

DESERT KNOWLEDGE CRC

The Working Paper Series

An overview of directions in
Aboriginal and Torres Strait
Islander policy in Australia to
September 2006

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2007

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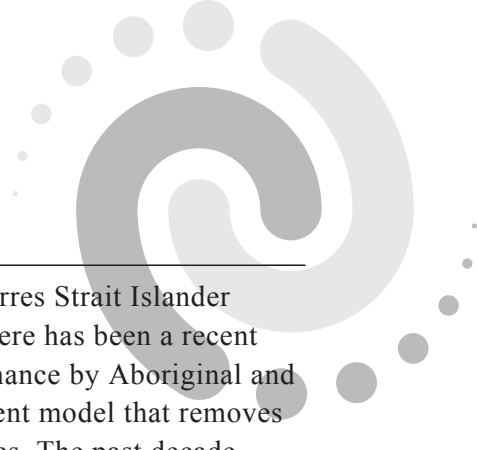
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Contents

Acronyms	IV
Abstract	1
Introduction	3
Historical context	4
1967–1972: Separate development is inconceivable	5
1972–1990: Self-determination as a political strategy	5
1990–1996: Social justice and reconciliation	5
1996–2001: Practical reconciliation	6
Current arrangements (September 2006)	8
National	8
Ministerial Taskforce on Indigenous Affairs	9
Secretaries' Group on Indigenous Affairs	10
National Indigenous Council	10
Indigenous Coordination Centres	11
Shared Responsibility Agreements	11
Aboriginal and Torres Strait Islander policy responsibilities of Commonwealth departments	12
Western Australia	13
Northern Territory	14
South Australia	14
Queensland	15
New South Wales	16
Commentary	17
References	21
Websites	22
Commonwealth Departments	22
Western Australia	22
Northern Territory	22
Queensland	22
South Australia	23
Other	23

Acronyms

AAPA	Aboriginal Areas Protection Authority
AARD	Aboriginal Affairs and Reconciliation Division
ACSIP	Aboriginal Communities Strategic Investment Program
ADC	Aboriginal Development Commission
AHA	Aboriginal Housing Authority
AHL	Aboriginal Hostels Limited
AIATSIS	Australian Institute of Aboriginal and Torres Strait Islander Studies
ATSIC	Aboriginal and Torres Strait Islander Commission
ATSIS	Aboriginal and Torres Strait Islander Services
CDC	Commercial Development Corporation
CDEP	Community Development Employment Projects
COAG	Council of Australian Governments
DAA	Department of Aboriginal Affairs
DATSIP	Department of Aboriginal and Torres Strait Islander Policy
DIA	Department of Indigenous Affairs
DKCRC	Desert Knowledge Cooperative Research Centre
DLGRD	Indigenous Capacity Building and Leadership Initiative
DLGRD	Indigenous Governance Program Department of Local Government and Regional Development
DPC	Department of the Premier and Cabinet
IAAC	Indigenous Affairs Advisory Committee
IBA	Indigenous Business Australia
ICC	Indigenous Coordination Councils
ILC	Indigenous Land Corporation
NAC	National Aboriginal Conference
NACC	National Aboriginal Consultative Committee
NIC	National Indigenous Council
NSWALC	NSW Aboriginal Land Council
OAA	Office of Aboriginal Affairs
OIPC	Office of Indigenous Policy Coordination
PC	Productivity Commission
RAPS	Remote Area Power Supply
SRA	Shared Responsibility Agreements
TSRA	Torres Strait Regional Authority



Abstract

This paper provides an overview of current directions in Aboriginal and Torres Strait Islander policy in Australia and a brief overview of the historical policy context. There has been a recent shift from decentralised policy and programs with structures for self governance by Aboriginal and Torres Strait Islander Australians, to a more centralised whole-of-government model that removes the self-governance arrangements and replaces them with advisory structures. The past decade saw an escalation in the quantity of services and service providers including local organisations. A changing set of regionalised concepts has guided Aboriginal and Torres Strait Islander policy formulation in recent times.

This project provides a guide to national, state and territory Aboriginal and Torres Strait Islander policy strategies and frameworks. It should be noted that this guide reflects arrangements current in September 2006, and that they are susceptible to change at any time.

Keywords

Aboriginal and Torres Strait Islander, governance, Aboriginal and Torres Strait Islander Affairs Policy

Introduction

A review of the policy environment should be seen alongside an understanding of what is being governed. ‘The governance of Indigenous communities and their organisations operates within a complex wider environment that stretches across community, regional, state, territory and Federal layers’ (Hunt & Smith 2006). The concept of governance refers to:

... systems, structures, forms of capital, players, conditions, resources, networks, and webs of relationships. Indigenous community and regional layers of the governance environment are dynamic, with complex systems of representation and leadership, overlapping constituencies, networks of families and groups associated with organisations, and complex systems of mandate, accountability and authority.
(Hunt & Smith 2006)

Over the last twenty years Aboriginal and Torres Strait Islander affairs policies in Australia generally aimed to support Aboriginal and Torres Strait Islander self-governance. Since 2004, following Council of Australian Governments (COAG) principles, the Australian Government has moved Aboriginal and Torres Strait Islander-specific programs into mainstream departments, established an appointed National Indigenous Council (NIC), refocused coordination and planning of programs through regionally based Indigenous Coordination Councils (ICC), refocused government engagement with communities on Shared Responsibility Agreements (SRA) and introduced contestability into community-based service delivery (Taylor 2006).

