



SVA PERSPECTIVES

First Australians

One million people live in disadvantage in Australia today. Each year billions of dollars are poured into social services and reform programs across welfare, education and health and yet so many people continue to experience disadvantage.

SVA works to improve the lives of people in need. Our unique approach focuses on understanding the structural causes behind persistent disadvantage, then finding and supporting the innovative approaches that can create systemic change. Our practice is evidence based, a discipline we apply to every facet of our organisation.

By offering funding, investment and advice we support partners across sectors to increase their social impact. Since 2002, we have worked in partnership with community service organisations, philanthropists, governments and businesses to help improve the lives of people in need. Through our work, we have also developed a practical understanding of what it takes to tackle disadvantage.

People and organisations that create real impact must have a deep understanding of the environment they are operating in. This means being clear on the exact issue they are trying to address and understanding who else is operating in the ecosystem. They design and deliver their programs and services based on evidence of what works best.

High-impact organisations contribute to system change. They introduce innovative approaches, work collaboratively, share their knowledge so others can learn from them (both successes and failures) and jointly advocate for change.

As part of our commitment to driving system change, SVA has developed a series of papers in four focus areas – Education, Employment, Housing and First Australians. We have combined our practical experience with publicly available data and research to present our perspective. In each paper we set out our vision for the future, a summary of the issue, actions required to achieve the vision, a discussion of the drivers of better outcomes and small snapshots of SVA's work.

We hope that these papers spark debate, innovation and collaboration.

Everyone has a role to play. We invite you to join us in building and sharing the knowledge base of what works best to improve the allocation of funding, increase the impact of services and change lives.

Rob Koczkar
CEO
Social Ventures Australia



SVA's vision

SVA has a vision of a Reconciled Australia.

We have developed an evidence-informed perspective on the actions required to achieve reconciliation, underpinned by identified drivers of better outcomes for Aboriginal and Torres Strait Islander people (hereafter, 'First Australians') and an understanding of what works.

Achieving this goal requires changes to the institutional framework, government policies, funding models, service design and delivery, all with a focus on increasing First Australians' capacity for self-governance.

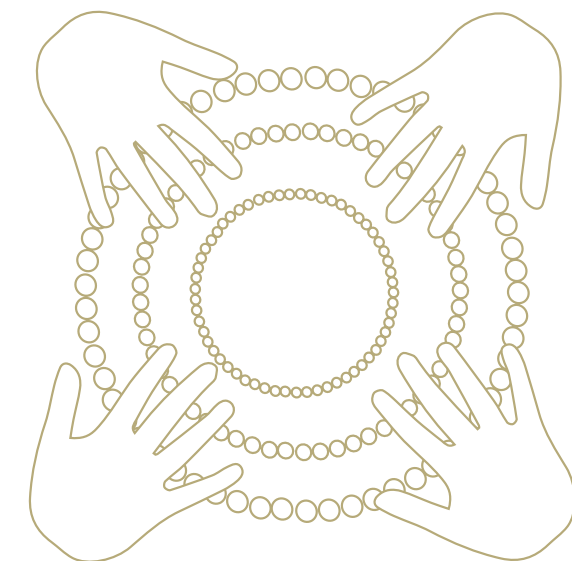
A reconciled Australia

Before colonisation, Australia was inhabited by more than 500 First Australian nations, speaking 250 languages and many related dialects.¹ For 60,000 years, these nations developed and refined sophisticated systems of governance, resource management and dispute resolution and aurally transferred knowledge of culture, language and country through generations.

The impact of colonisation and subsequent government policies has been to dismantle these structures. Foreign laws have been imposed, land appropriated, children forcibly removed and wages stolen. The resultant inequality between non-Indigenous and First Australians is this country's greatest social and moral challenge.

- There are an estimated 730,000 First Australians living in Australia, constituting 3.1% of the population.
- In the 2012-13 financial year, 6.1% of government expenditure was directed towards First Australians, amounting to \$30.3b (\$5.6b was spent on First Australian-specific initiatives and services).
- In spite of this, First Australians fare worse than non-Indigenous Australians on all key indicators of wellbeing and, in several cases, the gap appears to be widening.
- While Australia ranks second only to Norway on the United Nations' Human Development Index, First Australians would rank 122nd if treated as a discrete nation state.
- SVA is working to achieve a reconciled Australia, where basic rights and opportunities are guaranteed for all.

A reconciled Australia is one in which substantive rights and opportunities are guaranteed for all Australians.

