

**Senate Select Committee on Regional and Remote Indigenous Communities
Second Report 2009**

Whole of Government Response

Recommendation 1

- 3.27 The committee recommends that COAG make a concerted effort to improve the quality and scope of existing data collections on regional and remote Indigenous communities and urges all departments and agencies to routinely utilise the expertise of dedicated statistical agencies such as the ABS and AIHW when collecting and analysing data to ensure that it is consistent and accurate across all jurisdictions.

Government response:

Under COAG's National Indigenous Reform Agreement (NIRA) the Commonwealth and States and Territories have agreed to 11 actions to improve Indigenous data collections including the data required under the NIRA. As a part of the National Integrated Strategy for Closing the Gap on Indigenous Disadvantage, the Commonwealth is to provide an additional \$46.4 million over four years to fund work undertaken by national data agencies, such as the Australian Bureau of Statistics (ABS) and the Australian Institute of Health and Welfare (AIHW), to improve the evidence base and address data gaps.

A key agreed data quality improvement is to achieve consistency and accuracy of Indigenous data across jurisdictions. This involves the adoption by all jurisdictions of standard ABS Indigenous status questions and recording categories on data collection forms and information systems for key data sets. In addition, all jurisdictions will improve data collection procedures for health and education data through staff training and awareness of the importance of quality Indigenous information.

All data sources are affected by the collection of information which identifies Indigenous status, particularly data obtained from administrative datasets. Census data is particularly important; given the information collected on the Indigenous population is used in many other dataset calculations.

The most critical data quality improvements relate to improvement in the count of the Indigenous population in the Population Census, and the improvements in the identification of the Indigenous population in key datasets across all the States and Territories. Work on this, primarily through the AIHW and the ABS is ongoing. Many of these improvements will lead to longer term benefits which will lead to improved estimates in mortality and life expectancy through the identification of Indigenous people in the Population Census and changes in health administrative datasets.

The work to improve data quality across the Commonwealth, State and Territory governments is being coordinated through the cross-government NIRA Performance

Information Management Group, chaired by the Commonwealth Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA).

Details of agreed data quality improvements are set out in Schedule F of the NIRA, available through the COAG website.

Broader government review processes have implications for data collections on regional and remote Indigenous communities. These reviews include:

- The Report of Government Services (ROGS) Steering Committee Review of performance indicators - this will review the ROGS performance indicator framework and individual performance indicators to determine their consistency with the characteristics of performance indicators as defined in the Intergovernmental Agreement on Federal Financial Relations (report due early 2011);
- In developing and overseeing a new National Performance Reporting System the Ministerial Council for Federal Financial Relations will review reporting requirements and existing processes and oversee progress in improving data quality, timeliness and collection processes, and performance reporting
- The Heads of Treasuries Review – this will review COAG National Agreements, National Partnerships and Implementation Plans for consistency with COAG’s Intergovernmental Agreement, as well as clarity, quality and quantity of performance indicators and benchmarks (report due early 2011).

Recommendation 2

- 4.71 That the Commonwealth Government increase access to alcohol and other drug detoxification, treatment and rehabilitation services across the Northern Territory, ensuring that there is ongoing support for individuals after they have accessed programs and services.

Government response:

The Australian Government supports this recommendation and notes the substantial additional funding recently provided to this purpose.

The Australian Government acknowledges that the misuse of alcohol and other drugs is a significant issue affecting health outcomes of Indigenous Australians.

In collaboration with the Northern Territory Government and key stakeholders, the Australian Government is contributing to a range of initiatives which are enhancing drug and alcohol services across the spectrum of care. This includes increasing substance use services within primary health care, enhancing the capacity of residential and non-residential treatment services, and developing new transitional after care services which support people returning to the community after a period of residential rehabilitation.