Leading commentators are critical of these arrangements as this shift to a centralised model is increasingly focused at the level of states and territories rather than on smaller settlements that represent the special location of Aboriginal and Torres Strait Islander people. While this may assist in better clarifying federal-state responsibilities, it prevents a view of policy issues and dilemmas in terms of their real and local context (Taylor 2006):

The structural circumstances facing Indigenous populations are increasingly diverse and geographically dispersed leading to variable constraints and opportunities for social and economic participation. The trends that emerge are seen to spatially align with particular categories of place that transcend state and territory boundaries ... There are emerging demographic ‘hot spots’ in the sense that particular Indigenous population dynamics in particular regions are giving rise to particular issues of public policy concern. The implication for policy is that whole-of-government approaches need to consolidate around these ‘hot spots’ settings so that we have a clear national statement and approach to policy for outstations, with the same for town camps, for growing remote Indigenous towns, for regional country centres, and for poor city neighbourhoods, and that policy directions in regard to these categories involve close collaboration across and between all levels of government. Failure to recognise the implications of demographic trends in these settings may be significant not only in terms of Indigenous well-being but also for social cohesion and a compounding of existing high levels of disadvantage with resultant high downstream costs to governments in addressing the consequences.
(Taylor 2006)

Taylor’s view is supported by Altman who recently argued that with a move back to centralised arrangements:

... there is a danger that policy-makers will fall into the trap of conceptualising Indigenous residence as occurring in some fixed hierarchy of settlements, rather than as occurring regionally and flexibly between larger and smaller communities and between

smaller communities. There is a distinct possibility that government policy aspirations are out of touch with the aspiration of many Indigenous people to decentralise.
(Altman2006)

This report outlines the new arrangements at national and state levels in very broad terms to provide a current guide for researchers working on projects through the Desert Knowledge Cooperative Research Centre (DKCRC). This guide is prefaced by a brief discussion of the historical policy approach to provide context.

It should be noted that this overview of current policy directions at national and state levels is based on a desk top review and is therefore limited to information currently available on the relevant web sites. In most instances the live web links throughout the document can be activated to provide further detail and information which may be more recent.

Historical context

Governments continually review policies and programs. The following information is provided to give information concerning major developments in Aboriginal and Torres Strait Islander policy in Australia.

In February 2006, Peter Taylor who has lengthy experience with Aboriginal and Torres Strait Islander policy summarised the history of Aboriginal and Torres Strait Islander policy as follows:

Period	Policy Direction
1890s	State and territory protection legislation
1920s	William Cowper and Aboriginal Advancement Movement
1960s	Citizenship referendum – voting rights (1967) Equal pay in the pastoral industry (1967) Commonwealth Office of Aboriginal Affairs (OAA) established (1968)
1970s	<i>Aboriginal Land Rights (Northern Territory) Act (1976)</i> <i>Indigenous Incorporations Act</i> Income support reaches remote communities Decline of mission/reserve systems and return to country movements Self-determination policy (1972) Department of Aboriginal Affairs (DAA) replaces OAA, offices in all states by 1975 DAA begins national program to improve health services WA Aboriginal Areas Protection Authority (AAPA) established NT Self-Government Act (1978)
1980s	State and territory land rights acts Aboriginal Development Commission (ADC) established for socio-economic development National Aboriginal Health Strategy for housing and infrastructure services (1989)
1990s	The Aboriginal and Torres Strait Islander Commission (ATSIC) replaces DAA and ADC (1990) Mabo High Court decision (1992) <i>Native Title Act</i> COAG National Commitment to improve service delivery outcomes to Aboriginal people (1992) and bilateral federal/state agreements established
Since 2000	COAG Reconciliation Framework advocates a whole-of-government approach to addressing three priority areas: investing in leadership and governance, reviewing programs and services, and forging links with the business sector COAG trials begin at 8 sites (2002–04) Aboriginal and Torres Strait Islander Services (ATSIS) established (2003) Productivity Commission Indigenous Disadvantage Reporting Framework Ministerial Taskforce on Indigenous Affairs established (2004) ATSIC Regional Councils and ATSIS abolished – advisory structures established (2004) Sharing responsibility – partnerships and Shared Responsibility Agreements (SRAs) 'Mainstreaming' of Aboriginal programs and streamlining service delivery

The 1967 referendum was a major turning point for Aboriginal and Torres Strait Islander people within the Commonwealth system. McLaughlin (2001) broadly categorised national Aboriginal and Torres Strait Islander policy into four separate periods as set out below.

1967–1972: Separate development is inconceivable

In 1967 Prime Minister Holt established an Office of Aboriginal Affairs and a Commonwealth Council for Aboriginal Affairs. A statement of objectives was announced by Prime Minister McMahon in 1972 that pointed to the need to build capacity, increase economic independence, and improve health, housing, education and vocational training. It was envisaged that these objectives would only be transitional until the Aboriginal and Torres Strait Islander populace was integrated into the mainstream.

1972–1990: Self-determination as a political strategy

The Whitlam Government came to office in 1972 advancing the principle of self-determination. The DAA was immediately established at the Commonwealth and state levels, with the exception of Queensland. Growth of an Aboriginal and Torres Strait Islander political voice at all levels was encouraged by increased funding. Community-based organisations expanded rapidly as a result. The National Aboriginal Consultative Committee (NACC) was established in 1973 to represent Aboriginal and Torres Strait Islander views to Government. This was replaced by the National Aboriginal Conference (NAC) in 1976.

The Fraser Government endorsed a more conservative doctrine of self-management. *The Aboriginal Councils and Associations Act* was introduced in 1976 to provide an alternative incorporation process. *The Aboriginal Lands Rights (Northern Territory) Act* was also passed in 1976. This enabled the establishment of Aboriginal Land Trusts, Aboriginal Land Councils, the Aboriginal Land Commission and the Aboriginal Benefits Trust Account. The Community Development Employment Projects (CDEP) scheme was initiated in 1977 followed by the *Aboriginal Development Commission Act* of 1980.

