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SENATE

SELECT COMMITTEE ON REGIONAL AND REMOTE
INDIGENOUS COMMUNITIES

**Reference: Effectiveness of state, territory and Commonwealth government policies
on regional and remote Indigenous communities**

THURSDAY, 15 OCTOBER 2009

SYDNEY

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**SENATE SELECT COMMITTEE ON
REGIONAL AND REMOTE INDIGENOUS COMMUNITIES**

Thursday, 15 October 2009

Members: Senator Scullion (*Chair*), Senator Crossin (*Deputy Chair*), Senators Adams, Johnston, Moore and Siewert

Senators in attendance: Senators Adams, Moore, Payne, Scullion

Participating members: Senators Abetz, Back, Barnett, Bernardi, Bilyk, Birmingham, Mark Bishop, Boswell, Boyce, Brandis, Bob Brown, Carol Brown, Bushby, Cameron, Cash, Colbeck, Jacinta Collins, Coonan, Cormann, Eggleston, Farrell, Feeney, Fielding, Fierravanti-Wells, Fifield, Fisher, Forshaw, Furner, Hanson-Young, Heffernan, Humphries, Hurley, Hutchins, Joyce, Kroger, Ludlum, Lundy, Ian Macdonald, McEwen, McGauran, McLucas, Marshall, Mason, Milne, Minchin, Nash, O'Brien, Parry, Payne, Polley, Pratt, Ronaldson, Ryan, Stephens, Sterle, Troeth, Trood, Williams, Wortley and Xenophon

Terms of reference for the inquiry:

To inquire into and report on:

- a) the effectiveness of Australian Government policies following the Northern Territory Emergency Response, specifically on the state of health, welfare, education and law and order in regional and remote Indigenous communities;
- b) the impact of state and territory government policies on the wellbeing of regional and remote Indigenous communities;
- c) the health, welfare, education and security of children in regional and remote Indigenous communities; and
- d) the employment and enterprise opportunities in regional and remote Indigenous communities.

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Committee met at 9.03 am

CHAIR (Senator Scullion)—The Select Committee on Regional and Remote Indigenous Communities is holding this public meeting as part of its inquiry into regional and remote Indigenous communities. On behalf of the committee I would like to acknowledge the traditional owners of this land on which we meet and we pay our respect to the elders past and present.

The committee is next due to report to the Senate on 26 November 2009, and it welcomes submissions from interested people and organisations. Before the committee starts taking evidence, I advise that all witnesses appearing before the committee are protected by parliamentary privilege, with respect to their evidence. Any act that disadvantages a witness as a result of evidence given before the Senate or any of its committees is treated as a breach of privilege. However, I also remind witnesses that giving false or misleading evidence to the committee may constitute contempt of the Senate. These are public proceedings, although the committee may agree to a request to have evidence heard in private, or may determine that certain evidence should be heard in private.

[9.04 am]

GHALY, Ms Sylvia, Manager, Policy and Membership, Association of Children's Welfare Agencies

CHAIR—I welcome Ms Ghaly from the Association of Children's Welfare Agencies. Information on parliamentary privilege and the protection of witnesses and evidence has previously been provided to you. The committee has your submission. I now invite you to make a short opening statement. At the end of your remarks I will invite members of the committee to put questions to you.

Ms Ghaly—I would like to thank you for the opportunity to appear before you this morning. I acknowledge the level of work that has been done across different states and territories in regional and remote Australia. I have worked in both Queensland and the Northern Territory for over four years or so and I have seen a lot of work that has been done in these remote communities. I guess, from my experience working in these remote communities, it has never been the lack of funding or the lack of goodwill to achieve outcomes for communities, it has always been the lack of coordination or the lack of a vision across the different jurisdictions. That is why sometimes programs might achieve outcomes, but they do not necessarily achieve long-term or sustainable outcomes.

Currently, in my position with the Association of Children's Welfare Agencies, we are working with children who are removed from their homes and are in contact with the child protection system and we have an inquiry in New South Wales about the reform of the child protection system. One of the key elements of that is that one third of all of the children in care are Aboriginal children, and while some might come from the city, many of them come from regional and remote communities. There is a chapter, the whole of chapter five in the inquiry, which is focusing on Aboriginal issues.

I think from the organisational perspective, we are interested to see that we are not just addressing these issues by having more programs, but by addressing the in-depth disadvantage that regional and remote communities around Australia are experiencing. So, I am sure that it is not news to you that, according to the United Nations, Aboriginal communities in Australia are considered to experience fourth world status, and I think that is something that needs to be addressed in a very systematic way.

From our perspective, the initiative that has been taken early on by the Prime Minister, Kevin Rudd, when he invited many people to share their vision for the whole of the country, that was a very good initiative because what might be missing in regional and remote Australia is that vision for the Aboriginal communities and also the power to implement this vision across the different jurisdictions, across the whole of the country.

CHAIR—Thank you. You have made a number of references to the activities of the New South Wales government and in your submission there are a number of comments, particularly in regard to welfare quarantine, and principally you do not agree. I wonder if you could just

provide me with some insight about why you think that welfare quarantining, in the context that it has been recommended in the Wood inquiry, would not work or is not working.

Ms Ghaly—The welfare quarantining does not work because it does not necessarily achieve behaviour change. If anything, it is to restrain people from using the money that they have, but it does not necessarily teach them how to manage funding. So, for example, we would be more in favour of a system that would help people learn how to manage their income better, and there are many programs happening across the state that enable people to do that. One of Justice Wood's recommendations was welfare quarantining and this was one of the only recommendations that ACWA did not support, as well as national **CHECK AUDIO** and we are very pleased to also see that the New South Wales government did not adopt this recommendation. Welfare quarantining is an invasion of people's right to manage their income, even if the income is coming from the government as a welfare payment.

CHAIR—I am always thinking of it from the context, and I am not very familiar on the New South Wales issues, of the Northern Territory issue; the reason and the motives behind managing their income is not so much management it is just saying, 'We just do not think that it is appropriate that you spend 100 per cent of your income on alcohol and gambling, which is an issue because then the children do not get fed.' So it is not so much of a management issue, not with everybody, and this is the great tragedy about having one legislation for all. Do you have much knowledge of the intervention of the Northern Territory and the welfare quarantining in that context?

Ms Ghaly—I left the Northern Territory just before the intervention happened, however my experience in the Northern Territory is that there is a lot of exploitation. For example, managing the income of Aboriginal people would not necessarily address the issue of the many shop owners who are inflating their prices so that the money will not necessarily be sufficient to feed their family over a period of a week or two weeks and, while nobody agrees with spending 100 per cent on alcohol and leaving their children and all of the family without food or clothes or going to school and fixing their needs of paying rent or the other things that any individual in any society would be required to do, there are other ways.

For example, in Queensland long before the Northern Territory intervention there has always been a program where the school was deducting from the Centrelink payment an amount to provide the schoolchildren with food during school hours. There is also another program where it is a centre-pay for housing and that was also implemented, for example, in Tennant Creek in the Northern Territory by Julalikari, which is the Aboriginal council there, so that people are paying their rent before they have access to their money. That kind of method, while it will achieve the same outcome, is perceived as less intrusive because people would have to sign; the same way as they sign a lease and sign on a piece of paper to say that they approve of that payment to be paid directly to the housing institution, to the school or elsewhere.

CHAIR—Thank you for filling me in some more. Senator Adams.

Senator ADAMS—Could you tell us if New South Wales has done any income management?

Ms Ghaly—Program?

Senator ADAMS—Yes.

Ms Ghaly—As far as we are aware, that has not been taken on board and, as I mentioned, Justice Wood recommended income quarantining as a method especially in cases of families who come in contact with the child protection system, and that has not been taken on board by the New South Wales government.

Senator ADAMS—I come from Western Australia and they have got income management in certain pilots. They are expanding that, and people are coming forward voluntarily to have their income managed. Their rent and all the other basic things that they want that are coming out before they get the residue of their payments. Now, this is working very, very successfully and, as I said, other families can see how well that is working for the families that have had their income quarantined. Especially the women in the community are very, very supportive of it. So, that is the Northern Territory and Western Australia. We have travelled extensively as a committee and we are finding more and more as the programs start moving out that people are accepting it and finding that it is a good thing. There are more children going to school and the actual truancy rate is lessening. We have just had that sort of evidence, so I just wondered if New South Wales did have a program and it was not working and that that was the reason that you made these comments?

Ms Ghaly—Not necessarily.

Senator ADAMS—Obviously not.

Ms Ghaly—Not particularly in the relation to what is happening in New South Wales, but we are also aware of the program in Western Australia and my understanding is that the program in Western Australia is, firstly, voluntary, which is a very different element to what is happening in the Northern Territory; and, secondly, it is not necessarily targeting Aboriginal communities, it was for everybody within a certain area. Again, these two elements are very different to what happened in the Northern Territory.

Senator ADAMS—It is changing. Up north in the Kimberley people are really pushing to be involved with it. So that is something that, I think, is becoming more of a norm. The fact that the basic card is being expanded right across the territory and Western Australia and South Australia so that as families move—if they have to go, for business or something like that—they are able to use their card to access their food as they go, which was not the case before. There are lots of things that are happening that the communities are asking for; it is not being imposed upon them, so I would just like you to realise that. It really is becoming a success.

You have said here in relation to the programs, ‘A quick fix; one size does not fit all.’ Probably the frustration for us as well is that you have a three-year funded program and somehow—whether it is a federal government program or a state one—after three years it is supposed to be sustainable and you are supposed to be able to go on with it. There have been so many successful programs where we have lost the key people, because for a three-year program, at 18 months in there is no recurrent funding coming so those good people are looking for another job. You end up with one program finishing and then you have got a hole and then they will start another program but it will not be quite the same. Then you have got to try and recruit those experts to come and run a program. Could you give us an example of successful three-year

programs in New South Wales that you feel should have been continued and the struggle that you have had to, perhaps, get them continued, or just what has happened?

Ms Ghaly—I am actually not totally aware of programs that got defunded, especially in regional and remote New South Wales, but my experience outside of New South Wales is that this happened several times, both in the Northern Territory and in Far North Queensland. If I can make a general comment, the reality is with a three-year program—and it would be lucky if the programs are funded for three years because some programs are also funded for less than that—that people spend most of their time towards the end of a program funding period trying to secure more funding so that the program can continue rather than doing the work that is supposed to be done. I guess that is why we would be hoping that there would be a consideration of running long-term programs that go beyond election cycles and that would have more of a sustainable outcome for the communities.

Anybody who worked in regional or remote Australia would know that three years is just enough time to build relationships and for anything to start working. By the time we start seeing good outcomes that is when the funding stops and something else comes up or other parallel programs come onboard and people experience myriad programs that do not necessarily connect with each other and they are not necessarily coordinated. Hence, we see patches of outcomes rather than a consistent outcome across the board, and that is why we do not see sustainable changes or sustainable outcomes. So, I guess if we are advocating for anything, we are not advocating for extending that from three years to five years but we are extending that from three years to 20 years and not necessarily to focus on the programs which are the end result of deciding what the strategy is going to be and what the vision is and what the strategies are going to be and then implement in place a number of programs that will complement each other. My experience working in the Northern Territory and in Queensland is that the programs were based on applying for funding as tenders become available and just filling pockets of gaps without having a coordinated approach towards that. I think that is something that will need to be changed because if we put all of this money that goes into the different programs into the one cohesive strategy we will more likely achieve long-term sustainable outcomes.

Senator PAYNE—In your submission you make some observations about the CDEP reforms and the impact that you perceive those to have had. Could you tell us some more about that?

Ms Ghaly—The CDEP program, as far as I understand, was established so that people can contribute back to their community and at its initial stage it was a preparation for people to get a real job, if you like, or to contribute to the real economy, but it became stuck at the preparatory stage and it did not necessarily result into this transition into a real job. The recent reform turned the CDEP jobs into part-time jobs that are underpaid and that are not necessarily sustainable. They do not necessarily lead to a real job, either. We changed their name, we changed the format, but it did not happen because of an increase in the economic prosperity of the communities where CDEP is being implemented, it is not that there was an economic growth that required more jobs and hence we were able to turn these CDEP's into part-time jobs or even full-time jobs. It was just a change of titles, a cosmetic change, if you like.

Senator PAYNE—Is that feedback that you are getting back from communities in New South Wales?

Ms Ghaly—That is the feedback I have received from communities in the Northern Territory, mainly.

Senator PAYNE—Okay. Is there anything in particular from New South Wales?

Ms Ghaly—No, we do not have contact with them. Because we are a child welfare agency, we work with organisations providing services to children and families, but we are not necessarily in contact with the CDEP workers.

Senator PAYNE—Thank you very much.

Senator MOORE—In the submission that you have given us you have attached a number of things that look like all government plans; they have lots and lots of dot points and recommendations. How much of this stuff is actually working from your point of view? I will just draw your attention to the New South Wales interagency plan to tackle child sexual assault that was attached. I know that you would know about it because of your work. It says all of the right things about coordination; it says all of the right things about consultation and those things. I would just like you to put on record how you feel working with the people who are on the ground about the interaction between these plans and reality.

Ms Ghaly—It is a long a battle. Tackling the sexual assault is something that has started a number of years ago and it is continuing and Justice Wood also in his recommendation suggested that we get on with the job and implement the recommendations. I believe that the New South Wales Ombudsman would be working on that with AbSec, which is a peak body for Aboriginal child and family services in New South Wales, and with agencies on the ground.

As you suggested, the recommendations sound great. They are very comprehensive and they could be implemented. In New South Wales, to some extent, we fall short in implementing for one reason or another. It may be because we have so many reforms happening at the same time and at the end of the day the resources are limited and there is a lack of coordination between the programs. There is an attempt by government and the non-government sector to coordinate all of these recommendations and to implement them over the next five years. We are very hopeful, but it is a matter of wait and see.

Senator MOORE—A key point in your own recommendations in your submission, and you said it in your original evidence, was that it was the coordination which was the key factor. You very bravely said that it was not a matter of funding. That is a very brave statement. It was certainly not a lack of goodwill, because I think everybody shares the need to try to do it better. Can you tell us about any concrete activities that are being done to try to do something which we all talk about, which is to get people to work together, not waste and not have double processes?

Ms Ghaly—In New South Wales we currently have the Department of Premier and Cabinet which has an implementation unit which is overseeing the implementation of the Wood recommendations across all government departments. That is at least for the first 12 months. We are coming towards the end of the 12 months and we are yet to see what is going to happen to this unit.

Senator MOORE—We are just beyond the 12 months.

Ms Ghaly—It generally would be 12 months. The fact that there is an implementation unit that is working from the Department of Premier and Cabinet and not necessarily attached to any particular government department, as in none of the human services or the justice cluster, means that there is a potential to coordinate services across all of the government departments, so that has some potential.

My experience in working in Tennant Creek in the Northern Territory was that I coordinated a BRSCC committee, which is called the Barkly Region Safer Communities Committee. It started as a crime prevention committee but it ended up as a committee coordinating 52 stakeholders of all of the non-government organisations on the ground, as well as 10 Northern Territory departments and two federal government departments. They were broken down into subcommittees. Each one had a particular focus. They focused on health, education, accommodation, transport and so on. I think because there was this coordinated approach where people talked about what their issues were that it was very much a community development approach. That was successful while it worked, but then it stopped because of the lack of funding and was taken over by many other initiatives in the regionalisation in the Northern Territory. While it was there it was coordinating services on the ground.

I would like to clarify that it is not the lack of funding for programs, it is more the lack of sufficient funding for infrastructure and universal services to support regional and the remote communities around Australia. Without that funding, while programs try as much as they can to fill these gaps, they cannot address the disadvantages. They cannot address the fact that there are no doctors in some of these communities. They cannot address the fact that the hospital is overworked. They cannot address the fact that if we were successful in getting all children in schools that the school will not be able to accommodate all these children. These are the things that we also need to address and then look at programs and how they can complement that, as opposed to looking at programs as the answer to start off with.

Senator MOORE—I am really pleased that you got that on record. I knew that was what you meant, that there was no need to just cap the funding, it was to actually use it better.

Ms Ghaly—Yes.

Senator MOORE—There is just one other point and we will ask other people about this. The stimulant that seems to be driving some of the work in New South Wales has been the Wood report and the government's response. Do you know whether those activities are wide enough to include Commonwealth agencies as well? That is one of the other breakdowns; it is between different levels of government as well. From your understanding of what is going on, is the coordination including Commonwealth agencies, like Centrelink, FaHCSIA and tax?

