

## **Growing Aboriginal and Torres Strait Islander employment**

### **Overview**

- 3.1 One of the central themes of this inquiry was the ongoing barriers to sustainable employment pathways for Aboriginal and Torres Strait Islander Peoples. These barriers are particularly acute in remote areas and include access to relevant training, a lack of supportive workplaces, and few long-term job opportunities.
- 3.2 Other barriers that became apparent from the evidence included poor access to transport in remote areas and/or workers not having a driver's licence, availability of mentoring for young Aboriginal and Torres Strait Islander job seekers, and a criminal history.

### **Trends in Aboriginal and Torres Strait Islander employment**

- 3.3 What follows is an attempt at a very high level to provide some data around Aboriginal and Torres Strait Islander employment and education in Australia. This data, by its very nature, does not account in any deep way for regional differences or the particular condition of small area labour markets in remote communities.
- 3.4 The latest employment data reveals significant employment gaps between Aboriginal and Torres Strait Islander Peoples and the rest of the Australian population. In 2018, the Aboriginal and Torres Strait Islander employment rate was 49.1 per cent compared to around 75 per cent for

non-Indigenous Australians.<sup>1</sup> From 2008 to 2018, the employment rate for Aboriginal and Torres Strait Islander Peoples increased slightly (by 0.9 percentage points from 48.2 per cent), while for non-Indigenous Australians it fell by 0.4 per cent. As can be seen, the employment gap has not changed markedly.<sup>2</sup>

- 3.5 The Closing the Gap target to halve the disparity in employment outcomes within a decade was not met in any state or territory. Employment rates for Aboriginal and Torres Strait Islander Peoples appeared to increase marginally in the Northern Territory<sup>3</sup> and New South Wales. Other jurisdictions experienced a decline over the past decade.<sup>4</sup>
- 3.6 The Aboriginal and Torres Strait Islander employment rate varies by remoteness. Major cities had the highest employment rate at around 59 per cent compared to around 35 per cent in very remote areas. The gap in employment outcomes between Aboriginal and Torres Strait Islander Peoples and non-Indigenous Australians was widest in remote and very remote regions.<sup>5</sup>
- 3.7 The most common occupations for Aboriginal and Torres Strait Islander Peoples aged between 15 and 64 in 2016 were:
  - community and personal services workers (18%)
  - general labourers (16%)
  - technicians and trades workers (14%)
  - professionals (14%)<sup>6</sup>

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1 Commonwealth of Australia, *Closing the Gap Report 2020*, pp. 65, 66, <<https://ctgreport.niaa.gov.au/sites/default/files/pdf/closing-the-gap-report-2020.pdf>>, accessed 16 August 2021.

2 Commonwealth of Australia, *Closing the Gap Report 2020*, p. 65, <<https://ctgreport.niaa.gov.au/sites/default/files/pdf/closing-the-gap-report-2020.pdf>>, accessed 16 August 2021.

3 Results are not statistically significant.

4 Commonwealth of Australia, *Closing the Gap Report 2020*, p. 68, <<https://ctgreport.niaa.gov.au/sites/default/files/pdf/closing-the-gap-report-2020.pdf>>, accessed 16 August 2021.

5 Commonwealth of Australia, *Closing the Gap Report 2020*, p. 65, 71, <<https://ctgreport.niaa.gov.au/sites/default/files/pdf/closing-the-gap-report-2020.pdf>>, accessed 16 August 2021.

6 Australian Institute of Health and Welfare (AIHW), *Indigenous employment snapshot*, <<https://www.aihw.gov.au/reports/australias-welfare/indigenous-employment>>, accessed 16 August 2021.

- 3.8 On education levels, the employment gap between Aboriginal and Torres Strait Islander Peoples and non-Indigenous Australians decreases as education levels increase.
- 3.9 In 2016, 42.9 per cent of Aboriginal and Torres Strait Islander Peoples with a highest educational level of Year 10 to Year 12 were employed, compared to 63 per cent of non-Indigenous Australians. The gap narrows with attainment of an Advanced Diploma or Diploma, with 72.4 per cent of Aboriginal and Torres Strait Islander Peoples employed, compared to 79.5 per cent of non-Indigenous Australians. There was virtually no gap between Indigenous and non-Indigenous Australians who had a Bachelor degree or higher, with approximately 83 per cent employed for both.<sup>7</sup>
- 3.10 Several current Federal Government employment programs, implemented across different departments, are designed to engage Aboriginal and Torres Strait Islander job seekers and focus on placing them into work. These are discussed further in this chapter and include Jobactive, Vocational Training and Employment Centres (VTECs) and the Community Development Program (CDP).

## Jobactive

### Background and operation

- 3.11 The Department of Education, Skills and Employment (DESE) administers the Australian Government's mainstream employment service, Jobactive. This service was introduced in July 2015 and is delivered at over 1,700 sites across Australia.<sup>8</sup> As at 30 June 2021, there were around 102,000 Aboriginal and Torres Strait Islander Jobactive participants, which made up 10 per cent of job seekers in the program.<sup>9</sup>
- 3.12 The level of assistance a job seeker receives from their Jobactive provider is determined using the Job Seeker Classification Instrument (JSCI) questionnaire, which is used to stream these candidates as follows:

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7 AIHW, *Indigenous employment snapshot*, <<https://www.aihw.gov.au/reports/australias-welfare/indigenous-employment>>, accessed 18 August 2021.

8 National Indigenous Australians Agency (NIAA), the Department of Employment, Skills, Small and Family Business (DESSFB), the Department of Social Services (DSS) and the Australian Public Service Commission (APSC), *Submission 8*, p. 8.

9 NIAA, DESSFB, DSS and APSC, *Supplementary Submission 8.8 (data update to original submission)*, p. 1.

- Stream A: the participants are the most job ready and will receive services to help them understand what employers want and how to navigate the local labour market, build resumes and look for jobs.
- Stream B: the participants require more assistance from their Jobactive provider and may have barriers such as housing instability or poor language, literacy and numeracy skills.
- Stream C: the participants may have a combination of serious issues that need to be addressed before they can take up and retain a job.<sup>10</sup>

3.13 Jobactive providers are paid a combination of administration fees and outcome payments. There are also strong financial incentives under the program for providers to place candidates into suitable, sustainable jobs. The elements of this payment structure are as follows:

- administration fees are paid on a per job seeker basis every six months (\$377 for Youth Stream A participants and \$270 for all other participants);
- higher payments are received by providers when participants stay in work for longer (as indicated by increasing outcome payments for 4, 12 and 26 week outcomes). For example, the provider who supported a Stream C participant who has been unemployed for less than 24 months into work will receive a 4 Week Full payment of \$1,078, increasing to \$2,156 for the 12 Week Full payment and then \$2,695 for the 26 Week Full payment;
- the fee structure is designed to incentivise providers to assist the most disadvantaged job seekers into work (as indicated by higher outcome payments for placement of job seekers who have been unemployed for longer); and
- higher outcome payments are paid for Streams B and C as these candidates require more support than those in Stream A.<sup>11</sup>

3.14 DESE informed the committee that as at 31 May 2021, the numbers of Aboriginal and Torres Strait Islander job seekers in each of the streams were 18,170 in A, 53,010 in B and 18,178 in C.<sup>12</sup>

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10 NIAA, DESSFB, DSS and APSC, *Submission 8*, pp. 8-9.

11 NIAA, DESSFB, DSS and APSC, *Supplementary Submission 8.3 (responses to questions taken on notice)*, pp. 1-2.

12 NIAA, DESSFB, DSS and APSC, *Supplementary Submission 8.5 (responses to questions taken on notice)*, p. 6.

## Issues

### Incentives for Jobactive providers

- 3.15 NSWALC drew attention to the challenges facing long-term unemployed Aboriginal and Torres Strait Islander Peoples and stated that often case managers working for the Jobactive providers identify the people they are most likely able to place and get a quick result with a placement payment. Meanwhile, NSWALC noted that providers that keep the long-term unemployed or those with complex needs on the books still receive a payment for those job seekers, so it is the wrong incentive.<sup>13</sup>
- 3.16 DESE, however, emphasised that it is more financially attractive for Jobactive providers to get outcomes than simply to have a job seeker on their caseload. Generally, people who require a lot more intensive activity will be in Stream C, which gets the highest pay points and offers a much stronger incentive for providers to work with the disadvantaged job seekers.<sup>14</sup>

### The new employment services model

- 3.17 The New Employment Services Model will replace the Jobactive program from July 2022 and trials of this model commenced in July 2019.
- 3.18 The committee received evidence that under the current employment services arrangements there are only two Indigenous-owned employment services providers. Wugu Nyambil provides services to the community in Yarrabah and Nirrumbuk in Broome.
- 3.19 Wugu Nyambil Ltd have a case load of 787 Aboriginal and Torres Strait Islander job seekers, which is 99.1 per cent of their total case load.<sup>15</sup> The ratio of people with very high needs is also proportionally higher than other Jobactive providers, with approximately 60 per cent compared to 10 to 15 per cent.<sup>16</sup>
- 3.20 Another unique challenge identified by Wugu Nyambil Ltd was that in a community of 4,000 to 4,500 people, local staff members face a conflict of

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13 Mr James Christian, Chief Executive Officer, NSW Aboriginal Land Council (NSWALC), *Committee Hansard*, 29 April 2021, Liverpool, p. 22.

14 Ms Benedikte Jensen, First Assistant Secretary, Labour Market Strategy Division, DESE, *Committee Hansard*, 13 May 2021, Canberra, p. 2.

15 Ms Jensen, First Assistant Secretary, DESE, *Committee Hansard*, 27 May 2021, Canberra, p. 4.

16 Ms Lake, Wugu Nyambil Ltd, *Committee Hansard*, 7 July 2021, Conference Call, p. 8.

interest when applying compliance measures against family members. Ms Dawn Lake, Service Delivery Manager, told the committee:

...you deal with those issues daily, and hour by hour. It sounds very simplistic, in that we have conflict-of-interest measures in place: if it comes to a monetary delegation, that staff member from that family group cannot have any financial delegation. But it's just not that easy. When it comes to recruiting, you're recruiting from a very small pool of people. Initially we were probably quite lucky, in that we had a staff member from almost every family group. However, as staff have come and gone, that's not the case anymore.<sup>17</sup>

- 3.21 The committee was informed by DESE that as at 30 April 2021, the caseload for the Indigenous-owned Jobactive provider in Broome, Nirrumbuk Employment Services, was 820 Aboriginal and Torres Strait Islander job seekers – 77.7 per cent of the total case load – and 235 non-Indigenous job seekers.<sup>18</sup>
- 3.22 The New Employment Services tender may provide an opportunity for Indigenous-owned providers to become mainstream service providers.
- 3.23 DESE informed the committee at the public hearing on 27 May 2021 that they have also considered the inclusion of generalist providers and specialist providers as support services for Aboriginal and Torres Strait Islander job seekers in this new model. However, DESE noted that specialist providers would not necessarily be in every employment region and would need to be supported by the relevant cohort caseload numbers.<sup>19</sup>
- 3.24 NSWALC highlighted the unique opportunity that the New Employment Services tender provides to be innovative and engage Indigenous-controlled organisations to deliver services to the general population, not only to Aboriginal and Torres Strait Islander Peoples, which would provide scale and a sustainable model for these agencies.<sup>20</sup>
- 3.25 NSWALC Employment and Training Ltd (NET) echoed the view that for contracts under the New Employment Services model and Jobactive, providers need to be generalist to achieve the required business scale. NET explained that there is a perception of Aboriginal and Torres Strait Islander providers as a boutique service and rather than limiting these

17 Ms Lake, Wugu Nyambil Ltd, *Committee Hansard*, 7 July 2021, Conference Call, p. 8.

18 Ms Jensen, First Assistant Secretary, DESE, *Committee Hansard*, 27 May 2021, Canberra, p. 4.

19 Ms Melissa Ryan, First Assistant Secretary, New Employment Services Model Division, DESE, *Committee Hansard*, 27 May 2021, Canberra, pp. 12-13.