A Labor Government resumed office in 1983. The NAC was dissolved in 1985, immediately followed by the circulation of Lois O'Donoghue's report *An Aboriginal and Islander Consultative Organisation* for discussion. A major recommendation of the report was to create regional bodies from representatives of local Aboriginal and Torres Strait Islander communities and service organisations. Hand, Minister for Aboriginal Affairs, and a strong supporter of self-determination, tabled a proposal in Parliament titled *Foundations for the Future* which outlined the establishment of the ATSIC. The *ATSIC Act* was passed in 1990. ATSIC was created to take account of cultural and regional issues at the local level, and also to be present at the national level as representatives of the community. ATSIC subsequently underwent a number of philosophical changes from political activism to service delivery.

1990-1996: Social justice and reconciliation

Both ATSIC and the government agreed to establish separate political and administrative structures for Aboriginal and Torres Strait Islander-specific funding. In 1993, the *Native Title Act* established Aboriginal and Torres Strait Islander bodies such as 'prescribed bodies corporate' and 'representative Aboriginal/Torres Strait Islander bodies'.

1996–2001: Practical reconciliation

The federal government targeted spending in the areas of health, housing, education and employment, particularly for those in greatest need. Aboriginal and Torres Strait Islander leadership has been very critical of this approach. In 1998, Indigenous Affairs Minister, John Herron released a paper titled *Removing the Welfare Shackles* in which he proposed the establishment of Indigenous Business Australia (IBA) to increase business and employment opportunities. This was to replace the Aboriginal and Torres Strait Islander Commercial Development Corporation (CDC).

Rowse (2000) notes that the discussion of Aboriginal and Torres Strait Islander governance and self-determination is dominated by the complexities of both internal and external accountability and capacity building that relate to such devolution of power. However, if ‘... government is thought of more as a process than as a structure, then there is no need to categorise organisations as either internal or external to government, or indeed as either internal or external to the Indigenous community’ Sanders (2002, p8).

COAG agreed in 2000 to an Aboriginal Reconciliation Strategy to improve outcomes for Aboriginal and Torres Strait Islander people. This was to occur firstly through partnership and shared financial accountability with communities, and secondly, through program flexibility and coordination between government agencies, i.e. a whole-of-government approach.

Gray & Sanders (2006) provide an eloquent summary of events, policy statements and decisions that took place between 2002 and 2006 as summarised below:

From late 2002 to late 2003 ATSIC underwent a major review (Hannaford, Huggins & Collins 2003). The reviewer’s report suggested a restructuring of ATSIC toward more regional control and the reuniting of ATSIC and ATSIS with a legislated delineation of roles between the elected and administrative arms. These ideas were not taken up by the Commonwealth Government. ATSIC was abolished in March 2005. ATSIC had provided a framework and decision-making structures for Aboriginal and Torres Strait Islander Australians for over 15 years and was the only self-governance model ever to operate for Aboriginal and Torres Strait Islander Australians.

On 30 June 2004, Minister Vanstone announced that:

More than \$1billion of former ATSIC/ATSIS programmes have been transferred to mainstream Australian Government agencies and some 1300 staff commence work in their new Departments as of tomorrow.

No longer will governments persist with the ATSIC experiment that has achieved so little for Indigenous people. No longer will we see precious funds diverted and wasted on meaningless symbolic gestures or to indulge the personal whims of ATSIC Commissioners.

Our new approach is based on accepting responsibility—by governments, as well as Indigenous communities themselves.

We want more of the money to hit the ground. We are stripping away layers of bureaucracy to make sure that local families and communities have a real say in how money is spent.

Mainstream departments will be required to accept responsibility for Indigenous services and will be held accountable for outcomes. In future they will work in a coordinated way so that the old programme silos of the past are broken down.

We will also be placing these mainstream Departments closer to where the communities are. There are now 22 Indigenous Coordination Centres (ICCs) in rural and remote areas that will offer a whole-of-government response to issues identified by Indigenous communities. Improved coordination arrangements will also apply in metropolitan areas.

There will be a much stronger focus on working constructively with state and territory government agencies and with local government. The newly established Office of Indigenous Policy and Coordination (sic) will have senior staff located in each capital city and in each ICC to oversight and implement the new coordinated arrangements. (Vanstone 2004, p.1 in Gray & Sanders 2006)

In order to work in a more mainstream model with state and territory government agencies the Commonwealth Government convened a COAG in November 2000 to address Aboriginal and Torres Strait Islander disadvantage. COAG trials commenced in 2003–04 in eight communities, one in each state or territory.

On 20 April 2004, when launching a Management Advisory Committee report entitled Connecting Government: Whole-of-Government Responses to Australia's Priority Challenges, Peter Shergold, (Secretary of the Department of Prime Minister and Cabinet), identified the new arrangements which the Government was 'about to embark on' in Indigenous affairs as 'a bold experiment in implementing a whole-of-government approach to policy development and delivery' and as 'the biggest test of whether the rhetoric of connectivity can be marshalled into effective action'. Shergold rejected 'reports in the media' that, with the demise of ATSIC, this renewed emphasis on the role of mainstream government departments was 'a return to the past'. The 'new whole-of-government mainstreaming', he argued, 'is the antithesis of the old departmentalism'. He then went on to outline five characteristics of the new whole-of-government mainstreaming: collaboration between government agencies, a focus on regional need, flexibility of programme guidelines and departmental allocations, enhanced accountability and joint leadership' (Shergold 2004 p11–12 in Gray & Sanders 2006).

Later, in February 2005, Shergold argued that the new approach was not mainstreaming, as this would mean having no Aboriginal and Torres Strait Islander-specific programmes or agency. He now referred to the new arrangements as simply a 'whole-of-government' approach and noted that, rather than being primarily about 'creating new structures' they were about changing 'the culture of how public servants deliver public policy' (Senate, Official Committee Hansard, 8 February 2005, p.2 in Gray & Sanders 2006).