Ms Ghaly—There is a bit of an overlap between the national framework for protecting Australian children and the Wood recommendations and there are some attempts to coordinate the two. We understand that Community Services, which is an agency within the Department of Human Services responsible for child protection in New South Wales, is part of the working group of the national framework. As ACWA, we have representation on both so at least we try to make the link. However, I am not quite sure about whether the federal initiatives are incorporated in the Keep Them Safe action plan, which is a government action plan. Keep Them Safe takes into account, for example, the federal government's attempt to have family and

children services in a number of regional and remote areas across the state, but they are not necessarily coordinated. There is a reliance on the fact that they will be there, but it is not necessarily coordinated. This is something that, as ACWA, we are advocating for, but it is not necessarily happening.

Senator MOORE—Chair, I am going to push your generosity and ask one more question. The nature of our committee is specifically on Aboriginal children and families, but the issues are much wider than that. It is a very important point about child safety and child protection that it is not an Aboriginal issue throughout the whole process. Is that being considered? I know because of the nature of this committee that you have focused your evidence on Aboriginal issues, but in terms of the government response, is it a wider one looking at all children or is it just a particular focus on Aboriginal families?

Ms Ghaly—The New South Wales reform is about all children.

Senator MOORE—That is what I was hoping. I just wanted to get that on record.

Ms Ghaly—That is our chapter 5.

Senator MOORE—Specifically on Aboriginal issues?

Ms Ghaly—Correct.

Senator MOORE—It is an overall response to all issues of child safety, but because of particular concerns there is a chapter which I would imagine would have a lot more consultation with Aboriginal groups and families on Aboriginal kids and families.

Ms Ghaly—That is correct. Just to clarify, there are around 1,700 children in out-of-home care in New South Wales. One third are Aboriginal children, so it is a large number of children and families who come in contact with that.

CHAIR—I just have one last general question and I will try not to make the question mischievous because I am genuinely looking for how you may decouple issues. Generally speaking, your organisation has been opposing the notion of the Northern Territory intervention and you say that building community resilience would have been a much better way to talk about long-term outcomes and reforms within the community. How do you find the balance between a report that indicates that we have systemic child sexual abuse of the worst possible types and events, which is all bad, happening in 73 communities today? How do you decouple that? I am trying not to be mischievous about it. Clearly, you do not want that to dribble into the future. How do you decouple those sort of issues, given that the reasons for all those sorts of things are the same in every low socioeconomic demographic, except they are all evident in some of these communities? In other words, whether it is overcrowding, unemployment or the cycle of substance abuse that we know is associated with these activities, how do you deal with the immediacy of the problem and yet try to have some long-term change?

Ms Ghaly—I would like to refer to a program that I witnessed that worked. It could be perceived as a mild intervention that would not have had the same reaction. While I was in Far North Queensland there was a collaboration between the Army and ATSIC. That is how it

started, then it changed its name and changed its focus, so I am not sure whether it continues or not. While the Army is in a community doing community development work, building houses, as well as getting their training I witnessed that it was very productive for the community. It addressed many issues that many other services could not. They could not come with their machinery and do the work that the Army did over there with the same capacity because the Army's capacity was far greater than the capacity of programs or services on the ground. Part of their role there was also skills transfer. They were there. They built capacity. They transferred skills. They achieved outcomes for the community. They improved the infrastructure. Because of their sheer presence in the communities, the communities had to behave differently. They were welcomed because they were invited or it was coordinated with the community. From what I hear from this community in Far North Queensland, the houses are still there, they are still working and the people are more enthusiastic about how they can improve these things in their community. I know of a couple of people from the community who are attending classes at the University of New South Wales. These are good stories that we do not hear much about, but it happens. It was intervention, if you like, but it was not forced intervention. Their mandate was different, but they achieved the outcomes that we want to achieve. I am not saying not to intervene. I am not saying that we allow for bad things to happen to children in Aboriginal communities. I am not saying that a softer approach would always work, but there are better ways of achieving the same outcomes.

Senator ADAMS—The media beat up the Army issue. I have had a lot to do with NORFORCE. I actually spent a week with them in Alice Springs. They played the role that you described in Queensland. Unfortunately, it was beat up by the media that the Army have walked in, the kids are going to be stolen and the Army is here to do nasty things. That was not their role and that was not the role that was carried out. I would just like that on the record because I deliberately went and spent a week with them to find out just what happened. That is the role they played. They were there to support the communities, to get all the plumbing and all the bits and pieces going so the community could get themselves back on their feet, and they also are following a very strong role of community involvement throughout the Northern Territory. Unfortunately it was a beat-up and I just think it is unfortunate because these people went in there with very good intentions and certainly supported the community. I have some beautiful photos of Hermannsburg when the Army got involved with their gymkhana. The kids were all keen on their horses and they just had a ball. That shows just how well the Army was communicating with that particular community.

Ms Ghaly—Did that happen before or after the intervention?

Senator ADAMS—That was part of the intervention. They had to go in and they had to construct mainly accommodation for the medical teams and for the government business managers, but also while they were there they were involved in fixing up plumbing and things like that. They really did help the communities and did everything they could to be part of that community bonding.

Ms Ghaly—I can just clarify. They probably did exactly the same as what they did in Far North Queensland, but because what happened in Injinoo was before the intervention they were more welcome. That is my perception. After the intervention the trust issue might have come to play that they are not there to help, but there to intervene. I do not know the situation in Alice Springs so I cannot really comment on that, but I know that before the intervention and what

happened in Injinoos and in other communities—because this was not the only community where they were—they were welcomed because it was negotiated and perceived as a partnership as opposed to after the intervention when things changed.

CHAIR—Thank you for your evidence today. Because it was such a wide ranging discussion there may be other questions that come up that we have for you and they will be provided to you through the secretariat on notice. Thank you.

[9.37 am]

HENSEN, Ms Donna, Coordinator, Indigenous Women's Program, Women's Legal Services, New South Wales

ROHR, Ms Natascha, Solicitor, Women's Legal Services, New South Wales

CHAIR—Welcome. Information on parliamentary privilege and the protection of witnesses and evidence has previously been provided to you. I now invite you to make a short opening statement. At the conclusion of your remarks I will invite members of the committee to put questions to you.

Ms Hensen—I would like to start by acknowledging the Gadigal people of the Eora nation as the traditional custodians of the land, past, present and future and in which I live and work. Thank you for the opportunity to come and speak here today. As you know we have had really short notice so we are limited in what we are able to talk about or comment on. We are, however, presenting experiences that we have had providing a service to Bourke and Walgett and surrounding communities. Of course we are happy to take questions on notice afterwards.

As I mentioned I am the Coordinator of the Indigenous Women's Program at Women's Legal Services, New South Wales. Women's Legal Services is a community legal centre providing women with a range of free community legal services, including legal advice and information, education, training and resources across metropolitan and regional areas of New South Wales. This is a free service for women in the community, particularly those who are socially and economically disadvantaged.

The Indigenous Women's Program is a section of this organisation and it is staffed by Aboriginal women and offers free services, including free legal advice from solicitors via the Indigenous Women's Legal contact line. So we have a 1800 number that is based in Sydney and women are able to ring up and speak to a solicitor and get legal advice. We provide assistance in finding a lawyer, training and community workshops, general resources and information, face-to-face advice from solicitors through outreach services and community legal education across New South Wales.

Women's Legal auspices two family violence prevention legal services, one in Bourke and one in Walgett. These services adopt a holistic approach to preventing Aboriginal family violence, recognising the underlying causes of family violence. The service aims to both strengthen and unify communities, combining legal services with education, support and training. The staff consist of a coordinator, admin, reception, community development worker, court support worker and a community legal educator. I supervise the coordinators of these two services. I regularly visit Bourke and Walgett and surrounding areas. At Women's Legal we provide two solicitors for each service and I will now hand over to my co-worker Natascha Rohr who is one of the Walgett solicitors.

Ms Rohr—I would also like to acknowledge the traditional owners of the land on which we meet today and their elders, past and present. I am a solicitor with the Indigenous Women's

Program and I work with the Walgett Family Violence Prevention Legal Service. That means that I am based in Sydney but spend a week each month in Walgett and surrounding areas including Collarenebri, Goodooga, Lightning Ridge and nearby mining communities.

I have a colleague who also travels to Walgett monthly and between us there is a solicitor available to clients in those areas for advice and duty work for two weeks each month. A similar arrangement operates in our Bourke-Brewarrina service and altogether we have four travelling solicitors in our office covering quite a large region in the far north-west of New South Wales. We work closely together with our local non-legal staff who provide client support, community development and education and do things like arrange counselling for clients and assist clients whether or not there is a solicitor in the office, and those are locally engaged Aboriginal women in the community.

Our solicitors provide legal services to women and children who are victims of domestic violence and sexual assault. We attend court on a duty basis on AVO matters, that is restraining orders for non New South Wales people. We also appear in childcare and protection family law matters. We advise and represent clients in those areas and also in victims' compensation claims and other associated civil matters.

A significant aspect of our work is assisting victims of domestic violence and sexual assault who have reported to police or are considering doing so as well as providing assistance to victims in those circumstances. We also provide community legal education and other community development work.

I would like to thank the committee for inviting us to give evidence here today. I would also like to make it clear that I do not speak on behalf of any Aboriginal people or communities. I am a solicitor working in those communities and I am competent only to speak about my experiences of the challenges that our service and our clients face. I could indicate that some of those challenges include access to services for our clients, infrastructure problems, access to the legal system and legal representation and the issue of underreporting and the role of active policing in those communities.

Senator PAYNE—Thank you both very much for joining us here this morning. Can you give us some idea of the size of your client base across Bourke and Walgett and the surrounding areas? I think you described it as quite a large region, which I would describe as an understatement.

Ms Rohr—It is quite a large region. I would prefer to give the numbers in writing but I could indicate that Walgett and Bourke each have a population of a couple of thousand people. The communities surrounding have populations in the hundreds but there are a number of communities. The distances involved are 250 kilometres between Walgett and Bourke, Brewarrina in middle and I guess going up to the Queensland border to Goodooga and Enngonia. So it is several hundred kilometres between most of those regions.

Senator PAYNE—Is there still a court in Goodooga?

Ms Rohr—There is no court in Goodooga. There are two days per calendar month in Lightning Ridge.

Senator PAYNE—Is that the local court?

Ms Rohr—That is the local court, yes. That is a circuit from Walgett, which is a circuit from Sydney. So there are two weeks a month in Walgett—

Senator PAYNE—Two weeks a month in Walgett?

Ms Rohr—Yes, but the Wednesday of each of those weeks is at Lightning Ridge and Goodooga is 80 kilometres or so north of Lightning Ridge.

Senator PAYNE—Can I ask if the Aboriginal Legal Services is also present in all of those towns in which you are present?

Ms Rohr—Yes, although they are not necessarily permanently staffed offices. There is currently one ALS solicitor based in Walgett, I believe. That varies from time to time. There have also been two, but one is leaving, in Bourke. Then there is travel to the circuit courts at Brewarrina and Lightning Ridge as required. But often if there is a hearing of course people have to travel to the main courts.

Senator PAYNE—Not in this inquiry specifically but historically, in my experience talking about access to legal services and access to justice particularly for Indigenous women and particularly in New South Wales, it has been reported to me over many years that one of the real challenges is that the ALS often finds itself representing one party. That is—not invariably but overwhelmingly—often the man in the relationship and the woman has more often than not been left without the capacity to access legal representation. Is that, in part at least, why the WLS has auspiced these services in these particular areas?

Ms Rohr—Absolutely. The 1994 report from the Law Reform Commission showed that Indigenous women were not receiving the same level of legal support as men were. Quite often we find with legal aid that they were providing services to perpetrators, leaving a much-needed service for victims, who were predominantly women. So out of that there was a recommendation for funding for the Family Violence Prevention Legal Services. There are 31 across the country but where they would be located was chosen after consultation from women to see where the highest needs were. Walgett was one of the first of them. This inquiry was 15 years ago. Walgett has been operating now for about five years. The service is still much needed. Unfortunately though across the country the Family Violence Prevention Legal Services in some areas services men as well, which again can put women at risk of not being provided the appropriate service.

Senator PAYNE—Does that happen in New South Wales to your knowledge?

Ms Hensen—Family Violence Prevention Legal Services has been providing services to men. Their principal solicitor there was a male as well. We only provide services to women so our family violence units come under our policies there. However, the Attorney-General's Department are now looking at regionalising with Moree, Bourke and Walgett which will then put—

Senator PAYNE—The federal Attorney-General's Department?

Ms Hensen—Yes, which again puts the service at risk for women.

Senator PAYNE—When you say ‘regionalising’, do you mean rationalising as well?

Ms Hensen—I do not know if it is a rational decision.

Senator PAYNE—Rationalising in the sense of that very popular term ‘economies of scale’. I am actually a humanities graduate so I do not deal with it very often, but it is often what happens. If you regionalise you often tend to rationalise I gather. Is that an outcome—

Ms Hensen—As I said, ideally they were originally Family Violence Prevention Legal Services providing services to victims. As you know, men can be victims as well so that was a service for men and women.

We do have an example in Western Australia where the Aboriginal Legal Service has auspiced the Family Violence Prevention Legal Services and provides a service to men. This has not been effective. They are now looking at handing it back to women. They recognise there is definitely a need for Aboriginal women to have their own service.

Senator PAYNE—I appreciate that. I thought some of those insights might be very useful to the committee. I think, Ms Rohr, you covered a number of issues and challenges, as did Ms Hensen, which you have identified as service deliveries in this area. But if I can even read my own notes, access to services, infrastructural problems, access to the legal system, legal representation and underreporting; it is those last two I just wanted to go to briefly if I may. In terms of legal representation can you give the committee some idea of the gap that you think still exists where particularly Aboriginal women are not able to gain effective access to legal representation?

Ms Rohr—There are really only a handful of solicitors that appear in the circuit courts that we have mentioned. That means there might be someone from the ALS there who may have travelled some distance. There will be someone from our service. There might be one or two private solicitors appearing with grants of legal aid who travel in from other towns in the case of Walgett and, if you have a matter that involves several parties, it is very quickly the case that everyone is conflicted out and cannot appear. A good example of that is care and protection matters where by the time you have the Department of Community Services represented by one of the solicitors in town the children—and there might be more than one each with their own legal representatives—quite often there is simply no-one who can appear for the mother and she is either unrepresented or faced with representation most recently by an audiovisual link from Dubbo or a nearby regional centre, which is not an ideal way to get instructions or appear on behalf of a client. It is often the parents in care and protection matters who miss out on representation.

Senator PAYNE—Flowing from that I am interested to hear that the departments absorb one of the resources that is present in town.

Ms Rohr—That is correct.

Senator PAYNE—It seems to me that of all of the parties that might be participating in a matter such as that the government departments are probably best resourced and best placed to be able to send their own legal representative or find a legal representative that does not take someone else out of play. Is that an issue that is being discussed?

Ms Rohr—I am not sure if it is being discussed. It is the case that the department will send a solicitor to Walgett in my experience. I was recently also in Bourke and certainly it was one of the local solicitors who was appearing for the department there that day—

Senator PAYNE—So that does take someone out of play?

Ms Rohr—It does. In fact I currently have a client that I cannot find a solicitor for because there is no-one left in town in Bourke in her matter, so that is one of the difficulties.

Senator PAYNE—And just finally could you make some further observations on underreporting and how significant you perceive that to be as a problem?

Ms Rohr—I think it is an extremely significant issue for my clients, but maybe Ms Hensen can talk a bit more about that.

Ms Hensen—Along with this we have some very clear social issues that affect reporting. At the moment in Bourke particularly there is no-one qualified to conduct rape kits if women or children are sexually assaulted—

Senator PAYNE—I am sorry, there is no-one qualified to conduct a rape kit—

Ms Hensen—Not at the hospital at the moment. I rang yesterday to double check and was not able to find anyone. At the moment victims know that they have to travel to Dubbo, Orange or Bathurst sometimes after being raped. That is an absolutely unacceptable thing to go through. And they receive transport one way but then have to make their own way home again. This impacts hugely on whether they are going to report it or not. There are other issues as well within the town of confidentiality. It is such a small community; people know what is going on. There is the shame factor, obviously, so people do not report there as well. It is underserved in terms of referral services we can refer women to for further support with counselling in the area. There is a counsellor who comes once a fortnight. You have to book three months in advance for her. Realistically that can mean only two hours a month of counselling as well. There is only one safe house; it is across the road from the men's shelter, so there is no confidentiality there. Everyone knows what is going on. So there are huge issues that impact on whether or not you are going to report things as well.

Senator ADAMS—Have you got any examples of cases being reported, going so far through the legal system and then being dropped because of pressure on the women? Does it happen very often that they come in and report and then get frightened and have to pull back?

