquiries.

24 The Fraser Government introduced two new concepts - self-management and self-sufficiency. While these concepts were often used as a substitute for self-determination, they also represented a change in emphasis from the self-determination approach. The then Minister for Aboriginal Affairs, the Hon Ian Viner, MP, stated that:

The policy of self-management requires that Aborigines, as individuals and communities, be in a position to make the same kinds of decisions about their future as other Australians customarily make, and to accept responsibility for the results flowing from those decisions.¹²

25 Self-management, as the term implies, focuses on Aboriginal people managing Aboriginal communities rather than on their controlling decision-making processes as is implied by the concept of self-determination. Consequently it introduces notions of the efficient and effective administration of resources by Aboriginal organisations and communities in running their own affairs. It also means Aboriginal communities being responsible for the consequences, either successful or not, of the decisions they make.

26 Self-sufficiency was enunciated as the means by which Aboriginal communities could break out of the state of dependency in which they were said to be living. It was essentially about Aboriginal communities generating themselves the resources which they required in their communities. As Sanders has expressed it:

If self-management was the opportunity for Aborigines to make decisions about their own lives to the same extent as other Australians, self-sufficiency was to refer to giving them the economic means to do so.¹³

The concept of self-sufficiency is concerned with reducing Aboriginal dependence on government as a source of funding hence providing Aboriginal people with the resources to increase their independence and autonomy.

27 Self-management and self-sufficiency thus introduced additional policy elements to those already part of the self-determination approach:

- 1) the ability of Aborigines and Aboriginal communities to efficiently and effectively manage their communities; and
- 2) the ability of Aborigines and Aboriginal communities to generate more of their own resources, and hence reduce their dependency on public funding for the provision of resources.

28 Thus even at the Commonwealth level the policy approach has become a complex one with a mixture of elements, some of which are potentially conflicting, and others which produce different emphases. In particular the shift from self-determination to self-management and self-sufficiency represented an increased emphasis on Aboriginal people being responsible as managers for the affairs of their communities as well as being able to determine their communities' future directions. It meant Aboriginal people being more efficient in the way they ran their communities and organisations and more accountable to governments for the funding provided. Self-sufficiency has come to centre on Aboriginal people becoming less dependent on welfare by being able to generate more of their own resources.

29 This complex and somewhat disparate policy approach of the Commonwealth Government has been implemented within the service delivery process by means of a number of mechanisms and structures. The Committee discusses some of the major methods of implementation of the policies.

30 The Department of Aboriginal Affairs described consultation as one of the essential elements of the implementation of self-determination. It establishes links between government and Aboriginal people and brings Aboriginal aspirations and articulation of needs into the process of development, design and delivery of programs and services.¹⁴ As the Department noted: 'Only effective consultation will ensure that Aborigines, themselves, will have an increasing input into policy formation'.¹⁵ The Department outlined its methods of consultation although it provided no conclusion on how successful consultation had been.

31 Aboriginal communities the Committee visited agreed that effective consultation was essential to self-determination. Kintore Community described consultation as the first and most important point of contact with government agencies as it was the means by which the community obtained support and funding for its needs. However, there was a general view among communities that consultation had not been an effective mechanism for them to convey their views. In part this was a result of misunderstandings arising from poor communication between government agencies and Aboriginal communities. Correspondence with communities was often written in complex language, visits to communities for consultation were often too brief or did not embrace the whole community and officers engaged in consultation did not possess the knowledge or skills to communicate effectively. It was also the case that on important issues consultation at times did not take place at all or communities were presented with a decision and consultation consisted of their giving confirmation of this decision. Even the Department of Aboriginal Affairs admitted that it went into the consultation process with 'preferred outcomes'.¹⁶ Given the importance of consultation to self-determination the Committee considers that the problems it has identified above need to be addressed.

32 Apart from consultation, the Commonwealth Government has also funded structures which have been designed to give Aboriginal people greater involvement in, and control over, the design and delivery of services. These structures have essentially operated as mediatory organisations between government service agencies and Aboriginal clients, articulating Aboriginal needs and delivering services in ways which address the different cultural requirements of Aboriginal people.

33 At the community level, community and local government councils and other community-based organisations have been established to liaise with government agencies about community needs as well as to deliver services, especially essential-type services provided to the general community by local government. On a regional level, resource agencies controlled by Aboriginal councils have been established to provide services such as social security liaison and other welfare services, legal, accounting and other advisory services. At a wider level, specialist service agencies such as the Aboriginal Legal Services and Aboriginal Medical Services have been set up to provide services in particular areas of Aboriginal need and which are designed to cater to the special demands of Aboriginal people based on cultural difference. These organisations have been an important part of the self-determination/self-management approach in that they have brought Aboriginal people into the decision-making, management and service delivery processes which affect their communities. However, they have had problems which have decreased the effectiveness of service delivery.

34 A major problem for Aboriginal community-based organisations is their lack of adequate resources. The inadequacy of resources refers to more than just an insufficient quantity, it also refers to the quality of the resources, particularly human resources, available to organisations. Almost invariably community organisations the Committee spoke to indicated that they were un-

derstaffed to meet their range of responsibilities, a number of which were often imposed on them by government agencies who wished to make use of intermediary organisations to provide services. Insufficient staffing is primarily a question of funding. However, just as important as problems identified by the Committee are the inadequate skills, knowledge and professionalism possessed by many staff, both Aboriginal and non-Aboriginal, who work for Aboriginal organisations.

35 **The Committee considers that many of the training programs available in Aboriginal community and organisational management and administration are totally inadequate or irrelevant.** Attention also needs to be paid to the process of recruitment of staff for Aboriginal organisations and a clearer definition of the roles and responsibilities of staff. The focus of changes to processes of recruitment and the provision of training programs should be on increasing the employment of Aboriginal people as skilled managers and administrators within Aboriginal community organisations.

36 Other problems relate to the mediatory and multi-functional roles of these organisations. Operating as they do at the intersection of Aboriginal and non-Aboriginal societies, they can lack authority in both Aboriginal and non-Aboriginal structures. This problem has been referred to by Sullivan in discussing Aboriginal community organisations in the East Kimberley:

On the one hand Aboriginal representative organisations are without effective status in European administrative institutions. They are not linked to any hierarchy of power either in the ability to make decisions or to control resources. Nor do they directly reflect indigenous systems of authority or organisation.¹⁷

37 The Woorabinda Aboriginal Council highlighted the lack of authority possessed by Aboriginal community councils within non-Aboriginal structures when it stated that decisions had been made by distant public servants which had a vital effect on the lives and operation of the community without any consultation with the Council.¹⁸ Many organisations have been given enormous responsibility for making things work in Aboriginal communities, but they have not also been given the authority to control their communities by being able to make the important decisions and carry them through. On the other hand the Department of Aboriginal Affairs pointed to problems in the application of the concept of representative government to Aboriginal communities so that community-based organisations could in a simple sense be seen as 'representing' the community.¹⁹

38 Problems are created by the multi-functional roles of Aboriginal community organisations, roles which can be in conflict. At various times community organisations are meant to be:

- 1) advocates by representing Aboriginal views and articulating Aboriginal needs;

- 2) centres for liaison between government and other agencies and Aborigines; and
- 3) decision-making bodies and managers of Aboriginal communities.²⁰

39 The first two create a tension within organisations about whether they exist to be Aboriginal organisations or to serve the purposes of bureaucratic administration of Aboriginal programs. In relation to the third point there can also be a conflict between on the one hand the decision-making responsibilities of organisations and on the other their management and administrative functions. There is a need to delineate the functions of organisations to prevent possible conflict between their roles. This is an important area that the Committee will address in its future inquiries.

