

Government Response to

Torres Strait Islanders:
a new deal

A Report of the House of Representatives Standing Committee
on Aboriginal and Torres Strait Islander Affairs
on Greater Autonomy for Torres Strait Islanders

June 1998

INTRODUCTION

On 15 August 1996 the Minister for Aboriginal and Torres Strait Islander Affairs, Senator the Hon John Herron, asked the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs to inquire into and report on greater autonomy for Torres Strait Islanders. The Committee's Report, *Torres Strait Islanders: a new deal, a Report on Greater Autonomy for Torres Strait Islanders*, was tabled in Parliament on 26 August 1997.

As a number of the Report's recommendations require action by both the Commonwealth and Queensland governments, or cover areas which fall within the State's jurisdiction, the following reflects both the Commonwealth and, where relevant, Queensland governments' responses to the Committee's recommendations.

Commonwealth

The Commonwealth government recognises the distinct identity of the Torres Strait Islanders, their enduring pride in their culture and the strength of family life in the Torres Strait Islands.

The Commonwealth understands and supports Torres Strait Islander aspirations for greater control over government service delivery in the region. The government has already legislated to give the Torres Strait Regional Authority (TSRA) its own budgetary allocation, and will shortly introduce legislation separating its administration from that of the Aboriginal and Torres Strait Islander Commission (ATSIC).

The Commonwealth recognises that Torres Strait Islanders are severely disadvantaged in comparison with the general community particularly in the key areas of housing, employment, health and education. The government is committed to addressing this severe socio-economic disadvantage and the TSRA's housing and infrastructure programme will be boosted by an additional \$5 million in 1998-99 and by further amounts in the subsequent two years. The additional funds will go towards urgently needed health-related infrastructure in the Torres Strait. This contribution has been matched by the Queensland government, and the Commonwealth will work with Queensland to ensure the funds are used in a coordinated and effective way.

The Commonwealth acknowledges the potential advantages to be gained through rationalisation of structural arrangements for representation and service delivery in the Torres Strait. There are of course complex issues to be considered in any such rationalisation, given the existence of both Commonwealth and state bodies which provide representation and provide services. This will require close consultation and coordination between the Commonwealth and Queensland governments.

A major consideration in determining the nature and extent of any rearrangements is the views of Torres Strait Islanders and other people in the region. An effective consultation process will be a prerequisite for any Commonwealth action, and the Commonwealth's responses to the Report's recommendations should be read with this in mind.

The Commonwealth acknowledges the desire of mainland Torres Strait Islanders for an increased voice in decisions affecting them, and will similarly require a process of consultation before any changes are made to current arrangements applying to their representative structures.

Queensland

The Queensland government welcomes this opportunity to comment on *Torres Strait Islanders: a new deal*, a report prepared by the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs following its Inquiry into Greater Autonomy for Torres Strait Islanders.

At the outset, the Queensland government wishes to put on the record its support for measures which will give Torres Strait Islanders increased control and involvement in managing the internal affairs of their region and which will assist in increasing the economic independence of the region. To assist in this process, the Queensland government has recently launched the Queensland Aboriginal and Torres Strait Islander Economic Development Strategy which is a comprehensive blueprint for sustainable economic development. The Strategy takes a holistic approach to the issues of education, employment, business, industry and government.

The Queensland government provides a range of facilities, programmes and services for Torres Strait Islanders, across a number of departments, and is continuing to develop initiatives aimed at reducing disadvantage in areas such as health, education, employment and access to services. The Queensland government does not see increased autonomy for Torres Strait Islanders as abrogating the State's or Commonwealth's responsibilities in the provision of essential services in the Torres Strait region in the foreseeable future. Rather, the Queensland government sees increased autonomy as being more about providing Torres Strait Islanders with increased involvement in, and influence over, decisions which affect them. The Queensland government also recognises the important role of Ailan Kastom in this area.

The Queensland government is acutely aware of the need for extensive consultation with Torres Strait Islanders and residents of the Torres Strait prior to the implementation of the Committee's recommendations.

Many of the Committee's recommendations are reliant on not only the support of the community, but also a significant level of cooperation between the Queensland and Commonwealth governments. The Queensland government looks forward to working with the Commonwealth government and with the community to provide greater independence for Torres Strait Islanders in ways which have the approval of those people who will be the most affected by any such changes.