Ms Rohr—Yes, that is definitely my experience with clients that I work with. Something has happened and they have either been to the police already or they see a solicitor or someone in our service first. We talk about the process of reporting. Obviously that has consequences for any potential compensation claim as well, so it is part of our legal advice. They might decide to

report and then word gets around town or they have second thoughts about that and may not appear as witnesses if there is a contested hearing. Then it is a question for the court as to whether or not there is enough evidence to proceed with the charge.

Quite often the practice is that the charge is dropped if the victim does not appear. I think that is a problem because I have noticed a perception amongst our client groups for using language like, 'I have decided not to charge him', or, 'I think I should charge him for that', when deciding whether or not to report domestic or sexual violence as if it is the victim's responsibility to make the decision as to whether or not that is a crime that should be reported and prosecuted. That perception feeds into the perception in the community which is that it is the victim's fault if a prosecution proceeds, whereas actually a crime is a crime and it is for the police to police and for the courts to judge and the victim is a witness in that situation.

I was aware of a recent case in Walgett where the victim did not appear and the prosecutor said, 'Well, there is not much we can do.' And the magistrate said, 'Are you sure? Is there enough evidence there any way to go ahead?' So it was actually the magistrate pushing rather than the prosecutor and eventually a conviction was recorded. There are debates about that and you can see both sides. I am not saying that that is the best way to deal with it but the overwhelming perception in the community that it is the victim's fault or the victim's job to police the community I think is a problem.

Senator ADAMS—We have had evidence that women have been provided with safe houses but often the male, who may be the perpetrator or may not be, does not? Could you comment on any issues regarding that?

Ms Hensen—There is a men's shelter in Bourke but as I mentioned that is directly across the road from the women's shelter, which in itself creates problems. The only other thing I can comment on is that usually it is the woman who is left homeless after domestic violence situations. She is the one who is forced to leave with the children and the men remain in the house. We are quite often seeing too that men are taking out AVOs on their partners after they have left and things like that to stop her from coming back to the house as well. Our focus is on services for women. We see that as being the larger priority, so I cannot comment further on—

Senator ADAMS—I was just wondering if there were any way other than the woman and the children having to leave their home. If the man has been the perpetrator could he be taken somewhere out of the area so that the children and the woman can go and lead a normal life rather than being shunted around and not being able to go home again?

Ms Rohr—I think a large part of that is active policing and that if the men are to be removed from the house it is necessary to have a local police force that is willing to make that happen. I can say from my experience in Walgett that I think there have been some positive steps in Walgett in the way that the police understand and act in domestic violence cases. It is now the case that the police are quite proactive in seeking apprehended violence orders on behalf of women in a way that was not the case several years ago and is not the case in some other areas. Unfortunately now smaller communities in surrounding communities that do not have fully staffed police stations are in a completely different situation. So the attitudes and activity of the police in removing men from those violent situations is important.

Ms Hensen—Might I add that the Department of Community Services are trialling a program at the moment named Staying Home, Leaving Violence. That is aimed at providing a safe house for the woman within her own house and removing the male. They have had three pilot programs over the last 12 months and have only just extended that to other services at the moment, but they are not in Bourke or Walgett yet.

Senator ADAMS—Have they done an evaluation of that program?

Ms Hensen—They found that it was really effective.

Senator ADAMS—Is it being rolled out any further, do you think?

Ms Hensen—It is, yes. They have just received funding for that and have announced the locations. I am happy to provide that in writing if you are interested.

Senator ADAMS—Thank you. If you could do that it would be very useful.

CHAIR—My background is that I have lived amongst very traditional people so I would like you to help me with the context of this. The notion of a male solicitor in an environment dealing with any of the issues that you have talked about, to me, just does not work at all. When you rely on other organisations the gender of a solicitor may not necessarily be an issue, but of course it is very much so when you are talking about trying to receive appropriate legal assistance in these matters. Do you think that is well understood by the other organisations providing the service? Is that a real issue for you? How are you going about trying to resolve that and trying to get access to appropriate advice, because there is no point getting access to a bloke to represent people in these matters. That is what my assumption is. Could you perhaps just expand on that particular issue? Is there any movement to try to resolve that in terms of increasing access to people who can actually help?

Ms Hensen—I agree with you totally. I have worked in this area for a lot of years. I have supervised both male and female staff service providers in this area. I know for a fact that it is not best business practice for males to work with females and vice versa. Within our Aboriginal communities, as you probably know, co-dependency and jealousy are huge issues. I certainly would not support male clients driving females to and from appointments, even. They can be seen within the vehicle; stories can start; she goes home; she gets flogged. ‘You have been running around on me; you are interested in somebody else!’ So that actually perpetuates the problem. Women are less inclined to open up to men within communities, particularly when there are already issues of confidentiality. It is not appropriate on a cultural level. Even just on a gender level it is not appropriate if you are providing a best practice service.

I am doing a research paper at the moment. I have just started this week to have a look at all family violence units around Australia to have a look at the trends and case studies to see what has and has not worked. Hopefully out of this we will be able to lobby the Attorney-General’s Department to start having a look at a changing of policies there so that the original purpose of providing appropriate legal services to women is met.

Senator PAYNE—Will your research be publicly available?

Ms Hensen—It will be.

Senator PAYNE—We will be interested in its content.

CHAIR—We would be very interested to keep in touch in regard to it. We talk about access to other support services. I guess you are at the sharp end of the wedge but when that process is over, ongoing counselling services, potentially accommodation—you touched on the fact that at the moment you have some sort of a women's shelter in one area of your region—and I guess I am talking about longer term support; could you tell me a little about the level of services that are available, who provides them and how appropriate or effective they are? I note your comment in terms of location as to how important that is. Could you just give me an understanding about how broad that is and generally how long-term counselling support services are available to some of the people who use your services?

Ms Hensen—At the moment the only counsellor comes into Bourke. Walgett also has one on a regular basis. She works for the Victims' Compensation Tribunal, which is part of the work that we do. One of the problems there is that if you do not like or get on with the counsellor you do not have a choice. You cannot shop around and find someone whom you are more compatible with that you feel can help you. That is a huge issue.

Bourke is reasonably well serviced. There are a lot of services in town. They do not necessarily all work together. We have been working towards developing MOUs with organisations. The police have been a big help. One of the big problems we had there recently was that there was no sheriff on hand, available on a regular basis, so some of our solicitors were asking staff members to give perpetrators their orders, which is a huge issue in itself and it is putting our women at risk. They were not conscious of some of the dynamics I think behind that. They just wanted to do their job.

Senator PAYNE—I understand the motivation. I am incredulous at the process; that is all.

Ms Hensen—I organised with the local domestic violence liaison officer to be able to do that on our behalf. So there are little hiccups there with a lack of services where you have to find other options which you just would not expect to have to do in other areas of Australia, in the city areas.

Ms Rohr—I would just like to say a bit about the services in the Walgett area. Our service arranges for a counsellor to come from another area for counselling that you can access through victims' services but of course that is only available to victims of crime who have registered for that kind of counselling. So in general there is a sexual assault counsellor in Lightning Ridge. Otherwise the local Aboriginal Medical Service from time to time flies a psychologist in, but waiting lists are long and the choice is not wide. In terms of other services, just the lack of medical services is quite significant. You can wait a long time for an appointment. Young women having babies have to be flown or driven to Dubbo to do that. And for very, very young mothers without support far from home that is a significant issue. They become very vulnerable at that time. So, yes, just generally the distance is a big issue.

As to safe houses, there is a safe house in Walgett and Lightning Ridge and they can give great assistance. There is a women's group operating in Lightning Ridge that gives significant community support but they are still big areas and a small number of staff.

CHAIR—Do you know who is responsible for supporting those women's groups that run the centres; there is often some sort of funding arrangement? Do you know if it is the New South Wales government or the Commonwealth government? You may want to take that on notice.

Senator ADAMS—As far as the safe houses go, what follow-up is there as far as the woman having to be relocated back to her home if she can go back and then end up in the same circumstance again?

Ms Rohr—I think that happens. I guess I cannot comment on specific cases. In my experience from what I am told by my clients the safe houses provide a valuable service and support but that certainly does not solve all the problems.

Senator ADAMS—It does not because they cannot stay there forever so they have to go somewhere. Is there any support and help to get them back to where they have come from? But there again, because they have taken the step to go through court, then you have that problem of if it were just a fine that the perpetrator received and they have not been removed, who is there to help balance that situation?

Ms Hensen—I can actually give you an example of one lady in a remote community called Enngonia, which is about 80 kilometres west of Bourke. She had seven children. Her partner had mental health issues. He would come into the house at any given time and beat her up in front of the children. She tried to take him to court on a number of occasions. He kept getting off because of his mental health or he would just disregard the orders and just turn up. Being in a remote community she could not control when he broke into the house. She was at the women's refuge but he found out within a matter of hours where she was and so was constantly across the road intimidating her and harassing the children to and from school and that sort of stuff. We ended up having to contact other women's refuges around New South Wales. We negotiated with her where she would prefer to relocate to for her own safety. We even had to contact DOCS to ask them to support her, trying to keep her children safe. This process took six months where she was in and out of a safe house, back to her home, constantly being beaten up. We were finally able to relocate her only a couple of months ago and as of yet he has not found her. That is a practical example of the system at the moment not working in that situation where it is not feasible to go back to your own home.

The police do a good job. They do the best they can but we are talking about such large areas that they cannot be everywhere. Of course with this fellow he had enough nous to know when he could play up as well, so he would wait until the police were out of town on some other matter and knew he had at least an hour or two up his sleeve. It is easy enough to know when the police are not there because you just see them driving out of town. Everything is just so much under scrutiny it is really hard to provide a confidential service there.

CHAIR—I understand the notion of being involved when people say to you, 'Do you really want to press charges?' And it is up to the people to say yes or no. I never really understood that as to what sort of consistencies there are in every case. I would imagine for example if the victim

is of a specific age it seems to take away any capacity to be able to say we will or we will not. It is almost like a strict liability in terms of the police: you will take action in this matter whether or not the victim complains because the victim obviously does not have the capacity or the wherewithal to make a complaint because of their age. Do you work with the police at all about that matter? It seems to be something where on reporting, if we are still relying on a victim in these particular circumstances in remote communities—I am very aware of the circumstances—it must be enormously hard in a particularly small community to be able to go through that entire process. Given that it appears to work and in that work there is an opportunity for the justice system to scrutinise what happened with people of an age, or whatever it is—there are certain limits where the police do not have that subjectivity—I would just like you to comment generally on whether you think they have some sort of consistent approach or whether they have any guiding principles as to that approach. In communities like this I think that would be very, very important in getting access to justice. If you rely every time on the victim having to say, ‘Yes, I want to proceed’, then that would be very difficult. Could you just comment generally on that from your experience in terms of subjectivity?

Ms Hensen—This has been a concern for us at Women’s Legal Services. I actually met with the police commissioner last Friday and the ombudsman to discuss ways that we can work better together. I met with the area commander as well in Dubbo. We are starting the process there to look at realistic ways that we can start addressing that sort of stuff.

CHAIR—From the police perspective—I am not suspecting any mischief at all—but I guess if the convention is: look, if the victim does not turn up we will never get a prosecution so you are exposing yourself to more yucky stuff and we are wasting our time and resources. I can understand the motive perhaps if that is the case. But, given the evidence that was provided by Ms Rohr a little earlier in that there are circumstances where that is not the case, I would have thought there would be some room for movement in that area, particularly in the sort of regions that you are talking about.

Ms Rohr—I guess there are difficulties because if the victim has no say in whether or not a prosecution goes ahead that can be a significant problem for the victim if there is backlash within the community on that or if she has got very good reasons for deciding that she would prefer that that person were not charged. The flip side of active policing and active prosecution is reducing the power of the victim in that circumstance. So I am not sure if I would make any recommendations for hard and fast rules. I think the bigger problem is the perception in the community that it is the victim’s responsibility and not the justice system’s responsibility. I think that is the only point I could make.

Ms Hensen—At the moment with the structure within the community what happens with a perpetrator once you have made a report is that there is no on-the-ground intervention service. There are no services that work with men to help to address these sorts of issues. I think that it is important that we acknowledge that we already know that when children are taken away or placed in positions of disempowerment, abuse and cruelty, they turn out to be damaged adults. A lot of the people that we are working with are now those little children that were taken away and the crazy thing is that we expect them to function as normal human beings. So we need to start looking at other services, such as counselling services and men’s programs that start addressing all of those personal issues as well and actually start working with men and women jointly as partners.

We know that within our communities women want their man. It makes it very difficult for them to leave. Until there is another option we are going to always face that struggle, ‘I do not want to report. I do not want my man to go to jail’, because that is the only option. Whereas women would be more inclined to report if there was another service where he got some help that he needed and maybe it would be better.

Ms Rohr—It is important to say that services for perpetrators which no doubt are extremely important should not be at the expense of replacing services for victims or provided by the same service provider, which we have heard of. Obviously they need to be separate organisations.

CHAIR—Thank you for your evidence today. It has been quite comprehensive and it may well be the case that members of the committee may wish to submit some questions on notice to you and that will happen through the secretariat. Ms Hensen, we would be very interested in receiving a copy of your work and I will ensure that you are provided with the contact details for the committee.

Proceedings suspended from 10.17 am to 10.48 am

WEATHERBURN, Dr Don, Director, Bureau of Crime Statistics and Research, New South Wales

CHAIR—Welcome. Information on parliamentary privilege and the protection of witnesses and evidence has been previously provided to you. I now invite you to make a short opening statement. At the conclusion of your remarks I will invite members of the committee to provide questions to you.

Dr Weatherburn—I assume I am here because of the work that I have done on predictors or risk factors for Aboriginal arrests, Aboriginal overrepresentation in prison, and how that might best be dealt with. I am happy to take any questions on that. I know the committee is interested in the general issue of Aboriginal disadvantage; we have not done any specific work on that. I know the committee is also interested in what sorts of programs are effective in reducing Aboriginal involvement in crime. We have done some work on that, principally in relation to the circle sentencing program. I have some general comments to make about programs that rely on restorative justice principles as an attempt to try and reduce Aboriginal overrepresentation in custody. I might stop there and let you take up the time with questions you might have.

Senator ADAMS—Thank you for your opening statement. My question is regarding the evidence based public policy paper that has been provided by your organisation. I am from Western Australia and I am a justice of the peace from a small rural town. In a number of towns in Western Australia when you do have problems, often, rather than putting somebody into the legal system, community work orders are given. We have had a lot of problems with the supervision of such community work orders and I think just the fact that now the people that are affected have to wear vests and the community can see who is out there doing a community work order does seem to be having quite an impression on some of the younger people in the community. I wonder when people do go into jail, they are just not getting the help they need to rehabilitate them, to bring them back into the community and back into their own community, because once again you have got the perpetrator and the people that have been affected still living in the community and often they reoffend. Could you give us an indication of what New South Wales does in that respect and what programs have worked?

Dr Weatherburn—I cannot tell you too much about the programs New South Wales has in place to try to reduce Indigenous offending. I should explain that there is a separate crime prevention division in New South Wales and it is their specific task to develop these programs and the Department of Aboriginal Affairs is also involved in them. I would not claim to be fully across all the initiatives that the government is undertaking. I am familiar with the circle sentencing program because we evaluated that program and I have some understanding of the general effectiveness of diversion programs, so maybe if I comment about those two things.

Circle sentencing, as you would know, is one of a series of restorative justice programs that have been introduced. The hope in circle sentencing was that because there is so much resentment between Aboriginal people and the white criminal justice system, if I can call it that, Aboriginal offenders might be more responsive to having their elders and respected peers sanction their offending and devise an appropriate response to antisocial behaviour. I think the idea was good in theory and that the general notion of trying to empower Aboriginal

communities is a good one, however it is not necessarily something that can happen overnight. We were not that surprised when we compared a group of Aboriginal people who went through circle sentencing with a match group of Aboriginal people who did not go through circle sentencing to find that there was no difference in terms of either the likelihood of reoffending, the time to reoffend, the seriousness of any subsequent offending or the frequency of any subsequent offending. I do not take that to be an unending indictment of circle sentencing; it is just a reminder that we need to have realistic expectations about the capacity of these programs to produce reductions in reoffending. It may be that circle sentencing over time will strengthen Aboriginal communities. I just do not know on that score.