40 The final approach which the Committee wishes to highlight is the result of the Aboriginal Employment Development Policy (AEDP). As described to the Committee, AEDP:

...represents a fundamental shift away from the welfare dependency approach of the past towards measures to enhance economic independence²¹

41 Thus the approach addresses itself to that element of the self-determination policy concerned with the creation of greater equity between Aboriginal people and the broader community.²² It also recognises the reality that without greater economic independence, greater control for Aboriginal communities over their own affairs may be difficult to achieve. However, the approach is to be implemented in a way which ensures that 'the move towards employment equity and economic independence is consistent with Aboriginal social and cultural values'.²³ The achievement of these two objectives may prove more difficult to reconcile than is recognised in the policy statement because the Department of Aboriginal Affairs stated that:

The overthrow of dependence on government funding is unlikely to occur unless Aboriginal culture and Western values can achieve an accommodation.²⁴

42 At the community level in relation to the provision of support services the Department of Employment, Education and Training saw the AEDP approach as meaning that:

...an increasing number of government services provided within Aboriginal communities under essentially welfare-orientated programs must become part of the community management structure the focus of policy-making should become the strategies and program measures required to enhance community self-management and economic development rather than the institutionalising of external "support services" such as community advisers and other non-Aboriginal "resource" people.²⁵

43 The AEDP approach thus brings together many of the elements of the self-determination/self-management policies. The approach is still in its early stages of implementation and outcomes are difficult to judge at this stage. In particular, whether the disparate elements of the self-determination/ self-management policies can be successfully reconciled remains to be seen. However, the Committee will give close attention to the approach in inquiries that are undertaken on the areas identified at the end of the report.

State Government Policies and Practices

44 Much of the orientation of service delivery to Aboriginal communities that involves the use of intermediary Aboriginal organisations has been a result of successive Commonwealth Government policies of self-determination/ self-management. A further complication to the process of service delivery to Aboriginal communities has been not only the involvement of agencies and other levels of government in the process, but a differing policy orientation to Aboriginal affairs. The Northern Territory Government referred to this problem:

The change in administration arrangements of two levels of government, one of which approached the issue of a particular racial client group on a national basis, and the other which approaches service to Territorians on a needs basis, is inherently complex.²⁶

45 The Northern Territory described its own approach to providing services to Aboriginal communities as being one of 'mainstreaming'. Under this approach services are provided to Aboriginal communities, as they are to all Territorians, by functional departments 'in an equal fashion but having regard to special needs of groups and communities'.²⁷ The Queensland Government also indicated that Aboriginal communities should 'use, and be a part of, the services and the life in the area which surrounds them, rather than tend to be confined within the perimeters of their own territory...'.²⁸

46 Both the Queensland and Northern Territory Governments have introduced Aboriginal local government as the means by which Aboriginal communities link into the process of service delivery to their communities. As described by the Queensland Government:

Aboriginal townships are encouraged to develop sound municipal government and accountability systems to ensure that trust areas receive efficient service delivery.²⁹

The Northern Territory Government states that it has:

Assisted those communities who have sought to achieve and sustain local government representation status, as a part of the broader Territory and Australian communities but commensurate with the special cultural and other needs of Aboriginal Territorians.³⁰

47 The Western Australian Government saw self-determination/self-management for Aboriginal communities as comprising two elements:

- i) community management - this is management of the community's day to day activities and assets. These include housing stock, office administration, power supply, internal roads, ablution facilities, store, rubbish collection and so on;
- ii) commercial enterprise - this is generally external, dealing with the outside market. Examples would be an emu farm, cattle station, road house or artefact business.³¹

48 These two elements were seen as being discrete with the first, considered to be the responsibility of all Western Australian Aboriginal communities, while the second was optional depending on community interest. Consequently, the Western Australian Government concentrated much of the attention of its submission on measures to develop better community management. These measures included acceptance of responsibility by the community for managing its own affairs, the supply of adequate monetary and staff resources to communities, the equipping of communities with the management skills necessary to run their communities and the establishment of appropriate community structures to ensure that community councils better represent their communities and have more efficient management capacity.

Mainstream Local Government Policies and Practices

49 Mainstream local government approaches to the provision of service delivery to Aboriginal communities differ. The general policy approach expressed by councils the Committee had discussions with was that all shire residents, whether Aboriginal or not, are treated on an equal basis in terms of the provision of council services. However, evidence to the Committee indicates that the practice of councils belies their apparent policy approach. A number of councils themselves informed the Committee that Aboriginal people, who were shire residents and for whom the councils received government per capita grants, were not provided with services because they were considered to live on 'private' land. The effect of this practice, as put to the Committee by Dr Rumley who has researched Aboriginals and mainstream local government in Western Australia, is that in terms of local government 'there is a difference between non-Aboriginal and Aboriginal resource allocation on the basis of needs, even close to the centres of small towns'.³² This was confirmed by the Western Australian Government which noted that 'little assistance' is given by mainstream local government to Aboriginal communities. It was noted that many shires argue that 'as Aboriginal communities do not pay rates, they should not receive services'.³³

50 The lack of assistance provided to Aboriginal communities by local government is not confined to Western Australia as the recent report on Toomelah by the Human Rights and Equal Opportunity Commission makes clear. It stated that:

Although local government usually provides many of the essential services throughout Australia ..., ... local government provides few, if any, services to Aboriginal communities.³⁴

This is despite the receipt by many local government councils of general purpose funding, the level of which takes into account the Aboriginal population and its needs. The Moree Plains Shire Council indicated to the Commission that it did not provide services to Toomelah because it was considered a 'private settlement'. Toomelah residents were leveled a general rate but they did not pay water and sewerage rates as they did not receive water and sewerage services from the Council.³⁵

51 A related problem is that there are cases of Aboriginal resource organisations and communities being funded by government agencies to provide the essential-type services normally provided by local government to Aboriginal people within the boundaries of mainstream local government shires and councils. However these organisations do not have the status of local government councils, nor do they receive the general purpose funding available to local government authorities. This anomalous position should be resolved.

52 Other problems identified to the Committee about the role of mainstream local government include the lack of involvement of Aboriginal people as councillors, the failure of some councils to liaise and consult with Aboriginal people and the low levels of employment of Aboriginal people by many councils. The area of service delivery to Aboriginal communities by mainstream local government is one the Committee will pursue by means of detailed inquiry.