In summary, the Queensland government wishes to express its willingness to cooperate with Torres Strait Islanders and with the Commonwealth government to provide increased autonomy for Torres Strait Islanders through appropriate strategies and realistic timeframes. The government recognises that increased autonomy will

not occur overnight and that its success is dependent on careful, sensible planning, adequate consultation and commitment, support and agreement by all parties concerned. The Queensland government considers that it would be valuable to establish a high level committee of senior officials from the Commonwealth and State governments, Island Coordinating Council, Torres Strait Regional Authority and Torres Shire Council to draw on the recommendations contained in *Torres Strait Islanders: a new deal* and to develop a mutually agreed strategy and timeframe for providing Torres Strait Islanders with increasing autonomy over the affairs of their region.

Recommendation 1

The Committee recommends that the Commonwealth Government negotiate the establishment of a joint statutory agency (the ‘Torres Strait Regional Assembly’) with the Queensland Government to represent all residents of the Torres Strait area and to replace the Island Coordinating Council, the Torres Strait Regional Authority and the Torres Shire Council.

Commonwealth

The Commonwealth government supports in principle the establishment of a combined body to take over the functions of the Island Coordinating Council (ICC) and the TSRA. An amalgamation of these organisations would be an effective way to reduce duplication, and better coordinate the use of resources.

However, the government would want to see an effective process of consultation undertaken before any moves are made to change existing arrangements. This comment applies to the government’s response to all recommendations in this report which involve changes to existing organisations. Negotiations will only proceed if they have the support of Torres Strait Islanders themselves.

The government believes it is premature to consider the incorporation of the Torres Shire Council (TSC) into the proposed new body at this stage. While there are clear advantages in the amalgamation of the ICC and the TSRA, the inclusion of the TSC is more problematic. The government favours a staged process, with the TSRA/ICC amalgamation being the first stage (subject to consultation as indicated above). The position of the TSC could be considered after the proposed new body had been operational for a time, and an assessment made of its workability.

Queensland

There is little doubt that of all the Committee’s recommendations, the first has created the most controversy and concern within some sections of the community.

The Queensland government appreciates the perceived benefits of amalgamating the TSRA and the ICC. Such benefits would include:

- ◇ simplified structures in the Torres Strait, where a relatively small number of people are represented by, and have services delivered by, a relatively large number of agencies;
- ◇ reduced duplication and overlap of functions and membership of the ICC and TSRA which could result in more funds being available for actual services;
- ◇ potential for increased effectiveness and efficiency if funding, advisory and coordination functions are carried out by one joint Commonwealth/State agency; and

- ◇ provision of a stronger basis for transition to territory status at some time in future, in the event of a greater economic independence in the region, and a desire for territory status.

However, the Queensland government also considers that there may be some difficulties created by the proposed amalgamation. For example:

- ◇ it is not clear how, or if, the relationship between the Island Councils and the Queensland government would change. If the Assembly is to proceed, there must be early clarification of the relative status of all parties, their responsibilities, functional boundaries and interrelationships;
- ◇ it is important that if existing indigenous-specific peak organisations are replaced by an Assembly which represents all residents of the Torres Strait, indigenous residents must be confident that the new body is able to effectively represent their interests; and
- ◇ in allocating funding for specific purposes such as health care programmes, the Assembly, in consultation with relevant government departments and agencies, would need to ensure consistency with the integrated service delivery approaches developed by departments such as Queensland Health.

At this stage, the Queensland government requires a more comprehensive understanding of the views of Torres Strait Islanders in relation to this proposition before lending support to the amalgamation of the TSRA and ICC into a Torres Strait Regional Assembly.

In relation to the proposed abolition of the TSC and assumption of its activities by the Regional Assembly, the Queensland government would have difficulties supporting such a move. It is difficult to imagine broad support within the Torres Shire for allowing a regional governing body, set up primarily to make decisions about regional issues, to have responsibility for local government functions currently provided by the TSC. Additionally, it is noted that under the proposed system, the residents of Thursday, Horn and Prince of Wales Islands would elect 5 representatives to a 22 member Regional Assembly, which would mean that approximately 63 per cent of the regional population would elect roughly 23 per cent of the Assembly.