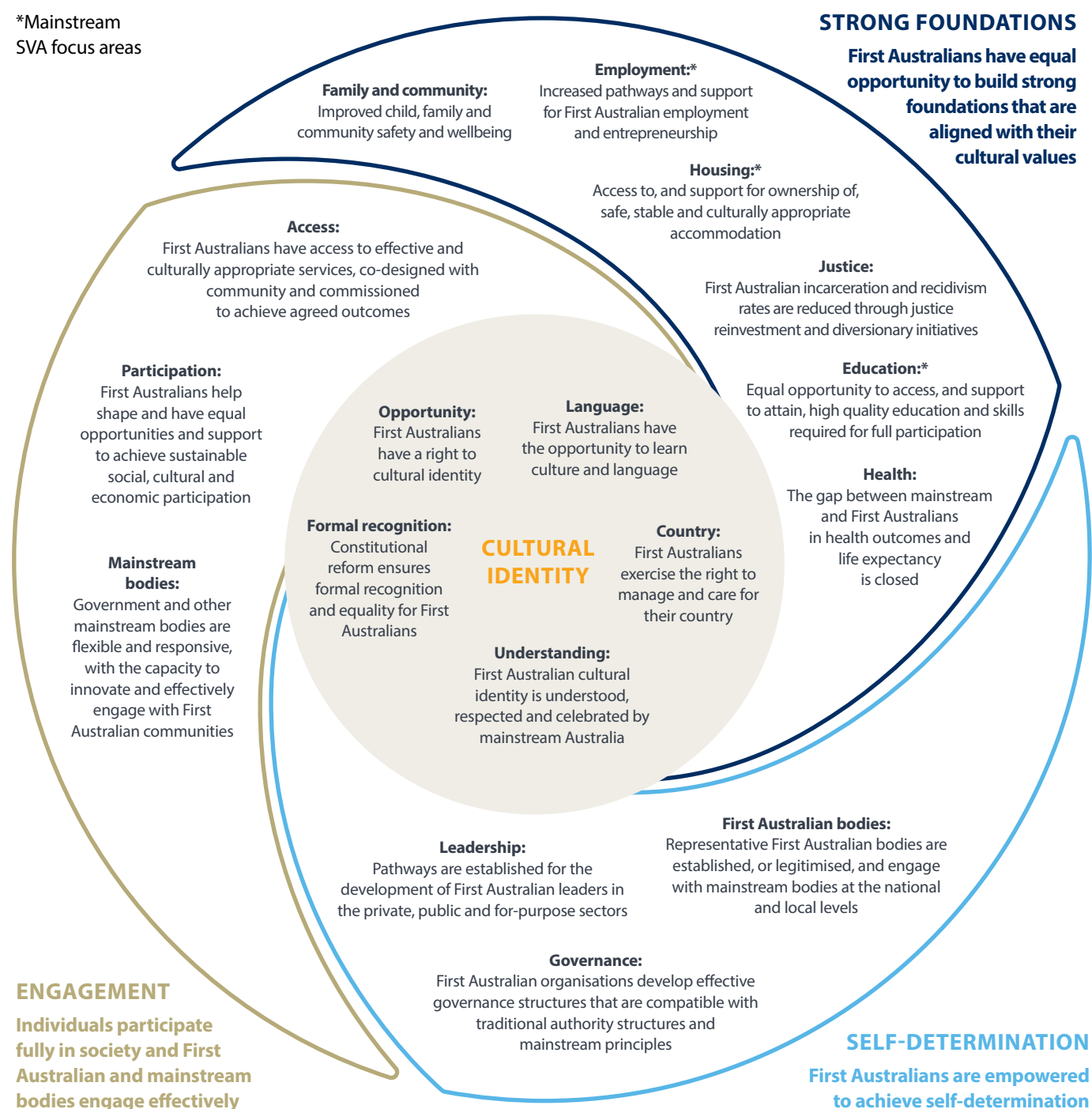


Drivers of better outcomes

While acknowledging that the experience and circumstances of every community are unique, SVA believes there are common conditions and actions that together will drive towards a reconciled Australia and improved outcomes for First Australians. Conceptually, we think that cultural identity is the central driver for better outcomes and a reconciled Australia. Sitting around cultural identity, we think there are three inter-related drivers of change:

- First Australians being empowered to achieve self-determination.
- First Australians having access to, and equal opportunities to build strong foundations that are aligned with their cultural values.
- First Australian and mainstream bodies engaging effectively and individuals participating fully in society.

*Mainstream
SVA focus areas



Actions required

The following is a consolidated list of system design and service delivery implications identified with reference to the higher-order drivers of better outcomes for First Australians (see driver diagram on page 4). These implications should guide the work of SVA and other stakeholders with a vision of reconciliation.

CULTURAL IDENTITY

1. First Australian cultural perspectives must be incorporated into our collective identity to inform all aspects of system design and service delivery.

SELF-DETERMINATION

Empowerment: the right to self-determination

2. While state and federal governments have a role in setting a coordinated national policy framework, they must be prepared to cede some decision-making authority and management responsibility, allowing First Australian communities to assume greater control of their futures.