Aboriginal People and Service Delivery

53 Finally the Committee turns to the place of Aboriginal people in the service delivery process. The Committee has not left discussion of the position of Aboriginal people till last because they should be seen to be at the end of the process. In fact in the Committee's view Aboriginal needs and participation should be primary, and the driving factor behind service delivery. However, the service delivery process as has been described above tends to treat Aboriginal people as the passive recipients of services devised elsewhere by agencies, and under policies, which are not determined by Aboriginal people.

54 It may be the case that the complex context of service delivery to Aboriginal communities which has been described above does provide some room for political leverage for Aboriginal people. There is the opportunity to play off one agency and level of government against another by seeking to exploit their conflicts in policy and practice. In this sense Aboriginal people participate in the process of service delivery as active players and not merely as passive recipients or victims.³⁶

55 It was put to the Committee by Aboriginal communities that they wanted to run their communities effectively and provide the services that met community needs but were stymied by government agencies which did not give them the control and resources necessary to do so. The primary concerns of communities were:

- confusion about the appropriate agency to approach in relation to particular services;
- the failure of any level of government or particular agencies to accept responsibility for providing adequate funding and support to meet even the most basic needs of many communities. 'Buck-passing' is a very evident phenomenon among agencies;
- inadequate or no consultation with communities about important decisions affecting their lives and the control they have over their affairs;
- a lack of authority possessed by community organisations to give them effective community control; and
- inadequate funding and resources to give community organisations the capacity to effectively control and manage their affairs.

Conclusion

56 The picture the Committee has painted above of the way in which support services are provided to Aboriginal communities demonstrates the complexity that has developed in the process. In part this complexity is a consequence of the complicated and diverse nature of modern society and government where there is a requirement for checks and balances in any system and a need for accountability for public funding.

57 In part it is the result of an evolving Federal system in the area of Aboriginal affairs that has yet to work out markers for the division of responsibilities between differing levels of governments. In part it is also, that a more sophisticated response is required in endeavouring to meet the quite distinct needs of Aboriginal people based on their historical experiences and different cultural values and lifestyles.

58 The problems the Committee has identified in the process of support service delivery to Aboriginal communities can be summarised as follows:

- a lack of co-ordination and co-operation between those government, semi-government and other agencies involved in providing support services to Aboriginal communities. This lack of coordination and cooperation extends beyond problems

created by the existence of too many agencies involved in funding and delivering services to the conflict of policies which exist within and between different levels of government. When practices are added the picture becomes even more complicated and conflictual;

- a lack of, or inadequate, consultation of Aboriginal communities by service agencies about Aboriginal needs and the design and delivery of programs to meet those needs. As a result, many programs currently provided to Aboriginal communities are best described as imposed. Poor communication resulting from cultural differences between Aboriginal people and service agencies and inadequate training of field staff of service agencies is in many cases an important factor. This emphasises the need for mediatory Aboriginal organisations. However, other factors include a lack of agency staff to consult with communities but also an unwillingness at times to accept an Aboriginal viewpoint;
- the multiplicity of requirements which Aboriginal communities have to meet in accounting for funds from the plethora of agencies which provide services to them;
- inadequate resources which Aboriginal community and resource organisations assert they have to enable them to effectively provide support services to communities;
- the lack of authority which Aboriginal community and local government councils and Aboriginal resource organisations have to make decisions which vitally affect Aboriginal communities. The fact that much of the funding that is required by Aboriginal community organisations is tied funding can often leave little room for genuine decision-making by Aboriginal organisations. A related concern is the inadequate information and advice that is often available to Aboriginal communities to make informed decisions;
- the capacity of Aboriginal community organisations to effectively manage programs, services and communities. A primary concern here is the lack of management and administrative skills possessed by Aboriginal people employed in decision-making and management positions in community and resource organisations. A consequence of this can be a dependence on outside (often non-Aboriginal and inadequately trained) professionals and advisers to enable management and administrative tasks to be performed.

59 Certainly a simplification of the process of service delivery and a reduction in the number of players involved will at least in part address the problems that have arisen. However, the summary of the problems outlined above

points to a fundamental theme underlying many of the problem areas. This theme is that Aboriginal people do not have control over service delivery to their communities.

60 The implementation of policies of self-determination/self-management was meant to give Aboriginal people control over the process of design and delivery of support services to their communities so that the services met community needs. However, the problems identified above have impeded the achievement of self-determination/self-management and consequently have prevented Aboriginal control over support services provided to their communities. Far from communities being in control of the services provided to them, these services are often imposed and are not significantly ameliorating the urgent needs which are present in communities.

61 In its submission the Department of Aboriginal Affairs called for a consistency of policy approach in Aboriginal Affairs by all levels of government around the ideals of Aboriginal self-determination.³⁷ The Committee also considers that the process of service delivery needs to give greater attention to the total needs of communities both in terms of physical infrastructure as well as in terms of social, economic and managerial skills and capacities. This points to a fundamental change of focus of service delivery from one of satisfying welfare needs to one which gives consideration to the development of communities as entities, and especially to communities' ability to exercise control over their affairs.

Future direction of Inquiry

62 In order to address the problems outlined above the Committee will conduct the remainder of the inquiry by means of investigation into a number of areas identified by the Committee which incorporate those problems. These areas are:

1. Aboriginal and Torres Strait Island community management and control;
2. education and training for community administration, management and development;
3. advisory services for Aboriginal communities; and
4. mainstream local government and minority Aboriginal communities.

63 The Committee considers it is essential to examine both ends of the service delivery spectrum, that of the agencies which provide the services, and Aboriginal people and communities which are the clients. It appears to the Committee that reasons for a lack of effectiveness in the provision of services demonstrate problems at both ends of the spectrum. However, it is also

essential to examine the problems that arise in mediation between service agencies and Aboriginal communities.

64 At Appendix 6 the Committee expands on these areas and outlines the matters it will pursue in relation to each of the areas. The Committee considers that a dividing of the broad terms of reference into a number of smaller inquiries will allow a better targeting of the major issues emerging from the inquiry than has been possible to date. The Committee invites organisations and individuals that have made submissions to the inquiry, and any others who wish to make submissions, to submit additional information in relation to any of the areas identified at Appendix 6.

65 As the areas for future inquiry are extensive and the Committee has limited resources it will proceed on the inquiries into Aboriginal and Torres Strait Island community management and control and education and training for community management first. The remaining two areas will be held over until completion of the earlier inquiries.

66 The Committee will draw up a program of public hearings and visits to Aboriginal communities based on submissions received and the need to gather sufficient evidence on the matters outlined. The Committee anticipates commencing on these areas of inquiry in the next few months.