20 Mr Christian, CEO, NSWALC, *Committee Hansard*, 29 April 2021, Liverpool, p. 18.

organisations as specialist providers, the profile of Indigenous-led and Indigenous-controlled organisations needs to increase.<sup>21</sup>

- 3.26 Wugu Nyambil Ltd remarked at a public hearing on 7 July 2021 that an open tender process with all of the quality assurance requirements is very onerous for an organisation of its size, and that the cost of quality assurance is a major barrier for Aboriginal and Torres Strait Islander organisations.<sup>22</sup>

## Committee comment

- 3.27 The committee has concerns about the performance of Jobactive in finding employment for job seekers. The committee understands that most employers find job seekers outside the Jobactive program. Any changes to the program under the New Employment Services Model should ensure it is meeting the needs of both job seekers and employers.
- 3.28 The committee welcomes the introduction of the New Employment Services Model as this is an opportunity for the Federal Government to assess its delivery of services to Aboriginal and Torres Strait Islander job seekers.
- 3.29 At the moment, the only Aboriginal and Torres Strait Islander businesses providing Jobactive services are boutique providers in specific locations. In the context of the tendering process under this new scheme, the committee takes the view that strong consideration should be given to Aboriginal and Torres Strait Islander businesses that can assist Aboriginal and Torres Strait Islander job seekers but are also mainstream providers of employment services.

## Recommendation 9

- 3.30 **The committee recommends that the tendering process under the New Employment Services Model give special consideration to Aboriginal and Torres Strait Islander businesses that are also mainstream providers of employment services.**

21 Mr Matthew Clarke, Chief Executive Officer, NSWALC Employment and Training Ltd (NET), *Committee Hansard*, 29 April 2021, Liverpool, pp. 20-21.

22 Ms Lake, Wugu Nyambil Ltd, *Committee Hansard*, 7 July 2021, Conference Call, p. 14.

## Vocational Training and Employment Centres

### Background and operation

- 3.31 The NIAA administers Vocational Training and Employment Centres (VTECs). VTEC providers work closely with services, individuals and communities to identify, train and support Aboriginal and Torres Strait Islander Peoples into jobs and achieve long-term employment. VTECs match job seekers with a guaranteed job and provide mentoring and training, particularly focused on Stream B and C participants in Jobactive.<sup>23</sup>
- 3.32 The VTEC payment structure is heavily focused on the most disadvantaged Aboriginal and Torres Strait Islander job seekers, with payments primarily based on JSCI Streams under Jobactive, or whether the job seeker is on a Community Development Program (CDP) or Disability Employment Services (DES) caseload. VTECs receive milestone payments at 4, 13 and/or 26 weeks.<sup>24</sup>
- 3.33 NSWALC explained at its appearance on 29 April 2021 that the VTEC model provides a strong foundation for increasing Aboriginal employment outcomes by identifying real, guaranteed jobs for Aboriginal job seekers.<sup>25</sup>
- 3.34 In addition, NET is only able to secure 1.8 jobseeker referrals per job vacancy from Jobactive and DESE employment service providers. Yet NSWALC flagged at the public hearing that data shows VTEC completion rates for Aboriginal job seekers are almost double compared to those of Jobactive and emphasised that the successful VTEC program must be better utilised.<sup>26</sup>
- 3.35 An important distinction from other employment services is that VTEC is an opt-in model. Employment rates for VTEC are higher than Jobactive, with 60 per cent of VTEC participants achieving 26-week outcomes compared to 32.5 per cent of Aboriginal and Torres Strait Islander job seekers with Jobactive.<sup>27</sup>

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23 NIAA, *Supplementary Submission 8.7 (responses to questions taken on notice)* - Attachment A, p. 1.

24 NIAA, *Supplementary Submission 8.7 (responses to questions taken on notice)*, p. 4.

25 Mr Christian, CEO, NSWALC, *Committee Hansard*, 29 April 2021, Liverpool, p. 17.

26 Mr Christian, CEO, NSWALC, *Committee Hansard*, 29 April 2021, Liverpool, p. 17.

27 Ms Jensen, First Assistant Secretary, DESE, *Committee Hansard*, 27 May 2021, Canberra, p. 14.



- 3.36 DESE commented that the better outcomes for VTEC participants may be due to a selection bias from the opt-in model, as job seekers who voluntarily join this training program may have different characteristics or attributes to other participants in Jobactive who must comply with the requirements of that scheme. Nonetheless, DESE acknowledged that VTEC has been effective and has resulted in the flexibility to design pathways to ensure people can engage with a VTEC provider.<sup>28</sup>
- 3.37 Since this program commencement on 2 January 2014, VTEC providers have placed 13,955 job seekers into employment, of which 8,540 job participants achieved six months employment.<sup>29</sup>

## Analysis

- 3.38 The funding model for VTEC, which is based on outcome-only payments, was identified in the evidence to this inquiry as one of the key problems for providers under this program. Collaboration between VTEC and Jobactive providers was also identified as requiring improvement.
- 3.39 NET remarked to the committee that it is unacceptable that VTECs do not have a caseload and are reliant on non-Indigenous organisations to refer their own community members to them. Further to this, NET drew attention to the negative impact of the VTEC funding model during the COVID-19 pandemic as they are not paid service fees and therefore had to be carried by their parent company.<sup>30</sup>
- 3.40 NSWALC noted that the funding for VTEC and Employment Parity Initiative (EPI) employers discourages collaboration:
- While Jobactive providers receive milestone payments for Aboriginal job seekers who secure work with the assistance of VTEC and EPI employers, VTEC is ineligible to receive milestone payments for Aboriginal job seekers who secure work through an EPI employer, unless the latter is willing to share those milestone payments it receives from the Australian Government's National Indigenous Australians Agency with VTEC. This is clearly unfair. It's an unfair setting for VTEC providers, such as NET.<sup>31</sup>
- 3.41 DESE stated at the public hearing on 27 May 2021 however that VTEC and Jobactive work together in an important and complementary manner.

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28 Ms Jensen, First Assistant Secretary, DESE, *Committee Hansard*, 27 May 2021, Canberra, p. 14.

29 NIAA, *Supplementary Submission 8.8 (data update to original submission)*, p. 5.

30 Mr Clarke, CEO, NET, *Committee Hansard*, 29 April 2021, Liverpool, p. 19.

31 Mr Christian, CEO, NSWALC, *Committee Hansard*, 29 April 2021, Liverpool, p. 17.

DESE emphasised that if a Jobactive referral to a VTEC provider gets the candidate into work, the Jobactive provider receives an outcome payment to reflect the preparatory work undertaken with the job seeker and this encourages that provider to ensure the referral pathways operate effectively.<sup>32</sup>

- 3.42 Mr Glen Westwood from Salvation Army Employment Plus agreed that they are heavily aligned with their VTEC providers and automatically register their most employable Aboriginal and Torres Strait Islander job seekers with VTECs. Mr Westwood also spoke about the benefit of VTECs in creating a supportive work environment:

As Aboriginal engagement officers, we can meet that person at a VTEC location in a culturally safe environment and work together to try and find them sustainable employment but also mentor them as well. I really feel we should be working together.<sup>33</sup>

- 3.43 WISE Employment told the committee that the mentoring and hands-on support that VTECs provide to Aboriginal and Torres Strait Islander job seekers is invaluable. WISE noted that the set-up of the Jobactive contract does not allow them time to support job seekers once placed, so they link up with VTEC providers as much as possible because that support system works.<sup>34</sup>

## **Committee comment**

- 3.44 The committee notes the positive outcomes of the VTEC program in terms of job placements and particularly the mentoring role that it can provide to Aboriginal and Torres Strait Islander job seekers.
- 3.45 It is clear that VTECs have an important complementary role to play in assisting job seekers and this must be encouraged and fostered. The committee agrees with various contributors to the inquiry that payments between Jobactive and VTEC providers need to be better aligned so that there are more incentives to place people in jobs and then have them successfully transition into permanent employment.
- 3.46 It is also the committee's view that the Government needs to look at ways of encouraging greater collaboration and integration between VTEC and

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32 Ms Jensen, First Assistant Secretary, DESE, *Committee Hansard*, 27 May 2021, Canberra, p. 2.

33 Mr Glenn Westwood, Aboriginal and Torres Strait Islander Engagement, Salvation Army Employment Plus, *Committee Hansard*, 7 July 2021, Conference Call, p. 21.

34 Ms Lisa Vacamena, Business Manager, WISE Employment, *Committee Hansard*, 7 July 2021, Conference Call, p. 34.

Jobactive providers as this will further enhance the benefits and outcomes for Aboriginal and Torres Strait Islander job seekers.

### **Recommendation 10**

- 3.47 **The committee recommends that payments between Jobactive and Vocational Training and Employment Centre (VTEC) providers be better aligned so that there are more incentives to place Aboriginal and Torres Strait Islander candidates into jobs, support them to maintain the position and successfully transition into permanent employment.**

### **Recommendation 11**

- 3.48 **The committee recommends greater collaboration and integration between VTEC and Jobactive providers to further enhance employment outcomes for Aboriginal and Torres Strait Islander job seekers.**

## **Community Development Program**

### **Background and operation**

- 3.49 The Community Development Program (CDP) is the Australian Government's remote employment program and is administered by the NIAA. The CDP aims to prepare both Aboriginal and Torres Strait Islander and non-Indigenous job seekers in remote areas to transition from income support into long-term employment.<sup>35</sup>
- 3.50 The CDP also aims to be community-oriented and to prepare remote job seekers for future work while contributing to the goals of the community, while recognising that labour markets in remote areas are distinct from those in regional areas and major cities.<sup>36</sup>
- 3.51 CDP participants undertake 'work-like activities' or approved training in order to receive social security benefits. All recipients of income support

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35 NIAA, DESSFB, DSS and APSC, *Submission 8*, p. 11.