The Report fails to recognise that the TSC has a rate base and its residents are entitled to equitable local representation in deciding how their rate revenue is distributed, as well as decisions about regulatory and other matters.

The proposal also raises a range of issues about how such a body would comply with the legislative framework for local government in Queensland eg. adopting budgets, compliance with financial management standards, making local laws, developing corporate and operation plans etc. Consideration also needs to be given as to how a review of the new government arrangements would fit with the statutory requirements for review of Queensland local government electoral and boundary review matters.

Recommendation 2

The Committee recommends that the proposed Torres Strait Regional Assembly consist of: one representative elected from each Torres Strait Island Council electorate; three representatives elected from Thursday Island; and two representatives elected from the residents of Horn and Prince of Wales Islands. All qualified voters should be eligible to be elected to the Regional Assembly, including those also running for office on island councils. Elections for the Regional Assembly should be held at the same time as island council elections.

Commonwealth

The Commonwealth agrees that the proposed new body should have a representative from each Island Council electorate. Representation from Thursday, Horn and Prince of Wales Islands requires careful thought given the comparatively large populations of these islands which is not reflected in the proposed representation. However, if, as proposed in the Commonwealth's response to recommendation 1, the TSC retains its current structure and functions, the residents of these islands will retain their local government representation in addition to representation in the proposed new Assembly. They will continue to obtain local government services from the TSC whereas local government services to the other islands will be provided by the new Assembly. This would have implications for the functions and representative structure of the Assembly.

Queensland

Currently membership of both the TSRA and the ICC includes all Island Council Chairs. The practical implications of islands being represented on the Assembly by a person who is possibly not the Island Council Chair, or even a member of the Island Council, are unclear, especially given the proposed Assembly's responsibilities, including those in relation to policy formulation and powers to delegate to and contract with Island Councils (as outlined in Recommendation 3). Potentially, Assembly members may not be fully briefed on the activities of their local Island Council. Additionally, conflicts may arise if the elected representatives have differing views to their Island Council.

Recommendation 3

The Committee recommends that the statutory functions of the proposed Torres Strait Regional Assembly be to

- formulate policy and implement programs for the benefit of all people living in the Torres Strait area;
- accept grants, gifts and bequests made to it;
- act as trustee of money and other property vested in it on trust and accept loans of money from both the Commonwealth and Queensland Governments, or other approved sources;
- expend monies in accordance with the terms and conditions on which the money is received;
- develop policy proposals to meet national, state and regional needs of people living in the Torres Strait area;
- advise the responsible Commonwealth and Queensland Ministers on matters relating to the Torres Strait area, including the administration of legislation and the coordination of the activities of all government bodies that affect people living in the Torres Strait area;
- undertake activities on behalf of one or more island councils for such purposes as are requested of it by the council or councils concerned;
- have power to delegate to and contract with Island Councils;
- establish and operate such businesses as the Regional Assembly thinks fit for the benefit of the people of the region; and
- have and discharge the functions of local government with the region, except in areas covered by the Community Services (Torres Strait) Act 1984 (Qld) and the Community Services (Aborigines) Act 1984 (Qld).

The final description and detail of these functions is to be negotiated by the Commonwealth and Queensland Governments and the people of the Torres Strait area.

Commonwealth

Subject to its response concerning recommendations 1 and 2, the Commonwealth supports the proposed functions with the exception of the last dot point. The government considers that the role of the TSC should be maintained, at least in the medium term.

Queensland

See response to recommendation 1 and 2.

Recommendation 4

The Committee recommends that the Commonwealth Government negotiate with the Queensland Government to abolish the Torres Shire Council on the basis that the Council's existing functions be transferred to the proposed Torres Strait Regional Assembly.

Commonwealth

This recommendation is not supported at this stage. There are a number of Torres Strait Island communities which are recognised as local governing bodies for the purpose of receiving Commonwealth financial assistance grants under the *Local Government (Financial Assistance) Act 1995*.

A local governing body is defined under Section 4 of the above Act as:

- (a) a local governing body established by or under a law of a State, other than a body whose sole or principle function is to provide a particular service such as the supply of electricity or water; or
- (b) a body declared by the Minister, on advice from the relevant State Minister, by notice published in the Gazette, to be a local governing body for the purposes of this Act.