September 1988

ALLEN BLANCHARD
Chairman

Endnotes

1. Transcript of Evidence, p.S875.
2. Department of Community Services and Health Submission, p.20.
3. Department of Aboriginal Affairs, Annual Report, 1986-87, AGPS, Canberra, 1987, p.13.
4. Transcript of Evidence, p.S908.
5. Transcript of Evidence, p.S194.
6. Department of Community Services and Health Submission, pp.29-30.
7. Human Rights and Equal Opportunity Commission, *Toomelah Report*, Report on the Problems and Needs of Aborigines Living on the New South Wales - Queensland Border, June 1988, p.7.
8. L Lippmann, *Generations of resistance: the Aboriginal struggle for justice*, Longman Cheshire, Melbourne, 1981, p.73.
9. Transcript of Evidence, p.S228.
10. Transcript of Evidence, p.S228.
11. Transcript of Evidence, p.S235.
12. Lippmann, op.cit., pp 81-82.
13. W. Sanders, 'From self-determination to self-management', in P. Loveday (ed), *Service Delivery to Remote Communities*, NARU, Darwin, 1982, p.9.
14. Transcript of Evidence, p.S229.
15. Transcript of Evidence, p.S230.
16. Transcript of Evidence, p.S675.
17. P. Sullivan, *Aboriginal community representative organisations: intermediate cultural processes in the Kimberley Region, Western Australia*, East Kimberley Working Paper No 22, Centre for Resource and Environmental Studies, ANU, 1988, p.4.
18. Transcript of Evidence, p.S75.
19. Transcript of Evidence, p.S276.
20. Sullivan, op.cit., p.4.
21. Transcript of Evidence, p.S1115.
22. See Aboriginal Employment Development Policy Statement, Policy Paper No 1, AGPS, Canberra, 1987, p.3.
23. *ibid.*
24. Transcript of Evidence, p.S679.
25. Transcript of Evidence, p.S1117.
26. Northern Territory Government Submission, p.6.
27. *ibid.*, p.5.
28. Transcript of Evidence, p.200.
29. Transcript of Evidence, p.S988.
30. Northern Territory Government Submission, p.4.
31. Transcript of Evidence, p.S1167.
32. Transcript of Evidence, p.386.
33. Transcript of Evidence, p.S1117.
34. *Toomelah Report*, op.cit., p.33.
35. *ibid.*, pp.34-35.
36. See R Gerritson, 'Blackfellas and Whitefellas' and P. Loveday, 'Access to Services - some social and political complications', in Loveday, op.cit.
37. Transcript of Evidence, p.S236.

Appendix 1

List of Organisations and Individuals Who Made Submissions

- 1 DR P LOVEDAY
- 2 KALKADOON TRIBAL COUNCIL
- 3 YENDUMU COMMUNITY COUNCIL INC
- 4 DR R COLDWELL
- 5 DR W O MCARTHY
- 6 MS E GARDINER
- 7 WOORABINDA ABORIGINAL COUNCIL
- 8 COMMONWEALTH DEPARTMENT OF ABORIGINAL AFFAIRS
- 9 MR S BARNS
- 10 MR V HOWELL
- 11 ABORIGINAL COORDINATING COUNCIL
- 12 PITJANTJATJARA COUNCIL INC
- 12 (A) ANANGU WINKIKU STORES
- 13 BARWON ABORIGINAL COMMUNITY LTD
- 14 REVEREND D WIEDEMANN - ST PETERS ANGLICAN CHURCH
PARISH COUNCIL
- 15 BRISBANE TRIBAL COUNCIL
- 16 MR P FEWELL
- 17 MR V JERRARD
- 18 MR A SORRENSEN
- 19 MS M BLAIR
- 20 ABORIGINAL DEVELOPMENT COMMISSION
- 21 DR ELSPETH YOUNG
- 22 OFFICE OF LOCAL GOVERNMENT - COMMONWEALTH
DEPARTMENT OF IMMIGRATION, ETHNIC AFFAIRS AND
LOCAL GOVERNMENT
- 23 ABORIGINAL HOUSING BOARD
- 24 LOCAL GOVERNMENT TRAINING COUNCIL QLD
INCORPORATED
- 25 MR K NIELSON
- 26 RACE DISCIMINATION COMMISSIONER - HUMAN RIGHTS
AND EQUAL OPPORTUNITY COMMISSION
- 27 DR A BOLGER
- 28 QUEENSLAND GOVERNMENT
- 29 COMMONWEALTH DEPARTMENT OF EMPLOYMENT,
EDUCATION AND TRAINING

30 MR K KING
31 MR J A TANNER
32 WESTERN AUSTRALIAN GOVERNMENT
33 NORTHERN TERRITORY GOVERNMENT
34 COMMONWEALTH DEPARTMENT OF TRANSPORT AND
COMMUNICATIONS
35 MRS E BOURKE
36 BATCHELOR COLLEGE, NORTHERN TERRITORY
37 STAFF OF THE DIVISION OF ABORIGINAL EDUCATION -
DARWIN INSTITUTE OF TECHNOLOGY
38 DEPARTMENT OF ABORIGINAL AFFAIRS - WA BRANCH
39 MR NEIL BELL, MLA - LEGISLATIVE ASSEMBLY NORTHERN
TERRITORY
40 COMMONWEALTH DEPARTMENT OF COMMUNITY SERVICES
AND HEALTH
41 HELEN J SINCLAIR

Appendix 2

Public Hearings Held and Witnesses Heard

19 February 1988 - CANBERRA

Department of Aboriginal Affairs

CASTINE, Mr G.K.	Director, Northern Territory.
FRAMPTON, Mr D.	Director, Policy Co-ordination.
JONES, Mr G.	Acting First Assistant Secretary, Heritage and Legal Division.
KOUKOULAS, Mr A.G.	First Assistant Secretary, Heritage and Legal Division.
MENHAM, Mr J.G.	Acting First Assistant Secretary Corporate Development.
O'ROURKE, Mr D.J.	First Assistant Secretary, Programs Policy Division.
ROLFE, Mr R.K.	Assistant Director, Policy Development.
TOOHEY, Mr R.F.	Assistant Secretary, Housing and Infrastructure.

2 March 1988 - KINTORE (NT)

Walangurra Council

MAJOR, Mr R.	Chairman.
SCOBIE, Mr J.	Deputy Chairman.
YOUNG, Mr J.	Council member.

Private Citizens

BARTLETT, Mr P.	Outstation co-ordinator, Kintore, NT
BUTLER, Mr S.	Adult educator, Kintore, NT
CONWAY, Mr T.	Health worker. Kintore, NT
FISHER, Mr D.	Sports manager, Kintore, NT
MICHAEL, Mr P.	Store worker, Kintore, NT
ROBINSON, Ms M.	Teaching assistant, Kintore, NT
ROBINSON, Mr V.	Teaching assistant, Kintore, NT
TJUMPITJIMBA, Mr	Outstation worker, Redbank, NT

6 April 1988 - WOORABINDA, (Qld)

Woorabinda Aboriginal Council

MUNNS, Mr T.G.	Chairman.
POWDER, Mr P. B.	Deputy Chairman.
FISHER, Mr C.	Councillor.
BLAIR, Mr N.	Councillor
THOMAS, Mr R.	Council Project Officer
SORRENSEN, Mr A.N.	Council Project Officer.
CUMMINS, Mr T.	Council Building Superintendent.