36 NIAA, *CDP Overview*, pp. 4-7, <<https://www.niaa.gov.au/sites/default/files/publications/cdp-overview.pdf>>, accessed 4 August 2021.

payments in remote areas that are looking for work are eligible for this program.<sup>37</sup> Under the program, it is intended that job seekers will contribute to their communities through a range of flexible activities, such as formal training with the opportunity to gain qualifications, or foundational skills including language, literacy and numeracy.<sup>38</sup>

- 3.52 It is also intended that CDP participants will receive person-centred and tailored case management to identify their goals, training needs and barriers to employment. Post-placement support is also provided for up to 26 weeks.<sup>39</sup>
- 3.53 There are mutual obligation requirements for CDP participants aged 18 to 49 years to undertake 20 hours of work-like activities under the program. These activities can be vocationally-based, such as learning construction skills, working in a local market garden or participation in social enterprises such as op shops. Non-vocational activities can also be undertaken such as mental health support and drug and alcohol rehabilitation. These activities aim to provide skill development that can lead to paid employment.<sup>40</sup>
- 3.54 CDP providers enter into partnership arrangements with local authorities, organisations and employers with the aim of maximising opportunities for job seekers and to benefit communities. CDP providers are expected to work with local employers to develop an understanding of their workforce needs and develop appropriate activities that will prepare the participants for employment opportunities. Employers under the CDP are also encouraged to offer jobs to the participants at the end of their placement.<sup>41</sup>

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37 NIAA, *CDP Overview*, pp. 4-7, <<https://www.niaa.gov.au/sites/default/files/publications/cdp-overview.pdf>>, accessed 4 August 2021.

38 NIAA, *The Community Development Program (CDP)*, <<https://www.niaa.gov.au/indigenous-affairs/employment/cdp>> accessed 4 August 2021.

39 NIAA, DESSFB, DSS and APSC, *Submission 8*, p. 11.

40 NIAA, *CDP Overview*, pp. 3-4, <<https://www.niaa.gov.au/sites/default/files/publications/cdp-overview.pdf>>, accessed 4 August 2021.

41 NIAA, *CDP Overview*, pp. 5-7, <<https://www.niaa.gov.au/sites/default/files/publications/cdp-overview.pdf>>, accessed 4 August 2021.

- 3.55 There is some flexibility for CDP providers to deliver activities designed to enrich and preserve culture in communities, such as maintaining traditions, language and cultural heritage.<sup>42</sup>
- 3.56 CDP providers receive case management payments (up to \$6,000) and also annual attendance payments (up to \$8,000) for their participants. Providers further receive outcome payments for eligible job seekers in the program depending on whether they achieve a full or partial 13 weeks (\$2,000-\$4,000) or 26 weeks (\$3,000-\$6,000) of employment. There are also incentive payments for providers, termed 'Employer Incentive Funding', of up to \$10,000 if an eligible job seeker in the program can retain or gain employment.<sup>43</sup>
- 3.57 The CDP is currently delivered in 60 regions and more than 1,000 communities covering about 75 per cent of Australia's land mass.<sup>44</sup>

### **Comparison of the CDP with its predecessor, the CDEP**

- 3.58 The predecessor to the CDP was the Community Development Employment Projects (CDEP) scheme which commenced in 1977 with the aim of creating employment opportunities in communities that did not have access to a mainstream labour market.
- 3.59 At its peak in 2002-2003, the CDEP delivered services to 35,000 participants through 260 providers across Australia. CDEP participants undertook part-time activities for approximately 15 hours per week and were paid a wage broadly equivalent to the NewStart allowance. Some participants also received 'top-up' payments from host organisations for the time committed above the 15 hours per week.<sup>45</sup>
- 3.60 One of the main criticisms of the CDEP was that the arrangement constituted an internal labour market, whereby it was unlikely that

42 NIAA, *CDP Overview*, p. 5, <<https://www.niaa.gov.au/sites/default/files/publications/cdp-overview.pdf>>, accessed 4 August 2021.

43 NIAA, *Head Agreement for the Community Development Program 2019-2022*, Annexure 2, p. 78, <<https://www.niaa.gov.au/sites/default/files/publications/cdp-head-agreement.pdf>>, accessed 4 August 2021.

44 NIAA, *Where the Community Development Program (CDP) operates*, <<https://www.niaa.gov.au/sites/default/files/publications/cdp-map-regions-combined.pdf>>, accessed 4 August 2021.

45 Australian National Audit Office (ANAO), *Evaluation of the Community Development Employment Projects (CDEP)*, p. 12, <[https://webarchive.nla.gov.au/awa/20110605201612/http://www.anao.gov.au/Publications/Indigenous-Program-Reports/2009-2010/Evaluation-of-the-Community-Development-Employment-Projects-\(CDEP\)-Program](https://webarchive.nla.gov.au/awa/20110605201612/http://www.anao.gov.au/Publications/Indigenous-Program-Reports/2009-2010/Evaluation-of-the-Community-Development-Employment-Projects-(CDEP)-Program)>, accessed 4 August 2021.

participants could be moved into unsubsidised employment and was therefore not an effective means of economic development.<sup>46</sup>

- 3.61 In 2012-13, CDEP participants were transferred to the Remote Jobs and Communities Program (RJCP), which was renamed the CDP in 2015.
- 3.62 There are differences of note between the prior CDEP and the current CDP. The CDEP employed Aboriginal and Torres Strait Islander Peoples at minimum award rates, as an alternative to the money they would have received from social security benefits. The CDEP was also voluntary.
- 3.63 By comparison, the CDP is a 'work-for-the-dole scheme' and is compulsory for all individuals on income support in designated remote areas. Participants are required to do 'work-like activities' or approved training but without displacing government or private sector employment.
- 3.64 In relation to the payments received by participants, the CDEP required 15 hours per week for the equivalent of the Newstart payment, with further work available with 'top-up' payments for additional hours worked. In contrast, the CDP involves participants undertaking activities for up to 25 hours per week, which is equivalent to a below-minimum wage. In addition, as it is an unemployment scheme, participants are not eligible to earn superannuation whilst undertaking CDP activities and may not be covered by workplace health and safety schemes.
- 3.65 Another key difference between the programs is that the CDEP was managed by local Aboriginal and Torres Strait Islander organisations on the ground, which enabled local level flexibility and discretion in the available activities. By contrast, approximately one-third of the current CDP providers are non-local, non-Indigenous and/or for-profit.<sup>47</sup> In addition, current CDP providers have little discretion in deciding whether to penalise CDP participants that do not meet mutual obligation requirements.

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46 Australian National Audit Office (ANAO), *Evaluation of the Community Development Employment Projects (CDEP)*, p. 7, <[https://webarchive.nla.gov.au/awa/20110605201612/http://www.anao.gov.au/Publications/Indigenous-Program-Reports/2009-2010/Evaluation-of-the-Community-Development-Employment-Projects-\(CDEP\)-Program](https://webarchive.nla.gov.au/awa/20110605201612/http://www.anao.gov.au/Publications/Indigenous-Program-Reports/2009-2010/Evaluation-of-the-Community-Development-Employment-Projects-(CDEP)-Program)>, accessed 4 August 2021.

47 Department of Prime Minister and Cabinet (PM&C), *The Community Development Programme: Evaluation of Participation and Employment Outcomes*, February 2019, p. 2, <<https://www.niaa.gov.au/sites/default/files/publications/cdp-evaluation-participation-employment-outcomes.pdf>>, accessed 5 August 2021.

## Current status of the CDP and its upcoming replacement in 2023

- 3.66 Changes were made to the CDP in March 2019 with the intention of creating additional jobs, improving engagement, and enhancing the input from remote communities into how it is delivered. These changes comprised the following:
- the 1000 Jobs Package (a wage subsidy to support employment opportunities across remote Australia. Eligible employers receive financial support to hire suitably skilled CDP participants in new, ongoing jobs);
  - Community Advisory Boards;
  - reduced maximum participation hours from 25 to 20 hours per week;
  - flexible participation requirements – enabling flexible hours and days of attendance for participants with competing demands; and
  - a new payment model for CDP providers that incentivised engagement over compliance.<sup>48</sup>
- 3.67 As at 30 June 2021, there were 40,928 remote job seekers on the CDP caseload in around 1000 communities. Approximately 82 per cent of participants identify as Aboriginal and/or Torres Strait Islander.<sup>49</sup> Since its commencement in 2015, the CDP has supported job seekers into more than 47,858 jobs, with more than 14,776 instances of job seekers staying for more than six months.<sup>50</sup>
- 3.68 Financial penalties have reduced by 42 per cent from around 17,500 issued per month in the period from 1 January 2018 to 31 March 2018 to 10,300 imposed per month from 1 January 2021 to 31 March 2021.<sup>51</sup>
- 3.69 The Federal Government will introduce a new remote jobs program in 2023 to replace the CDP which will be co-designed with Aboriginal and Torres Strait Islander Peoples and piloted in a number of locations from late 2021.<sup>52</sup>
- 3.70 NIAA noted in its appearance at a public hearing on 27 May 2021 that this new program is intended to draw on the successful components of the

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48 NIAA, DESSFB, DSS and APSC, *Submission 8*, p. 11.

49 NIAA, *Supplementary Submission 8.8 (data update to original submission)*, p. 3.

50 NIAA, *Supplementary Submission 8.8 (data update to original submission)*, p. 3.

51 NIAA, *Supplementary Submission 8.8 (data update to original submission)*, p. 3.

52 NIAA, *The Community Development Program (CDP)*, <<https://www.niaa.gov.au/indigenous-affairs/employment/cdp>>, accessed 28 July 2021.

CDP and of past employment programs. The NIAA further informed the committee that some communities have provided constructive input into what they feel could work well in a new scheme. NIAA stressed that as remote Australia is incredibly diverse, the program will be adjusted to ensure better targeting to different regions.<sup>53</sup>

## Criticisms of the CDP

- 3.71 Many of the submissions and oral evidence to this inquiry were critical of the CDP. A key criticism was the lack of genuine long-term job opportunities created under the CDP. A number of stakeholders contended that the compliance requirements for CDP participants are more onerous than those for people on other income support programs. There was also criticism of the lack of traditional and culturally-relevant activities that can be undertaken by Aboriginal and Torres Strait Islander participants under the current program. These and other issues are discussed below.

## Lack of long-term employment prospects

- 3.72 The NT Government expressed the view to the committee that the current CDP has in fact taken away real jobs from communities, and that it is not seen as employment but as a dole substitute involving very narrow activities and inflexible compliance requirements that do not lead to real employment pathways (somewhat similar criticisms were made of its predecessor, the CDEP, as outlined above). The NT Government stated at the public hearing on 7 April 2021:

I think the Commonwealth, and possibly all governments, did see it as an employment program, but actually it was replacing proper employment, because people were in CDP doing work. I think the idea was that, when you took that program away and there was a funding base, people thought those jobs would eventuate, and they just never have. Those jobs have never come back to those communities, and since that program changed there's never been the number of people in work-like activities that there was.<sup>54</sup>

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53 Mr Bulman, Group Manager, NIAA, *Committee Hansard*, 27 May 2021, Canberra, p. 7.