In June 2004 COAG agreed to a [National Framework of Principles for Government Service Delivery to Indigenous Australians](#).

The Framework provides for the negotiation of [Bilateral Agreements](#) between the Australian Government and state/territory governments.

The first such agreement was signed by the Prime Minister and Northern Territory Chief Minister in April 2005. Agreements have since been signed by all other states and territories.

The structure of the current arrangements is set out (largely in summary format with relevant web links) in the following section.

Current arrangements (September 2006)

National

A Ministerial Taskforce on Indigenous Affairs and a new advisory body of Aboriginal and Torres Strait Islander people has now been established alongside a Commonwealth Departmental Secretaries Group working on Aboriginal and Torres Strait Islander matters and the National Indigenous Council (NIC). NIC consists mostly of staff from ATSIC and takes responsibility for most of the programs that were formerly the responsibility of ATSIC.

Building on the former ATSIC regional and state/territory offices, NIC established 29 regional offices of Commonwealth administrators involved in Aboriginal and Torres Strait Islander affairs. These Indigenous Coordination Centres (ICCs) are staffed by public servants from a range of departments. The intention is for ICCs to develop formal agreements with Aboriginal and Torres Strait Islander communities and state/territory government departments to guide a more whole-of-government and whole-of-community approach to both funding and service delivery.

In 2004 new arrangements at the Commonwealth level included the absorption of the Office of Indigenous Policy Coordination (OIPC) into the [Department of Families, Community Services and Indigenous Affairs](#), a whole-of-government policy approach necessitating the development of cooperative working relationships with state, and, consistent with the Australian Government's approach, territory governments. Formal agreements are now in place with all state and territory governments that aim to:

... develop cooperation between Commonwealth agencies to improve policy development and service delivery within each jurisdiction and link this process with the state/territory agencies, Aboriginal peak bodies and other stakeholders, including the corporate sector.
(OIPC Role, Structure, and Functions 2004)

The implementation of state/territory level coordination will be supported by the OIPC State/Territory Manager, who will be responsible for:

- providing advice to the Minister and OIPC National Office on key policy and program developments with respect to Aboriginal and Torres Strait Islander affairs in their state/territory
- convening an Australian Government state/territory Managers' Forum on Aboriginal and Torres Strait Islander program and service delivery, to support the development and implementation of any strategic frameworks for joint Australian Government initiatives across the state/territory
- developing cooperative arrangements/partnership agreements with state/territory Governments and local government associations relating to the coordination of Aboriginal and Torres Strait Islander matters, including service delivery to Aboriginal and Torres Strait Islander people in the state/territory
- supporting the ICCs in the development of Regional Partnership Agreements (RPAs) where state/territory-wide policy frameworks bear on their content
- collaborating with the state/territory in developing and implementing actions to target the Strategic Areas for Action outlined in the COAG Indigenous Disadvantage Report prepared by the Productivity Commission (PC) – including, where appropriate, developing with

Australian and state/territory government agencies and other relevant bodies any agreed targets and benchmarks to direct actions and programs within the state/territory (guided by the approach contained in the PC report)

- assisting with the collection of data at the state/territory level relevant to the OIPC's monitoring and evaluation framework – including contribution to the annual report on Aboriginal and Torres Strait Islander service delivery, as a key component of the accountability framework for outcomes
- supporting best practice OIPC information dissemination and communication within the state/territory.

During 2004–05, programs and services formerly delivered by ATSIC and ATSIIS transferred to the [Australian Government agencies](#) that deliver similar services to those for the whole Australian community.

All Aboriginal and Torres Strait Islander programs and services have continued, and their delivery is being coordinated with other Aboriginal and Torres Strait Islander programs (for example, in education and health) that were already administered by mainstream agencies. Funds are administered through eight major departments and numerous other agencies.

Within ICCs most of this funding is managed through a common application process and Program Funding Agreement. AGIMIS, an information management system, is being developed to track the programs and their results.

As the new arrangements develop, the emphasis will increasingly be on the integration of programs through the negotiation of SRAs.

The Aboriginal and Torres Strait Islander affairs reforms are also aimed at getting full value for Aboriginal and Torres Strait Islander Australians from 'mainstream' programs – programs and services delivered by all governments for all Australians. In the past, Aboriginal and Torres Strait Islander people have made comparatively little use of these programs. This has put pressure on Aboriginal and Torres Strait Islander-specific programs and undermined their effectiveness.

In the broader governmental sphere, the Australian Government is pursuing systemic reforms:

- to improve performance of mainstream programs and coordinate their delivery with Aboriginal and Torres Strait Islander programs
- to clarify the roles and responsibilities of the various levels of government
- to coordinate basic services delivered by the states and territories with services funded by the Australian Government.

Through the single Aboriginal and Torres Strait Islander budget process, more than half of the new and extended funding was provided by departments from within their own allocations, effectively redirecting mainstream funding into Aboriginal and Torres Strait Islander funding (http://www.oipc.gov.au/About_OIPC/Indigenous_Affairs_Arrangements/5ProgramsServingIndigenousPeople.asp).

Ministerial Taskforce on Indigenous Affairs

The [Ministerial Taskforce on Indigenous Affairs](#) coordinates the Government's Aboriginal and Torres Strait Islander policies and expenditure, and reports to Cabinet on directions and priorities.

Each year it oversees development of the whole-of-government budget in Aboriginal and Torres Strait Islander affairs. The Ministerial Taskforce is also responsible for improved performance in mainstream delivery of services including better coordination across government.

At its first meeting, in June 2004, the Ministerial Taskforce articulated its long-term vision for Aboriginal and Torres Strait Islander affairs, that over 20–30 years:

Indigenous Australians, wherever they live, have the same opportunities as other Australians to make informed choices about their lives, to realise their full potential in whatever they choose to do and to take responsibility for managing their own affairs.