Woorabinda Aboriginal and Islander Media Association.

EVANS, Ms J.	Trainee Broadcaster.
THAIDAY, Mr B.	Training Officer.

Private Citizens

BUNDLE, Mr R.B.	Woorabinda, Qld
BOWERING, Mrs J.	Woorabinda, Qld
HAGGER, Mr R.W.	Woorabinda, Qld

7 April 1988 - BRISBANE

Queensland Government

ALLISON, Ms M.A.	Acting Director, Dept. of Family Services, Brisbane Qld
BELBIN, Sergeant V.S.	Queensland Police Dept. Brisbane, Qld
BROWN, Mr D.P.	Deputy Under Secretary, Dept. of Community Services and Ethnic Affairs, Brisbane, Qld
EGAN, Mr D.P.	OIC Aboriginal & Islander TAFE Services, Dept. of Employment, Vocational Education and Training, Brisbane Qld
SWAN, Mr J.R.	Executive Director TAFE, Dept. of Employment, Vocational Education and Training Brisbane, Qld
GILMORE, Mr W.H.	Research Officer (Finance) Dept. of Local Government, Brisbane, Qld

McGARVIE, Mr N.J.	Principal Education Officer Aboriginal & Islander Education Branch, Dept. of Education, Brisbane, Qld
MITCHELL, Mr W.D.	Chairman Queensland Fish Management Authority, Dept. of Primary Industries, Brisbane, Qld
PERKINS, Mr J.J.	Chief Probation & Parole Officer, Dept. of Corrective Services, Brisbane, Qld
WEBBER, Mr W.A.L.	Assistant Commissioner, Queensland Water Resources Commission, Brisbane, Qld

Department of Aboriginal Affairs - Queensland State Branch

ROLFE, Mr R.K.	Assistant Director.
WAUCHOPE, Mr J.L.	State Director.

Private Citizens

McCARTHY, Dr W.O.	Kedron, Qld
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Brisbane Tribal Council

DAVIDSON, Mr D.	Woolloongabba, Qld
REID, Mr A.G.	Woolloongabba, Qld

15 April 1988 - CANBERRA

Aboriginal Development Commission

CRUSE, Mr O.	Deputy Chairman.
FAULKNER, Mr R.	Branch Manager.
O'BRIEN, Mr M.	General Manager.
PRIOR, Mr W.	Acting Deputy General Manager.

Department of Employment, Education and Training

FOX, Mr J.	Assistant Secretary, Aboriginal Employment and Training Branch.
GULASH, Ms H.	Acting Director.
JACKOMAS, Mr A.	Principal Executive Officer, Research and Development Section, Aboriginal Education.
PARR, Mr J.M.	Assistant Secretary, Aboriginal Education.
WILSON, Mr R.	Director, Aboriginal Education Operations.

19 May 1988 - CANBERRA

Department of Immigration, Local Government and Ethnic Affairs

CALVERT, Mr R.	Assistant Secretary, Government Relations Branch, Office of Local Government.
HOLMES, Mr C.G.	Assistant Director, Financial Relations, Government Relations Branch, Office of Local Government.

24 June 1988 - PERTH

West Australian Government

FITZPATRICK, Mr B.	General Manager, Aboriginal Enterprises Co.Ltd Perth, WA
HAMILTON, Mr C.	Acting Co-ordinator, Aboriginal Affairs Planning Authority, West Perth, WA
MOLLOY, Ms A.C.	Acting Deputy Commissioner, Aboriginal Affairs Planning Authority, West Perth, WA

HOWARD, Mr A.T.

Manager,
Aboriginal Legal Service
Management and Support Unit,
East Perth, WA

Department of Aboriginal Affairs - Western Australian State Branch

WESTBURY, Mr N.

Deputy Director.

WILLIAMS, Mr R.D.

Principal Project Officer.

WYATT, Mr C.

State Director.

Private Citizens

BOLGER, Ms A.

Fremantle, WA

RUMLEY, Dr D.

Claremont, WA

RUMLEY, Mrs H.

Claremont, WA

Appendix 3

Exhibits

Department of Aboriginal Affairs

1. Grants Program 1987/88
2. Departmental financial guidelines for grants
3. Corporate Planning Statement: Policy Guidelines
4. Corporate Planning Statement - Corporate Plan
5. Corporate Planning Statement: 1986/87 Strategic Statement
6. An application form for the incorporation of an Aboriginal association
7. Project evaluation form.

Yuendumu School

8. Report on hearing loss from chronic middle ear infection

Kintore Community

9. Information on community

Institute for Aboriginal Development

10. Industrial Relations Project
11. Draft Estimates 88/89

C. and J. Scollay

12. Amata Review, Amata 1982

C. Altman and L Taylor

13. Employment Opportunities for Aboriginal People at Outstations and Homelands: Report to the Australian Council for Employment and Training, 1987

Queensland Government

14. Aborigines and Torres Strait Islander (Land Holding) Act
15. Aborigines and Torres Strait Islanders (Land Holding) Regulations 1986
16. Community Services (Aborigines) Regulations 1985
17. Community Services (Aborigines) Act
18. Aboriginal and Islander TAFE Services Section, Technical and Further Education - Listing of Aboriginal and Torres Strait Islander Special Courses
19. Aboriginal and Islander TAFE Services Section - Special Courses Conducted by Colleges of TAFE in Queensland - 1986
20. Tarkarri Newsletter

Office of Local Government

21. Policy in Relation to Aboriginal and Torres Strait Islanders
22. Leaflet
23. Steps Being Taken to Achieve Policy Objectives in Relation to Aboriginal and Torres Strait Island Communities

Aboriginal and Islander Local Governing Bodies

24. Grants Determination Research Project, April 1988

Mr Don Mcleod

25. Documents provided to Sub-committee B at Warrlaong on 21 June 1988

Western Australian Government

26. Aborigines in Business tabled on 24 June 1988

Aurukun Shire Council

27. Statement of Receipts and Disbursements from 1 July 1987 to 30 June 1988 and Revised Estimates to 30 June 1988
28. Business Papers for Meeting 8 and 9 December 1986
29. Business Papers for August 1987 presented to meeting 12 and 13 October 1987

Aboriginal Coordinating Council, Queensland

30. Community Justice in Northern Queensland: Problems of Implementation and Development

Lockhart River Aboriginal Council

31. Deed of Grant of Land in Trust, 29 October 1987

Hopevale Aboriginal Council

32. Community Economic Development Plan

Ms R Fujii, Torres Strait Island Regional Education Committee

33. Minutes of QATSICC Meeting, 29 June 1988
Minutes of TSIREC Meeting, 30 June 1988

Appendix 4

List of Informal Discussions and Field Visits

Northern Territory

Aputula (formely Finke)	29.2.88
Alice Springs -	
Pitjantjatjara Council	1.3.88
Tangentyere Council	1.3.88
Central Land Council	1.3.88
Institute For Aboriginal Development	4.3.88
Kintore	2.3.88
Yuendumu	3.3.88
Willowra	3.3.88