54 Ms Renee Tennent, Director Business Programs and Strategy, Department of Industry, Tourism and Trade, Northern Territory Government, *Committee Hansard*, 7 April 2021, Conference Call, p. 16.



- 3.73 Arnhem Land Progress Aboriginal Corporation (ALPA) concurred with this view in its own evidence at the public hearing on 7 July 2021, stating that while there has been improvement in the training aspects of the CDP, the program has not led to any substantial long-term job creation:

The CDP, in its most recent form, has allowed more flexibility and does have the capacity for workforce and development training in the funding model, being more flexible than the RJCP. So, providers have more opportunity to be able to tailor training to community needs. However, the program itself has been viewed by community as being inflexible and as a Work for the Dole program, not as an avenue to real employment. One of the difficulties we face is that the economic environments in which we work are stagnant, and it requires investment in infrastructure to be able to continue to grow those economies.<sup>55</sup>

- 3.74 Professor David Throsby and Ms Katya Petetskaya from Macquarie Business School commented in their submission in relation to the arts sector that CDP activities are not seen by participants as real jobs:

During Survey interviews, artists often expressed a dislike for [the] CDP, which they thought was not providing “real jobs”. We encountered instances where artists or arts workers loved their work and wanted to work longer hours but could not do so because of the restrictions placed upon them by the CDP scheme... we also encountered occasional examples of some workers who would just be present in order to fulfil their time requirements of the CDP but would not contribute or perform any meaningful or productive work.<sup>56</sup>

## Disparities with Jobactive

- 3.75 Anglicare Australia commented very negatively in its submission on the disparity between CDP participants who need to complete at least 20 hours of work per week from the start and Jobactive participants who are only required to do so after one year of employment assistance:

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55 Ms Emma Kelly, General Manager, Community Services, ALPA, *Committee Hansard*, 7 July 2021, Conference Call, p. 40.

56 Professor David Throsby and Ms Katya Petetskaya, Macquarie Business School, *Submission 5*, p. 5.

This clear discrimination is inexcusable, especially given the challenges facing remote areas at present – a lack of jobs and high cost of living – which the CDP does nothing to address.<sup>57</sup>

- 3.76 Ironbark Aboriginal Corporation remarked at the public hearing on 8 July 2021 that CDP could be viewed as discriminatory against Aboriginal and Torres Strait Islander clients because most CDP regions have 80 to 90 per cent Aboriginal and Torres Strait Islander participants. Ironbark contended that a better alignment of the mutual obligation requirements in Jobactive and CDP could remove the discriminatory nature of the CDP.<sup>58</sup>
- 3.77 Ironbark Aboriginal Corporation also stated in its appearance on 8 July that it often feels like their CDP clients have more obligations as part of work-for-the-dole than Jobactive participants. Ironbark informed the committee that this has caused people who live on the cusp of CDP and Jobactive regions to actively move in and out of these areas by changing their address, according to what mutual obligations they believe they can meet.<sup>59</sup>
- 3.78 Some of the evidence to the inquiry has highlighted challenges with the geographical boundaries that determine whether a job seeker is a participant in CDP or Jobactive.
- 3.79 First Nations Media Australia noted in its submission that Jobactive can support internships for job seekers residing in some parts of Alice Springs, but does not extend to the town camps that are in many cases less than a five minute drive from the city centre. First Nations Media stated that these boundaries prevent Aboriginal and Torres Strait Islander Peoples from finding work in their own region.<sup>60</sup>
- 3.80 Wugu Nyambil Ltd had a different perspective on CDP requirements versus Jobactive rules, stating at the public hearing on 7 July 2021 that it supports the CDP's work-for-the-dole requirement as it keeps people engaged and develops a work ethic and routine. Wugu Nyambil also stated in its evidence that flipping participants between six months of work-for-the-dole and six months of case management in the Jobactive

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57 Anglicare Australia, *Submission 17*, p. 5.

58 Ms Kirstine Cossens, Operations Manager, Ironbark Aboriginal Corporation, *Committee Hansard*, 8 July 2021, Conference Call, p. 18.

59 Ms Cossens, Ironbark Aboriginal Corporation, *Committee Hansard*, 8 July 2021, Conference Call, p. 18.

60 First Nations Media Australia, *Submission 15*, p. 19.

scheme is incredibly difficult for people in its own region of Yarrabah in Far North Queensland.<sup>61</sup>

## **Lack of tailoring to community needs**

- 3.81 The Australian Council of Trade Unions (ACTU) remarked in its submission that remote and Aboriginal and Torres Strait Islander communities have their own particular set of needs, challenges and strengths and that the CDP applies ‘cookie-cutter’ solutions that reflect an over-simplification of the issues they face.<sup>62</sup>
- 3.82 The Northern Land Council emphasised in its submission that employment programs need to be co-designed to suit the distinctive circumstances of Aboriginal people in regional and remote areas. The Council submitted that a lack of flexibility in CDP implementation inhibits the ability to tailor arrangements to maximise positive outcomes in different regions and communities.<sup>63</sup>
- 3.83 The Queensland Government commented in its submission that place-based initiatives have the potential to better respond to Aboriginal and Torres Strait Islander community needs and priorities, while also taking advantage of community strengths and abilities. The Queensland Government further stated that place-based initiatives have the potential to address issues with the administrative burden of funding arrangements with integrated funding mechanisms and community engagement and participation.<sup>64</sup>
- 3.84 The NT Government outlined the place-based approach of its own ‘Local Decision Making’ plan in its submission, which aims to provide Aboriginal and Torres Strait Islander communities with greater control over their own affairs based on resources, aspirations and needs. The NT Government further commented that it works together with communities to develop policies and practices for service delivery such as education, training and jobs.<sup>65</sup>
- 3.85 At the public hearing on 25 February 2021, APO NT stated that Aboriginal peak organisations have advocated for years for flexibility, reducing bureaucratic red tape and allowing local communities to take

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61 Ms Lake, Wugu Nyambil Ltd, *Committee Hansard*, 7 July 2021, Conference Call, p. 10.

62 Australian Council of Trade Unions (ACTU), *Submission 3*, p. 8.

63 Northern Land Council, *Submission 34*, p. 12.

64 Queensland Government, *Submission 39*, pp. 9-10.

65 NT Government, *Submission 28*, p. 7.

responsibility and use their creativity to work for their local community members.<sup>66</sup>

- 3.86 Mr William Farley discussed in his submission the differences between the current CDP and the initial scheme that replaced the CDEP, i.e. the Remote Jobs and Communities Program (RJCP), in which the community decided what was acceptable cultural business, whereas this is now the remit of CDP providers and government regulations<sup>67</sup>:

Giving remote communities greater control in the CDP's design and implementation will not only allow for greater claim to self-determination, it will also result in a greater prioritisation of beneficial, culturally appropriate work projects.<sup>68</sup>

## **Recognition of traditional and culturally important activities**

- 3.87 The ability for people to fulfil their cultural obligations and undertake traditional activities as work was identified in the inquiry evidence as a key factor to success for Aboriginal and Torres Strait Islander Peoples in employment service programs.
- 3.88 ALPA outlined in its submission that the supportive work environment in its retail employment model is largely responsible for it having a high degree of attraction and retention of Aboriginal and Torres Strait Islander staff in the region, with many employees being members of the store teams for decades.<sup>69</sup>
- 3.89 The Northern Land Council submitted that culturally appropriate education and training is essential for full participation of Aboriginal people in the NT economy:

To be effective in areas with a high proportion of Aboriginal residents and endemic disadvantage (such as the Northern Territory), curricula and delivery models must be flexible, with provisions allowing them to be modified. This would enable programs to respond appropriately and effectively to regional or local factors such as language, remoteness, infrastructure, cultural obligations and baseline indicators of unemployment, education, health and wellbeing and industry drivers.<sup>70</sup>

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66 Mr John Paterson, APO NT, *Committee Hansard*, 25 February 2021, Conference Call, p. 3.

67 Mr William Farley, *Submission 47*, p. 10.

68 Mr William Farley, *Submission 47*, p. 12.

69 ALPA, *Submission 7*, p. 2.

70 NLC, *Submission 34*, p. 11.

- 3.90 The Northern Land Council further stated to the committee at the public hearing on 8 July 2021 that there needs to be more recognition of traditional activities in the CDP that are very important for people and are classed as jobs, though not by the Western definition of a 'job'.<sup>71</sup>
- 3.91 Charles Darwin University (CDU) highlighted in its submission that in many instances Aboriginal and Torres Strait Islander Peoples will elect to stay on Country, and those who live off Country for extended periods of time will often become homesick and long for Country. CDU submitted that training provided to regional and remote communities therefore needed to be tailored to existing job opportunities and developed in consultation with communities to meet their needs.<sup>72</sup>
- 3.92 The National Health Leadership Forum submitted that culture is a key enabler of good health and that stronger connections to culture and country can improve outcomes across other determinants of health, including education, economic stability and community safety.<sup>73</sup>

### Committee comment

- 3.93 The committee welcomes the Federal Government's upcoming review of the CDP and its stated intention to replace it with a new program in 2023. The committee strongly agrees that a co-design of this new program with Aboriginal and Torres Strait Islander communities will be critically important for its success. The committee also agrees with the proposition that positive aspects of the CDP and CDEP should be considered for retention in the new scheme, again with input from remote communities.
- 3.94 One aspect of the prior CDEP that should be given due consideration in the design of the new program is a greater role for local Aboriginal and Torres Strait Islander organisations in its management and provisions for local level flexibility and discretion in the allowable activities by participants. The committee believes that this new scheme should primarily be both a community development and employment program.
- 3.95 The committee also agrees that the new program should be place-based and be capable of reflecting the needs and aspirations of the local communities it serves. It could for example build upon already existing and successful programs that have a community development and employment focus and have proven outcomes, such as the ranger

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71 Mr Joe Martin-Jard, Deputy Chief Executive Officer, Northern Land Council, *Committee Hansard*, 8 July 2021, Conference Call, pp. 21-22.

72 Charles Darwin University, *Submission 9*, p. 5.

73 National Health Leadership Forum (NHLF), *Submission 31*, p. 5.

programs and art centres that operate effectively in many remote and very remote communities.

- 3.96 The committee believes that this new program should have as its goal that people living in communities within a reasonable commutable distance of an urban centre should seek employment in the urban centre and that alternative community-based employment models should be developed for communities where there are thin labour markets.
- 3.97 The committee was impressed by successful models like Manapan Furniture on Milingimbi Island which is owned and run by the Yolgnu people and has been supported by ALPA. Manapan exports furniture all over Australia. The development of such models should be encouraged.
- 3.98 The committee believes also that any new scheme should support the development of locally-generated entrepreneurial activities and help to create small business opportunities. The lack of long-term sustainable job development under the CDP needs to be addressed.
- 3.99 The current review and redesign of the CDP is timely, and the Federal Government has a significant opportunity to boost the economic participation of Aboriginal and Torres Strait Islander Peoples through the new program.