It has set three national priorities with input from the National Indigenous Council, which are now shaping policy development and government investment in Aboriginal and Torres Strait Islander affairs:

- Early childhood intervention, a key focus will be improved mental and physical health, in particular primary health, and early educational outcomes.
- Safer communities (which includes issues of authority, law and order, but also necessarily focuses on dealing with issues of governance to ensure that communities are functional and effective).
- Building Aboriginal and Torres Strait Islander wealth, employment and entrepreneurial culture, as these are integral to boosting economic development and reducing poverty and dependence on passive welfare.

Secretaries' Group on Indigenous Affairs

The heads of departments administering the Australian Government's Aboriginal and Torres Strait Islander programs form a Secretaries' Group, which meets regularly, chaired by the Secretary of the Department of the Prime Minister and Cabinet.

The Secretaries' Group provides advice and support to the Ministerial Taskforce, leads coordination across government agencies and prepares a public [annual report](#) on the outcomes of Aboriginal and Torres Strait Islander-specific programs. The Group's work is focused on the priorities set by the Ministerial Taskforce.

National Indigenous Council

The [National Indigenous Council](#), appointed in November 2004, is an *advisory* (not representative or decision-making) group to the Australian Government through the Ministerial Taskforce. It is chaired by Western Australian magistrate, Mrs Sue Gordon.

Members of the NIC are appointed for their expertise and experience in particular policy areas and are not representing particular regions, organisations or agencies.

The NIC's charter requires it to provide expert advice to government on improving outcomes for Aboriginal and Torres Strait Islander people, in relation to both policy development and the delivery and coordination of programs and services.

It is also expected that the NIC will use its contacts and networks to assist consultation.

The NIC is not a representative body, and not involved in specific funding proposals or matters relating to particular communities or regions.

While the NIC is a major source of advice to the Australian Government, the Government also consults with other Aboriginal and Torres Strait Islander boards and committees, community organisations and leaders (http://www.oipc.gov.au/About_OIPC/Indigenous_Affairs_Arrangements/3GovAdvStructures.asp)

Indigenous Coordination Centres

Around Australia, [Indigenous Coordination Centres](#) are the main engine for coordination of Aboriginal and Torres Strait Islander-specific programs and for engagement with Aboriginal and Torres Strait Islander people.

In regional and remote areas, ICCs are multi-agency units, combining coordination, planning and service functions – they house staff from all or most of the departments now responsible for Aboriginal and Torres Strait Islander programs. In metropolitan ICCs, coordination and planning functions are located together.

ICCs manage the delivery of most of the Australian Government's Aboriginal and Torres Strait Islander programs. They are also charged with brokering innovative and flexible responses to Aboriginal and Torres Strait Islander needs through the negotiation of Shared Responsibility Agreements at the local/community level and Regional Partnership Agreements (http://www.oipc.gov.au/About_OIPC/Indigenous_Affairs_Arrangements/4Administration.asp).

Shared Responsibility Agreements

SRAs are agreements at the local level between government and Aboriginal and Torres Strait Islander communities or families, spelling out what all partners will contribute to bring about beneficial changes. Negotiated through ICCs, SRAs are now an important means of coordinating Aboriginal and Torres Strait Islander programs on the ground under the principle of 'shared responsibility'.

SRAs start with ideas from the community. Communities are consulted about their aims and needs, and the changes they would like to make. Through an SRA, both the community and government agree to support certain identified goals, with government providing resources and the community making commitments to help reach their goals.

This community contribution could involve using community assets, such as a community centre, sports facility or community business, or it could be a commitment to invest time and energy to projects that will help the community. Government investment may take the form of extra services, capital or infrastructure.

The Australian Government has announced the signing of 121 SRAs involving 98 communities at three launches, in May, June and November 2005. These SRAs are providing a wide variety of benefits because each SRA is different, responding to the needs of particular communities and embodying local solutions. The signed SRAs include contributions from a range of Australian Government agencies and in many cases state/territory agencies. Others may also be party to these agreements – for example, NGOs or the private sector.

The Australian Government's initial emphasis has been on developing simple agreements, often based on a single issue, in order to demonstrate what an SRA can provide. These simple agreements will build toward more comprehensive SRAs, embodying a community's longer-term vision for its future.

Normal services and programs to Aboriginal and Torres Strait Islander communities continue. SRAs don't impose new conditions on the provision of citizen entitlements, essential services or social security benefits. Rather, they are about ensuring that any extra resources invested in a community meet the short and longer-term needs determined by that community, and that government investment in a community is integrated and effective ([Shared Responsibility Agreements](#) OIPC).

Aboriginal and Torres Strait Islander policy responsibilities of Commonwealth departments

The departments represented on the Secretaries' Group on Indigenous Affairs (chaired by the Department of the Prime Minister and Cabinet) and their main areas of Aboriginal and Torres Strait Islander responsibility are:

[Department of Families, Community Services and Indigenous Affairs](#)

This combined department was formed on 27 January 2006, when OIPC joined the former Department of Families and Community Services.

Through the OIPC the department is responsible for:

- whole-of-government coordination and policy development
- support for SRAs and RPAs
- land rights legislation and native title services
- repatriation of Aboriginal and Torres Strait Islander ancestral remains held overseas
- Aboriginal and Torres Strait Islander women's leadership and Aboriginal and Torres Strait Islander women's program
- COAG trial in northeast Tasmania
- housing and infrastructure
- families, youth and children
- family violence
- COAG trial in Wadeye, NT.

Through the [Office of the Registrar of Aboriginal Corporations](#) the department is responsible for:

- incorporation, regulation and capacity building for Aboriginal and Torres Strait Islander organisations

Related portfolio agencies:

- [Aboriginal Hostels Limited \(AHL\)](#)
- [Indigenous Land Corporation \(ILC\)](#)
- [Torres Strait Regional Authority \(TSRA\)](#).