Queensland

Woorabinda	6.4.88
Aurukun	4.7.88
Hopevale	4.7.88
Lockhart River	4.7.88
Cairns	
Aboriginal Co-ordinating Council	5.7.88
Torres Strait	
Yorke Island	6.7.88
Boigu Island	6.7.88
Mabuiag Island	6.7.88
Thursday Island (Island Co-ordinating Council, Interested persons and organisations)	7.7.88

Western Australia

Kalumburu	20.6.88
Carnarvon -	
Kuywardu Resource Centre	20.6.88
Mungallah Community	20.6.88
Carnarvon Shire Council	20.6.88
Pundulmurra College	21.6.88
Warralong	21.6.88
Kununurra -	
Waringarri Aboriginal Corperation	20.6.88
Mirima Community	20.6.88
Mud Spring Settlement	21.6.88
Emu Creek Settlement	21.6.88
Mayaroong Construction	21.6.88
Kimberley Land Council	21.6.88
DAA Regional Offices	21.6.88
DEET Regional Offices	21.6.88
Wyndham-East Kimberely Shire Council	21.6.88
Turkey Creek -	
Warmun Community	21.6.88
Jigalong	22.6.88
Halls Creek -	
Ngonjuwah Council	22.6.88
Halls Creek Shire Council	22.6.88
Derby -	
Derby Shire Council	22.6.88
Kimberley Land Council (Derby Office)	23.6.88
Mowanjum Community	23.6.88

Appendix 5

Summary of Evidence

Policies of self-determination, self-management and self-sufficiency

Definitions of policies of self-determination, self-management and self-sufficiency differ substantially between Commonwealth and State agencies, Aboriginal organisations and others who made submissions. Some submissions pointed to a need for consistency of policy approach.

In general government agencies saw the policies of self-determination/self-management as giving Aboriginal communities the capacity to effectively manage their own affairs while at the same time allowing them to retain their cultural identity. Self-sufficiency should provide the economic means for the achievement of self-determination/self-management.

The potential conflict between Aboriginal people being efficient managers in European terms and maintaining their cultural identity was referred to in some submissions as a problem in achieving self-determination/self-management.

Aboriginal people and organisations considered policies of self-determination/self-management should give them effective control over their communities and the capacity to determine their futures. Communities were eager to run their own affairs as independent, self-managing communities. Many communities considered that they did not have such control over their affairs.

Consultation/Communication

Consultation was seen by both government agencies and Aboriginal organisations and communities as central to the implementation of policies of self-determination/self-management. Consultation methods tend to be ad hoc without specific guidelines.

Aboriginal communities also saw consultation as very important. However many of the communities stated that consultation with them about important matters either did not take place at all or was quite inadequate.

Problems identified by communities include communication problems created by complicated correspondence, cultural differences creating misunderstanding, erratic and poorly planned visits by government agencies, the failure to adequately involve Aboriginal women and the lack of training of government agency staff involved in consultation.

Coordination of government programs

One of the major problems identified in submissions was the lack of coordination and cooperation between the multiplicity of Federal, State and local government agencies involved in delivering Aboriginal services and programs. This can lead to duplication of effort and a potential waste of resources.

The coordination mechanisms which have been established, for example through the Department of Aboriginal Affairs, do not seem to have been effective. There is a failure by any particular agency to take responsibility for the coordination of development in Aboriginal communities.

Funding problems

The multiplicity of agencies involved in Aboriginal service delivery creates problems in terms of funding of Aboriginal communities and organisations. Communities and organisations are funded from a wide variety of sources often for the same programs. One example was cited of an organisation being in receipt of funding from 16 different sources, covering 28 different programs. Accountability to agencies for these funds creates a complex administrative regime for communities and organisations.

Much funding to Aboriginal communities and organisations is tied funding giving communities little flexibility to make decisions about priorities. Detailed accountability requirements for such funding are also imposed.

The question was raised in submissions of the capacity of Aboriginal and Torres Strait Island community and local government councils to generate their own revenue by means of rating and charges for services.

Untied funding for Aboriginal and Torres Strait Island community and local government councils from the general purpose financial assistance provided through the Local Government Grants Commissions was also raised.

Basic needs

Basic needs in a wide range of areas were raised in submissions and informal discussions. While these needs are isolated in their identification below, Aboriginal people particularly saw them as being closely connected.

Employment

Unemployment is a major problem in many communities. In the area of management and administration of communities Aboriginal people tend to be employed in unskilled or semi-skilled positions.

Training (dealt with elsewhere) was seen to be fundamental to improving the employment prospects of Aboriginal people.

The Community Development Employment Program (CDEP) has had a significant impact on employment in communities. However, there were also some concerns with CDEP including the need for management and supervision of the CDEP workforce, the integration of CDEP into community development, the inadequacy of the on-cost component and the potential inequity of the distribution of CDEP funding within communities.

Housing

Housing needs in communities remain very significant. Not only are many more new houses needed, but also the existing housing stock needs urgent upgrading.

Aboriginal communities were keen to run their housing cooperatives and to get much more involved in the construction and maintenance of housing.

Health

Health problems continue to be a major concern. These problems relate very much to poor living conditions created by inadequate essential services and housing. The remoteness of many communities also makes the delivery of health services more difficult.

Aboriginal people wished to have greater involvement in the delivery of health services and training was seen as an important factor.

Essential services

The general impression given was that the provision of essential-type services such as water, electricity, roads, sewerage, etc to Aboriginal communities was quite inadequate. The poor quality of these basic services had created other problems particularly health problems.

Division of funding responsibilities for the provision of these services between Commonwealth, State and local governments was a major problem in enabling Aboriginal communities to obtain adequate essential services.

Essential infrastructural facilities also had to be complemented by the provision of social support services, particularly training in the use and maintenance of facilities.

Community councils

Submissions pointed to the historical background to the development of Aboriginal community councils following the introduction of the self-determination approach. Representative community councils were given responsibilities for running the affairs of their communities.

Because of differing historical developments in the States and Northern Territory, community councils have been incorporated under differing State and Commonwealth legislation and have differing roles, functions, powers and responsibilities.

Issues raised in relation to Aboriginal community councils include:

- the notion of representation as it concerns Aboriginal representative community councils
- the authority and capacity of councils as structures to undertake the range of municipal functions which are required of them
- the acceptance of responsibility by community councils for making their communities operate effectively
- adequacy of monetary, physical and human resources provided to councils.

Aboriginal Local Government councils

In Queensland Aboriginal Local Government shire councils were established at Mornington Island and Aurukun in the 1970's. The functions and responsibilities of these two councils are similar to those of other Aboriginal community councils and they also face similar problems. The local government councils, however, are funded from a different source and operate with a different form of land tenure.

Submissions indicated that the community council model was considered to be an advance over the local government model for several reasons: the local government act posed more rigorous requirements on the councils, neither local government council had ever had an Aboriginal shire clerk and the shire administrations continued to be dominated by non-Aboriginal staff. It was stated that the prospect of Aboriginals assuming control of the shire administrations remained as remote as it did ten years ago.