## **Recommendation 12**

- 3.100 **The committee recommends that in engaging in the process of codesign, the Australian Government should consider incorporating the following elements into the redesign of the Community Development Program:**
- **Should be a place-based program and, as far as possible, be jointly governed and administered with locally and regionally-owned and community-based organisations that reflect the needs and aspirations of their local communities;**
  - **Should recognise the unique characteristics of communities and small area labour markets and be able to address the difference and diversity in communities across Australia;**
  - **Should be part-time work for part-time pay;**
  - **Should not be designed as a welfare or job-replacement scheme;**
  - **Flexibility should be built into the program design with local communities having a leadership role in determining activities**

**to be undertaken within it;**

- **Consideration should be given to the additional resourcing required for meeting on-costs and the provision of capital for job creation;**
- **Should support the development of locally generated entrepreneurial activities to create small business opportunities in remote areas; and**
- **The activity requirements between the newly developed CDP and Jobactive should be better aligned to stop people moving from one program to another.**

## **Training and mentoring**

- 3.101 It was emphasised throughout the inquiry that although focused training was a prerequisite to successfully placing an Aboriginal and Torres Strait Islander job seeker into work, ongoing mentoring and establishing a supportive workplace were essential for positive long-term employment outcomes for Aboriginal and Torres Strait Islander Peoples.
- 3.102 Because of the difficulties of servicing remote communities and the housing shortages that exist in them, the construction sector is a particularly important source of training and employment opportunities for people in remote Aboriginal and Torres Strait Islander communities. However, the intermittent nature of this work in more remote areas was an issue for sustainable employment outcomes.

## **Focused training**

- 3.103 The evidence to the inquiry consistently emphasised that training is an important way for job seekers to upskill and gain experience for potential job opportunities. The committee learned, however, that the training offered to Aboriginal and Torres Strait Islander employment program participants did not always correlate with the actual jobs available in their communities.
- 3.104 MiHaven Training maintained in its testimony on 7 July 2021 that people should not go to training just for the sake of training, but instead train for the outcome of employment. However, MiHaven raised concerns about

the lack of employment outlets in Yarrabah for a community of between 2,800 and 3,800, where it is very difficult to find employment locally.<sup>74</sup>

- 3.105 MiHaven further presented an example of a training program it runs that transforms into real job opportunities. This comprises an individual support course in mutual cooperation with a Residential and Community Aged Care facility that will lead to employment outcomes upon completion for approximately 60-65 per cent of the course participants.<sup>75</sup>
- 3.106 Wugu Nyambil Ltd remarked at the 7 July 2021 hearing that there is ample training available for Aboriginal and Torres Strait Islander candidates but, while many express interest, the attendance is often poor. Training providers then become reluctant to offer and deliver courses.<sup>76</sup>
- 3.107 Ironbark Aboriginal Corporation noted at the public hearing on 7 July 2021 that the Northern Territory Department of Infrastructure, Planning and Logistics (DIPL) have been putting contracts out for roadworks in their regions for which they organise CDP participants to undertake civil construction training six to eight months in advance:

They will gain all their equipment certificates, and we can then provide the tendering organisations a ready-made workforce in their community that can be employed by those tendering organisations, if you like, so that the money stays in the community and the family see the parents working and they get up and go to a real job.<sup>77</sup>

- 3.108 The Centre for Appropriate Technology Ltd (CfAT) commented at the public hearing on 9 July 2021 that its approach of delivering small skill-sets over time, rather than suggesting that people commit to a full course from the outset, has proven to be successful:

So, they just do little skill sets in cert II. Over time – it could be a year or more – they'll come back and ask for more little training in different skill sets, and we put it together. Maybe, over a two-year period, I go through and I have a look and say: 'Wow! This bloke's done so many units in the skill set that now he can actually get a certificate.' It's happened that they weren't aware that they were

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74 Mr Graham Burrridge, Vocational Placement Coordinator, MiHaven Training, *Committee Hansard*, 7 July 2021, Conference Call, p. 4.

75 Mr Burrridge, MiHaven Training, *Committee Hansard*, 7 July 2021, Conference Call, p. 2.

76 Ms Lake, Wugu Nyambil Ltd, *Committee Hansard*, 7 July 2021, Conference Call, p. 10.

77 Mr Shaun Pearce, Chief Executive Officer, Ironbark Aboriginal Corporation, *Committee Hansard*, 8 July 2021, Conference Call, p. 18.



doing a full certificate, but, by committing to little skill sets for six weeks or whatever, they were eventually getting that certificate.<sup>78</sup>

- 3.109 Saltbush Social Enterprises emphasised its strong support for place-based projects at the public hearing on 9 July 2021:

There is a job for every single person on every community. We just have to be creative and we have to make the jobs suit the people. We have to bring the people on the journey, but we never do. All the programs are devised by people who have never been into community.<sup>79</sup>

- 3.110 CfAT observed that a key motivation is to create place-based training opportunities for an entry-point and to provide a real purpose when in the workplace environment. Mr Faron Peckham, Special Project Manager at CfAT, remarked:

...what I've found personally, and I get really sad – when I go to a lot of these communities, some of the guys are showing me more certificates than I actually have – is there's just a gap when they're going into a workplace environment. They find it really difficult because the workplace environment is not really culturally aware.<sup>80</sup>

## The construction sector

- 3.111 The committee heard evidence that the construction industry is a significant source of training opportunities for Aboriginal and Torres Strait Islander Peoples in remote regional and urban communities. The NSW Government outlined the NSW Procurement Aboriginal Participation in Construction (APIC) in its submission, which in 2018-19 received an additional \$132 million directed to Aboriginal-owned businesses, the employment of Aboriginal people, and Aboriginal education, training and consultation activities through construction projects.<sup>81</sup> APIC merged into the Aboriginal Procurement Policy (APP) from 1 January 2021, with the following targets by 31 December 2021:

- 1 per cent of total addressable spend directed to Aboriginal businesses

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78 Ms Marilyn Smith, Training Projects and Administration Manager, Centre for Appropriate Technology, *Committee Hansard*, 9 July 2021, Conference Call, p. 13.

79 Ms Karen Sheldon, Chairperson, Saltbush Social Enterprises, *Committee Hansard*, 9 July 2021, Conference Call, p. 28.

80 Mr Faron Peckham, Special Project Manager, Centre for Appropriate Technology (CfAT), *Committee Hansard*, 9 July 2021, Conference Call, p. 16.

81 NSW Government, *Submission 33*, p. 13.

- 3 per cent of total goods and services contracts be awarded to Aboriginal businesses
  - 3,000 full-time equivalent employment opportunities supported for Aboriginal and Torres Strait Islander Peoples.<sup>82</sup>
- 3.112 NSWALC also noted in its submission that infrastructure is a future growth sector for employment opportunities for Aboriginal people, given that the NSW Government has committed \$108 billion to government infrastructure construction projects over the next 10 years.<sup>83</sup>
- 3.113 NSWALC informed the committee at the public hearing on 29 April 2021 that the Yarpa Hub has been rapidly building relationships with several of Australia's leading construction players and key government agencies, and has signed a memorandum of understanding with major industry leaders, including CPB Contractors, Fulton Hogan, Lendlease, BESIX Watpac and Inland Rail.<sup>84</sup>
- 3.114 ALPA describes in its submission the successful outcomes of its business, Bukmak Constructions, in employing local Aboriginal and Torres Strait Islander Peoples and providing real training and skills development through delivering major projects. One example project that ALPA mentioned is a yard works contract in Galiwin'ku providing fencing, carports and landscaping to eight houses being rebuilt after a cyclone. The tradesmen undertook a Cert III in Remote Building Repairs & Maintenance and 80 per cent of the workforce were local Aboriginal and Torres Strait Islander Peoples. ALPA remarked that these outcomes demonstrate the benefits that can be achieved by longer projects funded to Aboriginal and Torres Strait Islander employers that invest in training and mentoring, but that an issue is the lack of ongoing work available to employ these tradesmen.<sup>85</sup>
- 3.115 ALPA informed the committee that Bukmak Constructions had recently been awarded a five-year contract to build 87 houses in Galiwin'ku, which will provide long-term employment opportunities that support trade qualifications for Aboriginal and Torres Strait Islander Peoples, as well as workplace security and consistency of employment.<sup>86</sup> ALPA stated that it has a target of 55 trainees to commence Certificate II and at least five

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82 NSW Government, *Aboriginal Procurement Policy*, <<https://buy.nsw.gov.au/policy-library/policies/aboriginal-procurement-policy>>, accessed 2 August 2021.

83 NSW Aboriginal Land Council, *Submission 6*, p. 7.

84 Mr Christian, CEO, NSWALC, *Committee Hansard*, 29 April 2021, Liverpool, p. 17.

85 ALPA, *Submission 7*, pp. 5-6.

86 Ms Kelly, ALPA, *Committee Hansard*, 7 July 2021, Conference Call, p. 38.

qualified carpenters and one qualified plumber at the end of program delivery.<sup>87</sup>

3.116 The Northern Territory Indigenous Business Network (NTIBN) remarked at the public hearing on 8 July 2021 that Bukmak Construction's recent contract will be one case study to watch, as they will be putting local community members into trades over the life of the construction so that workers come out with a legitimate job, skills and purpose within the community.<sup>88</sup>

3.117 In addition, ALPA explained to the committee that, based on tender debriefs where the organisation has been unsuccessful, it is apparent that the tender assessment process does not consider the cost of engagement and training of Aboriginal and Torres Strait Islander employees. ALPA described this currently as a lump sum process without separated values to define a training or development program within the submission:

When you're competing in an open financial tender situation, at the end of the day it often comes down to price. It's about getting that procurement process or the tender assessment process to bring into consideration the fact that productivity is lower when you have trainees, and that it also takes you time and money to transfer the skills to the Indigenous employees.<sup>89</sup>

3.118 NTIBN agreed with the view that, for the most part, budgets attached to construction projects do not factor in considerations like being based in a remote community or the need to train local people to meet the job demands. NTIBN commented that, generally, the budget is based on the build or design construct itself. NTIBN made the further point that there is a significant need to grow Aboriginal skill sets in the Aboriginal business space, and even for non-Aboriginal businesses working with Aboriginal staff as part of the minimum mandatory requirements for participation, it is important to recognise the costs involved.<sup>90</sup>

3.119 Bawinanga Aboriginal Corporation emphasised at the public hearing on 9 July 2021 that one of the major challenges is to have a committed workload so that the organisation is able to forward plan. Bawinanga described a recent construction training course it provided from which it

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87 Mr Steven Roberts, General Manager, Enterprise and Economic Development, ALPA, *Committee Hansard*, 7 July 2021, Conference Call, p. 44.