Since 2007, the Australian Government has allocated more than \$45 million to improve drug and alcohol services in the Northern Territory (NT) through the Aboriginal and Torres Strait Islander Substance Use Program, the two Council of Australian Government initiatives, the Northern Territory Emergency Response (NTER) Drug and Alcohol Measure and subsequent Closing the Gap measures. This includes:

- \$15.9 million over four years under the 2006 Council of Australian Governments (COAG) measure to address violence and child abuse in Indigenous communities – drug and alcohol treatment and rehabilitation services for Indigenous Australians in remote and regional communities. There will be ongoing recurrent funding for the NT of up to \$2.6 million from 1 July 2010.
- \$8 million over three years under the 2007 COAG measure to reduce alcohol and substance abuse and its impact on families, safety and community wellbeing in remote Indigenous communities (also referred to as the Closing the Gap – Indigenous Drug and Alcohol Services measure). Jurisdictional allocations have yet to be determined

From July 2007 to July 2010, \$16 million has been provided under the NTER and subsequent Closing the Gap measures to continue NTER drug and alcohol activities. These measures provided a health response to alcohol restrictions introduced under the NTER. Activities continuing from 2008-09 include Alcohol and Other Drug (AOD) positions in primary health care services in regional centres, workforce training and support including creation of an AOD Clinical Director position, and additional support for selected substance use rehabilitation services. These activities continue to be funded and supported in 2010-11.

- In addition, there is ongoing funding for Indigenous substance use services provided under the Aboriginal and Torres Strait Islander Substance Use Program (\$5.1 million in 2010-11 supporting 15 organisations across the NT).

Recommendation 3

4.203 The committee recommends that the Commonwealth Government review its overall communication strategy for regional and remote Indigenous communities with the view to making information available to communities on an ongoing and regular basis and in an accessible way. In the instance of the SIHIP program the communication strategy should provide information on how the decision to fund housing in the priority communities was made, as well as regular information on how the construction of this new housing is progressing.

Government response:

The Government recently asked the Indigenous Communication Coordination Group (ICCG), chaired by the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA), to examine the effectiveness of coordination arrangements for market research and development of communication strategies, particularly in remote locations. The Executive Coordination Forum for Indigenous Affairs (comprising senior Commonwealth officials) endorsed a principles-based framework in-principle on 13 August 2010. The framework outlines processes for ensuring the Australian Government presents a uniform message to the Australian community as it progresses its work to close the gap. It also includes common messages to help staff explain Closing the Gap to Indigenous people and communities, and to other stakeholders with an interest in the Government's work in Indigenous affairs.

In particular, agencies agreed to abide by the following principles with direct relevance to regional and remote communities:

- Closing the Gap communication is tailored to the particular audience and places its major focus not on programs or processes, but on:
 - the reasons for Closing the Gap-related work;
 - what it means for people on the ground; and
 - the projected outcomes of work.
- Communication products for use in remote communities are developed as close to their ultimate audiences as possible (enabling communication needs identified at the community level to inform communication strategies, processes and products).
- The complexity and time consuming nature of communication with Aboriginal and Torres Strait Islander people, particularly but not solely in remote parts of Australia, is recognised and planned for.
- Communication approaches with many Aboriginal and Torres Strait Islander communities prioritises preferred forms of communication and existing information channels, and gives due consideration to the need for interpreters (especially but not solely in remote communities).

In addition, as the lead Commonwealth agency for Indigenous Affairs, the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) has developed two new whole-of-government products – a magazine and radio program – launched in mid-2009. They address a perceived gap in communications channels to Indigenous people. Entitled *Newslines* and *Newslines Radio* respectively, they provide regular and consistent channels designed to reach Indigenous audiences around Australia, as well as intermediaries and community influencers in more remote areas. The editorial policy for these publications prioritises Indigenous perspectives and community success stories rather than top-down government news. Government information (e.g. about programs and services) is provided in sidebars. The magazine is produced five times per year and

mailed to more than 10,000 recipients. The radio program is produced weekly for up to 40 weeks a year and distributed through the national Indigenous and community radio networks. Both the radio program and magazine are also available on the internet at www.fahcsia.gov.au and www.indigenous.gov.au. Evaluations of the two products are currently underway and expected to be completed by mid-2011. In addition, informal feedback received through the email address and website has been overwhelmingly positive and the magazine has attracted many new subscribers.