[Department of Employment and Workplace Relations](#)

- employment, including CDEP
- economic development
- housing loans and business support (through IBA)
- COAG trials in Cape York, Qld, and Shepparton, Vic.

Related portfolio agency:

- [Indigenous Business Australia \(IBA\)](#).

[Department of Education, Science and Training](#)

- education and training
- COAG trial in Murdi Paaki region, NSW.

Related portfolio agency:

- Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)

Department of Health and Ageing

- health
- substance abuse
- Link up (helping separated children to find their families)
- COAG trial in the Anangu Pitjantjatjara Yankunytjatjara Lands, SA.

Attorney-General's Department

- legal aid
- law and justice advocacy
- prevention, diversion and rehabilitation
- family violence (legal aspects)
- Native title (legal aspects).

Department of Communications, Information Technology and the Arts

- arts and culture
- broadcasting
- Aboriginal and Torres Strait Islander languages
- sport.

Department of the Environment and Heritage

- heritage protection
- environment
- COAG trial in the ACT.

Department of Transport and Regional Services

- COAG trial in east Kimberley, WA.

Western Australia

The Western Australian government has moved towards a whole-of-government framework to implement its Aboriginal affairs policy to integrate programs, services and funding arrangements, in partnership with Aboriginal Western Australians. The Department of Indigenous Affairs (DIA) is the lead Aboriginal agency in Western Australia. Its three core areas of business include:

- coordination of a whole-of-government approach to Aboriginal issues
- management and protection of Aboriginal heritage and culture
- management and transfer of Aboriginal land (Department of Indigenous Affairs, *Annual Report 2004–05*).

An Indigenous Affairs Advisory Committee (IAAC) and *Statement of Commitment* have been developed to develop and manage mechanisms for agreeing on priority outcomes, joint planning, integrated resourcing, service delivery, review and evaluation in partnership with Aboriginal people.

The main program areas of the department include:

- a ‘universal prevention’ framework for addressing child protection, family violence, youth suicide, self harm and other adverse outcomes
- environmental health
- economic development
- Aboriginal Communities Strategic Investment Program (ACSIP) (<http://www.dia.wa.gov.au/Policies/EnvironmentalHealth/ACSIP.aspx>).

Other specific Aboriginal policy areas include:

- Indigenous Governance Program (Department of Local Government and Regional Development – DLGRD)
- Indigenous Capacity Building and Leadership Initiative (DLGRD)
- Office of Social Policy (Department of the Premier and Cabinet – DPC)
- Indigenous Regional Development Program
- Aboriginal Housing Infrastructure Council
- COAG trial in east Kimberley
- [community housing construction and upgrades](#)
- [Remote Areas Essential Services Program](#)
- [Sustainability and Development Program](#)
- Aboriginal Community Remote Area Power Supply (RAPS) Program
- Business RAPS Program
- Household RAPS Program
- Aboriginal Environmental Health Program
- Aboriginal and Torres Strait Islander Building Solid Families Program.

Northern Territory

In the Northern Territory, the Office of Indigenous Policy within the Department of the Chief Minister is responsible for providing strategic policy advice on Aboriginal affairs. [Agenda For Action](#) is a whole-of-government policy that sets out the Northern Territory Government’s Aboriginal affairs priorities during the current term of office (2005–2009).

The [Overarching Agreement on Indigenous Affairs between the Commonwealth of Australia and the Northern Territory of Australia](#) provides an outline of the range of program areas. They include:

- [Section 2.1 - Sustainable Indigenous Housing](#)
- [Section 2.2 - Strengthening and sustaining the Indigenous Arts sector](#)
- [Section 2.3 - Regional Authorities - A mechanism \(etc\)](#)
- [Section 2.4 - Boosting Indigenous Employment and Economic Development.](#)

South Australia

Aboriginal affairs is one of the many responsibilities of Minister Jay Weatherill of the South Australian Government. He is Minister Assisting the Premier in Cabinet, as well as Minister for the following portfolios: Aboriginal Affairs and Reconciliation; Ageing; Business and Public Sector Management; Disability; Families and Communities; and Housing.

Department of Premier and Cabinet, Aboriginal Affairs and Reconciliation Division (AARD) is situated in the Department of Premier and Cabinet and is the SA Government's lead agency on Aboriginal affairs. (http://www.premcab.sa.gov.au/dpc/departament_aard.html)

Responsibilities and key functions of AARD include:

- providing strategic leadership for Aboriginal policy development
- developing, coordinating and implementing policies for Aboriginal affairs
- implementing services to advance the wellbeing of Aboriginal families and communities in South Australia
- protecting Aboriginal heritage and culture
- providing and maintaining essential services and infrastructure
- supporting the state's landholding authorities
- leading and contributing to government special projects such as Dry Zones, Refugees, Native Title and Commonwealth Lands at Maralinga (http://www.premcab.sa.gov.au/dpc/departament_indigenous_affairs.html).

Some specific Aboriginal policy initiatives are operating in the areas of education, employment, families, communities, and housing.

The Aboriginal Housing Authority (AHA) is a statutory authority providing public housing and housing related services to Aboriginal people throughout South Australia. These services include rental housing, private rental assistance, housing and housing management assistance in Aboriginal Lands and remote areas, and assistance with home ownership (<http://www.familiesandcommunities.sa.gov.au/Default.aspx?tabid=84>).

Queensland

The Department of Aboriginal and Torres Strait Islander Policy (DATSIP) has approximately 239 staff members employed in a central office and six regional offices. DATSIP is working across all levels of government to ensure the efforts of agencies are directed where they are needed most.

The department is divided into three directorates:

- Strategic Policy and Partnerships Directorate
- Operations and Program Support Directorate
- Corporate and Executive Support Directorate.