First Australian bodies: representative First Australian bodies are established, or legitimised, and facilitate partnership with mainstream bodies at the local and national levels

3. Models of local and regional First Australian governance should be developed and tested in collaboration with government and existing First Australian organisations.
4. A national First Australian institution (or institutions) should be established, or legitimised, to provide ongoing input to the national policy framework. A decision on the appropriate form of that institution should be made in consultation with First Australian communities.

ENGAGEMENT

Mainstream bodies: government is flexible and responsive, with the capacity to innovate and effectively engage with First Australian communities

5. Public resources should be coordinated and applied, across agencies and jurisdictions, to achieve agreed outcomes, consistent with a national policy framework.
6. Institutional authority should be devolved to local managers with responsibility for managing whole-of-government settings and leading local stakeholder engagement.
7. Investment is required in public servant skills and capacity to improve engagement with First Australian communities, cross-sector collaboration and innovative community-centric solutions.

We explore the actions required in the areas of access and participation with reference to some of the numerous services that require changes.

STRONG FOUNDATIONS

Participation: First Australians help shape, and have equal opportunities and support to achieve sustainable social, cultural and economic participation

8. Early childhood and school education programs and services must engage First Australian communities through the integration of First Australian culture and language in the curriculum, the employment of First Australian teachers and regular engagement with First Australian families to support student transitions.
9. Across a range of sectors, government should promote the development of a First Australian economy driven by First Australian-owned enterprises, including through leveraging private, third-party capital.
10. Mainstream employers must be willing to invest in training First Australian employees, and improving their organisation's cultural competence to improve their value proposition to, and increase retention of, First Australian employees.

First Australians have access to effective and culturally appropriate services, co-designed with community and commissioned to achieve agreed outcomes

11. The provision of First Australian programs and services must be reoriented from crisis management to preventive initiatives.
12. The Australian government should develop a public register of programs, services and initiatives, enabling First Australian communities, state and federal agencies, and private funders to better understand duplication and gaps.
13. Government and individual First Australian communities should together agree on outcomes targeted through service provision, measure the achievement of those outcomes with reference to a common set of indicators and manage service provision accordingly.
14. Government should coordinate the collection, consolidation and publication of anonymised data, enabling service providers to benchmark performance and empowering First Australian communities to make informed decisions about commissioned services.



Understanding the drivers of better outcomes

1. CULTURAL IDENTITY

The starting point for reconciliation lies in recognition of First Australian cultural identity.

Contemporary First Australian history has been characterised by dispossession, both physical and cultural. The impact of colonisation on First Australian nations cannot be overstated. Loss of language, destruction of culture, displacement from country and the consequential fracturing of kinship structures have all been associated with negative social outcomes that disproportionately affect First Australian communities, including chronic addiction, violence, broken families and suicide.²

First Australian priorities and cultural perspectives have been consistently marginalised throughout the development of modern Australian society.

Mainstream recognition and validation of First Australian identity is central to the success of reconciliation efforts.

The cultural identity of First Australian nations, including language and connection to country, must be preserved and strengthened. Relationships between First Australians and the non-Indigenous community must be improved, fostering greater appreciation of First Australian cultural identity and resilience within the mainstream. An appropriate legal framework is also needed to facilitate reconciliation in a formal sense. Our Constitution should recognise the place of First Australians in our shared history and collective identity, while provisions allowing for discrimination on the basis of race must be removed.

Kanyirninpa Jukurrpa

Kanyirninpa Jukurrpa (KJ) is a Martu organisation operating in several West Australian desert communities. Through its on-country programs – which include Working on Country, funded ranger programs – KJ aims to preserve Martu culture, build a viable, sustainable economy in Martu communities and build realistic pathways for young Martu to achieve a healthy and prosperous future.

Through consecutive Social Return on Investment (SROI) analyses, SVA has identified transformative change in Martu desert communities in only five years. This is attributed to KJ's on-country programs. In that period, almost 350 Martu have been employed by KJ and 266 participated in Kalyuku Ninti (return to country) trips.



2. SELF-DETERMINATION

FIRST AUSTRALIANS ARE EMPOWERED TO ACHIEVE SELF-DETERMINATION

Leadership

First Australians represent just 1.77% of federal parliamentarians, 2.38% of the federal ministry, and are not represented at all among university Vice-chancellors or ASX200 CEOs.³

Heightened recognition of First Australian cultural identity and resilience provides a platform for 'nation building', empowering First Australians to assume self-governance and pursue self-determined development.⁴

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is instructive when considering the constituent elements of the right to self-determination and what might be required to fulfil that right:

- The free pursuit of social, cultural and economic development (UNDRIP, Article 3) requires investment and support to create opportunities for participation.
- Autonomy in the management of local affairs (UNDRIP, Article 4) speaks to the need for increased First Australian input into – and control over – the design and delivery of essential services.
- To ensure the effective governance of local affairs, First Australian leadership and capability must be strengthened through appropriate but distinct political, legal, economic, social and cultural institutions (UNDRIP, Article 5).