The Torres Strait Shire, which is incorporated under the Queensland Local Government legislation, receives funding by way of (a) above.

If this body were to be abolished and the functions transferred to the Torres Strait Regional Assembly, for the new organisation to continue to receive Commonwealth local government financial assistance grants, it will be necessary for the Queensland Minister for Local Government to either:

- (1) incorporate the new body under the state's local government legislation; or
- (2) be prepared to recommend the new organisation, as a local governing body under (b) above, to the Commonwealth Minister.

Action on this recommendation will require the agreement of the Queensland government.

See also the Commonwealth's response to recommendation 1.

Queensland

See response to recommendation 1.

Recommendation 5

The Committee recommends that the Commonwealth Government negotiate with the Queensland Government to amend the Community Services (Torres Strait) Act 1984 (Qld) to enable non indigenous electors on each Torres Strait Island Council electors' roll to run for office on island councils.

Commonwealth

This recommendation is supported in principle, but the government notes that this is a matter for the Queensland government in consultation with residents.

Recommendation 6

The Committee recommends that the Commonwealth Government and the Queensland Government provide block grant funding to the proposed Torres Strait Regional Assembly. The goal being to devolve maximum authority to the Regional Assembly to determine the priorities for the allocation of funds, consistent with appropriate Commonwealth or Queensland Government accountability requirements.

Commonwealth

Although the TSRA is largely funded on this basis at present, the Commonwealth would need to undertake extensive negotiations with the Queensland government and the new Regional Assembly to reach agreement between the three parties on a memorandum of understanding that would provide the flexibility and discretion envisaged in the Report without compromising current Commonwealth and state government accountability requirements for performance in terms of outputs and outcomes.

Recommendation 7

The Committee recommends that the proposed Torres Strait Regional Assembly sponsor a Cultural Council consisting of Torres Strait Islanders from the Torres Strait and the mainland. The Cultural Council should meet annually and advise the Regional Assembly on how to promote and maintain the *Ailan Kastom* of Torres Strait Islanders. The costs associated with the involvement in the Cultural Council of Torres Strait Islanders living on the mainland should be borne by the Torres Strait Islander Advisory Board.

Commonwealth

The Commonwealth agrees in principle with the Regional Assembly sponsoring a Cultural Council but believes that further consideration needs to be given to the structure of the proposed Council. It is noted that the proposal involves the costs being met by ATSIC. ATSIC agrees to this on the basis that costs are reasonable.

Recommendation 8

The Committee recommends that the proposed Torres Strait Regional Assembly grant observer status to the Chairman of the Torres Strait Islander Advisory Board.

Commonwealth

This recommendation is supported.

Recommendation 9

The Committee recommends that after three years of operation, the proposed Torres Strait Regional Assembly report to the responsible Commonwealth and Queensland government ministers on any modifications necessary to the structure and processes of the Regional Assembly to improve the effectiveness of the Regional Assembly's operation and its ability to reflect the wishes of the residents of the Torres Strait region.

Commonwealth

This recommendation is supported.

Recommendation 10

The Committee recommends that the Aboriginal and Torres Strait Islander Commission allocate at least 2.7% of the additional \$15 million funding provided to the Aboriginal and Torres Strait Islander portfolio in the 1997-98 budget to the Torres Strait Regional Authority. Such an allocation should be continued for the period of the fixed term funding agreement.

When the Torres Strait Regional Assembly, as described by the Committee, is established, then the above funds should be allocated to the Assembly for Torres Strait Islander and Aboriginal specific purposes, particularly to help achieve more effective employment training and health care programs.

Commonwealth

The first part of the recommendation has been addressed. At its Board meeting in August 1997, ATSIC allocated \$553,000 or 3.6 per cent of the additional \$15 million provided to the portfolio to the TSRA for 1997-98 and forward years. This amount will continue for at least the period of the fixed-term funding agreement. The Commonwealth notes that the TSRA intends to use this money for Economic Development. The second part of the recommendation is supported.

Recommendation 11

The Committee recommends that the Regional Assembly, when established, develop programs, in consultation with Island Councils and appropriate Commonwealth and Queensland agencies, to enhance the training and apprenticeship positions available for people living in the Torres Strait region.

Commonwealth

This recommendation is supported.