As for diversion programs in general, they have failed to reduce Aboriginal imprisonment and non-Aboriginal imprisonment. The reason is that people do not get to jail easily. They generally arrive in jail for one of two reasons or sometimes both—either they have committed a very violent offence or, more commonly, they have been sanctioned repeatedly for offending and every other non-custodial sanction has been exhausted so the court sends them to jail for want of any alternative to it. If nothing is done about that reoffending and you add a new sanction to the mix, all you are really doing is putting another step in the ladder of non-custodial sanctions that a person goes up before ultimately ending in jail. That is essentially what has happened to community service orders, work orders, periodic detention and newer forms of bonds and so on. They have no effect or very little effect—temporary effect—because as soon as they have been exhausted, they have no effect on reoffending and the individual concerned actually ends up in prison. If you want to reduce Aboriginal imprisonment and Aboriginal crime you really need to come up with alternatives to custody that are effective in reducing reoffending. Those programs, on the international evidence, have to address the underlying risk factors for involvement in crime. For Aboriginal adults the number one risk factor is drug and alcohol abuse; it is far more important than unemployment or financial stress or lack of social support. All of these factors are important, however drug and alcohol abuse stand out so far above the rest of the factors as predictors of adult Aboriginal involvement in crime that unless you do something about that you do not have too much hope of success.

For Aboriginal kids it is a difference story. Many of them have not yet become addicted to drugs; some have. There you have got significant problems of parenting, most notably neglect and sometimes abuse. Neglect and abuse, regardless of whether it occurs in an Aboriginal community or a non-Aboriginal community, greatly increases the risk of juvenile involvement in crime. I am not suggesting any kind of blame should be placed upon Aboriginal people for the high rates of child neglect and abuse. They are characteristic of any impoverished community where substance abuse is a big problem.

Senator ADAMS—What we are trying to do is find something that has really worked and to find out if there is a program of any sort in New South Wales that you think is worth following through because we are gathering evidence of things that do not work and we are looking for programs that do work.

Dr Weatherburn—There is one promising program that has been trialled in Western Australia and in New South Wales. In New South Wales it goes under the name of intensive supervision, but in fact it is a patented program that was developed in the United States and its name is multisystemic therapy. What that involves is working with the young people, the parents and the child's immediate community. The parents are given counselling or coaching on how to

parent children, such as simple little procedures such as teaching them to pay attention to their children when they are being good, not just when they are being bad. It also involves teaching them not to use coercive styles of discipline where the children are, for example, threatened or bullied into compliance with the parents' wishes as opposed to rewarding compliance.

The program also involves trying to detach the child from their antisocial peers and build attachments to pro-social peers. For example, attempts are made to try to get the young person involved in sporting activity or clubs. The program also involves attempts to try and improve the child's school performance. It is called multisystemic therapy because the idea is to look at all the social systems the child is involved in and redesign those systems so they work in favour of reduced offending rather than increased offending. That program is being evaluated in the United States. There have been something like five randomised control trials and the results have been quite spectacular.

Senator ADAMS—Is that a one-on-one mentor?

Dr Weatherburn—It is actually a team of people who will come in and work with the young person and the parent over a period of about six months and it is very intensively monitored to see that the right procedures are being adopted. The program lasts about six months and is not cheap but in terms of cost-benefit it certainly pays for itself compared to the alternative of custody or some typical sanction. That is an effective program.

As a general rule you need to distinguish between programs that are designed to reduce juvenile reoffending and programs that are designed to reduce adult reoffending. You also need to distinguish between adults who are, for example, coming out of jail and who may have a heavy amphetamine or heroin dependence and where the appropriate response might be to place them on a methadone program—although I should say in passing that I understand a lot of Aboriginal people do not like methadone—or some form of treatment program to address the drug addiction and programs that might, for example, in a rural community do something to address the problems of spousal violence or family violence. I do not see it as a single magic bullet that fixes all problems, it is a matter of looking at the context, the resources available and the particular problem that you have at hand.

Senator ADAMS—How do you recruit people for the teams in New South Wales? Looking at the rural and remote areas, do they all go as a team and live in that community, do they go once a week or how does it actually work?

Dr Weatherburn—That is a really good point. I do not know how they have engineered it or even whether in New South Wales they have moved into rural communities. I know that the trial sites are in large urban areas at the moment. Western Australia is further advanced than New South Wales in trialling this program, so it might be worth talking to the Western Australian government about the arrangements that they have for it. I know that they were specifically keen in Western Australia to increase the involvement of Aboriginal kids in these programs, but I am not sure at this stage how they are travelling.

Senator ADAMS—I think the committee could look at that. We have just come from Western Australia but that issue was not actually raised with that particular program. I will hand it over to Senator Moore now.

Senator MOORE—Is that program with the multifaceted approach stimulated by bad behaviour or is it intervention to prevent bad behaviour?

Dr Weatherburn—It is stimulated by bad behaviour. I am sure you would know that there is a host of very effective early intervention programs in the nought to three years of age so you do not need me to go into all of that. There had been a dearth of programs for adolescents and young teenagers. These are programs where you start to see what they technically call an antisocial behaviour disorder starting to manifest itself. What I mean by that in concrete terms is the emergence of persistent lying, persistent disobedience and violence towards teachers or parents. Those sorts of things start to manifest themselves and maybe some criminal conduct and substance abuse. That was the target group for which the program was developed and that is the target group to which it applies.

Senator MOORE—The Bureau of Crime Statistics and Research would naturally be doing the reports on statistical results, but what kind of research are you asked to do and by whom?

Dr Weatherburn—It varies enormously. I suppose about one third would come from the state government; they would ask us to evaluate a program. About one third would come from universities; they want to do joint research on something or they are evaluating a program and they want support. And about one third we would initiate ourselves.

Senator MOORE—What kind of things are self-initiated? That is a luxury that lots of places do not have.

Dr Weatherburn—It is a luxury and I very much appreciate that luxury. Mind you, it is one you have to handle carefully because if you do not use it to do worthwhile work I am sure I would lose it. An example of the sorts of work we are doing at the moment: self-initiated is a study into the abuse of pharmaceutical opioids. Ever since the heroin shortage took hold there has been a big increase in the number of people obtaining prescriptions for oxycodone and oxycontin from doctors—doctors are coming under pressure to prescribe these new medications but they are being abused—so that is one self-initiated program. We did some self-initiated work which would be of more interest to you on whether or not the lack of alternatives to custody increases the Indigenous incarceration rate. We found that it did not, that magistrates compensated for the lack of alternatives to custody by actually becoming less willing to put someone in custody rather than throwing their hands in the air and putting the person in. We have done work in the past on stolen goods markets, looking at how stolen goods are disposed of. That is the sort of work we have done, much of which would not be of immediate interest to you.

Senator MOORE—Are they public?

Dr Weatherburn—All the bureau's research is public; none of it is suppressed.

Senator MOORE—A paper such as the one you described about the impact of the lack of custodial options—initially on which we have received quite a deal of evidence by the way—is based on the fact that there is a true belief in some areas that that does cause a higher incarceration rate. In particular, in Western Australia people from the legal aid body came and talked to us at length, and also in the Northern Territory, about that aspect. When you put

forward a research paper like that, does that stimulate further discussion and focus on the issue? I would hope that something that you have done from a New South Wales perspective in such a sensitive area—and a contested area—would then cause other people to say, ‘Hey, we don’t agree. Let’s look at this again. How did you do it?’, so we could have that further debate.

Dr Weatherburn—A lot of people disagreed with that; it made a lot of people unhappy.

Senator MOORE—I bet it did.

Dr Weatherburn—I will make a couple of points about that. First of all, only a few states have the capacity to do that research. Only a few states have the data that you need. You need very detailed information about who is turning up in court and what for. Western Australia has that data, South Australia has it, but I do not think any other state would have it.

Senator MOORE—That is three out of seven have comparable data?

Dr Weatherburn—That is right.

Senator MOORE—That is always an issue.

Dr Weatherburn—The lack of data to test these things is a big problem. Part of the tension caused by our paper was that people misunderstood us as suggesting that there were equal resources for Aboriginal people or people in remote areas as there were for the general population. We did not address that question; we take it as read that resources are not as strong. We only asked the question of whether it made a difference to the likelihood of going to jail after you control for the offence the person committed, their prior record and so on. It turned out that we found that difference. I suspect, having spoken to a number of magistrates, that the reason for that is that in New South Wales regional magistrates are acutely conscious of the overrepresentation of Aboriginal people in custody and do their level best to avoid sending people to custody. In fact, when we did a statistical analysis on what sends Aboriginal people to custody we found that magistrates were placing less weight on prior record for Aboriginal people than they were placing on prior record for non-Aboriginal people. This is clear evidence that they are trying their hardest to prevent the lack of resources having an untoward effect, but that may not be true in other states. It could be completely different in Western Australia or South Australia, so the study would have to be replicated to be sure of its generalisability.

Senator MOORE—When the paper came out I know it got a little bit of media—the fact that any paper that comes out from your organisation is picked up by the media is welcome and this does not always happen—and there were comments of disagreement made particularly from the legal fraternity. They felt that there was a higher likelihood for Aboriginal people to be sentenced more quickly and more harshly and they brought out their own issues, but the fact that your organisation even had the capacity to put the research out there to be discussed is valuable. I do not believe that we have a similar organisation in Queensland. Our structure does not have a similar unit in our system and I would think it would be interesting to find out across the states how many departments do actually have a Bureau of Crime Statistics and Research because it at least gives you a basis. Thank you for that.

Dr Weatherburn—I should add that what Queensland does have—and is well worth making use of—is a strong research capacity in the Criminal Justice Commission and also at Griffith University.

Senator MOORE—Griffith University is where we go all the time. They get tired of us.

Dr Weatherburn—That is not their story.

Senator MOORE—We quote them all the time.

Dr Weatherburn—Right.

CHAIR—I have a number of questions but I will get to the basis of a couple of generalisations and I know they are going to be a bit difficult. Whenever we talk about Indigenous Australia and we talk about specific statistics I like to get my head around what role does ethnicity actually play in that and is there any differential between Indigenous Australia and low socioeconomic demographics in terms of the numbers of people we have who are involved in crime or drugs or substance abuse. Are you able to determine—you might want to take this on notice—the actual nature and the role of ethnicity specifically, or cultural aspects, of Indigenous Australians and are you able to separate some of those things? Could you just make a comment on whether or not this is a unique part of a wider demographic—and it is a very important that we look at and study that—or would it be harder to differentiate?

Dr Weatherburn—I am not 100 per cent sure of your question. Do you mean, for example, in sentencing does ethnicity play a role and is there, to put it bluntly, racial biasing in sentencing?

CHAIR—No, we can get to that in a moment. Is there a difference between high levels of Indigenous incarceration and high levels of those people from demographics of low socioeconomic opportunity? What I am asking is what role does ethnicity play in this? Is this just not simply that Aboriginal people are usually in the demographic of low socioeconomic, low opportunities and cycles of substance abuse? It does not matter about ethnicity; there is that group of people we recognise are overrepresented and I would like you to make a comment on what role actual ethnicity and Aboriginality may play in that. Is it simply that this is a demographic of a wider group of people who are overrepresented or is it something specifically to do with ethnicity?

Dr Weatherburn—The answer to your question is that if you were to control for socioeconomic status, for example, or income, you would still find higher rates of arrest amongst Aboriginal people than amongst non-Aboriginal people but this does not mean that there is something intrinsic to being Aboriginal that makes you more likely to offend. The reason I say that is that there are special features of our Indigenous population that do not really directly relate to socioeconomic status as such that greatly increase the risk of involvement in crime. The two that stand out are alcohol and drug abuse. You may want to say that this is because alcohol and drug abuse are themselves reflective of socioeconomic disadvantage but the patterns of drinking, for example, amongst Aboriginal people are very different from the patterns of drinking even among poor non-Aboriginal people. That is a unique feature of Aboriginal people that contributes very significantly to their overrepresentation in crime and in the criminal justice system but I do not in any sense think it is genetic or intrinsic to Aboriginal people. As most

people know, Aboriginal people have far more abstainers from alcohol than non-Aboriginal people. You have these two poles; the people who abstain altogether, of which there is a much larger proportion than non-Aboriginal people; and people who drink greatly, of which there is a bigger proportion of Aboriginal than non-Aboriginal people.

CHAIR—In terms of physiology, it might be useful to get on the record if there is any difference in the amounts of units of alcohol per hour that can actually be burnt—in other words it does not go to the brain via the liver—for someone who is Indigenous than non-Indigenous.

Dr Weatherburn—I am not the person to ask.

CHAIR—I thought you may have been across that issue. I will put that to someone else. On the same area, you said that there is resentment between Indigenous offenders and the justice system. I have to say I have never been delighted in any of my touches with the justice system, whether it was a parking or speeding fine or any of the other very low-level issues that I am involved with. Do you think that that is unique to Indigenous people? There are some issues about the comment that you would say the resentment that lies—and I am very well aware of it—is something that is special, or would you say that is part of just simply a demographic of people who touch with the justice system? Do you think there are some aspects of that that are unique to Indigenous Australians? Perhaps you could talk about those aspects that may make them unique within that group.

Dr Weatherburn—I do not have hard evidence on which to base this but I would hazard a guess that there are similar feelings amongst any highly disadvantaged group but in the case of Aboriginal people the tension between them and police is more intense, and in some locations very much more intense. The locations I am thinking of are locations that have had a history of conflict dating back to the early days of settlement. In New South Wales they would be places like Bourke, Brewarrina and Walgett, or Redfern, however there are communities in New South Wales with very large proportions of Aboriginal people that do not have a history of conflict and do not have a high level of resentment towards the police and the criminal justice system. I do not think it is any surprise. The history of European settlement was a pretty painful one and I am sure that those experiences and memories are passed down from one generation to the next and reinvigorated every time police do a raid or whatever the police feel is necessary to deal with the crime problem. I am sure that adds to it but I am sure that they are not unique in that resentment; Islamic Australians probably feel the same sort of resentment but how intense it is, I do not know.

CHAIR—Regarding the same sort of area, the unique aspects of the Indigenous culture can sometimes bring them before the law in ways that other cultures may not. I cite two examples; one is violence that is associated with tribalism. My experience is very traditional, Indigenous people and there are some circumstances where you are just not in the same room together, just like football teams; there is nothing different about that. So, in a cultural sense I am punching him on the nose because of some particular point which is quite a legitimate cultural process in some circumstances; it is not seen by the rest of the world and the justice system in that way and there are a number of ways, I am sure you are aware, that you can be doing something in your cultural way that is not recognised by the justice system. That is one way. The second example I will cite is neglect. Where I come from in very traditional Indigenous communities neglect is an issue and you could say, ‘Well, where were the bloody parents?’

Dr Weatherburn—Yes.

CHAIR—And they will say, ‘Well, they were off in Maningrida shopping and they just left the kid.’ They did, and the fact that they left the kid there means there is an assumption from them in most circumstances that the kid will be very, very well looked after because the community usually is used to looking after the kids. There is a very strong aunty and uncle culture with a whole range of ways that from there it is not neglect at all. They have genuinely gone away and something has happened; someone else was not playing their role in quite a sophisticated carer process but the legal system does not really understand and perhaps forensically examine it by asking, ‘Did you just leave or did you rely on the network of care in the community?’ Do you think there is much attention paid—not necessarily in terms of defence but more generally—to try to drill down into some of the reasons provided and to try to examine them in terms of the cultural explanation and understanding about why that may not have happened and perhaps particularly the malice or understanding about the offence?

Dr Weatherburn—Yes. There are three questions there that I will try to keep in mind. As to the first question, I fully understand the view that fighting and physical assaults may have been more a part of traditional Aboriginal culture than it was part of ours. The view that has been advanced by a number of respected anthropologists, for example, that fighting was commonplace and is still commonplace, particularly in remote Aboriginal communities. A curious thing though is that when we had a look at risk factors for violent victimisation using the national Aboriginal and Torres Strait Islander survey, we did not find the strength of ties to traditional Aboriginal culture to be a predictor of assault. In other words, the risk of assault was the same for Aboriginal people regardless of how strong the connections to the traditional lifestyle, or if you want to put it in a geographic sense, it was the same in the backblocks of Australia as it was in the urban parts of Australia. The strength of ties to traditional Aboriginal culture was not an important factor, whereas alcohol and drug abuse was.

Your second question was about neglect and I perfectly well understand the view that in traditional Aboriginal culture, far from being a pejorative thing to leave your children to fend for themselves, it might well have been a constructive thing and part of the developmental process through which tribal Aboriginal people encouraged independence among children and so on. When I use the word neglect I do not really mean to describe it in a pejorative sense. The problem is that now—ever since European settlement has taken place or European invasion, whatever your preferred choice of terms, took place—these kids are not now running around the bush looking for snakes to hunt, goannas to catch or trees to climb. They are in, for example, Bourke, Brewarrina and Walgett climbing through the backs of cars, stealing possessions, smashing letterboxes, breaking windows and so on and so forth. So, whatever your view about the cause, the result these days causes—particularly remote communities or rural communities—a great deal of stress.