Reporting on the most comprehensive First Australian governance research conducted in Australia to date, Hunt and Smith concluded that 'when Indigenous governance is based on genuine decision-making powers, practical capacity and legitimate leadership at the local level, it provides a critical foundation for ongoing socioeconomic development and resilience'.⁵

'The evidence demonstrates that Indigenous collective control is central to achieving desired outcomes, whether they are non-Indigenous governments' aspirations to close socioeconomic gaps, or the broader social, cultural and political aspirations of Indigenous people.'

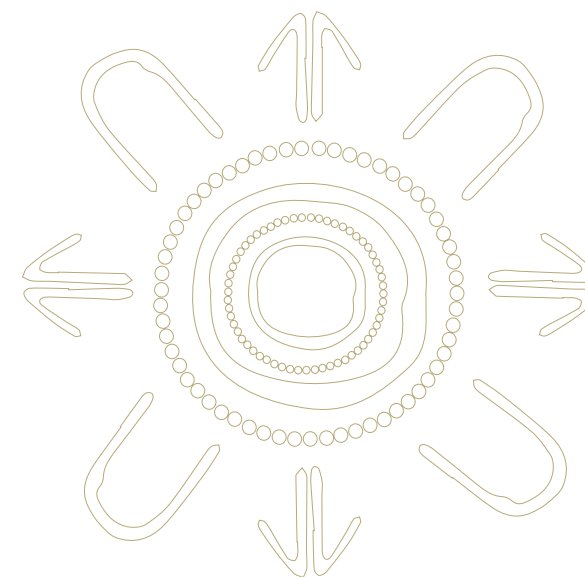
Alison Vivian & Craig Longman, 2014

This finding is consistent with leading international research on Indigenous development. The Harvard Project on American Indian Economic Development aims to understand and foster the conditions under which sustained, self-determined, social and economic development is achieved among American Indian nations. Research conducted through the project since 1987 has identified the centrality of Indigenous sovereignty.⁶

'When Native nations make their own decisions about what development approaches to take, they consistently out-perform external decision makers on matters as diverse as governmental form, natural resource management, economic development, health care, and social service provision.'

Assertions of sovereignty must then be backed by culturally grounded institutions and driven by capable, innovative leaders.⁷

Members of the group of Empowered Communities are therefore right to identify that state and federal governments must cede some decision-making authority and management responsibility, allowing First Australians to assume greater control of their futures.⁸ With the right settings, effective engagement between mainstream and First Australian bodies will then determine the success of the empowerment agenda.



FIRST AUSTRALIAN BODIES: REPRESENTATIVE FIRST AUSTRALIAN BODIES ARE ESTABLISHED, OR LEGITIMISED, AND FACILITATE PARTNERSHIP WITH MAINSTREAM BODIES AT THE LOCAL AND NATIONAL LEVELS

The *Empowered Communities* report advocates for a 'new partnership' that transfers real responsibility to First Australians and elevates them to the position of senior partner, driving local development agendas, while government provides enabling support.⁹ The Empowered Communities model provides for a structural interface with federal and state/territory governments through representatives of a community leadership group, with the support of a local backbone organisation that coordinates opt-in First Australian organisations.¹⁰ Critical to the model is the establishment of pooled funding in each of the Empowered Communities, to be allocated in accordance with community needs.¹¹

The model has received widespread support since the report's release in early 2015. The validity of the model's core principles is irrefutable. The objectives of self-determination and empowerment have been all but universally accepted for 40 years.¹² The substantive devolution of power from Canberra to the local or regional level is long overdue. Nevertheless, the model has challenging aspects that will need to be tested. For instance:

- The model requires a 'radical shift' in the responsibilities, behaviour and attitudes of government, and it is difficult to envisage (at least in the short to medium term) that bureaucrats would be willing to cede control to become mere facilitators. Jorgensen and Vivian argue that 'the greatest hurdle for governments is recognising that success is most likely to be achieved when the Indigenous governance building process is under Indigenous control'.¹³
- The model calls for flexibility in developing local and regional governance arrangements to meet the needs of the community. While that is appropriate, in some cases, community leaders and governance arrangements will be open to criticism that they are not representative. That judgment is likely to come from the mainstream and from within the communities.¹⁴
- Several local 'backbone' organisations identified to coordinate 'opt-in' organisations in a community do not fit the criteria of a backbone organisation as envisaged by the model of 'collective impact'. This is because they are typically competing for government funding to manage programs and services of their own. In that sense, they are players, not umpires.

If the Empowered Communities model is to be implemented, these and other elements will need to be tested through a long-term, collaborative process involving First Australian communities and government. All parties will need to be held to account to ensure that the initiative does not suffer the same fate as previous regional service reforms. That will require the establishment of a statutory body with the authority to embed these arrangements and protect the reform agenda from political changes.