The Department of Education, Employment, Training and Youth Affairs (DEETYA) works with ATSIC (or the TSRA in the Torres Strait region) and other Commonwealth agencies to maximise employment and training opportunities in Commonwealth funded development projects in the region. For example a project to build 30 houses in Bamaga has been in operation during 1997-98 and has provided opportunities for 11 construction trainees.

The Report observes (page 71) that in many cases external contractors are used to expand the islands' infrastructure. The Commonwealth has purchasing policies designed to address the resulting potential loss of employment opportunity. These apply to Commonwealth agencies conducting major tenders, particularly in localities with significant indigenous populations and limited private sector opportunities. Agencies must consult with ATSIC [or the TSRA in the Torres Strait region] and relevant community organisations in planning the tender, consider the capabilities of local indigenous suppliers, and employment opportunities for local community members. These policies are included in the *Commonwealth Procurement Guidelines: Core Policies and Principles March 1998*, published by the Department of Finance and Administration for the information of purchasing officers.

Recommendation 12

The Committee recommends that the Torres Strait Regional Authority allocate a proportion of the additional funding detailed in Recommendation 10 above to allow the Torres Strait Island Fisheries Training Project to commence. The Torres Strait Regional Authority (and later the Torres Strait Regional Assembly) should investigate the possibility of establishing joint ventures to ensure that the three prawn fishing licences allocated to Torres Strait Islander and Aboriginal inhabitants of the Torres Strait can be used to the benefit of these people.

Commonwealth

The Commonwealth supports the intention of the recommendation. The implementation of a fisheries training programme and joint ventures will go some way towards encouraging greater Islander participation in the fishing industry. The Commonwealth believes however, that if a training programme along these lines is implemented, the role of more senior Islander fishermen in the transfer of fishing skills to new Islander entrants to the industry should be integrated into the training programme. Implementation of this recommendation should also take into account the links between training, joint ventures and how each will encourage the taking up of Torres Strait prawn entitlements by Islanders, and will also need to elaborate on the basis for Islander participation in any joint ventures established.

The Commonwealth notes that the TSRA and the ICC are currently investigating the feasibility of establishing joint ventures regarding the prawn licences.

Recommendation 13

The Committee recommends that the Torres Strait Regional Assembly develop generic guidelines for negotiation with people of the Torres Strait region, that can be used by Commonwealth and State agencies which are developing policies that particularly affect the region. Until the Regional Assembly is established, the above task should be conducted by the Torres Strait Regional Authority, in conjunction with the Island Coordinating Council.

Commonwealth

The Commonwealth supports the recommendation but considers that the TSC should also be involved in the development of appropriate guidelines given its service delivery responsibilities.

Recommendation 14

The Committee recommends that Commonwealth agencies with staff positions in the Torres Strait region should ensure that an important selection criterion for all such positions is that applicants have a demonstrated knowledge and understanding of Torres Strait Islander and Aboriginal cultures and a proven ability to communicate with Torres Strait Islander and Aboriginal people' (or words to that effect).

Commonwealth

The Commonwealth endorses and currently implements policies which meet this recommendation. Guidelines issued in 1997 by the Public Service and Merit Protection Commission reaffirmed and enhanced the Identified Positions Policy for the Australian Public Service (APS). Under this policy, people competing on the basis of merit for positions where part or all of the duties involve the development of policy or programmes relating to Aboriginal or Torres Strait Islander people and/or involve interaction with Aboriginal and Torres Strait Islander communities, including service delivery, must meet two core selection criteria. These are:

- (a) a demonstrated knowledge and understanding of Aboriginal and Torres Strait Islander societies and cultures and the issues affecting these cultures in Australian society; and
- (b) a demonstrated ability to communicate sensitively and effectively with Aboriginal and Torres Strait Islander people.

The new guidelines aim at giving agencies the maximum flexibility to deploy skills and abilities to serve the interests and requirements of indigenous people and communities. A key feature of the new guidelines is that they allow APS agencies to expand or add to the core criteria to address the needs of particular communities or groups.

Commonwealth departments and agencies with staff based in the Torres Strait have provided the following information on their staffing policies:

Australian Customs Service

The Australian Customs Service has specific cultural awareness requirements for its staff. This is achieved through a specific selection criterion, used for Assistant Customs Officer recruitment that states that they 'must be able to communicate effectively with people of different cultural backgrounds'. Staff located in areas which deal primarily with Aboriginal and Torres Strait Islander communities are provided with additional cultural awareness training before taking up their posts.