88 Mr Jerome Cubillo, Chief Executive Officer, Northern Territory Indigenous Business Network (NTIBN), *Committee Hansard*, 8 July 2021, Conference Call, p. 3.

89 Mr Roberts, ALPA, *Committee Hansard*, 7 July 2021, Conference Call, p. 41.

90 Ms Naomi Anstess, General Manager, Aboriginal Business Growth, NTIBN, *Committee Hansard*, 8 July 2021, Conference Call, p. 3.

subsequently employed all 12 participants in housing and construction jobs, but that a pipeline of work is needed for these jobs to be continued.<sup>91</sup>

- 3.120 Ngurratjuta/Pmara Ntjarra Aboriginal Corporation also advised the committee in its appearance on 9 July 2021 that there is a lack of continual infrastructure development in communities that allows for sustained employment of local people. The Corporation advised that a community member may get a labour-based position with an outside contractor to build a house, but this will only be a short-term job of about four months.<sup>92</sup>
- 3.121 CfAT likewise identified challenges relating to sustainable employment in the construction sector in communities, specifically with apprenticeships as many people in remote areas are hesitant to relocate to a work project elsewhere. Mr Faron Peckham, Special Project Manager, identified one program that received a positive response:
- ...when I was observing and listening to some of the previous trainers, they said that the best program in remote areas – a program that allowed sustainable placement for apprenticeships – was the Territory's IHANT program, which basically was constructing housing and infrastructure in remote areas to accommodate and sustain the ability to have apprentices from those particular areas.<sup>93</sup>
- 3.122 NLC commented in its submission that the use of local suppliers should be mandated when possible, especially for housing, roads and services in remote communities, and if there are no local suppliers, there must be a requirement for local Aboriginal employment, and the private sector should also be encouraged to adopt strong Aboriginal procurement and employment targets.<sup>94</sup>
- 3.123 West Arnhem Regional Council commented at the public hearing on 8 July 2021 that with the government building more housing in the community, there could be greater potential for Aboriginal and Torres Strait Islander jobs as electricians, builders and carpenters but that there is no opportunity for training in this regard. Mayor Matthew Ryan remarked

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91 Mrs Ingrid Stonhill, Chief Executive Officer, Bawinanga Aboriginal Corporation, *Committee Hansard*, 9 July 2021, Conference Call, p. 23.

92 Mr Cameron Miller, Chief Executive Officer, Ngurratjuta/Pmara Ntjarra Aboriginal Corporation, *Committee Hansard*, 9 July 2021, Conference Call, pp. 3-4.

93 Mr Peckham, CfAT, *Committee Hansard*, 9 July 2021, Conference Call, p. 17.

94 NLC, *Submission 34*, p. 21.

that there are external companies coming in and taking jobs away from Aboriginal people.<sup>95</sup>

- 3.124 The Queensland Government outlined in its submission the activities of QBuild - a commercialised business unit of the Queensland Government sitting in Department of Housing and Public Works (DHPW) - in actively building the capability of Aboriginal and Torres Strait Islander Councils by delivering building and construction programs in communities, and providing employment, apprenticeship and training opportunities.<sup>96</sup>
- 3.125 DLG Shape advised the committee that a big issue in growing their construction business is actually finding people with the skills, as there is a very limited number of university graduates of Aboriginal and Torres Strait Islander background in the construction industry. DLG Shape reported an average of 13 per cent of their spend with Aboriginal and Torres Strait Islander suppliers and subcontractors for the past two years, and for some projects it is up to 40 per cent.<sup>97</sup>

## Committee Comment

- 3.126 The committee heard evidence of good training programs and other training programs that miss the mark. The committee also heard evidence that often training was offered for training's sake rather than leading to employment opportunities or for skills that were useful on country or in the local labour market.
- 3.127 In the context of a revised CDP training scheme, the committee would like to see more training taking place on country with transferrable skills and with programs designed with the input of local communities.

## Recommendation 13

- 3.128 **The committee recommends that training support should be given to meet the needs of individuals and communities for the local labour market, including for identified work under the new CDP program. The committee also recommends that where possible, training should be delivered on country and should deliver transferable skills.**

95 Mr Matthew Ryan, Mayor, West Arnhem Regional Council, *Committee Hansard*, 8 July 2021, Conference Call, p. 35.

96 Queensland Government, *Submission 39, Attachment 1*, p. 4.

97 Mr Michael Manikas, General Manager, DLG Shape, *Committee Hansard*, 11 February 2020, Canberra, p. 2.

## Mentoring

- 3.129 The central importance and positive impact of mentoring for Aboriginal and Torres Strait Islander Peoples on their pathway to maintaining long-term employment was a recurrent theme in evidence presented to the inquiry.
- 3.130 Tagai Management Consultants emphasised at the public hearing on 11 February 2020 the importance of Aboriginal and Torres Strait Islander workers receiving long-term mentoring, remarking that people need to understand where they fit, as well as know what will happen once they secure a job and how they can sustain the job.<sup>98</sup>
- 3.131 Peter Kittle Motor Company informed the committee at that same hearing that they have found it challenging to attract young Aboriginal and Torres Strait Islander Peoples to work in their type of business, but where they have experienced positive outcomes, there have been mentors in place for the Aboriginal and Torres Strait Islander employees, and the company celebrates that as a big success.<sup>99</sup>
- 3.132 Woolworths Group acknowledged that the ongoing mentoring support for their Aboriginal and Torres Strait Islander team members, particularly in the initial six months, has a huge impact on success and contributes to sustainable employment.<sup>100</sup>
- 3.133 Lisa Hohoi, an Indigenous Manager at a Woolworths store, further told the committee about the positive experience she had starting her career at Woolworths through the diversity and inclusion career pathways program:

I was surrounded, mentored and influenced by positive leaders at Woolworths that gave me the courage and vision of success by believing and seeing my potential that I couldn't even see in myself at the time. They pushed me to own my success. I can now say proudly that I'm a department manager leading a diverse team with 18 team members, two of which have come out of the same pathways program for Indigenous people here at Woolworths... for most Indigenous people the main thing that they struggle with is finding or being given an opportunity paired with the right tools

98 Ms Julie-ann Lambourne, Senior Consultant, Tagai Management Consultants, *Committee Hansard*, 11 February 2020, Canberra, p. 8.

99 Mr Tom Kelly, Group General Manager, Peter Kittle Motor Company, *Committee Hansard*, 11 February 2020, Canberra, p. 3.

100 Ms Rachel Mead, Head, Diversity & Inclusion, Woolworths Group, *Committee Hansard*, 25 February 2021, Conference Call, p. 9.

to support a successful outcome. That positive outcome is making a change in the Indigenous community.<sup>101</sup>

- 3.134 First Nations Media Australia emphasised at the public hearing on 25 March 2021 that Aboriginal and Torres Strait Islander media organisations have the capacity to provide supportive places for young Aboriginal and Torres Strait Islander Peoples. First Nations Media stated that these young workers can receive support and mentoring in a way that builds their confidence and ability to pursue other goals in Aboriginal and Torres Strait Islander media or to transition to mainstream media.<sup>102</sup>
- 3.135 Tjanpi Desert Weavers explained at the public hearing on 7 April 2021 that a big part of its plan to transition to an Anangu workforce for service delivery is to include mentoring, support and training to ensure that employment is effective. Tjanpi noted that it has engaged a worker specifically in that mentoring role to support people for success.<sup>103</sup>
- 3.136 NET provided a success story at its appearance on 29 April 2021 whereby one participant got a job at a construction business and has paved the way for five other job seekers with that company.<sup>104</sup> Mr Aubrey French, who was that first job seeker to start at the company, indicated that the employer has taken on a mentoring role which makes him feel comfortable going into work and turning up for people that he is familiar with:

I didn't know that it was actually his company that I was going to work for, but I knew him from football before. So, when I found out that it was him, I was like: 'Even better. It's someone I know and feel comfortable with.' He told me he's been working in the civil construction industry for over 40 years. So, he took me under his wing and showed me a lot of things to do with the construction industry. I'm learning something new every day.<sup>105</sup>

- 3.137 NET also described the benefits of the mentoring they provide as a VTEC stating that it was present at Aubrey's first day of work and they touch

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101 Ms Lisa Hohoi, Deli Manager, Conder Woolworths, Woolworths Group, *Committee Hansard*, 25 February 2021, Conference Call, pp. 8-9.

102 Ms Naomi Moran, Deputy Chair, First Nations Media Australia, *Committee Hansard*, 25 March 2021, Conference Call, p. 8.

103 Ms Michelle Young, Manager, Tjanpi Desert Weavers, *Committee Hansard*, 7 April 2021, Conference Call, p. 26.

104 Mr Dwayne Knight, Employment Manager, NET, *Committee Hansard*, 29 April 2021, Liverpool, p. 24.

105 Mr Aubrey French, Job seeker, NET, *Committee Hansard*, 29 April 2021, Liverpool, p. 24.

base with him and his employer once a week, which maintains contact with both parties.<sup>106</sup>

- 3.138 Wugu Nyambil Ltd informed the committee at its appearance on 7 July 2021 that if they identify an individual with personal barriers, they will put the person in touch with a local mentor who can help with a whole myriad of situations. These include losing accommodation to not having their car registered. Wugu Nyambil indicated that the appointed mentor can support individuals to deal with these issues with the aim of keeping the person in their job.<sup>107</sup>
- 3.139 Salvation Army Employment Plus outlined at that same public hearing the role of its Aboriginal and Torres Strait Islander engagement officers that are present in most regions. The Salvation Army commented that these officers have their own culture, lived experiences, and understand the barriers or how the job seekers may be feeling:
- ...we like to be mentoring them prior to employment, and we walk with them – walk with them into the employment and walk with them through that employment. With our Aboriginal staff, we make sure that they're really well supported.<sup>108</sup>
- 3.140 WISE Employment informed the committee that the mentoring and hands-on support that VTECs provide to Aboriginal and Torres Strait Islander job seekers is invaluable. Individuals can call their mentor at any time if there is a problem and the ongoing, six-month support is hands on. WISE further noted that the set-up of the Jobactive contract does not allow them time to support job seekers once placed, so they link up with VTEC providers as much as possible because that support system works.<sup>109</sup>
- 3.141 Saltbush Social Enterprises stressed in its appearance on 9 July 2021 that specialised, intensive mentoring is really the key to success for participants and employment service programs must be focused on the participant. Saltbush further outlined that the other main pillars of their work in this regard are person centred, appropriate pre-employment training; incubators; place-based projects and appropriate streaming. They emphasised that every Australian is entitled to those services.<sup>110</sup>
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106 Mr Knight, NET, *Committee Hansard*, 29 April 2021, Liverpool, p. 24.