The Strategic Policy and Partnerships Directorate oversees the strategic policy direction of Partnerships Queensland with the Operations and Program Support Directorate playing a key role in its regional implementation.

In addition, a Government Coordination Office has been established within the Office of the Director-General, DATSIP for a three year period, to drive the necessary urgent improvements in service delivery in the 19 'Meeting Challenges, Making Choices' communities. Areas of particular focus and urgency include child safety, family violence and reduction in the demand for alcohol and other substances that may be abused.

In 2006–07 DATSIP will finalise the divestment of its service delivery functions to enable them to focus more clearly on their policy leadership role. To this end, services to Aboriginal and Torres Strait Islander peoples will continue to be picked up by other agencies as part of their core business.

In recent years, the role of DATSIP has significantly changed, gradually moving away from direct service delivery towards a focus on policy leadership, engagement and the monitoring and coordination of service delivery outcomes. In 2006–07, the department will continue this process, with the ongoing divestment of certain functions, including retail stores and responsibility for trusteeship of lands ([Strategic Plan for DATSIP 2006–10](#)).

The department has identified three key priorities that will be the primary focus of the department over the next four years. They are:

- [lead Aboriginal and Torres Strait Islander Policy](#)
- [facilitate engagement and coordination](#)
- [improve organisational capability](#).

New South Wales

The Department of Aboriginal Affairs is the lead Aboriginal agency in NSW. *Two Ways Together* is the NSW Government's 10 year Aboriginal affairs plan (2003–2012) which focuses on seven areas:

- health
- housing
- education
- culture and heritage
- justice
- economic development
- families and young people.

The overall objectives of the plan are to:

- develop committed partnerships between Aboriginal people and government
- improve the social, economic, cultural, and emotional wellbeing of Aboriginal people in New South Wales.

The plan requires government agencies to work together with Aboriginal people to ensure that services are accessible and culturally appropriate. It requires all government agencies to work in a coordinated way to do business with Aboriginal people.

The plan includes targets and a monitoring system to ensure agencies are held accountable for actions and results. CEOs of government agencies will be held accountable through their performance agreements.

For example, the *NSW Aboriginal Justice Plan*, the Circle Sentencing Trial and Community Justice Groups are key strategies in the Justice Priority Area. Additionally the *NSW Aboriginal Health Impact Statement*, the *NSW Aboriginal Health Partnerships* and the *NSW Health Aboriginal Workforce Issues Strategic Plan* are three of the strategies in place in the Health Priority Area.

The plan follows the principles set out in the 2002 *Service Delivery Partnership Agreement* between the Government, the ATSIC, and the NSW Aboriginal Land Council (NSWALC).

The plan has two core elements:

- *Making Services Work* which establishes what business needs to be done
- *New Ways of Doing Business with Aboriginal People* which establishes how business will be done.

A cluster group of key government agencies and Aboriginal peak bodies has been formed for each of the priority areas, and is coordinated by a lead agency. The cluster groups have set goals, targets and action plans for NSW consistent with national indicators. The Cabinet Committee on Aboriginal Affairs will approve action plans and monitor the progress of each cluster group. At a state level the cluster groups will provide coordination; however, mechanisms may need to be established at regional and local levels that build on existing structures such as Regional Coordination Management Groups and Community Working Parties.

Clusters have developed indicators relevant to the NSW goals. In addition they will report on the national indicators developed by the COAG for the Framework for Reporting on Indigenous Disadvantage (<http://www.daa.nsw.gov.au/policies/policy.html>).

Commentary

In summary, it is useful to reflect on the findings of a couple of recent studies from the Centre for Aboriginal Economic Policy Research at the Australian National University. They include a large study of Aboriginal and Torres Strait Islander governance based on multiple case studies and a series of interviews with the Secretaries who represent the membership of the Secretaries' Group on Indigenous Affairs.

In the interviews conducted by Sanders and Gray in 2005, the Secretaries offered some different perspectives on mainstreaming:

One pointed to past experience in the health portfolio, which had received Indigenous health programmes from ATSIC in 1995. This Secretary saw this transfer as a positive and successful experience, which had both significantly increased resources devoted to Indigenous health and helped focus the Minister and Secretary of a major line department on Indigenous issues. It had also, this Secretary claimed, helped raise the profile of Indigenous issues at Commonwealth and state/territory health ministers' meetings.

Three other Secretaries pointed to their own department's extensive past experience of running Indigenous-specific programmes alongside and in conjunction with their much larger general programmes, dating back to well before the 1995 health changeover. For these Secretaries, having Indigenous-specific programmes mixed in with general programmes in their departments was nothing new, or unusual, and so there was much more of a sense for them of business as usual. One of these Secretaries noted that the term mainstreaming was loaded with negative connotations of 'just letting the system do its worst or best' for Indigenous people, without specific or appropriate attention being given to their particular needs, and hence was perhaps best avoided altogether. That Secretary's suggestion was to talk more about ensuring that 'Indigenous people get their fair share of total portfolio spending and attention' ... Another three Secretaries indicated ... that these were challenging new times for their departments and for themselves. Their departments had had virtually no Indigenous-specific programmes in the past, and so working out how staff and Indigenous-specific programmes inherited from ATSIC/ATSIS might fit with their other programmes, staff and responsibilities was a significant new challenge for these Secretaries. One indicated that whereas 'in the old days' the occupant of their position would have had 'virtually nothing to do' with Indigenous issues, they were now spending 'up to ten per cent' of their time on them.

Amid this diversity of experience and views among the Secretaries about how the new, post-ATSIC mainstreaming was impacting on both their departments and their own positions, there was greater unanimity about the significance of the Secretaries Group on Indigenous Affairs.