Beyond the Empowered Communities model, at a national level, the Australian government has so far failed to establish and support a First Australian representative body – or bodies – to provide input into policy decisions:

- The 2014 budget defunded the National Congress of Australia's First Peoples, withdrawing \$15m in spite of its having 8,200 individual members and 180 members organisations.¹⁵
- The Prime Minister's Indigenous Advisory Council of 10 hand-picked members has limitations because it is unrepresentative.¹⁶
- The proposed Assembly of First Nations, comprising representatives from all Prescribed Bodies Corporate (PBCs), lacks mainstream awareness and support.¹⁷

As Mick Gooda has suggested, it may be that each of these bodies has a role to play in ensuring appropriate mainstream engagement with the First Australian leadership.¹⁸ What's clear is that, at present, there is no national body with universal legitimacy to represent the interests of First Australians. At a local level, as explained above, those arrangements remain a work in progress.

Much of the complexity of institutional design and engagement stems from the absence of a comprehensive legal framework or treaty that would enshrine specific rights for First Australians or afford significant control.¹⁹ Such treaties exist in several analogous, developed, settler countries such as New Zealand, Canada and the United States.

A further key learning from international experience about improved engagement with Indigenous peoples is the importance of investing in Indigenous capacity and related resources.²⁰ We have chosen to focus on First Australian leadership and governance as two key drivers that would underpin the successful development of First Australian institutions. With more capable decision makers and stronger organisations, First Australians will be better positioned to achieve improved outcomes and engage with the mainstream on an equal footing.²¹



'The partnership required, and to be created under Empowered Communities, must allow for a far higher level of Indigenous agency and autonomy in decision-making than is currently the case. Currently, when solutions to Indigenous issues are put forward, Indigenous people can lobby, act as advisers, protest, or try to have a say in the media. Indigenous people may sometimes be 'consulted' by government, but this does not usually involve meaningful engagement, much less leadership. There is no guaranteed, sustained and systematic method through which Indigenous people can have a say in the matters that directly affect them.'

Empowered Communities report, 2015

3. ENGAGEMENT

MAINSTREAM BODIES: GOVERNMENT IS FLEXIBLE AND RESPONSIVE, WITH THE CAPACITY TO INNOVATE AND EFFECTIVELY ENGAGE WITH FIRST AUSTRALIAN COMMUNITIES

The 'governance of government' has been identified by many as a major impediment to reconciliation.²² From the establishment of the Department of Aboriginal Affairs in 1973, through the dismantling of the Aboriginal and Torres Strait Islander Commission (ATSIC) and Aboriginal and Torres Strait Islander Services (ATSIS) in 2005, to the present-day arrangements, federal oversight of Indigenous affairs has been characterised by instability.²³ These disruptive arrangements have served only to exacerbate identified weaknesses in the management of Indigenous affairs, such as 'government silos, program duplication, red tape, lack of government staff competencies, piecemeal and short-term funding, and lack of flexibility.'²⁴

Recent changes have sought to address some of these deficiencies.

- In 2013, the Abbott government centralised all First Australian policy and program responsibilities, except health, within the Department of the Prime Minister and Cabinet.
- In 2014, more than 150 individual programs and activities were channelled into five funding streams under the Indigenous Advancement Strategy (IAS).
- State and territory-based management arrangements were replaced by a regional network.

There is admirable intent behind many of these changes.

- Consolidation of responsibility for Indigenous affairs is intended to ensure whole-of-government authority is applied to ending First Australian disadvantage.
- The streamlined IAS structure is intended to simplify the number of programs, which 'confused even consummate Canberra insiders', such as Michael Dillon and Neil Westbury.²⁵
- The regional network is intended to facilitate a model of administration that might allow for tailored local solutions.

However, the new arrangements pose a range of challenges for implementation.

- The Department of the Prime Minister and Cabinet has not traditionally played a service delivery role but is now responsible for managing \$8.6b worth of Indigenous-specific funding, including \$4.9b under the IAS and \$3.7b allocated through National Partnership Agreements, Special Accounts and Special Appropriations.
- The recommissioning of Indigenous programs under the IAS was plagued by a lack of transparency, leaving many service providers in limbo while the Department sorted through thousands of applications, before ultimately re-funding the vast majority of existing programs, services and initiatives.
- As Michael Dillon²⁶ explains, Indigenous Affairs, more than any other portfolio, requires a deft combination of top-down and

bottom-up policy engagement', yet the current arrangements, 'reinforced by both bureaucratic culture and managerial necessity', are better suited to a top-down, centralist approach to policy development and implementation.²⁷

The skills required to engage with communities – to negotiate and implement tailored local solutions in partnership with communities – are, in Fred Chaney's view, largely absent from the Australian Public Service and there is no training program in place to learn those skills.²⁸ The apparent complexity of that coordinating and facilitating role for bureaucrats is compounded when one considers that responsibility for mainstream service delivery primarily rests with the states and territories. The Department of the Prime Minister and Cabinet controls only 7% of the public spend on First Australian peoples.