107 Ms Lake, Wugu Nyambil Ltd, *Committee Hansard*, 7 July 2021, Conference Call, p. 13.

108 Mr Westwood, Salvation Army Employment Plus, *Committee Hansard*, 7 July 2021, Conference Call, p. 22.

109 Ms Vacamena, WISE Employment, *Committee Hansard*, 7 July 2021, Conference Call, p. 34.

110 Mrs Nicole Shackcloth, Chief Executive Officer, Saltbush Social Enterprises, *Committee Hansard*, 9 July 2021, Conference Call, pp. 28-29.



- 3.142 Simon McGrath, Chief Executive of Accor, commented at the public hearing on 22 July 2021 that their pastoral care provided to Aboriginal and Torres Strait Islander workers is more about providing a really supportive place to work. Accor gave the example of a series of yarning circles it provided for their employees in 2020, noting the importance of getting voices out there in a very supportive and careful environment and management genuinely listening in that format.<sup>111</sup> Mr Josh Hanley, Senior Indigenous Programs Manager, also highlighted the necessity of defining the meaning of mentoring for workers and how it can work in practice:

I think the word 'mentoring', from an Indigenous perspective, is very loose when we look at Indigenous mentors. What we work off is the Western terminology 'mentor'. For example, Simon's one of my mentors. I go to Simon to elevate and challenge myself, not to have my hand held. We worked really hard with our hotel leaders and our leaders within the hotel departments to understand that, yes, there's some pastoral care involved in mentoring, but let's look at raising the bar and changing the narrative of Indigenous success.<sup>112</sup>

- 3.143 Voyages Indigenous Tourism Australia explained to the committee at its own appearance on 22 July 2021 that in addition to being a tourism operator, it runs the National Indigenous Training Academy where graduates complete a Cert III or Cert IV in retail, horticulture or hospitality. Voyages explained that every graduate is promised an ongoing job with the company, and currently 44 per cent of their staff at the Ayers Rock Resort are Indigenous.<sup>113</sup>
- 3.144 When further questioned about particular strategies for finding and retaining Aboriginal and Torres Strait Islander staff, Voyages emphasised that mentoring by former graduates and current staff members has been the most successful, commenting that its graduates are the best advocates for what it means to have a job and to create a career.<sup>114</sup>
- 3.145 The NSW Indigenous Chamber of Commerce (NSWICC) remarked that there is a lot of mentoring that also goes on between their member

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111 Mr Simon McGrath, Chief Executive Officer, Accor Pacific, *Committee Hansard*, 22 July 2021, Conference Call, p. 17.

112 Mr Josh Hanley, Senior Indigenous Programs Manager, Accor Australia, *Committee Hansard*, 22 July 2021, Conference Call, p. 17.

113 Mr Matthew Cameron-Smith, Chief Executive Officer, Voyages Indigenous Tourism Australia Pty Ltd, *Committee Hansard*, 22 July 2017, Conference Call, pp. 23-24.

114 Mr Cameron-Smith, CEO, Voyages Indigenous Tourism Australia Pty Ltd, *Committee Hansard*, 22 July 2017, Conference Call, pp. 23-24.

businesses. Ms Debbie Barwick, Chief Executive Officer, commented at the public hearing on 28 April 2021 that a difference with Aboriginal business is that it is 'almost like a big family', where businesses are networking and supporting each other.<sup>115</sup>

### **Recommendation 14**

- 3.146 **The committee recommends that in reviewing Aboriginal and Torres Strait Islander employment programs, mentoring becomes a central component of any new program.**

## **Common barriers to Aboriginal and Torres Strait Islander employment**

- 3.147 A significant focus of the current inquiry were the barriers to employment for Aboriginal and Torres Strait Islander job seekers. The evidence to the inquiry highlighted a police record and poor access to public transport in getting from remote communities to employment as two particular roadblocks for Aboriginal and Torres Strait Islander job seekers.

### **Police record**

- 3.148 A number of contributors to the inquiry highlighted the additional challenges faced by Aboriginal and Torres Strait Islander job seekers with a criminal record as many types of employment require a police check.
- 3.149 The NSW Government stated in its submission that a criminal record greatly reduces the possibility of gaining employment and narrows the pool of potential opportunities for job seekers. The NSW Government further remarks that time out of the workforce or training means that job opportunities can be delayed or lost entirely.<sup>116</sup>
- 3.150 Australian Unity commented in its submission that some individuals are barred from certain positions due to minor offences that may have been committed many years prior. Australian Unity further submitted that this barrier can often be based on actions arising in the early life of the job

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115 Ms Debbie Barwick, Chief Executive Officer, NSW Indigenous Chamber of Commerce (NSWICC), *Committee Hansard*, 28 April 2021, Wyong, p. 5.

116 NSW Government, *Submission 33*, p. 9.

seeker and places them at great risk of financial and social disadvantage.<sup>117</sup>

- 3.151 There was evidence however that some employers were prepared to overlook the criminal record of prospective employees. The NSW Indigenous Chamber of Commerce discussed a different approach often taken by Aboriginal and Torres Strait Islander businesses and by the construction sector in this regard:

One of the things that I think is quite different amongst Indigenous businesses is that willingness to take on people who have got a background with juvenile justice or corrective services. But we have lots and lots of businesses, in particular in the construction and civil space, that do provide employment opportunities to people despite those backgrounds.<sup>118</sup>

- 3.152 NET outlined at the public hearing on 29 April 2021 that they are not only an employment consultant, but also an advocate for job seekers with a criminal record.<sup>119</sup>
- 3.153 Asquith Workforce stated at a public hearing on 28 April 2021 that potential incentives to employ people with a criminal background would depend on the level of the offence and the specific role that the person is being placed into. Asquith further remarked that it will approach potential employers to ask whether the business would consider such a candidate who had the right skill set and attitude, but stressed that it is not necessarily common practice across different job agencies.<sup>120</sup>
- 3.154 Salvation Army Employment Plus outlined a similar strategy and told the committee that they ask employers whether a police check is needed, and then open a conversation around what the employer will accept in this regard. Salvation Army Employment Plus also noted that approximately 30 per cent of the employers they deal with will hire people with a police record.<sup>121</sup>
- 3.155 Tangentyere Council Aboriginal Corporation remarked that some employers, especially those in construction or civil works, are very open to

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117 Australian Unity, *Submission 18*, p. 4.

118 Ms Barwick, CEO, NSWICC, *Committee Hansard*, 28 April 2021, Wyong, p. 5.

119 Mr Knight, NSWALC, *Committee Hansard*, 29 April 2021, Liverpool, p. 24.

120 Ms Jillian Asquith, Managing Director, Asquith Workforce, *Committee Hansard*, 28 April 2021, Wyong, p. 11.

121 Ms Elizabeth Lloyd, General Manager, Jobactive, Salvation Army Employment Plus, *Committee Hansard*, 7 July 2021, Conference Call, p. 26.

people with a criminal history, provided the offence is not serious and the job seeker is still able to obtain a driver's licence and white card.<sup>122</sup>

- 3.156 WISE Employment discussed an array of employers it engages with in the Northern Territory who are willing to work with pre-release and post-release prisoners:

So, when it comes to criminal history and things like that they are forgiving of that. It's not an issue. As for employers who don't want to work with us on that side of things – it's just basically asking employers upfront: what are your requirements? Do they need to pass a police check? If they do then – we would not be setting anybody up for failure – we would not be referring that job seeker to that position. There are plenty of employers that will take on job seekers who have got a past.<sup>123</sup>

- 3.157 Mr Shane Knight from the Glen Drug and Alcohol Rehabilitation Centre explained at the public hearing on 3 June 2021 the importance of services providing opportunities to people with a criminal history:

Most people at the Glen have got a criminal history because of their living situation, because they used drugs and alcohol – their parents did it, their grandparents did it and that sort of stuff. Some stuff needs to be overlooked; some stuff needs to be pushed to the side. When you have a conversation with someone, they sound a lot different to what's on a resume and what's on a criminal history. Sometimes people need to be taken on face value and given opportunities. There are a lot of places that won't even give you an opportunity, so I'm very fortunate that a place like the Glen exists, where I'm exposed to opportunities that I don't get in any other services.<sup>124</sup>

- 3.158 Amnesty International Australia emphasised in its submission that early intervention, prevention and diversion is critical, noting there is inadequate funding, training and support for Aboriginal and Torres Strait Islander-led, culturally appropriate early intervention and diversionary programs in the youth justice system. Amnesty further stated in its

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122 Ms Dee McCorkindale, Employment and Training Manager, *Committee Hansard*, 9 July 2021, Conference Call, p. 7.

123 Ms Karen McGlashan, Regional Manager Northern Territory, WISE Employment, *Committee Hansard*, 7 July 2021, Conference Call, p. 31.

124 Mr Shane Knight, Operations Manager, Glen Drug and Alcohol Rehabilitation Centre, *Committee Hansard*, 3 June 2021, Conference Call, p. 3.

submission that these programs will keep children out of prison, and in employment and training when they are run successfully.<sup>125</sup>

- 3.159 Similarly, Speaking in Colour expressed the view at the public hearing in Wyong on 28 April 2021 that attention needs to be given to diversionary programs:

We need to provide opportunities where people will not be discounted because of their past. Nobody's clean nosed, are they, really? That also encompasses post release: how are we serving and providing in juvenile justice? The kids are in the system. Especially, how do we prevent people going inside? But, then, how do we support them and give them a different story so that when they come out they don't repeat the old cycle?<sup>126</sup>

- 3.160 The Department of Defence discussed its Regional Force Surveillance Group (RFSG) at the public hearing on 8 July 2021, which consists of three units: the 51<sup>st</sup> Battalion on Cape York and Torres Strait, Norforce (which covers the Northern Territory and the Kimberley), and the Pilbara Regiment. The department noted that a special provision, the Regional Force Surveillance List, allows the RSFG to employ part-time soldiers only within the Group and not the broader Army, while also allowing the unit commander discretion with recruiting standards against medical, dental, educational, criminal and some psychological records.<sup>127</sup>
- 3.161 In terms of Aboriginal and Torres Strait Islander participation in the RSFG, the department stated that the 51<sup>st</sup> Battalion has 45 per cent representation, Norforce has 24 per cent and the Pilbara Regiment is at four per cent.<sup>128</sup>

## Committee comment

- 3.162 It was clear from the evidence to the inquiry that Aboriginal and Torres Strait Islander Peoples are often greatly hindered from obtaining work due to offences committed long in the past, even though they have since become productive members of society who can make valuable contributions to the workforce.

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125 Amnesty International Australia, *Submission 35*, p. 2.

126 Ms Cherie Johnson, Managing Director, Speaking in Colour, *Committee Hansard*, 28 April 2021, Wyong, p. 8.

127 Colonel Tim Rutherford, Commander, Regional Force Surveillance Group (Army), Department of Defence, *Committee Hansard*, 8 July 2021, Conference Call, p. 28.

