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## IAAC Submission to the Stronger Futures Inquiry

The Indigenous Affairs Advisory Council (IAAC) welcome the chance to provide views to the Senate Standing Committee on Community Affairs regarding the Stronger Futures in the Northern Territory 2011 Bill, the Stronger Futures in the Northern Territory (Consequential and Transitional Provisions) Bill 2011, and the Social Security Legislation Amendment Bill 2011.

### About the Indigenous Affairs Advisory Council

The IAAC was appointed by the Northern Territory Government in 2009. The primary role of the IAAC is to provide advice and make recommendations regarding the implementation and further development of the Northern Territory Government's Closing the Gap of Indigenous Disadvantage: A Generational Plan of Action and *Working Future* agenda<sup>1</sup>. The NT's Closing the Gap initiative has been subsumed into the National Partnership Agreement on Closing the Gap in the NT.

Consisting of 12 members from a variety of regions and the Chairs of the four Land Councils, IAAC provide high level advice to the Northern Territory Minister for Indigenous Development on whole of Government priorities in Indigenous policy. The Council also assist the Northern Territory Government to better understand and foster the cultural strengths that exist within Indigenous societies.

More information on the IAAC can be found at the following web link:

<http://www.workingfuture.nt.gov.au/iaac/index.html>

### IAAC submission to Stronger Futures Consultation

The IAAC met with Federal Indigenous Affairs Minister Jenny Macklin on 17 October and outlined their blueprint for a stronger future in the post Northern Territory Emergency Response (NTER) environment via a 'Charter of Principles' that describes how governments should work with Aboriginal Territorians in the future.

These principles echo important points from submissions by peak bodies to the Stronger Futures consultation. We recommend to this inquiry the submissions from APONT<sup>2</sup>, National Congress<sup>3</sup> and ANTaR<sup>4</sup>, if these organisations do not have the resources or opportunity because of the short time period to provide full submissions to this inquiry.

<sup>1</sup> <http://www.workingfuture.nt.gov.au/>

<sup>2</sup> The Future of the Northern Territory Intervention Issues Paper, Aboriginal Peak Organisations of the NT, 2010

<sup>3</sup> Statement of the Australian Government on the Northern Territory Intervention, National Congress of Australia's First People, 2011

<sup>4</sup> A Better Way: Building healthy, safe and sustainable communities in the Northern Territory through a community development approach. Australians for Native Title and Reconciliation 2011

The IAAC see the end of the NTER is a valuable opportunity for the Australian Government to move forward with a new partnership approach.

The key messages about partnership and involvement have also been raised in several key reports including the 1989 *National Aboriginal Health Strategy*<sup>5</sup>, the *Royal Commission on Aboriginal Deaths in Custody*<sup>6</sup> and the *Little Children are Sacred*<sup>7</sup> reports.

The Closing the Gap Clearinghouse Report 'What works to overcome Indigenous disadvantage'<sup>8</sup> made a number of findings about common elements of successful Indigenous programs. In summary, these include:

- Community involvement and engagement.
- Adequate resourcing and planned and comprehensive interventions.
- Respect for language and culture.
- Working together through partnerships, networks and shared leadership.
- Recognising underlying social determinants.
- Commitment to doing projects with, not for, Indigenous people.
- Creative collaboration between communities, non-government and government to prevent duplication of effort.

The IAAC endorse the importance of these elements. The Stronger Futures package is assessed against the IAAC principles below:

**Principle 1. The three levels of government (Commonwealth, Territory and Local Government) must commit to a partnership with Aboriginal people built on honest consultation, open communication and negotiation focussing on key priorities agreed for each community and how progress will be measured and reported.**

- It is not clear that messages delivered by Aboriginal people and organisations during the Stronger Futures consultation process are reflected in the package.
- The legislation is limited in outlining a way forward and indicates that aspects of implementation have already been settled.
- The legislation is complex and technical in nature, and is not a suitable vehicle for communication and negotiation with Aboriginal people.
- There are no clear objectives or outcomes specified and no mechanism for measuring achievements.

<sup>5</sup> National Aboriginal Health Strategy, Office of Aboriginal and Torres Strait Islander Health 1989

<sup>6</sup> Royal Commission into Aboriginal Deaths in Custody, National Report, 1991

<sup>7</sup> Ampe Akelyernemane Meke Mekarle "Little Children are Sacred" Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse. Wild, Rex; Anderson, Patrica 2007

<sup>8</sup> *What works to overcome Indigenous disadvantage*, Closing the Gap Clearinghouse 2011

- The package does not reflect key priorities agreed for each community and does not set out a way of establishing those priorities.
- A partnership needs to be established between all three levels of Government, with Key Performance Indicators devised by the Aboriginal community. This should be accompanied by a monitoring and overview role by bodies such as APONT and the Northern Territory Coordinator General Remote Services.
- The package stands as an example of government 'mainstreaming' of Aboriginal specific programs, resulting in reduced community ownership of those programs. In turn, this has eroded Aboriginal people's sense of identity and ability to engage on an equal footing with Government in consultations.
- Governments should invest more in language and cultural programs that build community leadership and capacity.