Australian Federal Police

The Australian Federal Police (AFP), despite its minimal presence in the region, already has policies that meet the recommendation.

The AFP is in the process of placing one resident agent (ie a police officer) on Thursday Island as a result of the government's 'Tough on Drugs' strategy. This person is to work in partnership with other Commonwealth and state agencies to combat the escalation of cross border criminal activity in the Torres Strait Region. The essential liaison work includes establishing a rapport with and obtaining the confidence and trust of members of island communities and representative groups and councillors.

The selection criteria for the position include a requirement that the successful applicant should be able to communicate effectively to 'gain acceptance with a wide range of audiences, including ... external organisations and the indigenous people of the Torres Strait Island Region'.

All AFP personnel - both police and staff members - within the AFP receive cross cultural awareness training on Aboriginal and Torres Strait Islander cultures and all new agents receive two days of cross cultural training as part of their recruit training programme, of which one day focuses specifically on Aboriginal and Torres Strait Islander cultures.

Australian Quarantine and Inspection Service

Australian Quarantine and Inspection Service (AQIS) includes the substance of the criteria suggested in the recommendation in its selection criteria for all of its positions in the Torres Strait Islands.

Department of Employment, Education, Training and Youth Affairs

DEETYA has three officers in the Torres Strait region based on Thursday Island. Consistent with its Aboriginal and Torres Strait Islander Recruitment and Career Development Strategy, all three positions are identified.

Department of Foreign Affairs and Trade

An important selection criterion for positions in the Department of Foreign Affairs and Trade (DFAT) managed Torres Strait Treaty Liaison Office (TSTLO) is a demonstrated knowledge and understanding of Torres Strait Islander society and of issues affecting Torres Strait Islander people in contemporary Australian society. This is consistent with the Department's Aboriginal and Torres Strait Islander Recruitment and Career Development Strategy. In addition, in recognition of the fact that work in the TSTLO involves a high degree of contact with the local indigenous population, DFAT has strongly encouraged Aboriginal and Torres Strait Islanders to apply for positions in the Office.

Department of Immigration and Multicultural Affairs

The Department of Immigration and Multicultural Affairs (DIMA) includes selection criteria requiring applicants to have a demonstrated knowledge and understanding of Torres Strait Islander and Aboriginal cultures and a proven ability to communicate with Torres Strait Islander and Aboriginal people for all the full-time positions in DIMA's regional office on Thursday Island. The Department employs three full-time

Torres Strait Islander staff in this office including one officer at senior management level. DIMA also employs thirty movement monitoring officers on a casual basis all of whom are Torres Strait Islanders.

Department of Social Security

The Department of Social Security has a business agreement with the Commonwealth Services Delivery Agency, Centrelink, to deliver social security payments and services to all eligible Australians.

Centrelink's Area North Queensland is responsible for the Torres Strait region and its Thursday Island Customer Service Centre has 8 staff all of whom are Torres Strait Islanders. Centrelink has a commitment to recognising and responding to customers' cultural and language needs and, where possible, ensures that shopfronts reflect customer profiles.

Torres Strait Regional Authority

The TSRA includes selection criteria requiring applicants to have a demonstrated knowledge and understanding of Torres Strait Islander and Aboriginal cultures and a proven ability to communicate with Torres Strait Islander and Aboriginal people for all the full-time positions in TSRA's office.

Recommendation 15

The Committee recommends that those Commonwealth agencies that employ Torres Strait Island and Aboriginal residents in the Torres Strait region, develop cadetships and training programs for those employees, with the goal of extending their representation at all levels and in all occupational groups within the agencies.

Commonwealth

An Australian Public Service Indigenous Recruitment and Career Development Strategy commits all agencies to implementing an Indigenous Recruitment and Development Strategy throughout their organisations. The new Workplace Diversity model now being implemented in the APS by the government will enhance the Strategy. Workplace Diversity encompasses but goes beyond Equal Employment Opportunity, and requires APS agencies to have in place programmes to harness the positive contributions that a diverse workforce, including a workplace representative of indigenous Australians, can make to business outcomes.