Two assessments conducted by the Australian government's Management Advisory Committee have considered the internal structures and processes required to deliver effective, whole-of-government policy development, program management and service delivery.²⁹ Chaney summarises the learnings from those assessments in five basic imperatives, adding that in his view, these have never before been met.³⁰

- Substantial cross-agency and stakeholder agreement about the broad purposes to be pursued.
- Use of an outcomes-orientated budget framework to pool resources and create accountability frameworks.
- Empowerment of lead-agency staff with sufficient authority to manage whole-of-government settings.
- Empowerment of those same managers to lead the engagement of local stakeholders and other relevant individuals and interests.
- Arming those same managers with appropriate networking, collaboration and entrepreneurial skills.

Failure to meet these imperatives hampers government's capacity to innovate, achieve shared goals and meet the specific and diverse needs of First Australian communities.

Commenting on the absence of a formal response to the *Empowered Communities: Empowered Peoples* report in early 2016, almost a year after its delivery, Noel Pearson surmised that government was not taking the idea of social innovation seriously and the bureaucracy was 'not up to the task' of improving outcomes for First Australians.³¹

Again, we recognise the intersecting nature of participation, access and effective services and will discuss them later with reference to each other.



4. STRONG FOUNDATIONS

PARTICIPATION: FIRST AUSTRALIANS HELP SHAPE, AND HAVE EQUAL OPPORTUNITIES AND SUPPORT TO ACHIEVE SUSTAINABLE SOCIAL, CULTURAL AND ECONOMIC PARTICIPATION

First Australian empowerment must be driven by an agenda of social, cultural and economic development. At the heart of this agenda is participation in education and employment. Home ownership, too, is an important indicator of wealth and saving.³²

Education

When considering the association between key indicators of disadvantage, the importance of educational attainment is immediately apparent. Of those First Australians who are not participating in the labour force:

- 41% did not progress beyond year 9 at school.
- 74% have not progressed to a non-school qualification.³³

First Australians who achieve educational outcomes comparable to non-Indigenous Australians also achieve employment outcomes near the same rates.

When one considers the 'striking' age profile of Indigenous Australia, with one-third of First Australians under the age of 15, one quickly understands the urgency to improve First Australian educational outcomes.³⁴ This explains the prominence of education-specific targets and indicators in the *Closing the Gap* agenda.³⁵ Four of the seven targets relate to education, spanning early childhood through to year 12. While there has been significant progress in lifting year 12 attainment rates in the past seven years, national data shows persistent challenges in improving student attendance, engagement and teacher quality. (SVA has also produced *SVA Perspectives: Education paper*).

Australian Indigenous Mentoring Experience (AIME)

Australian Indigenous Mentoring Experience (AIME) matches Indigenous high school students with university students who act as mentors, to support the students to finish high school and successfully transition to further education, training or work.

With SVA's operational, fundraising and relationship management support, AIME has mentored more than 3000 students in 300 schools around Australia since 2005, supporting 1250 mentors from 16 universities to volunteer their time. In 2013, 93.7% of AIME students finished high school, compared with a national Indigenous average of 71.2%.

AIME has an ambitious but achievable target of working with 10,000 young First Australians by 2018, helping them to finish school at the same rate as other Australian children.

CLOSING THE GAP TARGET – EDUCATION³⁶

A 95% enrolment in early childhood education for all First Australian four-year-olds by 2025	NEW TARGET (2013 target was not met)
Halve the gap in First Australian students' reading, writing and numeracy achievements by 2018	NOT ON TRACK
Close the gap between First Australian and non-Indigenous school attendance by 2018	NOT ON TRACK
Halve the gap for First Australians aged 20-24 in year 12 (or equivalent) attainment rates by 2020.	ON TRACK (but gap remains large)



Employment

High-quality education is critical to build the supply of work-ready First Australians, but employment opportunities must also be created. Achievement of employment parity by 2018 would necessitate the employment of a further 188,000 First Australians.³⁷

While government has a role to play in providing effective services to support access to the mainstream economy (addressed further below), by definition, First Australian self-determination must be driven by First Australians. First Australian-owned and managed businesses create employment for First Australians, generate wealth for First Australian communities, offer First Australian role models and create a conducive environment for training and entrepreneurial development.³⁸ Importantly, First Australian enterprises are far more likely to achieve alignment with community interests and First Australian culture, which explains (at least in part) why First Australian businesses are 100 times more likely than other businesses to employ First Australians.³⁹

First Australians have substantial – as yet unrealised and unmeasured – economic, social and cultural value to offer our society and collective sense of identity. While there are significant barriers to closing the participation gap, the challenge of achieving parity should be viewed as an opportunity for all Australians.