In communities where they work, Government Business Managers (GBMs) and Indigenous Engagement Officers (IEOs) are a key communication channel. Research consistently shows that people living in remote Indigenous communities prefer to receive information face-to-face from a known and trusted source.

A review into the Strategic Indigenous Housing and Infrastructure Program (SIHIP) was undertaken in August 2009 by the Commonwealth and Northern Territory Governments. The Review was commissioned by the Commonwealth Minister for Families, Housing, Community Services and Indigenous Affairs, the Hon Jenny Macklin MP and the Chief Minister of the Northern Territory, the Hon Paul Henderson, in order to assess how to improve SIHIP. The review report was released publicly on the FaHCSIA website on 31 August 2009. The changes recommended by the review have now been implemented.

Consistent with the findings of the review, the Australian Government now has a direct role in delivering the program. The Australian Government Program Director is now jointly managing the program with the Northern Territory Government Program Director. The review also recommended that Australian Government staff, including; GBMs, IEOs, and Northern Territory Government regional staff assume a stronger and more proactive role in communicating information directly to communities about SIHIP and about delivery of housing services. This includes how decisions regarding funding priorities communities have been made, decisions about scheduling and scope of works and progress of the construction works.

Housing Reference Groups are being established in each community where SIHIP is operating by the Northern Territory Department of Housing Local Government and Regional Services (DHLGRS). These groups are made up of community residents who advise on how housing services, including the construction program and tenancy management, should be delivered in their community. GBMs and IEOs collaborate with DHLGRS staff to ensure information is communicated effectively to the Housing Reference Groups and that delivery of housing services is responsive to the needs of local residents.

Recommendation 4

- 4.228 That in communities without access to a local store licensed to accept the Basics Card, alternative arrangements should be made so that people are able to access income managed funds at their local store. This could be in the

form of a temporary arrangement with the store until the licensing process can be completed.

Government response:

The Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) works closely with Centrelink to ensure that people who are on income management can access their income managed funds at their local community store. As at 17 December 2010, 91 community stores (including stores such as station stores that have been specified as community stores by the Minister for FaHCSIA) in the NT are licensed. When people who are income managed travel interstate, they are encouraged to contact Centrelink before travelling, to ensure that they can access their income managed funds. They can also use their BasicsCard at approved merchants nationally.

There may be cases where a business meets the definition of a community store under Part 7 of the *Northern Territory National Emergency Response Act 2007*, and seeks to become a BasicsCard merchant, but may not reasonably be expected to meet licensing requirements. In these rare instances, the Minister can make case-by-case decisions to allow consideration of the community store to become a BasicsCard merchant without having a community store licence. The FaHCSIA Secretary may take into account the level of turnover of the store, and whether this is sufficient to support compliance with licensing requirements.

In cases where a store is not (or no longer) eligible to participate in the income management regime, and there is no alternative store for the community, FaHCSIA and Centrelink develop contingency plans for the community which may include arrangements for bush orders, one-off payments by Centrelink and/or transport to a nearby community.

Recommendation 5

4.232 The committee recommends that in order to be licensed as a merchant for the Basics Card, FaHCSIA make it a condition of license that roadhouses within the Petrol Sniffing Strategy Central Desert Region and feeder sites to this region sell Opal fuel.

Government response:

The Department of Families, Housing, Community Services and Indigenous Affairs and the Department of Health and Ageing have agreed on a process whereby provision of Opal fuel is taken into account in BasicsCards approval for petrol stations, while still ensuring sufficient availability of petrol to income managed customers in the relevant region. This is intended to balance the objectives of both programs.

Recommendation 6

4.256 The committee recommends that the Commonwealth commit to longer term program funding so that organisations can enjoy greater funding certainty and offer staff greater job security. This is especially the case in relation to organisations who have established relationships with funding bodies and good risk management strategies in place.