**Principle 2. It is essential that Aboriginal people are partners in all local planning programs, management and decision making to ensure that activities are relevant in design, to maximise return on investment and better achieve real improvements for Aboriginal people. Future government policy should abandon 'one-size-fits-all' approaches.**

- There is no indication of any partnership in the legislative measures. Measures are top down and proscriptive rather than enabling.
- The NTER Evaluation<sup>9</sup> states in its key findings that "the rapid delivery of much-needed additional government services was broadly supported by communities, despite short consultation periods. However, for initiatives specific to the NTER communities which aimed to change behaviours within those communities – such as income management, changes to alcohol restrictions and signage – the lack of consultation and blanket imposition attracted criticism even when the measures themselves were valued." It seems that history may be repeating.
- There also exists no flexibility in the legislation for recognition of the diversity that exists among Indigenous communities in the NT, nor between the circumstances of individuals in any one place. Policies and programs that cannot respond to individual and place-based determinants of disadvantage are often ineffective, as found by the Closing the Gap Clearinghouse Report 'What works to overcome Indigenous disadvantage'.
- Future Government policy should be developed specifically for the needs of each individual community.

<sup>9</sup> Northern Territory Emergency Response Evaluation Report 2011, Department of Families Housing Community Services Indigenous Affairs 2011 pp.5

- Governments should consider, as a matter of urgency, ways to develop Aboriginal communities understanding of the machinery of Government.
- It is vital that the importance of education be reinforced to Aboriginal families, as opposed to punitive measures.

**Principle 3. Governments and local communities must work together to develop and take joint responsibility for comprehensive long-term strategies that address issues of dysfunction in service delivery and build strong families in all our communities.**

- The package does not consolidate on previous measures to address dysfunction in service delivery, essential services and infrastructure provision. Without this foundation, capacity building and community development will not occur.
- The Legislation needs to build a sustainable approach to addressing disadvantage through service delivery.
- A holistic approach to issues such as over-crowding education and employment must become an immediate Government priority.
- Future strategic government planning must take a longer term view that sits over and above election and budget cycles.
- Governments must take full responsibility of dysfunctional government service delivery and involve local people in devising solutions.

**Principle 4. Governments should recognise that Aboriginal people and their organisations value-add to the work of Government. To do this, local community and family decision-making structures should be identified, acknowledged, supported and factored into the work of Government.**

- The package does not mention or acknowledge the role of Aboriginal people and organisations in addressing disadvantage, and is instead focused on building mechanisms for the Australian Government to make decisions about Aboriginal people's lives.
- The legislation fails to provide a mechanism for Aboriginal people to provide feedback on whether initiatives are working.
- Commitment to support for families to drive improvement throughout all stages of life for young Aboriginal people is also absent.

- Acknowledgement and support for Aboriginal family and community decision making structures is essential in ensuring that policies and programs are properly understood, supported and endorsed<sup>10</sup>.
- A reflective review process, based on informed Aboriginal input by individuals and organisations, should be built into the legislation on a three year cyclical basis. As part of this legislative review, Governments should recognise the role of Aboriginal people and organisations that also support ongoing service delivery to Aboriginal people.

**Principle 5. Remote communities and outstations must continue to be a focus of Government and community effort and responsibility in terms of school attendance and improved education outcomes, community safety, stronger families and real economic development.**

- The Indigenous population of the NT is far less urbanised than the Indigenous population in other states, with 80% living in remote or very remote areas. Indigenous people living in remote areas have poorer outcomes in the areas of income, education, hospitalisations and housing than people in urban or regional settings<sup>11</sup>. The package fails to recognise this key issue, and does not differentiate between the needs of remote living and other Aboriginal people.
- The legislation also does not provide any assurance of future policy or programs to address remote disadvantage.
- Governments should commit to funding remote outstations at a level equitable with urban and regional areas.
- Remote homelands and outstations should be a key part of the legislation and should be funded to receive essential services with a focus on health, housing, education and employment.

**Principle 6. In all our work there must be a strong and total commitment to measurable achievements in advancing stronger, more independent families, better social outcomes and improved community life, not just a focus on program administration as an end in itself.**

- The package does not outline what achievements would look like, contains no mechanism for measuring outcomes and achievements, and is focused extensively on providing a legislative basis for overriding actions.
- To meet Closing the Gap targets, government should identify and invest in future programs with proven, measurable outcomes at a local level.

<sup>10</sup> *What works to overcome Indigenous disadvantage*, Closing the Gap Clearinghouse 2011 pp. 15, 31, 46

<sup>11</sup> *Overcoming Indigenous Disadvantage Key Indicators 2011 Report*, Productivity Commission, 2011 pp 3.6

- Governments need to provide open, transparent reporting of administration expenditure in Aboriginal programs.
- Governments should take full responsibility for meeting Key Performance Indicators (referred to under Principle 1) and take a lead role in ensuring investments meet the needs of local communities, families and individuals.

**Principle 7. Government has to recognise its on-going obligations to people on outstations by maintaining publicly funded investments and providing agreed services that meet acceptable health and safety standards and encouraging their economic viability and independence.**

- The package contains no commitment to outstations, a fundamental concern of Aboriginal people in the NT as a means by which they can maintain their culture and enjoy health and well being benefits.
- Without ongoing support, existing Government funded assets on outstations will become unusable or unsafe, representing significant wasted investment by Government.
- Many programs aimed at addressing disadvantage in remote areas are dependent upon infrastructure and basic services being maintained on outstations.