128 Colonel Rutherford, Commander, Department of Defence, *Committee Hansard*, 8 July 2021, Conference Call, p. 27.

- 3.163 The committee heard anecdotal evidence of Aboriginal and Torres Strait Islander job seekers who had participated in a job interview and done well only to be refused employment because of the nature of their police record. Sending a job seeker to a job interview that they were never going to get because of their record is a waste of time for both the employer and the job seeker. It is also deflating for the job seeker.
- 3.164 The committee believes firmly that all providers under the New Employment Services Model and the revised CDP should make formal inquiries of prospective employers about their willingness to take on a job seeker with a police record for a particular offence before seeking to place that candidate. These providers also need to take steps to encourage more employers to take on job seekers who have a police record.

### **Recommendation 15**

- 3.165 **The committee recommends that all providers under the New Employment Services Model and the revised CDP be required to contact prospective employers about their willingness to take on a job seeker with a police record before seeking to place that candidate.**

**The committee further recommends that employers be incentivised to employ such candidates.**

### **Poor access to public transport**

- 3.166 The committee heard evidence that one key gap in the employment of Aboriginal and Torres Strait Islander Peoples is access to reliable transport for people to move to and from work for people living in remote Aboriginal and Torres Strait Islander communities. Witnesses and submissions identified that the two main contributing factors to this issue are the lack of transport from remote communities into regional hubs, and the limited opportunities for Aboriginal and Torres Strait Islander Peoples to obtain a driver's licence.
- 3.167 Minerals Council of Australia indicated in its submission that transportation assistance for Aboriginal and Torres Strait Islander Peoples from geographically dispersed communities to travel to and from sites actively supports Aboriginal and Torres Strait Islander employment pathways:

For example, Newcrest supports Martu drivers to transport employees from dispersed communities to and from its Telfer site.

Drivers collectively travel more than 500,000 kilometres a year. The program has significantly increased employee retention rates.<sup>129</sup>

- 3.168 Hunter Region Employment Facilitator recommended in its submission that the broadscale funding of driver training and consistent support for volunteer driving mentoring are critical priorities in improving Aboriginal and Torres Strait Islander access to employment. It further emphasised that the lack of a driver's licence is a serious barrier to commuting to work or securing roles that require driving.<sup>130</sup>
- 3.169 The Queensland Government highlighted in its submission the Indigenous Driver Licensing Program that is operated by the Queensland Department of Transport and Main Roads (TMR) in Far North Queensland. The program aims to reduce unlicensed driving and increase commitment to safe road user behaviours in remote Aboriginal and Torres Strait Islander communities, and is improving access to employment, education, health, social and cultural activities.<sup>131</sup>
- 3.170 Wugu Nyambil Ltd commented at its appearance on 7 July 2021 that communities within the Cape would automatically consider that Yarrabah has the advantage of only being 45 to 50 minutes from Cairns, but 60 per cent of the population do not have access to any form of transport and cannot travel into Cairns for opportunities.<sup>132</sup>
- 3.171 MiHaven Training informed the committee that the financial status of many people in Yarrabah improved in the late 2000s due to mining employment and they were able to buy good cars, while other people in the community do not have any access to transportation. MiHaven emphasised that the opportunities for employment are there but that it's just a matter of getting people to and from there reliably.<sup>133</sup>
- 3.172 Salvation Army Employment Plus acknowledged the transport issue for Karuah in NSW and as a solution, brought in a company called Booroongen that has training facilities for tickets such as chainsaw. In the community, five or six Aboriginal people that have had training support

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129 Minerals Council of Australia, *Submission 20*, p. 6.

130 Hunter Region Employment Facilitator, *Submission 38*, p. 7.

131 Queensland Government, *Submission 39*, p. 2.

132 Ms Lake, Wugu Nyambil Ltd, *Committee Hansard*, 7 July 2021, Conference Call, p. 9.

133 Mr Burrridge, MiHaven Training, *Committee Hansard*, 7 July 2021, Conference Call, p. 3.

and gained employment now do not face a transport barrier, because they are actually working in the community.<sup>134</sup>

- 3.173 Tangentyere Council Aboriginal Corporation raised the issue affecting their community in Amoonguna that cannot access remote training funding, even though it is classified as a remote community. The NT Government indicated that it is because the town is only 25 kilometres south-east of Alice Springs, however there is no public bus service between the towns and very few people hold a current driving licence.<sup>135</sup>
- 3.174 When further asked about incentives for employers to give more job opportunities to Aboriginal and Torres Strait Islander Peoples, Tangentyere suggested that providing support or a driver to do pickups of workers to guarantee that they would be able to get into work would be looked on favourably by employers.<sup>136</sup>
- 3.175 A specific issue that Bawinanga Aboriginal Corporation identified at its appearance on 9 July 2021 was that driving licences for women is one of the barriers to full paid employment. Bawinanga commented that are challenges with getting services to Maningrida to train people and on top of that, for cultural reasons, women cannot have a driving lesson at the same time as men and they must be kept separate.<sup>137</sup>

### **Committee comment**

- 3.176 A lack of public transport options should not be an impediment to remote Aboriginal and Torres Strait Islander job seekers taking up employment opportunities in nearby urban centres. The committee feels strongly that this issue should be addressed by upcoming reviews of the various Federal Government employment programs such as Jobactive and the CDP.
- 3.177 The committee believes that funds should be allocated through these services to properly resource transport options for people from remote communities to be able to work in employment centres in their region, when the distances involved are reasonably commutable. There would

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134 Mr Westwood, Salvation Army Employment Plus, *Committee Hansard*, 7 July 2021, Conference Call, pp. 27-28.

135 Ms McCorkindale, Tangentyere Council Aboriginal Corporation, *Committee Hansard*, 9 July 2021, Conference Call, p. 6.

136 Ms McCorkindale, Tangentyere Council Aboriginal Corporation, *Committee Hansard*, 9 July 2021, Conference Call, p. 8.

137 Mrs Stonhill, CEO, Bawinanga Aboriginal Corporation, *Committee Hansard*, 9 July 2021, Conference Call, p. 24.



potentially be business opportunities for Aboriginal and Torres Strait Islander businesses to provide this service.

### **Recommendation 16**

- 3.178 **The committee recommends that the Australian Government provides funding, in consultation with local communities, through both the New Employment Services Model and the revised CDP to provide transport options for Aboriginal and Torres Strait Islander job seekers who would otherwise struggle to attend work.**

### **Current data limitations**

- 3.179 The committee noted during the inquiry that there are data gaps when assessing programs and policies aimed at increasing Indigenous participation in the economy.
- 3.180 The Indigenous Preferential Procurement Programs Research Group (IPPPRG) emphasised in its submission that it is vital to be able to link data on government services across departments to effectively evaluate the effects of one program relative to another against a legitimate comparison group.<sup>138</sup>
- 3.181 As an example, IPPPRG remarks that to be able to fully understand the impact of complementary Aboriginal and Torres Strait Islander employment services such as VTEC, it is important to link information on program registration and access (from the NIAA) to information on standard employment services (from DESE) and program outcome data such as income support receipt, education and earnings data (held by DSS, DESE and the ATO). IPPPRG drew attention to the fact that there is no coordination of state and federal data sharing, which makes it difficult to evaluate programs where there is state and federal overlap.<sup>139</sup>
- 3.182 Barang Regional Alliance echoed the view that high quality data on employment, economic and social indicators and outcomes in regional Aboriginal communities is fundamental to assessing the effectiveness of existing government employment programs.<sup>140</sup>

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138 Indigenous Preferential Procurement Programs Research Group (IPPPRG), University of Melbourne, *Submission 37*, p. 9.

139 IPPPRG, *Submission 37*, pp. 9-10.

140 Barang Regional Alliance, *Submission 45*, p. 10.

- 3.183 Barang stated in its submission that it initiated the Central Coast Aboriginal Data Network, *Ngiyang Wayama*, to assist Aboriginal community-controlled organisations on the Central Coast with the collection and use of data and to establish a regional baseline data set to help ascertain and observe changes in community priorities.<sup>141</sup>
- 3.184 Professor Throsby explained at the public hearing on 7 April 2021 that he and his colleagues are also collecting data and assembling a national database on how art and cultural production can provide a viable pathway to economic empowerment for Aboriginal and Torres Strait Islander Peoples living in remote communities. The regional reports being prepared include data on education, skill development, economic engagement and the extent of paid and unpaid work.<sup>142</sup>
- 3.185 When asked at the public hearing on 5 March 2020 whether there are any data on the extent of the duplication between baseline employment services and Indigenous-specific employment services, NIAA observed that they are proposing to address this problem by linking such information in a more effective way, as these data are currently managed in separate repositories. NIAA advised the committee at that time that they had commissioned some work to build an integration process that particularly focuses on employment and other economic data.<sup>143</sup>
- 3.186 DESE commented at its appearance on 13 May 2021 that it tracks the retention of participants through post-program monitoring surveys by reaching out to the job seeker. DESE commented that one particular challenge with this monitoring is that if someone has exited income support, then they no longer have a connection to the department or services. DESE noted from its experience over a number of years however that people who entirely exit income support after 26 weeks are unlikely to return to it.<sup>144</sup>
- 3.187 When asked about the extent of its dialogue with Federal Government departments on sharing data and information, the Northern Territory Government indicated at the public hearing on 7 April 2021 that there is collaboration and data sharing between the two governments, as well as jurisdictional meetings with DESE and other departments. The NT

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141 Barang Regional Alliance, *Submission 45*, p. 12.

142 Professor David Throsby, Distinguished Professor of Economics, Macquarie University, *Committee Hansard*, 7 April 2021, Conference Call, p. 20.

143 Professor Ian Anderson, Deputy Chief Executive Officer, NIAA, *Committee Hansard*, 5 March 2020, Canberra, p. 3.

144 Ms Ryan, First Assistant Secretary, DESE, *Committee Hansard*, 13 May 2021, Canberra, p. 2.

Government also remarked that it is quite difficult to have a national program that meets the needs at the Territory level.<sup>145</sup>

## Committee comment

3.188 It will be difficult to design more effective programs at a national level to promote Aboriginal and Torres Strait Islander employment outcomes, or indeed in any policy area, without accurate and reliable information on the past performance of such schemes. In assessing the success or failure of policy especially as it applies to individual cases, it is particularly important to see when a job seeker is moving from welfare to work, or welfare to training to work, and to what extent they remain in employment or later return to the welfare system. It is important for governments at all levels in Australia to develop better systems to collect and share robust data on Aboriginal and Torres Strait Islander Peoples who are interacting with the education, training and welfare systems and moving into and out of the workforce.

## Recommendation 17

3.189 **The committee recommends that the Australian Government develop systems to collect timely and reliable data that can track people through the employment, education and welfare system to better evaluate the success or failure of policies in individual circumstances. The data should include economic and social indicators and outcomes.**



**Julian Leeser MP**  
**Chair**

**23 August 2021**

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<sup>145</sup> Mrs Bridgette Bellenger, General Manager, Territory Regional Growth, Department of the Chief Minister and Cabinet, Northern Territory Government, *Committee Hansard*, 7 April 2021, Conference Call, p. 18.