CLOSING THE GAP TARGET – EMPLOYMENT⁴⁰

Halve the gap in employment outcomes between non-Indigenous and First Australians by 2018	NOT ON TRACK
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Kimberley Land Council

SVA supported the Kimberley Land Council (KLC) to develop a business plan for its Cultural Enterprise Hub concept, which will support Prescribed Bodies Corporate (PBCs) to leverage their existing government-funded land and sea management contracts to capitalise on commercial opportunities.

We worked with KLC staff, rangers, PBCs and other stakeholders to understand the size of the market opportunity for land management services, carbon and biodiversity offsets, cultural tourism and a Kimberley-wide visitor permit system. The Hub will broker commercial opportunities, provide PBCs and ranger groups with the technical expertise required to exploit those opportunities and build their capability to manage cultural enterprise over time.





Housing

While home ownership may not be the ambition of all First Australians, it is an important indicator of wealth and savings. Owning a home provides an asset base against which people can borrow, contributes to financial stability and provides opportunity for wealth creation.⁴¹

First Australians face higher barriers than non-Indigenous Australians for entry to the housing market⁴² and the prospect of ownership is complicated in some communities by land tenure arrangements that often prevent the sale or mortgaging of property. Beyond the issue of ownership, there are several more First Australian housing imperatives:

- To provide effective transitional pathways and appropriate incentives for the 25% of First Australians living in public or community housing to move along the continuum towards sustainable tenancies.
- To improve the standard of living for those in public or community housing, which requires:
 - A significant investment in existing stock to improve the conditions of many of the 22% of First Australian households whose homes have defects or structural issues
 - A significant investment in new stock to reduce overcrowding, which affects 23% of First Australians (53% in remote areas).

The 2011 census found that 105,000 Australians are homeless on any given night – 25% (or 26,744) of whom are First Australians.⁴³

First Australians experience homelessness differently to other groups, partly because of their history of dispossession but also because they are far more likely to be living in severely overcrowded dwellings.⁴⁴ First Australians’ experience of homelessness has the added complexity of the loss of connection to place and country, which is not well accounted for in official estimates of homelessness.

In few areas is the history of First Australian dispossession more tangible than in housing outcomes.

‘To make a genuine difference in the lives of our young people [we must] move beyond the cycle of bureaucracy and crisis intervention to building a real vision of a positive future for our community.’

Paul Briggs, chair, Kaiela Institute, Empowered Communities report, 2015

EFFECTIVE SERVICES: FIRST AUSTRALIANS HAVE ACCESS TO EFFECTIVE AND CULTURALLY APPROPRIATE SERVICES, CO-DESIGNED WITH COMMUNITY AND COMMISSIONED TO ACHIEVE AGREED OUTCOMES

While First Australians account for 3.1% of the population, in the 2012-13 financial year, 6.1% of government expenditure was directed towards First Australians, amounting to \$30.3b (\$5.6b was spent on First Australian-specific initiatives and services).⁴⁵ In spite of this investment, the Prime Minister’s *Closing the Gap* report in 2016 suggests we have achieved negligible improvement in outcomes for First Australians.

Earlier in this paper we identified principles that should inform the institutional arrangements of government and First Australian communities and engagement between the two. Failure to structure institutional arrangements in accordance with these principles will affect government’s capacity for effective policy design, program management and service delivery.

The present top-down governance model is characterised by paternalism and is best equipped for crisis management. This has long been the orientation of Indigenous affairs. At a service delivery level, this is most evident in:

- Justice services where 59% of 10-17-year-olds in detention are First Australians.
- Family and community services where First Australian children are nine times more likely than non-Indigenous children to be removed from their family.
- The Northern Territory intervention, in which the Australian Defence Force was deployed in remote First Australian communities.

While changes are needed in universal services (health, education, employment) and targeted services (Aboriginal-specific community services), the failures in justice policy are particularly stark. Mick Gooda has noted that we have a better record of keeping First Australians in prison than in school.⁴⁶ The First Australian re-imprisonment rate (58% within 10 years) is higher than the school retention rate from year 7 to year 12 (46.5%).

In his 2015 *Social Justice and Native Title Report*, Gooda highlights the ‘paperless arrest’ powers granted to police in the Northern Territory through revisions to the *Police Administration Act* (NT). These powers have broadened police capacity to take individuals into custody without a warrant and have disproportionately affected First Australians. At 30 June 2014, 85% of prisoners in custody in adult correctional centres in the Northern Territory were First Australians. Gooda’s report recommends that incarceration be used only as a sanction of last resort.⁴⁷

A United Nations report, *State of the World’s Indigenous Peoples*, indicated Australia and Nepal had the world’s worst life expectancy gaps between Indigenous and non-Indigenous people.