Commonwealth departments and agencies with staff based in the Torres Strait have provided the following information:

Australian Customs Service

The Australian Customs Service has finalised its Aboriginal and Torres Strait Islander Recruitment and Career Development Strategy 1997-2001. The strategy is one of a number of policies that support the Customs Equity and Diversity Strategy. The strategies include:

- ◇ provision of cadetships and training programmes (Customs currently has four participants and is expecting to recruit at least two more this year);
- ◇ Aboriginal and Torres Strait Islander cultural skills training of staff in identified work areas;
- ◇ the active encouragement of staff participation in public sector programmes and development opportunities specifically designed for Aboriginal people and Torres Strait Islanders;
- ◇ the active promotion of Customs as an employer to Aboriginal and Torres Strait Islander people; and
- ◇ the active encouragement of Aboriginal and Torres Strait Islander staff participation in human resource issues.

Practical examples include:

- ◇ Customs being actively involved in the Commonwealth Indigenous Network (CIN). Currently, activities of the CIN are focussed in Queensland which has the largest population of Aboriginal people and Torres Strait Islanders in Australia. Customs was instrumental in the recent launch of the North Queensland CIN held in Cairns on 17 March 1998. The Public Service and Merit Protection Commission ultimately aims to link the network to all Aboriginal and Torres Strait Islander Australian Public Service employees across Australia, to assist with the career progression of Aboriginal and Torres Strait Islanders training them to be role models, and helping the recruiting process become more culturally appropriate; and
- ◇ employment of two Aboriginal and Torres Strait Islander staff members on Thursday Island, and the proposed employment of four Aboriginal and Torres Strait Islander staff in Customs' new Marine arrangements. A further four Torres Strait Islanders will be employed as boat drivers providing regular maintenance and transport for ready response vessels. Other Torres Strait Islanders who are employed by agencies (AQIS and DIMA) will also be multi-skilled through additional Customs specific training.

Australian Federal Police

The AFP has an Aboriginal and Torres Strait Islander Career Development and Recruitment Strategy which aims to attract, recruit and retain indigenous Australians into police, staff member and cadetship positions.

Australian Quarantine and Inspection Service

Quarantine officers employed in the Torres Strait region are drawn from the local communities. In 1995 one Torres Strait Islander completed a cadetship and another such cadetship is nearing completion. However, the opportunity to offer further cadetships is limited given the small number of positions available in the area.

Department of Employment, Education, Training and Youth Affairs

DEETYA's indigenous staff in the region have full access to programmes and initiatives under the department's Aboriginal and Torres Strait Islander Recruitment and Career Development Strategy. This includes the Aboriginal Undergraduate Study Award and Aboriginal Staff Sponsorship Programme. Initiatives such as staff orientation materials, a career development and progression package, and a register of staff interested in job rotation are planned.

DEETYA has contributed significant funds over the four-year life of the Queensland Department of Training and Industrial Relations' employment and career development strategy for the Torres Strait region.

Department of Foreign Affairs and Trade

Training programmes and career development for DFAT's indigenous officers must be consistent with the Department's Aboriginal and Torres Strait Islander Recruitment and Career Development Strategy. The Department encourages Aboriginal and Torres Strait Islander officers to pursue mainstream development and training opportunities. Training and career development of indigenous officers is coordinated by a designated executive officer for indigenous recruitment and career development.

Department of Immigration and Multicultural Affairs

DIMA's Aboriginal and Torres Strait Recruitment and Career Development Strategic Plan 1997-1999 addresses this recommendation. DIMA regularly provides both programme specific and general training to each of the full-time Torres Strait Islander staff members at its regional office. The thirty movement monitoring officers also receive training funded by DIMA.

Department of Social Security

The Department of Social Security has a business agreement with the Commonwealth Services Delivery Agency, Centrelink, to deliver social security payments and services to all eligible Australians.

In March 1998 Centrelink completed a review of its indigenous services. That review reinforced the importance of Centrelink's Aboriginal and Torres Strait Islander Employment and Career and Development Plan and Workplace Diversity Plan. These plans impose on Centrelink a requirement to formulate strategies and guidelines to boost employment and career development for Aboriginal and Torres Strait Islander staff.