Community advisers

Many communities do not possess the skills or expertise to become self-managing or to run their affairs and it is in this sense the community adviser has an important role to play. A community adviser is able to provide skills that are lacking in a community and to ensure that informed decisions are made. The community adviser can also play a pivotal role in community development by coordinating the activities of the range of government departments and agencies operating in a particular community. As such he holds a powerful and influential position but, ideally, should work towards passing his skills on to community members.

Failure of the system

The broad feeling of departments, reinforced by communities and others, was that the community adviser model has generally failed to promote self-determination and self-management in Aboriginal communities. Indeed some would argue that the system has led to greater dependency by Aboriginal people on non-Aboriginal advice and expertise. Even though some communities exercise close control over advisers, the Committee has seen cases where the presence and style of particular advisers has resulted in a breakdown of cohesion and adversely affected the well-being of a community.

Problems with community advisers

One of the major problems with community advisers is the selection of unsuitable people for the position.

The recruitment of advisers is usually conducted by individual communities, often on an ad hoc basis. There is often not a large pool of applicants from which to choose and many are inexperienced, lack management skills, are not used to living in remote areas or may even demonstrate inappropriate attitudes towards dealing with Aboriginals. To compound this situation no training currently exists for community advisers.

Possible solutions

A number of ways of improving the community adviser system has been suggested including the independent screening and selection of potential applicants, the professional registration of officers and the need to monitor performance. The Committee was told on several occasions by communities, departments and individuals that the role and function of community adviser positions should be more clearly defined. Against this, it should be noted that some communities have fairly broad expectations of the role and functions of an adviser. The need to provide training and subsequent on-the-job support to people holding these positions was also emphasised.

Advisory services

In addition to the functions performed by community advisers, Aboriginal communities also obtain advice from resource agencies or they may purchase professional advice (eg on legal, engineering or other matters) from the broader community. Access to both types of advice is not even and in many areas communities are unable to tap into the operations of resource agencies. Funding may also become a problem if community councils need to engage professional consultants.

Resource agencies have been established to promote self-management by providing crucial management advice and, in some cases, training. Some operate within Aboriginal communities and actually deliver services (eg homelands resource centres). These organisations have also been established in the broader community to meet Aboriginal needs which are being neglected by mainstream agencies and authorities.

Many resource agencies have emerged on a regional basis to fulfil needs such as social security liaison, administrative and management support to communities, the management of business enterprises and other specialist services such as legal advice.

The funding of particular resource agencies is also uneven with some operating on limited budgets in areas where government agencies have substantial resources.

Mainstream local government and Aboriginal communities

Evidence indicated that in general mainstream local governments were not providing local government services to Aboriginal communities within their boundaries on the same basis as to other residents, even where Aboriginal people made up a significant proportion of the population. However, local government councils pointed out that Aboriginal community residents often were not ratepayers, or they lived on 'private' developments such as housing commission estates, Aboriginal reserves or other Aboriginal land which councils considered they were not obliged to service.

Local government councils receive revenue not only from rates and charges, but also from specific purpose grants and Commonwealth disbursed general purpose financial assistance. The expenditure of this other funding, which is provided on the basis of the council's total population, including Aboriginal communities, was pointed to in some evidence as requiring consideration.

Evidence also indicated that Aboriginal people were often not involved as councillors in mainstream local government, nor did they participate proportionally in elections of local government councils. Employment of Aboriginal

people within councils tend to be in semi-skilled and unskilled positions rather than in management and administration.

Education and training in community management

Although specific training needs vary from community to community there is a strong belief that training should be increased and be made more relevant to Aboriginal needs if Aboriginals are to be equipped with the skills to run their communities. Aboriginal communities explained to the Committee that the range and type of functions that they were now expected to manage had become more complex and that this required a special effort in the field of training. In this sense, it was also put to the Committee that the provision of adequate training has lagged behind the provision of physical infrastructure and administrative systems.

Commonwealth government departments provided descriptions of education and training programs. The Aboriginal Employment Development Program, which includes a component for management training to remote communities, and the Aboriginal Organisations Training Program which offers training to Aboriginal councillors, directors and the staff of Aboriginal organisations, were referred to mostly in departmental evidence.

Departments and agencies also noted that on-the-job training was common in communities although some communities felt this was either inadequate or ad hoc. Some impetus exists for other bodies such as state and territory local government associations to play a role. Many communities expressed the desire for TAFE colleges to provide more courses in remote communities which is consistent with the wish of Aboriginals to gain recognised qualifications.

Community stores, banks, post offices, police stations

Little evidence has been received on these issues. Community stores are fairly general in Aboriginal communities while the other facilities are available in fewer communities.

In relation to community stores some conflict arises between the role of stores as commercial enterprises and their social role in the community of providing an essential service. Other problems relate to funding for infrastructural requirements, transport and storage of goods, sources of supply, employment and training of non-Aboriginal and Aboriginal staff and management.

Banks and post offices are generally seen as important services, but they are not always present in Aboriginal communities. While most larger communities have these facilities they are often not available in smaller communities. Banks are of particular importance given the amounts of social welfare income being received in Aboriginal communities.

Some communities expressed the need for an increased police presence in communities including the establishment of police stations. A need was also expressed for the proper training of Aboriginal police and police aides based in communities.

The situation in the Torres Strait

Most of the evidence relating to the Torres Strait did not deal with administrative and advisory services but focused primarily on the identification of the region's needs. One submission proposed a new organisational structure for the Islands Coordinating Council.

The separate cultural, ethnic and historical background of Torres Strait Islanders was stressed often to the Committee as was the desire to become self-managing. The community was aware of the need to promote an economic base if their self-management is to be genuine. Some scope for economic activity exists through fishing, the export of trocus shell and tourism. Concerns about the impact of mining in the area were expressed.

The provision of essential services was identified as a basic need throughout the islands. The need for proper sewerage or an appropriate means of sewerage disposal; inadequate or poor quality water supplies; the need to upgrade power supplies and communications links were raised in evidence. In the field of education the provision of training courses and technical and further education was a repeated issue as was the need for residential accommodation for secondary school students.

Other matters raised with the Committee include quarantine problems associated with the Torres Strait Treaty, the housing shortage on some islands, the need for local police and the inadequacy of council facilities throughout the region.

Appendix 6

Areas of Future Inquiry

Inquiry into Aboriginal and Torres Strait Island Community Management and Control

Reasons for the Inquiry

This inquiry is intended to focus on the effectiveness of the operation of Aboriginal and Torres Strait Island Local Government and Aboriginal Community Councils in terms of structure, role, and functional authority in relation to community development and community control. The inquiry will also encompass the issues of consultation and government funding and accountability requirements, as they relate to Aboriginal and Torres Strait Island Local Government and Aboriginal Community Councils.

Aboriginal Community Councils and Aboriginal and Torres Strait Island Local Government have been developed in the States and Northern Territory under differing historical circumstances and forms of legislation. Consequently they have differing powers and functions. They are also funded in different ways.