To answer your third question, which is do you think anyone gives any thought to this, I think not. I doubt very much whether most Australians give a second thought to the possibility that this apparent freedom given to Aboriginal kids might actually be a historical artefact or a cultural artefact. I am not sure that if they did think about it that it would make any difference to their view. I am with you that there may well be good, understandable cultural reasons for the difference in the levels of parental control over children’s behaviour, particularly when they reach adolescence. However, I think the reality that we have to face is that it is intolerable for

people, especially not very well-off people in regional and remote communities, to live with a situation where their cars are vandalised or their goods are stolen and so on. That is the reality that we have to come to grips with, whatever the original cause.

CHAIR—I have one last question in regard to the Washington State Institute for Public Policy’s document that I have to say I have not forensically looked at. It is fairly small print but I am very interested in it anyway and I have looked at some aspects of it. It brings up this gulf of divide between public opinion and what we know as evidentiary based process. A quick look would show that basically what they are saying in this report that you have provided to us is that it is effectively cost-saving and better for everybody if we do things differently in terms of the criminal justice system; we cannot just build prisons. Many people in the community—and there are a number of examples—such as the South Australian example at the moment where the Premier and the Attorney are having a bit of a crack and saying, ‘The gang of 49 are bad people’, and, ‘I don’t care. That is what we have got prisons for. We are sick and tired of having our stuff broken or people’s lives threatened and people shot’, and all this sort of stuff. Many people in the community, myself included, in certain circumstances on some days say, ‘Well, just put them in prison.’ Of course, there is always someone in the room that says, ‘What you have got to do, Nigel, is just think about what if they were your son or daughter’, and have that more sensible approach to it. So, you take a pink pill and you say, ‘Fair enough.’ This is the big divide. This is the big challenge.

Dr Weatherburn—Yes.

CHAIR—This has been done in a way that effectively, as I understand it, looks strongly at the economics of it because it is an economic argument and people often pay attention to that because the taxpayers are very keen to look after that as well. On one side people are saying, ‘People generally don’t offend, well, not against me, while they are in prison. Good place to have them. That is all we want to know.’ Prison costs a lot of money and whilst there is some relativity in terms of that, we have got prisons that even if they are only half full they are still going to cost us a lot of money to run; I acknowledge that. What do you think the way forward is? It does not matter how many reports like this come out, politicians will still be driven by this notion of democracy and they will reflect on public opinion and in my experience public opinion and emotion have been very, very strong in areas where we continue to try to influence anybody through the media and people are very angry about some criminal activity. We just seemed, in this country, to be going down the same road of just building bigger prisons and I do not seem to think that jurisdictions or leaders across the nation have really come to grips with dealing with this. How do you see the future between this evidence based science—and it seems quite sensible—and trying to deal with the emotion of democracy in the real world? I am not so sure how the United States are going to deal with this, but they have the same challenge. Talk to us just briefly about the difficulty or the ease of interacting with government and how people are taking very seriously these sorts of reports and they are actually changing their minds or is it that you are perhaps frustrated with the process? I would like to hear about how you think that whole process of change is going.

Dr Weatherburn—It sounds you want me to say what I would do if I was a member of parliament.

CHAIR—That will do.

Dr Weatherburn—But I am not. I have a couple of points about that. Firstly, young people are perhaps less mindful than older people about the constraints of a democracy and demand that government show leadership even if it is suicidal. I am not in that category. I think that government should show leadership but, naturally, in a democracy, public opinion imposes constraints on what is possible. That is the first point I would make. People need to understand that progress is usually incremental rather than dramatic. The second point is that, having said that, far too many members of parliament take public opinion as fixed and immutable. These days there is far too much attention paid to the results of polls on various issues as if the public have deeply considered the issues on which they have been polled and have arrived at firmed and immutable conclusions about what needs to be done.

The truth is that if anyone sat in the kitchen and received a call from these pollsters late at night as I have and you are in the middle of cooking dinner, the kids are hungry and some galoot on the other end of the phone wants to know what you think of the government's policy to do x and what you want is to get them off the phone as fast as possible. So, it is the most superficial, the most shallow, the most immediate, the most ill-considered response is the first thing you say down the line. The next morning you read about this in the paper and the government says it is not going to do something because the public are against it.

The point I am trying to make here is that I think governments need to take a far more considered view of what the public really thinks and there are many circumstances in which people who are initially opposed to an idea can be brought around to an idea if they have a persuasive politician or minister providing the arguments. There was a time, for example, when I was younger that people thought that we ought to have tariffs everywhere, people thought we should never have an immigration program whenever the unemployment rose. Everybody was hotly opposed to it. We wanted walls around Australia and we did not want migrants coming in but over time, as a result of leadership shown by both sides of politics, people came to see the advantages for Australia of immigration programs, of reducing tariffs and so on. I think the same story can be said of law and order. You cannot persuade the public overnight to think that we should let everybody out of jail—personally I would be opposed to it—but you can persuade them that there are circumstances in which we can do better than put someone in jail and it is a matter of persisting with the argument, especially amongst opinion leaders. Not all the people who write for newspapers are tabloid shock jocks. In New South Wales, for example, people like Ross Gittins are very well regarded amongst influential people and you present your arguments to them and hopefully persuade them to try to educate the broader community on these key issues.

The third thing is that particularly state and territory governments have a terrible tendency to spot something which is a good idea and commence it but never expand it far enough to make a difference. For example—and this will not make the state government happy—the New South Wales Drug Court is demonstrably effective in reducing the risk of reoffending, however it has not had any effect on the overall rates of offending. Why? Because it can only take 200 people a year and there are 20,000 heroin users. You can find across the country countless examples.

CHAIR—How long has that process been going?

Dr Weatherburn—The Drug Court started in 2002 or 2003—something like that—but it is not unique to New South Wales. Across the country you will find programs that have been

introduced that are quite effective but which have no capacity to produce a material reduction in crime because they are too small. That constrains politicians as they are not able to claim success in reducing crime rates because the measures they have taken win them votes in the short run but do not have any lasting capacity to make a measurable difference to public safety. The one thing that does is locking hundreds of people up every year. Well, if we put as much resources into post-release programs for people coming out of jail or even a fraction of the resources, you would see measurable effects on crime. So, the third point I am making is that we need to have the courage of our rhetoric and properly invest in programs and get the brownie points we deserve when they actually produce beneficial results, as we have with good economic policy. We have avoided a recession and the credit belongs to both sides of politics because both sides have embarked on decisions that were tough at the time but which are now paying dividends for one side rather than the other, but I think, arguably, both sides have enjoyed credit over the years for that. I do not see why it should be any different in law and order. Does that answer your question?

CHAIR—It does generally. Thank you very much for providing evidence today. Perhaps one short question from Senator Payne.

Senator PAYNE—It is good to see you. I apologise for not being here at the beginning of your evidence. Flowing directly from the chair's question, one of the witnesses we heard from this morning was the Women's Legal Services which auspices a number of domestic violence prevention programs in the north-west, Walgett and Bourke in particular. Towards the end of the evidence as we had drawn out the discussion, Ms Hensen emphasised the importance of ensuring that there are programs to support men in the community with the challenges that they face — and her colleague, Ms Rohr, was at great pains to say, 'Not at the risk of funding of what we are already doing.'—as well as the work that they are already doing to protect victims and assist victims where they can. I think that flows from what you were discussing with the chair and the thesis in the United States paper. Is that an observation that you would support in relation to ensuring that men who have had their contact with the justice system, if that is the issue, or are having their own mental health issues, are also adequately supported through the government's resources?

Dr Weatherburn—Absolutely. Domestic violence is of absolutely critical importance in reducing Aboriginal overrepresentation in prison because it is such a big player in driving Aboriginal men into prison. In fact, the percentage of Aboriginal men going to jail for violent offences has gone up quite dramatically because the community has demanded that courts and governments crack down on violence in Aboriginal communities. It becomes all the more important then, if people do not want to pay the price in terms of increased overrepresentation of Aboriginal people in prison, to work with domestic violence offenders and find alternative ways of stopping the violence if they can do it. The only alternative is, as one Pitjantjara woman said to me a few years ago at a similar inquiry to this, 'In the end locking them up is the only thing left for us and they don't want that', so, yes, I fully support that.

Senator PAYNE—Thank you for that observation.

CHAIR—Thank you very much. That has been extensive evidence that you have given and I really appreciate it. There may be some questions on notice from the committee either on

clarification or further questions in regard to your submission and they will be provided to you through the secretariat. Thank you for your evidence.

Dr Weatherburn—Sure. If you need any references on any of these issues do not hesitate to contact me.

CHAIR—Thank you very much.

Dr Weatherburn—Thank you.

[11.28 am]

HAMPSHIRE, Ms Anne, National Manager, Research and Social Policy, Mission Australia

LESLIE, Mr Phillip, State Director, Northern Territory, Mission Australia

CHAIR—I welcome Mission Australia. Information on parliamentary privilege and the protection of witnesses and evidence has previously been provided to you. The committee has your submission. I now invite you to make a short opening statement and at the end of your remarks I will ask the members of the committee to put questions to you.

Ms Hampshire—As you have said, you have our submission, so we would like to reaffirm a couple of key points from that and then a couple of new pieces of information that have subsequently come to light in our work, particularly in the territory.

Firstly, our clear view is that across the country we need an asset based community development approach. That is long term and it actually requires us to do things quite differently, including the way we fund programs and the way that we govern programs. Mr Leslie will speak in a moment about an initiative in Alice Springs which we would be proposing might be one way, and a very concrete way, in a larger scale that you might take that approach. We also think that the very ongoing need for very flexible approaches that are holistic and integrated is clearly the way to go in a whole range of communities. We would flag the challenge of infrastructure at a couple of levels where not only are there infrastructure needs for locals who are living in some of the communities that we are working in, but the challenge when you actually want to bring staff in, so who actually gets the infrastructure in terms of things like housing and so on.

We would like to table two things that have been finalised since we did our submission. The first is our reconciliation action plan. It is our own high level organisational commitment, in terms of our work with Indigenous Australians, both as a service provider but also as an employer, and the sorts of values which we think should underpin that approach. The other is some work in the outcomes hierarchy area. We work across three broad pathways—children and families, young people and homeless, of which there would be Indigenous clients in all three of them. The outcomes hierarchy tries to very clearly articulate the framework for that work and the sort of suite of outcomes which we would be aiming to achieve at both a high societal level and then what is our contribution on the ground. What we would hope for all young people, for example, would be that they would all be healthy, safe, connected and participating, as well as the communities that they would be part of would be inclusive. That is the clarity of our vision for all of the work that we are doing. For us, that is what a fairer Australia would mean.

Then at the bottom level of those outcomes hierarchies are the sorts of outcomes that our services are actually needing to achieve. For us, that provides not only a really individual centre, but also individual family in the context of their community approach, and allows us to think not in a siloed approach, which is often the funding stream, but actually putting the person at the centre and the suite of outcomes that we might be wanting to achieve with any of our initiatives. It is driving cultural change within our organisation. The challenge then becomes to have capacity within the broader governance around funding pools and so on which support the more

person focused holistic approach. Mr Leslie might like to raise the Alice Springs and Changing Places.

Mr Leslie—In reference to page 13 we talk about social enterprises and transitional labour markets. Since we have written that we have been successful in funding for a program called Changing Places, which is a social enterprise program. It will be operating in Melbourne, Brisbane and in the Northern Territory. In the Northern Territory, at this stage, it will be based in Palmerston and Darwin, because that is where we are funded for. It is about establishing social enterprise businesses as transitional labour market programs. It is businesses under our umbrella that we target. In our case we are targeting post-release prisoners, long-term unemployed and Indigenous so that they come in and work for our business, have a soft landing in employment, pick up employment and life skills and then our aim is to transition them from employment with us into mainstream employment over the course of a year. We have received two years funding and have just started that, so that is an initiative that has happened since we wrote our submission.

The second thing to talk about is the Alice Springs Transformation Plan, which is a joint plan between the federal and the Northern Territory governments. Some of that started off, as you may be aware, in relation to the Alice Springs town camps issue and our position in relation to that, because it has a big effect in Alice Springs and the surrounding area, is that to move forward on that we think any agreements between community organisations or government to work in something like that need to be not short-term based. In our submission we talked about how to be effective in remote communities. You do not necessarily need one, two or even three-year programs, but looking in the long-term, five to 10 years is best. That is on page 9 of our submission.

As part of the Alice Springs Transformation Plan we would be arguing that engagement is large scale, long term. We redefine the boundaries of funders and service providers that government looks at. Instead of providing service agreements, we change the governance model of areas like that. If it is going to be a big investment and if it is going to work, change the governance. Have a governance structure that has representatives from government and the organisation you are working with and have a partnership agreement, not a service agreement. Make it big, large scale and long term so it is effective, and if there is a bucket of money, do not spread it 30 different ways, keep the scale going. I know spreading it keeps people happy, but the reality is that we are after impact. They were two comments that have come to the fore since we have presented this written submission.

CHAIR—Thank you. Senator Adams.

Senator ADAMS—Thank you to both of you and for your comprehensive submission. I would like to pick up on those two new initiatives that you are talking about. On the Palmerston one, what employment are you offering? What services are you offering in that particular program?

Mr Leslie—Changing Places has been introduced to establish social enterprise businesses. At this stage we are investigating three different types. One type is a social enterprise business through hospitality. The second one is only in discussion stage at the moment, but it is looking at establishing a business around basic repairs and maintenance and landscaping to public housing

properties. The reality is that many of the people who reside in public housing will actually be part of our program, so we will have the people in public housing working on it and fixing it. It is removing graffiti, fixing locks on doors and landscaping. We will be establishing a business and we will be looking to put in tenders to get contracts to deliver those services around Darwin and Palmerston. After seven to nine months of those people working for us they will have learnt life and employment skills; we have done some language and numeracy with them. The aim is that we have got them sufficiently skilled that we can transfer them into mainstream businesses.

They are two, but we have a couple of others that are not sufficiently advanced to talk about now. With the café model, which is probably our most advanced, we are looking at some commercial partners to work that, so that would be a focus on offering a profitable café with the employees attaining Certificate I in retail and hospitality and then through working through us to have the skills to go to mainstream retail or hospitality positions.

Ms Hampshire—There is emerging evidence that a social enterprise environment can be an important stepping stone. For us it is actually a stepping stone. If you like, it is offering a transitional labour market environment which is not offered externally, but actually provides all of the supports and training that is a pathway to employment elsewhere. We are very committed to that in this project, as it is actually of a scale that has not been seen in Australia in terms of three states, three sites. In Darwin multiple social enterprise is actually building the evidence base about who do social enterprises work best for, under what circumstances and whether there is a role for government through a social procurement approach. For example, how do you scale and grow social enterprises? There is a strong piece there of which we think there is significant potential impact for Indigenous communities, as well as those who are most disadvantaged.

Senator ADAMS—How do you get your participants? Do they apply? How do they approach you to be involved?

Mr Leslie—Participants will be referred through Job Services Australia. Mission Australia and other providers have Job Services Australia offices throughout Darwin and other places, so typically they will come through that.

Senator ADAMS—Can you give us an indication of the partnerships with the Alice Springs project and how you are involving the town camps and the Tangentyere Council? Who are you working with to get that up and running?

Mr Leslie—The Northern Territory government and the federal government have established the program and at this stage it is beyond neophyte, but it is just being established. Mission Australia, with some other organisations, is part of the working groups to establish how that is going to go forward. Our view as expressed to them and as expressed to you is that to be successful we need to rethink how we deal with some of that. I would reiterate that in our view it is about large scale, long term with partnership rather than service agreements. In terms of dealing with some of the officials from the governments on what Mission Australia's potential involvement could be, we have talked about our strengths in early learning, young people and families and our emerging strengths in tenancy management and support. It is about wrapping that into a fully integrated model, as opposed to splitting it up into small areas.

Ms Hampshire—That is where a framework like the outcomes hierarchy framework actually helps because you think about the suite of outcomes that you want and then work around that. Rather than saying, ‘This is the dollar we want and you do this activity to get this outcome’, you actually think about what suite of outcomes that you want and then drive from the ground up to achieve those outcomes. They are different ways of thinking about funding pools and so on. It is much more flexible, but much more accountable in the longer term around an outcomes based rather than an activities based.