Government response:

The government supports longer term funding arrangements, within the constraints of practicalities and program issues. It is accepted that longer term funding arrangements provide benefits to organisations, including greater certainty, the opportunity to develop longer term strategies, greater ability to build long term partnerships and trust, and develop capacity within their own organisation. However, there are a number of practical and program issues that affect the length and nature of funding arrangements including: the nature of the program and program objectives, the duration of specific budget measures, compliance with existing funding agreements and, in particular, risk management (including the assessed level of program and provider risk).

Commonwealth Departments that have established or are committed to three year funding agreements include: the Department of Education, Employment and Workplace Relations (for example; the Parent and Community Engagement Program, under the *Indigenous Education (Targeted Assistance) Act 2000*, as well as the Job Services Australia Employment Services Deed which has a number of Indigenous organisations contracted), the Department of Families, Housing, Community Services and Indigenous Affairs (for example; under the reformed Community Development Employment Projects (CDEP), the Family Violence Partnership Program and the Family Violence Regional Activity Program), the Office of Aboriginal and Torres Strait Islander Health (Department of Health and Aging) and the Department of Environment, Water, Heritage and the Arts (for example; under the Indigenous arts and culture programs, from 2009-10 and multi-year contracts under the Working on Country program).

Issues of longer term funding of Government programs have emerged more broadly through the National Compact consultations and the current Productivity Commission Inquiry into the Contributions of the Not for Profit Sector.

Recommendation 7

5.31 That the Commonwealth and South Australian Governments provide additional funding and appropriate support to the Homemakers Centre in the APY Lands so that all seven centres are operating at an effective level and that the Commonwealth Government consider supporting similar Homemakers Centres in other remote Indigenous communities as a matter of priority.

Government response:

The Commonwealth Government provided funding to the South Australian Government for the delivery of a Home Living Skills Assistance program from 2005 to 2008. At the time, the South Australian Department of Families and Communities (DFC) was administering a Homemaker program in the APY Lands, which involved a service delivery model for assisting children 'at risk' through the delivery of family support services. The program focused on nutrition to tackle the 'failure to thrive' for infants and babies and provided meals and assistance for elderly members of the community delivered through the Homemaker centres. While it was recognised that the focus of the Homemaker program was working with parents, children, youth and older persons, the Commonwealth's funding was provided to improve housing management, as a complementary measure to the existing housing programs being administered by DFC. The Home Living Skills Assistance program was a distinct initiative separate to the operation of the Homemaker centres. The cessation of funding for the Home Living Skills Assistance program was mutually agreed between Commonwealth and South Australian Government officials on the basis of new improved arrangements to be negotiated through the National Partnership Agreement for Remote Indigenous Housing.

Under the National Partnership Agreement for Remote Indigenous Housing, the Commonwealth Government provides funding to the South Australian Government who is responsible for the provision and support of Indigenous housing (including on the APY Lands). This includes responsibility for tenancy management and assisting tenants to understand their rights and responsibilities. The tenancy management arrangements include offering all prospective tenants of new houses living skills support training to assist families to create a safe and healthy home environment. The South Australian Government has engaged Uniting Care Wesley to establish and deliver the Home Living Skills program on the APY Lands.

Recommendation 8

- 5.49 That the Commonwealth Attorney-General's office undertake discussions with the South Australian Government with a view to the South Australian Government undertaking a review of the Magistrates Court Circuit on the APY Lands to ensure its ongoing effectiveness.

Government response:

The Commonwealth Attorney-General's Department has discussed this issue with the South Australian Government which has now confirmed that, in relation to the APY Magistrates Court Circuit, it is currently developing a Magistrates Court Service Plan. This project will model the expected workloads across the state and identify and analyse options for improvement to the efficiency and effectiveness of court services. All regional and remote circuits will be examined as part of that planning process.

The South Australian Magistrates Court circuit roster for 2011 includes 15 visits to the APY Lands. A Court User Group (which the Women's Legal Service and NPY Women's Council have been invited to join) has recently been established for the APY Lands and has met twice. The purpose of User Groups is for stakeholders, court staff and Magistrates to discuss court arrangements and issues to improve the co-ordination and operation of the court circuit.