Highlighting the disparity in life expectancy and child mortality rates, the Oxfam-led Close the Gap coalition began campaigning in 2006 to achieve health equality for First Australians by 2030.

The campaign was so successful that it led to the formation of the National Indigenous Reform Agreement (NIRA) by the Council of Australian Governments (COAG), and a commitment to achieve the stated goals of Closing the Gap.

While the Closing the Gap agenda is now broader than health, life expectancy and child mortality remain two of its seven targets. Co-chairs of the campaign, Kirstie Parker and Mick Gooda, have labelled the disparity in health standards ‘a scar of our unhealed past and a stain on the nation’s reputation.’⁴⁸

Though the gap in life expectancy is closing slowly, more encouraging progress has been made on reducing the child mortality gap, mainly through a dramatic reduction in infant deaths.⁴⁹

CLOSING THE GAP TARGET – HEALTH ⁵⁰	
Close the gap in life expectancy between non-Indigenous and First Australians within a generation (by 2031)	NOT ON TRACK
Halve the gap in mortality rates for First Australian children under five by 2018	ON TRACK

In order to shift towards a preventative service mind-set, the institutional framework must be reformed to foster a partnership between government and First Australian communities and institutions. This approach might help to build the strength and resilience of First Australians.

A genuine partnership between government and First Australian communities will require more First Australian input into – and control over – the design and delivery of essential services.

A barrier to informed decision making is the lack of freely available information about existing programs and services, including their objectives and rationale, at the local, state, territory and federal levels. While the federal government's Indigenous Advancement Strategy has sought to provide a coherent framework in which to reconcile existing initiatives, its implementation has proved problematic and there is no greater transparency about funding decisions. A public register of programs, services and initiatives would help communities and other decision makers to better understand gaps and duplication and to support evaluation.⁵¹

The extent of service duplication and inefficiency in some communities was best demonstrated by a 2014 *Location*

Based Expenditure Review conducted by the WA Department of Premier and Cabinet. It found that in Roebourne, for example, 206 services were being delivered by 63 service providers to an Aboriginal population of 789 people at a cost of \$53m. A scatter-gun approach was being used with little clarity on client outcomes achieved.⁵²

Policies, programs and services are developed and implemented not for their own sake, but to improve outcomes. Evaluation is key to understanding whether outcomes are being achieved and to improving strategies over time.⁵³

The measurement and evaluation of social policy and programs in Australia is generally poor. This is exacerbated in the case of First Australian services and initiatives by cross-cultural and remoteness challenges and the often limited capacity of service providers. Much of the available data is collected at a high level of aggregation, which makes it difficult to assess efficacy at a program or community level.⁵⁴ For example, the information collated nationally to measure success against the Closing the Gap targets does not reveal indicators of success for a particular program in a specific community. The Closing the Gap information is useful to inform the specific areas of need that the government should invest in, but is limited in its capacity to enable improvements in specific programs.

To ensure that programs, services and initiatives are effective:

- They should be commissioned to achieve agreed outcomes.
- Evaluation must be embedded in program design, with appropriate funding.
- Service providers should be held to account for failing to achieve agreed outcomes.

Finally, First Australian communities should have authority over the management of data to provide for effective self-governance. This concept of data sovereignty, which flows from the principles of the UNDRIP,⁵⁵ could be supported by a model akin to the Data Lab concept, which is being trialled in Britain with significant early success.⁵⁶

In the New South Wales town of Bourke, First Australian leaders and young people have articulated a vision for a more coordinated and community-led approach to the problems facing their community, naming their strategy Maranguka, a Ngemba nation word that translates as 'to give to the people', 'caring' and 'offering help'.⁵⁷

Maranguka partnered with Just Reinvest NSW in 2013 to trial justice reinvestment, made possible with philanthropic funds, to establish the case for such a scheme to be implemented in Bourke. The first priority of Maranguka is to reduce Aboriginal

young people's contact with the criminal justice system. Community members, young people and program partners are targeting issues that contribute to young people's initial involvement with the justice system, developing:⁵⁸

- A driver licensing program.
- A program to support people not to breach bail conditions.
- A warrant clinic to create support plans for young people who have committed less serious offences, which will help them stay out of custody.

In 2016, Just Reinvest NSW will present findings to the NSW government about the trial of the Maranguka initiative and the potential for government savings.⁵⁹

While justice has been the issue around which the Bourke community has rallied, the priorities of the Maranguka project have now expanded to include a holistic set of targeted outcomes. The Bourke initiative represents one of the most promising examples of community-led governance, having garnered support from a range of interested stakeholders, including state and federal governments, and service providers. Bourke offers a promising model of localised reform that might offer a path forward for other communities across the country.



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Cover page: Parnngurr ranger team monitoring Parnngurr rockhole, Kanyirninpa Jukurrpa. Photographer, Dan Proud Photography.

Page 2: Kanyirninpa Jukurrpa.

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