Mr Leslie—As you well know, with an Indigenous community or any small community around Australia, a whole lot of activities that happen in the small town rise and fall depending on who is in town and who is not in town. All of a sudden baseball is the biggest thing in town because there are a couple of people there into baseball, but then they leave and all of a sudden something else takes over. You would also be aware that government funding, community organisations and others who have worked in those areas have all tried over the years to transition skills. The idea is that you get your funding, you go in there, you build something up and you aim to build up local capacity so that when the organisation and the funding leaves there is enough local capacity to do that. You would be well aware, because it is not rocket science, that attempts by everyone over many years have not been exactly successful in that regard. I think the Transforming Alice Springs Plan has a point in time where we can say, ‘We had better get some of that right’, and as a result of that work and effort by the federal government and other organisations, we need to have some skills transitions and we need to improve the capacity of the community to deliver on their own.

Senator MOORE—I just wanted to clarify some of the terminology which I have not heard before. I am trying to get my head around the asset based community development program because it is not one that I have heard of.

Ms Hampshire—The flip side of an assets based is a deficit focus, so you identify what the problem is and then solve it. An asset based, in its broader sense, does not mean the dollars in the community only; it actually means what are the full suite of resources in the community—skills, capacities, interests, passions and so on. We start from that as the base rather than what is the problem. It comes from the international development approach. That approach, the World Bank says, has been much more effective than the flip side. It is challenging, but it starts that way up rather than saying, ‘We’ve got to fix X problem’, because that then leads you to a whole different approach than an assets based approach would.

Senator MOORE—Does that stimulate further engagement with the communities?

Ms Hampshire—Absolutely. It is very grounded in the hopes and aspirations of the community, but it does require ongoing commitment to that community. If you want to go that way you do not do it for one year, two years or three years; this is very much a long-term commitment and the community is going to shape where it goes. It is strength based as opposed to deficit based. Our experience in not only working with Indigenous communities but disadvantaged people across the country would suggest that you get far more effective outcomes using that approach than saying, ‘You’ve got a problem. Let me, the expert, help you solve it.’

Senator MOORE—What is a social economic model?

Ms Hampshire—A social enterprise model?

Senator MOORE—Yes.

Ms Hampshire—Mr Leslie may wish to talk about that.

Mr Leslie—It is interesting because last week in Melbourne the world forum on social enterprise was held.

Ms Hampshire—Five hundred people attended.

Mr Leslie—It brought experts from around the world in social enterprise. I will give you an example from last week, which is not related to here, but was one that explained neatly how it worked. I do not recall the name of the person, but he was working in Africa. One of the issues was around elephants destroying the crops in villages, which was leading to elephants being shot. How do you deal with that because they have to eat? One of the results was to plant chilli bushes in thick groves surrounding the crops. The elephants would try the chilli bushes and they were pretty hot chillies and they did not like it very much. As a result of that, they are working on having 10 to 15 metre rows of chilli bushes around the vegetable gardens and then, on a social enterprise model, using the resources from the community. That is not only keeping elephants out, so it is solving that issue, but now they are harvesting the chillies and have an agreement with an American firm who is then turning it into Tabasco sauce and the like. The social enterprise has come about through a need. It has provided additional employment and it has also solved another avenue of problems.

Senator MOORE—Except for the elephants.

Mr Leslie—To give you an example that is a bit closer to home, Mission Australia has just commenced operation in Gertrude Street, which runs off Brunswick Street in Fitzroy, at a restaurant called Charcoal Lane that was opened three or four weeks ago. Our Victorian Premier was there for the opening. It is a fully functioning full service restaurant. It is in a heritage listed building. The employees are all people from a disadvantaged background and long-term unemployment. Whilst working at that full service restaurant they will be gaining skills in catering and hospitality, and also life skills about what it means to come to work every day at a set time and the diligence around that. Again, the aim is that over the year 70 per cent of them are able to transition from employment in our environment, whereby we train and support, so that they are resilient enough to then go into the mainstream and take up a full-time job.

Senator MOORE—While they are working in that process are they fully waged?

Ms Hampshire—A traineeship wage. We create a real life environment.

Senator MOORE—It is not a protective environment of those kinds of things, but it does give them more security.

Ms Hampshire—It is not like a traditional sheltered workshop in any way, shape or form. We have a highly skilled chef who has very good chef capacities, but is also able to work with this

group to take them from where they currently are to be, in 12 months time, able to access a more mainstream environment, as Mr Leslie was saying.

Social enterprises are run on enterprise principles. They can have five employees or be much larger, but they are not run for profit, they are actually run for social good. In this particular case we are running a restaurant, but our key purpose is to help those disadvantaged participants who are part of the workforce to transition to a longer term career, whether be it in catering or elsewhere. The suite that Mr Leslie was talking about where you might do landscaping, design and development on a housing estate, can be run as a social enterprise. You have a business model, but not just employing you and me, you are actually investing in people who are not going to be picked up by the mainstream labour market who perhaps are not being perfectly dealt with in any other system. We create the environment where they build the skills in a real, live work environment, but they also get the support that they need. If they have drug and alcohol issues, we deal with that. If they have literacy issues, we deal with that. It is a very inclusive, holistic approach, but as a stepping stone to a more, if you like, mainstream work environment.

Senator MOORE—You have the security of funding which means that your business is not jeopardised by having to give this extra support.

Ms Hampshire—That is a challenge for us. In fact, in the example that Mr Leslie raised, we have the funding to run the outskirts of the project, but not the individual enterprises. We will have to secure the capital funding to set up any of those enterprises.

There is a growing interest in the social venture capital. Venture capitalists normally would be investing in a mainstream business, but there is now a growing pool of philanthropists who want to invest in the social venture space because they want a return for the social good.

Senator MOORE—I just worry about the two-year time frame.

Ms Hampshire—It is actually three years.

Senator MOORE—That is better. We have been talking a lot in this committee about starting off with something innovative and then having to justify it and evaluate it in such a tight time frame without allowing traction.

Ms Hampshire—We share those concerns. It is still relatively early in the Australian context where we have gone from one to three years and I think that was conceptually a huge leap. As our submission and Mr Leslie have stated, five is better than three and 10 is better again.

Senator MOORE—We hear 10 a lot.

Ms Hampshire—We also have a very strong commitment, as I said, to try to build the evidence from day 1. As part of the funding that we receive from DEEWER we have a significant commitment to research, but also a significant investment for Mission Australia to make sure that we can build the evidence.

Senator MOORE—Thank you for that. A couple of years ago we had a poverty inquiry, which was in this room, and one of the places that we visited was Newcastle for a whole range of reasons and the Salvos were doing similar work with young people within a café arrangement. I have no idea whether it is still going, but it was extraordinarily successful at that time.

Senator PAYNE—Thank you for your submission and your evidence. I appear to be having similar sorts of language difficulties to Senator Moore because I find some of this almost impenetrable. If you came from Mars and tried to read the submission I think you might be slightly challenged even if you were highly literate in English. I wanted to ask a couple of questions around the financing issues that you have raised in that last discussion about social enterprises. I note your observations about employment services where you are finding it difficult to get sponsors in the employment context—you refer to work for the dole in that—and where you expect to be able to find the capital funding for the social enterprises that you have been speaking about, and what avenues you are pursuing to obtain sponsors, who, as you say, are critical to the program model in terms of the employment services.

Ms Hampshire—I think the reference to work for the dole in that context was around remote communities. From memory—and Mr Leslie can correct me if I am wrong—we are no longer doing work for the dole in the remote communities, partially for some of those reasons. In terms of where we might want to get the capital from—

Mr Leslie—There is a range of ways that you can get capital, one of which is to go to a financial institution, go for a loan and try to negotiate because it is a social procurement terms and conditions that are less and then just put that straight into your business.

Senator PAYNE—What quantum are you talking about?

Mr Leslie—It depends on where and what you are looking at doing. At the moment we are talking in terms of a social enterprise business where a lot of it is start-up costs because it is capital upfront, but it is in the order of \$300,000.

Senator PAYNE—Who guarantees that?

Mr Leslie—The organisation does.

Senator PAYNE—Mission Australia?

Mr Leslie—Yes, if that is what we decide to do.

Senator PAYNE—How many of those do you guarantee?

Ms Hampshire—This is still the early days for the Changing Places initiative.

Senator PAYNE—How many of those would you expect to be required to guarantee?

Mr Leslie—It is a bit early to say and it depends on how it evolves. We are three months into it so it is a little early to say. In other cases we may have funding, as Ms Hampshire has said, from philanthropists or from organisations that are prepared to support it, either financially or in

kind. It will vary for each model, depending on what the model is and what financial support we could get. At the end of it, if we think we can support the business model and the finance supports that in doing a loan—and loans can be set up variously because it is a social procurement—then we will consider that.

Senator PAYNE—The \$300,000 is an example, and I know that is just one example, but that is not an insignificant amount of money for any financial institution to lend anyone. I am not a permanent member of this committee, but on one other hearing in which I participated in mid-western/central western New South Wales we were talking to organisations similarly involved in helping with start-up businesses and things like that. We were talking about equally significant amounts of money. What is your experience of starting at a slightly lower end and building to perhaps more significant social enterprise so that the initial costs, outlay, loans and so on are perhaps less significant?

Ms Hampshire—As Mr Leslie was saying, it really depends on the type of enterprises. One of the examples we have in Victoria, which is a small scale one, is actually around landscaping and doing the maintenance. That is not a start-up of around \$300,000, it is much smaller.

This is a conscious decision. We are a non-profit so we are very careful about how we actually invest whatever dollars, whether it is our dollars or other dollars, secured. We are keen to see whether or not this model of working has long-term benefits to the sorts of people we have been talking about, so very disadvantaged job seekers who are not being picked up in the broad stream labour market. If you like, this is an innovation that our evidence to date through the landscaping approach seems to suggest is getting us better outcomes than other comparable programs. We want to test that more broadly. We want to test it in different communities, like Darwin, where there would be a significant Indigenous representation. If that is the case, one of the key questions for us is: what are the policy environments that should support this approach?

One of the pieces of the evaluation is to do a social return on investment, which you may well be familiar with. You would not only cost the return on investment, but what the social return on investment is. If it proves that we get a much better social return on investment through this way, we would be using that to argue that there are some government policy changes that may well be required. At the moment we do not have a national framework or a state and territory framework which at a practical level supports this sort of enterprise. If we were able to contribute to building evidence that says these outcomes in terms of long-term sustainable employment are much higher than other comparable programs which governments are running then we think there will actually be a case for governments to perhaps support them in different ways, including through a social procurement model. By that we mean governments at all levels and corporates purchase a whole range of services and they can choose, obviously, where they procure them. They can also build in clauses, as they have in the UK, which allow a social enterprise consideration. Whilst we have got some very real practical issues to work around how we build any of these social enterprises, we are actually doing it from the perspective of trialling an innovation which our early work suggests works better than others in the labour market programs in terms of disadvantaged job seekers. We are trying to build the evidence in a diversity of settings and then also seeing what the social return on investment is. We would hope to use that as a powerful vehicle in terms of what government policy might be able to do to support these sorts of social enterprise.

Senator PAYNE—Are you saying put in government policy a compulsion to obtain services, products or whatever it is from an enterprise such as this?

Mr Leslie—To give you an on-the-ground example, be it the local or state government organisation, they have a tender system where they assess the tenders. As you would be aware, there is value for money and a whole lot of other criteria they use where they weight them 10 per cent or 20 per cent and then they come out with a successful tender. Under a social procurement model there may be a weighting there towards employment of people from a disadvantaged background, employment of Indigenous people or employment of long-term unemployed. There also might be a decision by a local government to say that two or three per cent of the tenders that they put out are set aside for organisations that run social enterprises. That could be how it happens on the ground.

Ms Hampshire—It is not so much a compulsion, but a consideration. With the social return on investment piece, given that there is a suite of outcomes that we think the community and government are looking for, and if we can show that suite of outcomes is likely to be stronger from a social enterprise, then that should be a consideration in the procurement.

The UK has a whole suite of policies that they have introduced. Numbers of corporates across the globe would be thinking about, for example, how do we make sure that our procurement is environmentally sound? There are also corporates considering how we make sure that they are socially sound as well. It fits within that space. It is still very early days, particularly in the Australian context, and what we are trying to do is actually provide an environment to test out whether or not we get better outcomes and what the benefit might be to the community.

Senator PAYNE—What is the evaluation time frame for that?

Ms Hampshire—We are going to do a three-year evaluation. We have built it in from day 1. We literally had a workshop last week with Jo Barraket from QUT. Jo is the pre-eminent researcher in this area in Australia. We are also involving Social Ventures Australia because they are using the social return on investment, which the UK government has picked up as a way of looking at that broader piece around what is the return socially as well as economically for some of those. The evaluation is built in right from the beginning.

Senator PAYNE—Thank you.

CHAIR—I might just make a couple of quick comments on the area that you have just been speaking about. It seems a bit odd and I was just reflecting for a moment. The airlines have only just changed where you can make a donation to effectively starving children. It was only a couple of years ago you could not do that because we were too interested in koalas. I think that the airlines have probably made the jump that governments and businesses have not. I have to say I was, in a previous role, the minister responsible for disability in Australia, dealing with business services to try to get that changed. Businesses were very keen about the environment but, frankly, just have not caught on. It may be that it is a more complex area; I am not sure how we sell that, but it is certainly something where you are absolutely spot on the money that we will have to do something to really change that environment before some of those changes are made.

We have a number of questions. Not myself, but a number of the committee members actually met with some of your staff as part of the Northern Territory Integrated Youth Services Project. They are actually part of Mutitjulu and I know that Mr Leslie has had a lot to do with this. I am very familiar with the other four communities. In hindsight, since 2007, how do you think that has gone? What real changes, as a consequence of those, could you mark in the community? I am not saying if you cannot point them out that it has not made a change. Do you think there are any sorts of benchmarks where you could say, 'That was a measurement before. That's considerably changed. We think that is due to this.'?

Mr Leslie—The aim of that program ultimately was to reduce the incidence of petrol sniffing. As you would be aware, there has been a lot of discussion about the role and roll-out of Opal fuel and how that has contributed. In terms of the distinct program in itself, I think it needs to be considered in the wider field about how petrol sniffing is not as significant as it was before. I think it can be simplistic sometimes to say that we just need activity based in relation to that program. It is not simply a matter, especially with young people, of just providing activities. Have the activity and they will come; it is not necessarily about that. It is about engaging and diverting as well. It is not impossible, but always a little more difficult to measure the strength of the relationships and how the relationships between staff on the ground and young people in those communities have affected what has happened. Typically you can measure engagements in terms of incidences, which is what we do—how many attended this, how many did this and how many did that—but I think the real strength of the program is on the relationships, the relationships formed with staff and how that can lead to better decision making in terms of those young people as to what they do.

Ms Hampshire—That is why those outcome hierarchies work best. What we are trying to achieve in that black box down the bottom is the sorts of things Mr Leslie was just talking about and actually building evidence that says how these relationships change and then what does that contribute to. We would be arguing that you cannot just worry about the health piece, which was essentially about the petrol sniffing, you actually need to worry about the other pieces of that picture which are around education, family connection and the community. That is a better way to go when you think about the big picture suite of outcomes that you want. You then develop a suite of programs that allow you to achieve that, in partnership with a whole lot of other people. Obviously, by ourselves, we will not make those young people healthy, safe and so on, but that outcomes hierarchy allows us to say, 'This is our piece of it. Others will contribute to that as well.'

CHAIR—I acknowledge the difficulty in providing benchmarks given the masking effect, if you like, from Opal. I think it was right across the board. One of the issues that you touch on in your submission is a long-term program and long-term relationships, which I acknowledge are very important. It has certainly been my experience that communities do not change over that time. You will have an individual that will come. That individual will run certain programs. Over a period of time the individual will become part of the community and people will be used to that individual. When they leave they are in exactly the same place as when that member came. The community does not move on and say, 'I am now going to accept, more quickly or more readily, assistance from a notional outsider.' Do you suspect that is the case? Has that been the experience of Mission Australia?

Mr Leslie—I think overall it is the experience across a lot of remote and rural Australia, which I alluded to earlier on as part of our opening comments. There are signs, for example, in the Northern Territory Integrated Youth Service that that is starting to change. Just recently Charles Darwin University ran a program at Mutitjulu for Ananu youth workers. We had eight attend that, which is positive and in discussions with the funders we are increasingly working hard on that transfer of skills to Ananu. I think over time, and not just in Mission Australia, but across the breadth of programs in Australia, there is an element of truth in what you are suggesting.