In response to the abovementioned review, Centrelink has commissioned a consultancy to consider issues such as equity, training, development, mentoring, recruitment, selections, networking and support. This consultancy will address the need for indigenous representation at all levels as part of the equity issue.

Torres Strait Regional Authority

The TSRA currently employs three Torres Strait Islander and Aboriginal trainees, and during the past two years, two other trainees have found full-time positions in the TSRA. The TSRA's staff is 60 percent Torres Strait Islander and Aboriginal. Training is a high priority.

Recommendation 16

The Minister for Aboriginal and Torres Strait Islander Affairs should seek the agreement of appropriate Queensland Ministers, that Queensland agencies which deliver services to the Torres Strait Region, develop charters committing the agencies concerned to involving the residents of the Torres Strait in the planning, administration and delivery of those services to the region.

Commonwealth

This is a matter for the Queensland government and the proposed new Assembly, although the Commonwealth looks forward to a cooperative and coordinated approach on service delivery issues.

Recommendation 17

The Committee recommends that the interests of Torres Strait Islanders living on the mainland should continue to be represented by the Aboriginal and Torres Strait Islander Commission.

This recommendation is supported.

Recommendation 18

The Committee recommends that the Aboriginal and Torres Strait Islander Commission develop a program encouraging mainstream Commonwealth, State, local government and non government agencies to develop partnerships and joint ventures with Torres Strait community groups on the mainland.

This recommendation is supported.

Recommendation 19

The Committee recommends that each regional office of the Aboriginal and Torres Strait Islander Commission should have a nominated Torres Strait Islander contact officer.

This recommendation is supported, where there is a significant Torres Strait Islander population.

Recommendation 20

The Committee recommends that each Regional Council be required to state in its Annual Report the measures taken by the Council to identify and respond to the concerns of Torres Strait Islanders within their region.

This recommendation is supported.

Recommendation 21

The Committee recommends that the Torres Strait Islander Advisory Board (TSIAB) be retained. Membership should consist of two representatives from Queensland; one person to represent both New South Wales and the Australian Capital Territory; one to represent both Victoria and Tasmania; and one representative from each of Western Australia; South Australia; and the Northern Territory. The members of TSIAB should be elected by Torres Strait Islanders living on the mainland, the elections taking place at the same time as ATSIC Regional Council elections.

That part of the recommendation relating to representation from the states and territories is supported. The Commonwealth does not support the election of TSIAB members and considers that the current arrangement of ministerial appointments should be retained.

Recommendation 22

The Committee recommends that the Chair of the Torres Strait Island Advisory Board (TSIAB) be elected by the members of TSIAB from amongst their number. The Chair should be appointed to the Aboriginal and Torres Strait Islander Commission Board of Commissioners and should replace the Commissioner for the Torres Strait Zone.

This recommendation is supported in principle. The Commonwealth notes that consultation with the TSIAB, ATSIC and Torres Strait Islanders living on the mainland will be required.

Recommendation 23

The Committee recommends that the *Aboriginal and Torres Strait Islander Commission Act 1989* be amended so that the functions currently specified for the Office of Torres Strait Islander Affairs (OTSIA) be transferred to the Torres Strait Islander Advisory Board (TSIAB). The new function of OTSIA should be to provide secretariat support to TSIAB and assist TSIAB undertake its functions.

This recommendation is supported.

Recommendation 24

The Committee recommends that the Commonwealth Government facilitate a process of consultation with relevant State Ministers, Torres Strait Islanders and all other residents of the Torres Strait region to ensure their support before any legislation is introduced into the Commonwealth Parliament to amend the structures of government or administration in the Torres Strait region.

Commonwealth

The Commonwealth supports the recommendation and will facilitate the process of consultation by establishing a committee to advance the issue.

Queensland

The Queensland government considers that recommendation 24 is critical. The Queensland government would be extremely reluctant to legislate to progress any new structures for the Torres Strait area, until it is confident that any proposed changes are generally supported by Torres Strait residents.

Recommendation 25

The Committee recommends that the Aboriginal and Torres Strait Islander Affairs Commission (ATSIC) facilitate a process of consultation with Torres Strait Islanders living on the mainland before any changes are made to the ATSIC structures and arrangements for Torres Strait Islanders living on the mainland.

This recommendation is supported.