Recommendation 9

5.112 Recognising that access to numeracy and literacy training in regional and remote Indigenous communities is limited but given that it plays a fundamental role, the committee recommends that the Commonwealth Government, in consultation with state and territory governments, prioritise the implementation of basic and appropriate adult literacy and numeracy programs in order to address the current identified need.

Reforms to the Indigenous Employment Program (IEP) administered by the Department of Education, Employment and Workplace Relations, were announced in December 2008 following extensive consultations around Australia throughout 2008. The reformed IEP was implemented on 1 July 2009 and complements the services offered by Job Services Australia and Community Development Employment Projects (CDEP) program.

The reformed IEP offers tailored solutions to assist employers to recruit, train and provide sustainable employment for Indigenous Australians. The program can also support Indigenous Australians pursue self-employment and business development opportunities.

During the consultations, lack of English literacy and numeracy skills was identified as a significant barrier to Indigenous job seekers gaining employment, particularly in remote areas. The reformed IEP offers additional funding for literacy and numeracy assistance and increased access to the Workplace English Language and Literacy (WELL) program.

In the 2009 Budget the Australian Government committed:

- \$21.6 million over four years for 6,000 WELL places for IEP participants.
- \$3 million over three years for an additional 162 LLNP places for Indigenous Australians across nine Indigenous communities under the Northern Territory Emergency Response (NTER) using innovative community-based projects for delivery.

In the 2010 Budget, the Australian Government provided a further \$120 million to provide more places for adult language, literacy and numeracy training nationally. Indigenous clients, including those living in regional and remote areas, are potentially eligible for these programs:

- WELL program: \$15.7 million for an additional 9,500 mainstream places over four years.
- Foundation Skills Taster Course program: \$13.1 million for an additional 8,000 training places over four years.

In addition, in 2010:

- \$67 million over four years was committed to strengthen the Language, Literacy and Numeracy Program in order to better equip over 70,000 job seekers with critical language, literacy and numeracy skills. These job seekers will include Indigenous Australians, young people, mature aged and people in regional and remote locations.
- \$23.5 million over four years for the National Foundation Skills Outreach and Leadership program to implement a suite of initiatives aimed at addressing existing structural issues within the national training system to improve foundation skills for adult Australians. The Project will support an over-arching National Foundation Skills Strategy (NFSS), which will provide a national framework for approaches to the provision of foundation skills (including English literacy and numeracy) for the period 2012 -2022. The NFSS will be developed in consultation with states, territories and key stakeholders.

Recommendation 10

- 5.125 The committee recommends that the Northern Territory government review the high levels of custodial sentences in the Northern Territory and the reasons for recent increases as well as determine whether the non-custodial options available to magistrates and judges are sufficient.

Government response:

While this is a matter for the NT Government, the Australian Government funds a number of programs that seek to reduce the degree of contact that Indigenous people in the Northern Territory have with the criminal justice system and the type of sentences that they receive. In particular the Attorney-General's Department administers funding for a range of programs to address Indigenous over-representation in the Northern Territory justice system:

- Aboriginal and Torres Strait Islander Legal Services - The Government has committed \$10.7 million in 2010-2011 to two community-based organisations to provide legal advice, assistance and representation on criminal, civil and family law matters and community legal education in the NT. A further \$3.5 million has been allocated to June 2012 to assist with NTER-specific legal matters and welfare rights (provided on an outreach basis).
- Family Violence Prevention Legal Services - the Government has committed \$11.19 million over three years for three organizations to provide legal assistance

and other services to help victims/survivors of family violence and/or sexual assault in remote Northern Territory Indigenous communities.

- Northern Territory Law and Order measures - The Government has committed \$83 million over three years (2009-10 to 2011-12), to support Closing the Gap in the NT, Law and Order Measures including night patrol services, Indigenous interpreter services, additional Indigenous legal services and the Welfare Rights Outreach program.
- Indigenous justice Programs - The Government has provided funding of \$1.4 million in 2010-11 for a number of projects throughout the Territory to rehabilitate prisoners and to divert youth from offending.
- Sworn Community Engagement Officers – The Government has committed \$3.4 million over two years for eight police officers to undertake an innovative policing model in remote Northern Territory Indigenous communities.