CHAIR—I am not sure how we deal with that, but anecdotally the people who have been in the community for a very long time, some of the elder people, say ‘What’s the problem now? It’s very different.’ They talk to me about how different it was 20 years ago in very positive terms. I say, ‘What’s the difference?’ They will say, ‘We didn’t have visitors. You all lived here. People worked here. When I was a child the teacher who worked here was still a teacher here when I was a teenager. The person who ran the store was here for a very long time. The police officer lived and worked here for 14 years.’ There seem to be a great deal of changes. In today’s workplace people tend to be in that job or employed in that spot for a much shorter period of time for other reasons and I think that is one of the considerations we are going to have to give. That is a very important thematic through your submission.

The other thematic that I note with some frustration is that in those four communities, for example, you did some fantastic work. I will take the opportunity to put on the record certainly how much I, as a Territorian, really appreciate it because it is work that would not have happened without you. It goes from BMX activities, to having a camel barbecue, to be able to go and play basketball and softball, going to visit sacred sites and going out on bush tucker. From my perspective the concern is there still does not seem to be any ownership in any of these programs because the day you stop, I promise you, it will not happen. These are systems I get very frustrated with. People will say, ‘Are we going to go and visit our sacred sites?’ I will say, ‘Why is it my bloody job? Why do you think anybody else would possibly be interested in this deep cultural significance for you, but you won’t do it unless someone provides the car, provides the energy to get up, get in the car and go.’

The question I am asking is: where do you think some of this goes in trying to find the balance of having them rely more heavily on either NGOs or government to provide what I am talking about as the very basics? I am not being critical in saying that, but if they are now relying on others to organise visits to their most significant cultural sites, which is right down that personal level, and if they are now having a reliance on that and the programs in those communities are winding up and another one will start, but they have become more reliant, so how do we try to find some more ownership? If you were not there those things would not happen. That is the story right across the board with the NGOs or government programs. What do you think part of the solution is? Perhaps you can try to provide some insight into the legacy of these programs. There is someone who stands up and says, ‘I know. Let’s go and have a barbecue. Let’s go and do this.’ That is someone from the community that normally would be a legacy from those sorts of activities.

Mr Leslie—I could start. In my own sense, for what it is worth, over the last few years our approach has been—not we as in Mission Australia, but generally—what we can do to communities instead of what is with communities. I suspect that when you go back in time, and

when you think of Ali-Curung with the thriving bakery and the vegie gardens they had in that community for ages and everything else, the ethos seemed to be a little bit more around what we can deal with. My sense is that over the last 30 years it has been a bit about what we can do to. I hope there is a sense now of what we can do with. That is my sense from having been out and about for years mostly in the Northern Territory.

It is not helped by short-term contracts which do not encourage longevity. For example, the Northern Territory Integrated Youth Service finishes in March/April next year. The longer term planning for that creates difficulty because, at this stage, we are not aware of whether it will continue past then. Of course we have staff at the moment coming to the end of the year, thinking ‘Where do we go? Do I go and take something else?’ You then get to the end of it. That, in itself, brings issues about trying to keep longevity and to keep the program going for the full length of the contract. As we have said, that is different when it is a one or three-year program, compared to a five or 10-year commitment. If it is a 10-year program and you are employing people to do that and work with it, in their heads they know that this is a major significant commitment over 10 years and people are inclined to see it that through. I think that is some of the evidence that some of the elders are saying to you, that in the past that was the case, as opposed to today when we tend to bottle up one or two-year contracts.

CHAIR—From a public policy perspective or a government policy perspective if we have a program to roll out, from the way it is rolling out and all the evidence that we have seen it is not particularly working because we have this cliff at the end of it. On this day and date it finishes and so it stops. There is this underlying assumption, I suspect, that if this program is in place for four or five years then it will change things sufficiently for the program, firstly, not to be needed or someone else will take up the leadership role with those, particularly in the sort of programs that you are doing. Do you think if the government actually changed our policy approach by attaching a condition and perhaps resources for that, that by the last year of the program, for example, you are actually providing for some transitional arrangements for those people who lived on the communities to take a role? It would be a focused part of the program; from this point we have spent the first two or three years selecting people, being more involved in the program, and then we move away from them.

The reason for that question is that over time we have had white people come into these communities and have said, ‘What we want you to do is to work yourself out of a job. We want you to sit down there and over a year train someone else to do your job and then leave.’ Human nature does not necessarily have a vested interest in leaving that one person to work themselves out of a job. In fact, I do not think it has ever really worked. Do you think a different approach to policy to acknowledge that the transitional stuff does not help and to make it a part of the contracts or arrangement to at least attempt to do those things would be of assistance? As an NGO do you think that would be tying you down too hard?

Ms Hampshire—We have both got views on this one. The first thing to say is that organisations like ourselves often say we want to do ourselves out of a job. The reality is that these issues have not developed over one, three or five years, but that working to approach has happened over generations. The need to try and work for the long term is incredibly important.

The Communities for Children initiative, which you may be familiar with, included the NT. We are a facilitating partner in six sites, but not in the Northern Territory. It aimed for

sustainability post the three years. The evidence is that there have been good child, family and community outcomes in a quicker time than would normally be expected, because these are all disadvantaged communities, but the goal of sustainability in the three years was unrealistic. We have done better in the Australian experience through the C for C than they did, for example, in Sure Start, so we are doing well in that area, but the sustainability in a three-year period is unrealistic.

I think that in the longer term building in goals of sustainability is desirable, but that needs to be supported and resourced. It does need to give organisations a longer time frame and, I would suggest, perhaps a bigger pot of money to do that. Part of what happens is that we think about things as programs rather than as a community response. We stay in a siloed sort of approach rather than what the pot of money is for the longer term, which is why we think the Alice Springs possibility of doing things more significantly for a longer period of time in a different way probably does offer us an opportunity to get some sustainability.

Mr Leslie—The other thing that I would add to that is: how long does it take for you to be a local in remote communities? If you think about a three-year contract, in my view that is a service contract. It really should be a partnership. People in their heads think that it is a three-year piece of work, but the reality is that in small towns or communities it takes people six to eight months to be able to have the relationships and to be able to start functioning well enough. That is just how it is. It takes time to be accepted. It takes time to know who to go to and not to go to, how this works, how that works and how to influence that. I am being generous, but I suspect from my experience that it is around six to eight months before people will start giving you that because they see that you are still there for a start. That has brought your three years down to 2½ years. If it is a three-year contract and the end is ambiguous and fuzzy about what is going to happen, you are spending the last six months trying to position yourself to get something else. Your three years, in effect, has probably come down to between 18 months or two years of effective operation.

CHAIR—Do you have the approach that you indicate of not a service agreement, but a partnership agreement, which would be an agreement notionally more likely to reflect some specific transitional arrangements back to the community, so that instead of waiting for another program to come up, the elements of that program could be taken up with the community? That is not in a philanthropic way, obviously potentially resourced, but at least the human resources required for that program could be taken up as employment opportunities within the community.

Mr Leslie—If it was a partnership agreement rather than a service agreement where every three months you send in another report detailing what you did with this, that and the other, you have a genuine partnership where governance includes members from the community, the organisation and the funder who actually govern it properly and it is long term and that is built into it, in my view that would be a better way to go.

Senator MOORE—On a three-year time frame?

Ms Hampshire—No, not in a three-year time frame. A 10-year funding agreement does not mean that you just account at the end of the 10 years. There are easy ways to build in accountability as you go, but you have some level of certainty at the start-up that you are there for 10 years. That is not only important for us. It is actually much more important for the

community because they say, ‘You’re going to stick around’, and as Mr Leslie said, this is significant.

CHAIR—It is a self-perpetuating prophecy because if we do not make the investment in time we will never know.

Ms Hampshire—Yes.

CHAIR—People would say, ‘Why would you do 10 years?’ I can tell you now, when I speak to my colleagues that we need to make a 10-year investment, they will say, ‘You show me a program that has worked.’

Ms Hampshire—I was interested to hear Don Weatherburn. We do a lot of work, for example, with juvenile justice. Treasury would have the same argument about why should we invest in the early intervention programs that Don and ourselves would recommend. The flip side of that argument is that what we are currently doing in juvenile justice, in prisons or in remote Indigenous communities is not working. To some extent we are currently investing in what is not working, so why not give something different a shot, build the accountability and also build the research evidence about whether we got it right. That would be our very strong view and that is why we are doing things like the Changing Places to actually invest. Yes, we are getting some DEEWER support from the Commonwealth, but we are significantly investing in it ourselves. It is a \$400,000 in-kind contribution in terms of research.

I hear the Treasury argument, but if what we are currently investing in is not working then let us at least trial something different and put in some robust evaluation, but give people the time and space to either fail or succeed based on the model.

CHAIR—You could have some review on that which could say, ‘We need a complete change’, but still have that longevity. I have some other questions, but with this long discussion that we have had there may be some other questions from senators. I could speak all day here.

In talking about Changing Places I would like a response to a general conversation around Indigenous employment programs, the mixed or mainstream Indigenous programs. My view is that one of the reasons that the CDEP failed miserably was that it was an Indigenous program and probably could not have been anything else in the nature of the context of many of the regional areas that they were in. We have just taken some evidence in Broome and I will always remember those little lights where something is happening well and going well. There was a plumbing organisation out of Broome, a plumber in Adelaide and a plumber in Alice Springs who have a deal going together. People are selected basically because they got through year 10 in terms of literacy and numeracy, and they actually meet the literacy-numeracy benchmarks to get access to an apprenticeship. They go to Adelaide and they work away from their communities through their apprenticeship, returning to the communities. There is supervised accommodation. It is not overly supervised, but they are in a workplace of quite a large company of plumbers and they seem to get a lot of support for that process. It is just amazing to see young men and women from quite a traditional background coming back to work in their communities who are mainstream operators and tradespeople. Not some little dodgy thing we will sign up from Batchelor College—bless their hearts, they know my feelings on that. It is actually

something that is mainstream and is recognised everywhere. I think that is very successful because it was not an Indigenous program.

I know you have mentioned in your submission that you think that having Indigenous employment programs is still important. In just looking at the context of some of the evidence that we have had it does not offset that, but there does seem to be a lot of success in alternative programs being effectively put in, instead of all Indigenous, but actually putting them in through mainstream programs. Can you help me understand some of your experiences around that place?

Ms Hampshire—What we were flagging in the submission was more around the opportunities which exist in many regional and remote communities. An example would be in the mining and resources industry with the opportunities there. Mr Leslie, would you like to talk about the NT opportunities that you see, in terms of the resources?

Mr Leslie—Yes. You would be aware that there is a number of enterprises that have started up, be it watermelons in central Australia; vegetables, table grapes and things north of Alice Springs; all the mining industry or the introduction of ImpEx, for example, into the Northern Territory. I think the work camp at Howard Springs is projected to be 2,500 to 3,000 workers, which is a mainstream opportunity. It is as much for fly-in, fly-out professional tradespeople from elsewhere, but that also presents an opportunity for the employment of be it Indigenous or non-Indigenous in what is a mainstream environment, which is the construction of that gas plant. It is not just in a social enterprise model that there are opportunities. There is a whole range of opportunities that need to be carefully thought through to provide opportunities for them. That is one that stands out in terms of the Northern Territory in the next few years where there are going to be jobs available and where there are going to be skills needed.

Ms Hampshire—In terms of the social enterprise piece, which is very similar to your example in a couple of key ways, it is actually accredited training that they will receive. They will get a real life credential. That is not just a Mission Australia credential, it is a Cert III or whatever. It is actually a real, live work environment. As I said, it is not like a sheltered workshop, for want of a better contrast, but it also provides the sort of support that you were talking about. It may be more intensive, depending on the client group, but there are some key features. I think that the social enterprises that we would be aiming to develop would have that, with that example that you flagged. I do not think that any of them will be necessarily Indigenous only; there will be a mix of staff and some work placements and so on, but there are some similar features.

CHAIR—Thank you both for that. Mr Leslie, in terms of feedback, you may not be aware that within the series of competencies that has been completed in regional Northern Territory by participants in communities who now have a full trade is in hairdressing, yet there is not a hairdressing shop anywhere in the Northern Territory. That is something that I have been working on in my own way. I note the social participation process in terms of your café here, which I think is wonderful, but there are a number of opportunities that I would commend Mission Australia to in the Northern Territory that would be both viable and provide a whole range of experiences. They are normally out of the area that one generally considers in Indigenous communities, but country men love to get their hair done as much as anyone else and there are quite a number of tradespeople out there in a number of the communities. Hopefully that will be the next opportunity.

As there are no other questions I would like to thank you both very much for giving evidence here today. There has been quite a comprehensive range of questions, but if there are more to follow, they will be provided to you on behalf of the committee through the secretariat. We will now adjourn until 1.30 pm and return to hear from TAFE New South Wales.

Proceedings suspended from 12.24 pm to 1.31 pm

CALLAGHAN, Mr Paul, Director, New England Institute of TAFE

DREISE, Mr Tony, Director, Community Partnerships and Inclusion, North Coast Institute of TAFE, New South Wales

RANKIN, Ms Kathryn, General Manager, Training and Education Support, TAFE, New South Wales

CHAIR—I welcome representatives from TAFE New South Wales. Information on parliamentary privilege and the protection of witnesses and evidence has been provided to you. The committee has your submission. I now invite you to make a short opening statement, at the conclusion of which I will invite my colleague to ask questions of you.

Ms Rankin—The most recent Department of Education and Training Aboriginal Education and Training policy was launched in November 2008. It sets the goal that by 2012 Aboriginal and Torres Strait Islander students will match or better the outcomes of the broader student population. Bridging the gap in education and training outcomes for Aboriginal people is part of TAFE New South Wales's core business.

To place TAFE New South Wales activity in context, TAFE New South Wales delivers 66.7 per cent of all New South Wales student places in vocational education and training through 10 institutes. It delivers 72.4 per cent of all New South Wales vocational education and training to Aboriginal students. While we acknowledge that enrolments are coming from a low base for Aboriginal students, between 2004 and 2008 the enrolment increased by 52 per cent in rural institutes and 37 per cent in regional institutes. During that same period, 2004 to 2008, the number of Aboriginal students completing their qualification at TAFE increased by 42 per cent and by 62 per cent for those undertaking higher level certificates from certificate III and above. In 2008 Aboriginal enrolments in rural institutes represented 13 per cent of total enrolments.

The TAFE New South Wales submission to the Senate committee provided an overview of specific activities where specific responses were able to be adapted from existing training capability to respond to needs of individuals and identified groups within communities. In implementing these, TAFE New South Wales has identified the following three aspects to be critical for sustainability and long-term benefit for Aboriginal students to have a positive impact on translating, skill development, participation in employment and the labour market. They are place based learning that provides a tangible link to employment; positive and sustainable partnerships between business, community and the training institution to build labour market connections; and building capacity for micro and small business enterprise development through business administration, accounting and finance, and marketing and promotion. I would ask my colleagues who are delivering TAFE training if they could expand on these three areas as an example.

Mr Dreise—In terms of the three points that we were keen to talk about in more detail in the context of this inquiry, we believe place based learning is critical in terms of Aboriginal community capacity building. We are taking very active steps in those directions at North Coast Institute. We have grown our Aboriginal enrolments by 90 per cent within the last two years

simply by taking a more community based approach to vocational learning, linking it to community aspirations around enterprise development, social wellbeing and cultural development. One of the obstacles that stands in our way is similar to many regional and remote communities, and that is thin labour markets. Greater attention to place based enterprise development through skilling programs is something that we are very keen to give attention to, particularly to younger people, given that the Indigenous demographic in our area is much like that in the rest of Australia in that you have about 40 per cent of the Indigenous population being under 14 years and 50 per cent being under 21 years. The North Coast region is one of New South Wales's biggest Indigenous regions, with the second highest Indigenous unemployment rate. We are undertaking a very proactive program of place based learning linked to enterprise development and community capacity building.

Mr Callaghan—Before I talk about the other two dot points I would like to spend two minutes giving the context to my background. I commenced in TAFE about 13 years ago as an Aboriginal development manager. I come from a small Aboriginal community on the coast. I entered the TAFE sector not quite knowing what that was, but after 12 years in the TAFE sector I can proudly say that I am part of a fantastic organisation that does really good things. I have evolved in terms of my career from an Aboriginal development manager to a head of equity services, which supported all the different demographics. I was then in a role as the head of the faculty of business and computing and now I am an institute director, which is marvellous in the New England because it enables me to look at some visionary policies of what we need for the region but also to be involved at a state level in terms of the discussion and considerations of what is needed in terms of Aboriginal wellbeing. That is my passion. I am also a traditional dancer and all sorts of other things. Like Mr Dreise and a lot of people involved in the system, we are there because we are passionate about what we do.