Aboriginal Community and Local Government Councils visited by the Committee have highlighted the question of community control, and their lack of authority within non-Aboriginal structures in relation to the decision making process. Decisions are usually made with little or no consultation with the community, by distant public servants, which have a vital effect on the lives and operation of the Community Councils. Although many organisations have been given enormous responsibility for making things work in their communities, they have not been given the authority or the capacity to control their communities which would enable them to make important decisions and carry them through.

However, from the perspective of Aboriginal Community Councils and Aboriginal and Torres Strait Island Local Government, they are required to be accountable to a wide range of Commonwealth and State government agencies, under a variety of different heads of expenditure. Each agency has differing accountability requirements thus creating a complex administrative and financial task for Aboriginal communities in properly accounting for funds. Some rationalisation of this complexity should be considered. The equipping of community people with the skills to monitor the spending of community funds and to take corrective action if difficulties are experienced is also essential in enduring that communities are both able to control their funds and be accountable to government for them.

Issues Involved in the Inquiry

The following is a list of issues for consideration in the inquiry:

- the concept of Aboriginal and Torres Strait Island Local Government, Aboriginal Community Councils, and the proposed model for South Australia;
 - Structure- management structure
 - Decision making
 - Community control
 - Role and functions
 - Aboriginal Councils and Associations Act
 - Other forms of incorporation
 - Are Aboriginal Community Councils and Aboriginal and Torres Strait Island Local Government another imposition?
- suitability and effectiveness of current funding arrangements;
 - Local Government funding
 - Multiplicity of funding sources - Block grants
 - Capacity to generate own revenue
 - Accountability requirements
- consultation
 - the overall context within which consultation takes place;
 - how departments and agencies conduct their consultations with Aboriginal communities and organisations;
 - the existence of guidelines for consultation;
 - staff development and training for those involved in the consultative process;
 - the position of Aboriginal women in the consultative process.

Inquiry into Education and Training for Community Administration, Management and Community Development

Reasons for the Inquiry

Among the many problems experienced by Aboriginal and Torres Strait Island communities visited by the Committee, the lack of adequate educational and training programs has been emphasised as a major concern. Under the terms of reference of the support services inquiry, the focus on education and training is largely related to the development of administrative and management skills. However, the communities have seen education and training as being much broader and as having a significant role in community development, self-determination and self-management.

Evidence to date has shown that a common theme throughout the inquiry is the concern expressed by Aboriginal and Torres Strait Island communities and Government Departments alike and about the lack of an appropriate overall administrative training package available to communities. Most financial problems experienced by communities are of an administrative nature, and despite repeated requests by communities for appropriate training and sufficient funding of the programs, the problems still exist. The Queensland Auditor-General's Report for example identifies the problems experienced by the councils in that State as being associated with the lack of administrative training.

By targetting the issue of education and training for the development of administration and management skills, the Committee will be in a much better position when making recommendations on this particular aspect of service delivery. In doing so, two major issues considered to be fundamental to Aboriginal community development can be dealt with as a distinct part of the inquiry.

Issues Involved in the Inquiry

The following list of issues for consideration in an inquiry have emerged from the Committee's recent field visits:

- funding of training programs
- design and implementation of training programs
- consultation process in defining community education and training needs
- formal training component

- Aboriginal women in employment
- locally-based apprenticeship programs
- method of payment of trainees
- anomaly in Abstudy payments and Unemployment Benefits
- Aboriginal Employment Development Policy
- Aboriginal Organisation Training Program.

Resource Services for Aboriginal Communities

Reasons for the Inquiry

It is envisaged that this inquiry will examine the role of community advisers, the functions of resource agencies and Aboriginal access to mainstream advice.

Following the withdrawal of superintendents from Northern Territory Aboriginal communities in 1970's, the community management structure evolved into a representative community council supported by non-Aboriginal community advisers. These are employed to provide advice to communities, to assist them in making their own decisions and give effect to the policy of self-determination.

Although the tasks of a community adviser may vary widely from community to community, they are generally required to furnish the skills and resources that are not available within a community. As such they are in a powerful position because they have the capacity to exert total control over information, finances, access to government and they often recruit other non-Aboriginal staff in a community. The repercussions of a poor community adviser are far reaching, ranging from the high cost of rectifying any administrative and financial shortcomings to the erosion of community harmony, well being and self-confidence.

Some 100 community advisers are employed in Aboriginal communities throughout Australia. These positions are mostly funded by the Department of Aboriginal Affairs. In a previous submission to the Committee the Department of Aboriginal Affairs indicated that training is not currently available for community advisers, once in the field they lack a career structure and the average length of service is only two years.

Some of these matters were raised by the Committee in its inquiry into Aboriginal homeland centres. In addition, the Miller Committee Report on Aboriginal Employment, Education and Training, found that some community advisers provided unrealistic and unprofessional advice while others were insensitive to the real needs of a community.

The various resource agencies are also a source of important advice and assistance for Aboriginal communities in their attempts to become self-managing. The term 'resource agency' is broad and includes some organisations operating within Aboriginal communities and actually delivering services (eg homelands resource centres. In addition, there are resource agencies established on a regional level where the need exists to provide services such as social security liaison, legal, accounting and other specialist services (eg Aboriginal Legal Services). In some areas, however, it was pointed out to the Committee that communities did not have access to the sorts of services provided by resource

agencies. The inquiry could consider the scope and usefulness of resource agencies in the promotion of self-management and self-determination. In this context the Committee could look at their structure and funding and Aboriginal access to their services.

Issues Involved in the Inquiry

The major issues that an inquiry into advisory services for Aboriginal communities would address are:

- the appropriateness of and the desired role of a community adviser;
- the standard of education, professional and personal requirements necessary for a community adviser;
- the need for specialised training of community advisers;
- problems with the community adviser model;
- the development of means of Aboriginal communities to seek professional advice and assistance from sources other than community advisers;
- the operations of and scope for resource agencies to assist Aboriginal communities to become self-managing and to promote community development;
- the funding of resource agencies;
- the access of Aboriginal communities to the services of resource agencies.

Inquiry into Mainstream Local Government and Aboriginal Communities

Reasons for the Inquiry

Throughout the support services inquiry, three distinct areas relating to Local Government have emerged. They are:

- The provision of essential services to minority Aboriginal Communities by Mainstream Local Government;
- The operation of Aboriginal Community Councils*; and
- The operation of Aboriginal and Torres Strait Island Local Government*.

* (These two areas will be dealt with under the inquiry into Aboriginal and Torres Strait Island Community Management and Control.)

For the Committee to adequately address major issues relating to the provision of essential services by mainstream local government to Aboriginal communities, within the context of the support services inquiry, it will be necessary to target specific issues which have emerged as a result of the Committee's community visits.

Issues Involved in the Inquiry

The following is a list of issues for consideration in a Sub-committee inquiry:

- Funding of Mainstream Local Government;
- Provision of essential services by mainstream Local Government to minority Aboriginal Communities;
- Aboriginal participation in Local Government elections;
- Employment of Aboriginals on Local Government Councils;
- Consultation process.