In a policy context, the Australian Government, through the Attorney-General's Department, has led the development of the National Indigenous Law and Justice Framework 2009-2015, endorsed by all Governments in November 2009. The Framework proposes a number of strategies for improving custodial and non-custodial responses to offending. In addition, the Attorney-General's Department, through the Standing Committee of Attorneys-General, is currently leading the development of the Aboriginal and Torres Strait Islander Safer Communities Strategy for proposed inclusion as a schedule to the National Indigenous Reform Agreement.

Recommendation 11

- 5.133 The committee recommends that the Commonwealth Government coordinates, in cooperation with the relevant states and territories, a review of the number of deaths and serious injuries caused by family violence in Indigenous communities as well as the current unmet need for appropriate facilities and resources in the Ngannyatjarra Pitjantjatjara Yankunytjatjara cross border region.

Government response:

The National Framework for Protecting Australia's Children 2009-2020 is a national strategy to achieve a substantial and sustained reduction in child abuse and neglect in Australia over time.

The National Framework has six Supporting Outcomes:

1. Children live in safe and supportive families and communities
2. Children and families access adequate support to promote safety and intervene early
3. Risk factors for child abuse and neglect are addressed
4. Children who have been abused or neglected receive the support and care they need for their safety and wellbeing
5. Indigenous children are supported and safe in their families and communities

6. Child sexual abuse and exploitation is prevented and survivors receive adequate support.

Measurement of the implementation of the National Framework includes 28 indicators of change across areas of health and safety, early childhood development, education, child protection, homelessness and carers. Indicator 16 will measure the rate per 1,000 children living in households where family violence occurs. The data is being collated by the National Framework's Performance and Data Sub-Working Group and will be reported in the annual report to COAG.

The National Framework will be implemented through a series of three year action plans. The 2009-2012 action plan includes twelve national priority projects.

National Priority – *Enhancing the Evidence Base* aims to enhance the knowledge of children's interaction with the child protection system. It will involve the review and improvement to data collections (e.g. data definitions and unit record data) relating to child protection, homelessness and juvenile justice across all jurisdictions.

National Priority – *Information Sharing* aims to increase the sharing of appropriate Commonwealth information with state and territory child protection agencies to better protect vulnerable children. Information sharing protocols have so far been signed by the Commonwealth agencies of Centrelink, Medicare and Child Support Agency.

The Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) provides funding through the Indigenous Family Safety program to support individuals affected by family violence and to address the high rates of family violence in Indigenous communities. Funded projects focus on four priority action areas:

- Addressing alcohol abuse;
- More effective police protection to reduce incidents of violence;
- Strengthening social norms against violence; and
- Coordinating support services to aid in the recovery of people who experience violence, including children who experience or witness violence.

The Indigenous Family Safety program funds projects aimed at reducing the incidence of Indigenous Family Violence across Australia, including the Ngaanyatjarra Pitjantjatjara Yankunytjatjara cross border region. For example:

- The NPY Cross Border Project delivered by SA Department of Correction Services provides culturally and linguistically appropriate early intervention programs targeted to perpetrators of family violence and measures repeat offending. The project covers 24 communities in the NPY region and has a 70 per cent success rate in stopping reoffending; and
- The Family Violence Services for Northern Territory NPY communities delivered by the Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's

Council to provide support for women and children affected by family violence. Funding was also provided for a client/patient management IT system to enable better record management and the ability for the organisation to share information with other service providers and police to help reduce the incidence of family violence.

In response to the recently released report from the Board of Inquiry into the Northern Territory Child Protection System, the Commonwealth Government has allocated \$7.54 million over two years for an additional 15 Mobile Child Protection Workers and for up to 22 Remote Aboriginal Family and Community Workers and \$25m over four years for additional family support services to support families referred to income management