(Sanders & Gray 2006)

Sanders and Gray (2006) conclude that ‘... whether the new arrangements work will ultimately depend on other things as well, such as relationships between government and Indigenous communities built over extended periods of time’.

In their research on building Aboriginal and Torres Strait Islander community governance, Hunt and Smith (2006) separate government programs available to Aboriginal and Torres Strait Islander people into three categories:

1. Aboriginal and Torres Strait Islander-specific: programs that are for the exclusive use of Aboriginal and Torres Strait Islander people
2. mainstream with Aboriginal and Torres Strait Islander component: programs that are used by all Australians but also have a specific Aboriginal and Torres Strait Islander component
3. mainstream: programs that are for all Australians

The preliminary findings indicate the following issues:

- many different programs have been implemented over time by departments at all levels of government with varying levels of success
- many small programs are implemented for specific regions to deal with issues important to that area
- changing government departmental structures results in programs changing or being discontinued
- changing public opinion has some impact on the types of programs that are available
- different program delivery methods. Programs are either delivered automatically to areas determined to need them or an application process is used whereby communities apply for funding creating a paperwork burden
- minimal program continuation past initial trial funding duration means that successful programs are lost.

The study suggests that the arrangements at the government level reflect as much complexity of governance as the Aboriginal and Torres Strait Islander community governance arrangements. In the preliminary findings the role of government is:

... a critical factor for the outcomes of community governance – it can enable or disable effective Indigenous community governance. ... In order to enable Indigenous community governance, governments at all levels need to: better coordinate internally; reduce the number of separate departmental and program-specific consultations with communities; rationalise government program delivery; undertake a community-development approach to governance building; reduce the large number of different funding mechanisms and give more broad-based, longer-term funding linked to broad community development goals. In particular, the lack of coherence of multiple departmental programs’ funding objectives, grant application and acquittal processes, with the overall objectives of Indigenous communities in different locations needs urgent attention. (Hunt and Smith 2006)

Further insights from the study can be viewed in summary form: [Ten Key Messages from the Preliminary Findings of the Indigenous Community Governance Project, 2005](#).

According to Taylor (2006) the new arrangements so far demonstrate ‘... Limited development of new systematic frameworks for engaging Indigenous stakeholders beyond very local levels, and regional engagement largely based on prior developments (e.g. Ngaanyatjarra, Cape York, NT Regional Governance process)’.

Finally, Altman (2006) has called for a House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs to inquire into the outstations situation cautioning that:

Such an inquiry might find that there are diverse futures for Indigenous people at outstations at variance with the monolithic mainstreaming perspective that appears to be dominating emerging policy discourse. Such futures might see Indigenous people living on the land they own, moving between larger and smaller communities, and pursuing livelihoods in a hybrid economy that includes payment for the delivery of environmental services, participation in the customary or non-market sector, and the pursuit of commercial opportunities. Such non-mainstream possibilities need to be explored.

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Websites

Commonwealth Departments

Aboriginal Hostels Limited	http://www.ahl.gov.au
Australian Institute of Health and Welfare	http://www.aihw.gov.au
Department of Communications, Information Technology and the Arts	http://www.dcita.gov.au/indig
Department of Employment and Workplace Relations (DEWR)	www.dewr.gov.au
Department of Family and Community Services (FACS)	www.facs.gov.au
Department of Immigration and Multicultural and Indigenous Affairs (DIMIA)	www.immi.gov.au
Office of Indigenous Policy Coordination (OIPC)	www.oipc.gov.au http://www.oipc.gov.au/About_OIPC/Indigenous_Affairs_Arrangements/5ProgramsServingIndigenousPeople.asp http://www.oipc.gov.au/About_OIPC/new_arrangements.pdf
Indigenous Affairs website	http://www.atsia.gov.au/
Indigenous Business Australia (IBA)	www.iba.gov.au
Indigenous Land Corporation	www.ilc.gov.au
Registrar of Aboriginal Corporations	http://www.orac.gov.au/
Torres Strait Regional Authority (TSRA)	www.tsra.gov.au

Western Australia

Aboriginal Health Strategy	http://www.dia.wa.gov.au/Policies/EnvironmentalHealth/NAHS.aspx
Aboriginal Housing and Infrastructure Council	http://www.dhw.wa.gov.au/402_480.asp
Department for Community Development	http://www.community.wa.gov.au
Department of Housing and Works	http://www.dhw.wa.gov.au
Department of Indigenous Affairs	http://www.dia.wa.gov.au/Policies/EnvironmentalHealth/ACSIP.aspx

Northern Territory

Department of Local Government, Housing and Sport	http://www.dcdsca.nt.gov.au
Indigenous Housing Authority of the Northern Territory	IHANT (search NT Gov website)

Queensland

Aboriginal Co-ordinating Council	http://www.accq.org.au/services/housing/own.htm
Department of Aboriginal Affairs	http://www.datsip.qld.gov.au/strategic_plan/

South Australia

Department of Families and Communities	http://www.familiesandcommunities.sa.gov.au/Default.aspx?tabid=84
Department of Premier and Cabinet	http://www.premcab.sa.gov.au/dpc/departement_aard.html

Other

Ten Key Messages from the Preliminary Findings of the Indigenous Community Governance Project, 2005http://www.premcab.sa.gov.au/dpc/departement_aard.html	
Australian Indigenous HealthInfoNet, Indigenous Health Policy Guidelines	http://www.healthinfonet.ecu.edu.au/html/html_programs/programs_policy/programs_policies_timelines.htm
Office of Indigenous Policy Coordination, Role, Structure and Functions	http://72.14.203.104/search?q=cache:-1V6-yqGiIUIJ:www.oipc.gov.au/documents/OIPCroleandfunctionsrevisedFINAL.pdf
Australian Museum 2004, Indigenous Australia, Timeline – Contact 1901–1969	http://www.dreamtime.net.au/indigenous/timeline3.cfm