My observation of what we do within the TAFE system is that we are very good in terms of community profiling, consultation and identifying the leads that we need in terms of qualifications and so forth, but it is the externalities where we are having to work harder. The externalities I talk about are in thin labour markets the need to communicate more earnestly with small business and medium enterprises to get engagement. We have up to 400 per cent more unemployment in the Aboriginal communities, and it is hard to get engagement in a thin labour market when people are competing for those kinds of jobs. In the New England Institute I have recently signed a memorandum of understanding with the 14 land councils where we have agreed we are going to work together, rather than land council fighting land council, to try to work on supporting our community business plans. As part of that we have been identifying the strengths in our region that we can utilise for employment. Certainly one of those strengths is in the areas of conservation and land management because of the high agricultural base, the environmental sustainability and green skilling agenda at the moment. In tying those together we have accessed quite a lot of resources in terms of the last year of the infrastructure money available, and we are building quite a lot of trade green skilling infrastructure, a lot of which is targeted to creating employment pathways for Aboriginal people. Building the infrastructure and providing the courses will not get us to where we need to go. It is the dialogue with employers where we are now focusing a great deal of our discussion. Part of that is a whole-of-government approach in talking with the other government agencies about how we can get a consistent message into the communities. A lot of the communities are suffering financially.

The second dot point is about partnerships. Partnerships is something that we have done reasonably well, but we are really trying to escalate and build that in all forums in terms of industry, business and community. The employment market is a difficult one and we are trying to break that glass ceiling. Certainly one of the tools that I think is a really big opportunity for us is prevocational training, leading Aboriginal people into traineeships and apprenticeships, which then leads into employment. By providing traineeships and pretraineeship training we are building not only the technical competence for the student but also what is missing particularly in the young demographic that Mr Dreise mentioned. I do a lot of mentoring with young people and so I have observed this. A lot of our young people have actually lost their identity in terms of cultural values and where they fit in, and they are actually allying themselves to what you would loosely term the kind of gangster identity in America. There is a lot of anger and hostility with our young people because, in a sense, they have lost their way. With the prevocational training we can not only provide technical competence but some cultural training that builds self-esteem, cultural identity, and that realigns to the values that support community values at a broad scale and not just within the Aboriginal community. That taps into multiple entry pathways where, if the student is willing, capable and a self-directed learner, we can certainly engage them in a certificate IV or diploma immediately. But quite a few of these young people have disengaged from the school system at 13 or 14 and so we need entry pathways that bring them in at that lower level, build all the resilience and emotional competencies as well as the technical competencies, and then brings them into the trade programs and beyond. Part of that is in aligning with industry and business so there is a place for them to go. What we do not want to do is set up false expectations where kids are getting trained and then they do not see a job at the end of that. I guess what we are talking about strategically is how we do independent learning plans with a student but start to align them with industries at the start of the process rather than the end point so we have a place where they can go.

Thin labour markets are a problem and employment is a major breakthrough when we get there in terms of small business and medium enterprises. The other area—and Mr Dreise is passionate about this as well—is the creation of small business enterprises. To do that there needs to be an alignment with the region about the kinds of strengths in that region in terms of where a small business can grow. Our experiences are that we see successes but we also see failures where you will see an Aboriginal community, with great enthusiasm, start a small business, for instance a café, but they do not have the business acumen, skills and governance arrangements, and so it falls over after a year or two because they really have not had the background training. That dovetails into our desire for competency training and skill sets, such that we can provide targeted training that satisfies the needs of the learner in terms of business competence marketing.

I was in Casino with an elder last Friday handing over an award. She is 82 and was in the TAFE system until 72, and so she received a meritorious award. Her family has this marvellous business where they grow 40,000 tomato plants and service the local needs of Coles and Woolworths. In talking to them, they were speaking of the importance of communication skills needing to be conceptualised to the business you are in. For them it was going to the markets and being able to trade talk at that level in the market scenario. They certainly were an inspirational business. They are the three things that I am focusing on within my institute.

CHAIR—Thank you. Senator Moore.

Senator MOORE—The submission and the evidence points to a strategic plan approach in terms of how this is operating. How long has that been in place?

Ms Rankin—TAFE New South Wales and the New South Wales Department of Education has had a very strong commitment to Aboriginal inclusion over a number of years. I made reference to the most recent one that was established in 2008. We work on four-year plans and each time those four-year plans are reviewed against the recognised and measurable achievements. We also work as part of the state government's initiatives to set targets as well, and we have a state plan target that has been in operation for three years now, which has an area that looks specifically at that Aboriginal education as well.

Senator MOORE—The plan around the partnership with business is self-evident. Nothing will happen if you do not do that. What has been the success rate in terms of perceivable successes of younger and older people who have been able to come to the TAFE system and then be able to achieve employment?

Mr Dreise—To pick up on the aspect of the question looking at younger and older people, we have models in place for both cohorts. We created a program two years ago called V-Tracks, which takes Indigenous students in secondary school. We do this earlier than mainstream cohorts. We do it in years 9 and 10. Most school based vocational education and training is for students in senior secondary schooling, and the reality is a significant proportion of Aboriginal students have left school by that age. With the V-Tracks program we are focusing on identity and aspirations in the way that Mr Callaghan spoke of. It is an absolute essential prerequisite before getting confidence in the workplace. We have workplace dimensions to that.

To give a couple of practical examples of that, we have a program called Deadly Days, where we invite employers to participate in educational festivals with Aboriginal communities. That is sponsored by the Australian government through DEEWR. We had 2,500 young Aboriginal people involved in that program. We had hands-on learning workshops with employers such as Bunnings. That means a relationship is forming between enterprises and Aboriginal communities. We would like to build on that through school based traineeships initially, but as a minimum work placements involving Bunnings Warehouse.

Another model is in Taree. We have a three-way partnership with ourselves, one of the Job Services Australia providers, in this case Wesley Uniting Employment, and Big W. We had an older cohort of students who were mainly women looking to re-enter the labour market or enter it for the first time. Five of those Koori women were involved in work placements with Big W, so it allowed the employer, if you like, to trial them and it allowed them, as a prospective employee, to trial that organisation. That has resulted in two people securing employment.

It is easier to pursue those sorts of models in the major regional towns, because you have a sufficient labour market for there to be some chance of securing a start in an existing enterprise. In our footprint, along the North Coast, there are some centres that are growing quite significantly, whether it is Ballina, Tweed Heads, Coffs Harbour, Port Macquarie or Taree. We are seeing that we need to be proactive through our vocational learning program to get in early enough for Aboriginal people to secure those opportunities. For example, Coles had plans for a major retail investment in Nambucca. We looked at a retail training program, because at the local

level we were given commitments that they wanted to give X number of employment opportunities to Aboriginal people.

There is another dynamic to our demographic, and that is a lot of Aboriginal people living in small discrete areas that are not close enough to allow accessibility to the labour markets that are growing. The other part of our strategy, as I mentioned earlier, is a deliberate focus on place based development and supporting enterprises. An example of that is that we have a small community called Mulli Mulli, which is near the Queensland border near Woodenbong, past Kyogle. They have a number of aspirations around producing food through market gardens and so we have been supporting them with that; cultural tourism, because they are actually native title landowners of a significant national park, one of the biggest parcels of native title in New South Wales; as well as their own self-efficiency, for example, we have put in programs around construction, plumbing and so on. At great cost to government with social housing there is generally an importation of skilled labour and tradespeople who come in and do maintenance.

Senator MOORE—I do not think it is ‘generally’. It is common. In fact, I think it is everywhere. One of the biggest issues this committee has faced is the lack of transitional skills. We bring in all the labour from outside and then we take them all away.

Mr Dreise—Our place based strategy is deliberate in that regard, too, in terms of getting capacity within communities. They have done two things around that. Firstly, they have upgraded the plumbing in their houses, including toilets and guttering. Secondly, they have refurbished a building that houses the Mulli Mulli women’s group. That is through TAFE’s investment in place based skilling. We would welcome more attention to those sorts of policy settings and programs within the national system. The national system at the moment, quite rightly, is saying, ‘We want more Australians with VET qualifications and certificate III and above.’ We are certainly growing. As Ms Rankin reported earlier, we have positive trends in that regard, but we need to complement that so that we are not overlooking places in Australia with thin labour markets. Investing in skilling programs for place development and enterprise development is something we would welcome greater attention to.

Senator MOORE—Are those programs peculiar to your area or are they across TAFE New South Wales?

Mr Dreise—My understanding is that they would be across the institutes.

Senator MOORE—It is not just for your area because you have worked on it?

Ms Rankin—The aim of our strategic response is that we set some targets but then ask the institutes to determine—because they are the ones working in their local areas—what is the best way to achieve those. In many cases it is about identifying where there is a need within a local Aboriginal community, developing a specific response to that and then growing it from there. Each of the responses will be different according to the different needs of the different communities.

Mr Callaghan—Having said that, there is a great degree of collaborative practice. The managers of the Aboriginal units, of which each institute has one, with a considerable commitment from the institutes, come together four times a year. They were in Tamworth

yesterday and I was able to do a welcome for about 40 minutes and talk about leadership. They share the good experiences and best practices.

Returning to the question that Mr Dreise responded to, I would like to superendorse the benefit I think of school based apprenticeships and traineeships because, from my perspective as an Aboriginal person and also an institute director, the sooner we can engage Aboriginal youth the better. We know that there is a large dropout from about years seven through to eight. In my view, the school based apprenticeships and traineeships process is a tool, but it needs to be modified to incorporate mentorship. From my perspective, I would love to see the day where elders are actually paid to be mentors and provide that cultural identity, support and values that provides the platform for these kids. I think it needs to be at a younger age. If we stand by years 11, they have already flown the coup. That is a big one for the future.

In terms of the employment outcomes and transitions, it is really hard to track the outcomes because our people are so mobile. You will hear stories about the mob going from town to town. They will come down from Dubbo, go down to Newcastle for six months and then they will take off somewhere else, so it is really hard to keep track of where people are. It is hard to grab that data, but we do our best. Certainly the transition rates in New England are not where I would like them to be, but there are success stories with targeted programs in specific industries.

Last year we had some really good outcomes in the aged care industry, which we targeted. We provided prevocational training, and quite a few of the students who undertook that course ended up in the aged care industry because there were placements there. We also have a program happening at the moment that has been run in Dubbo. It is running in Tamworth now. That is one of the best programs I have ever seen and I think it is the way to the future. It is an alignment with the police force. It is called I Proud. It is where the students are vetted very carefully. In the program that we are running at the moment there were 42 applications and we actually vetted it down to 10 students. They have been studying for six months in a pretraineeship program, a certificate III in preparatory vocational education, and when they successfully pass that it will lead them to enrolment in a diploma of something like Aboriginal studies, which will enable them to go to the police academy. It is being done in partnership with the police academy, the Department of Police and also with a university. Those students are going really well. The beauty of that program is that they are getting numeracy skills, but they are also doing the fitness training that will get them into the program. They are amazing ambassadors. Those students come from the 110,000-kilometre footprint of New England. They have come from all the different places and they are studying under block release. They are the sorts of things that are going on.

Senator MOORE—How long does that take?

Mr Callaghan—About six months.

Senator MOORE—Are they at school?

Mr Callaghan—Yes.

Senator MOORE—You have streamed them into this.

Mr Callaghan—Yes.

Senator MOORE—How long does that one take? Is that about six months?

Mr Callaghan—Six months, yes.

Senator MOORE—Do they then go into another one?

Mr Callaghan—They go into the police force then. It is preparing them.

Senator MOORE—At what stage would the kid have to have the commitment? Where would that choice be made, ‘This is what I want to do.’

Mr Callaghan—The student needs to be 18½ for the program.

Senator MOORE—You would really be looking at them through other things much earlier than that?

Mr Callaghan—Absolutely. We have a very good relationship with the schools. We work together very closely in terms of these pathways and common strategies. When we talk about the building of identity, it starts from within the school system. We have a close integration with what we do and also the people are in the same community with the same faces and so forth.

Senator MOORE—Do they need to matriculate to get into that?

Mr Callaghan—No. They pass the certificate III and that then satisfies the entry requirements. Dubbo actually matriculated last year and they are down in the academy now. It has been a very big success. Our students just went down and visited them. Now you have this positive role modelling. People are saying, ‘Wow. So, it can be done.’ It is breaking that glass ceiling.

Senator MOORE—Boys and girls?

Mr Callaghan—Yes. In fact, the launch of the Tamworth program was about six weeks ago. I attended that and it was fantastic. There were some women, probably mid-40s, which is a breaking of the ice; anyone can do it. Every one of the students is so proud, as is their family, of what they are doing and the commitment. It was probably one of the best things I have ever attended and one of the best programs I have ever seen.

Senator MOORE—Is that now only in your area or is it in other parts?

Mr Callaghan—It was run in Dubbo. It is now running in Tamworth. I would say it will start rolling out elsewhere because of the success.

Senator MOORE—In the key areas where you have that size?

Mr Callaghan—Across New South Wales, yes.

Senator MOORE—That is very impressive.

Mr Callaghan—With respect to conservation and land management, a lot of the communities are saying that because of the land and the connection to the land in agriculture they would like to see opportunities there, particularly tying into the carbon trading opportunities in the future. They see that as a business opportunity. There are some land councils that are very much ahead of the game in terms of the research and are waiting for the legislation to come through so they know what it is they need to do, and we can provide the training to support that.

Senator MOORE—We are all waiting for that legislation.

CHAIR—I would have to say that you share my disappointing view that carbon trading for agriculture is currently not permissible under the legislation before us. No doubt you will be supporting amendments in that regard. I will ask you a couple of technical questions and if you do not have the answers you could take them on notice. I am interested in the demographic and whether you have statistics or some comparisons between the number of Indigenous students who attend in the TAFE and whether or not it is broken down to when you enrol, whether you complete the course, whether you pass the course at the end of it, and the more difficult one, of course, is what the employment outcomes were? As to the conversation as I am listening to it today—and I have had bits and pieces to do with the education system, particularly TAFE, over the years—we seem to have moved more into that very grey area in post TAFE, if you like. It is up to each individual TAFE about how far out on the back lawn you are allowed. We are fundamentally in education, and as you get further down people get a bit nervous. But it is good to see that you are moving in that area. Do you have a breakdown of the types of courses that Indigenous people are seeing as worth while? Do you have any mainstream comparison? It would be interesting to see those people who attend, who complete and whether or not there is measurement of an employment outcome. Can we have some comparisons, just with the material you have, in the same sense as a non-Indigenous for that area?

Senator MOORE—They may have to take some of that on notice.

CHAIR—Indeed. I expected them to do that. I did not expect any answers now.

Ms Rankin—I will commit to take those. One of the challenges is actually that employment outcome. We see ourselves as a preparatory towards employment, but anybody who enrolls, unless they enrol as apprentices or trainees, really has choice about employment. We will do the best we can in terms of that.

CHAIR—One of the reasons I ask is not only for the answer; the committee, or certainly I, have had some frustration in trying to find a benchmark. Where are we really up to now? COAG is saying, ‘Close the gap.’ That is fantastic, but where are we up to now? We all look at each other vaguely. As much as we can, the committee is trying to capture some benchmarks that are measurable now and in the future so we can perhaps look at things and understand things better. This is an opportunity for the committee to try to capture some of those things. We can again ask the Department of Education perhaps why they are not looking at those things or providing enough resources to ensure that we know and can capture those things. They do not happen by accident. Somebody has to go out there and do it.

Mr Callaghan—Value-added partnerships with the job placement agencies is something we work really hard on in the local areas and we have very good relationships, given that we know that there is that back yard area where we would like to see the job outcomes. We partner with those who actually have expertise in that so we are maximising and not duplicating effort.

Senator MOORE—Is that for all students or just for the Indigenous?

Mr Callaghan—Yes, we work very closely.

Senator MOORE—I would have thought that the new TAFE is very much for all students, but then you have a particular interest in the Aboriginal students?

Mr Callaghan—Yes.

Senator MOORE—Can we put in with all those questions that you asked the age of the students, because I think that is really important.

CHAIR—If there are some existing statistics around the general understanding of that demographic we would appreciate the provision of them.

Ms Rankin—I would like to clarify. Are you looking for regional and remote statistics?

CHAIR—No. I am looking for Indigenous across-the-board. If you can break them up into where they come from—regional, remote and metropolitan—it would be appreciated. There is an old chestnut I am sure you are familiar with in terms of TAFE and its difficulty, I believe, in delivering Indigenous training. If the training is not done in a building in the city, and that is often the most inappropriate way, there are some multipliers not good to the actual student contact hours in terms of the provision of the training.

I would like a comment. We often put people in front of a lecturer. Somebody who has very low levels of entry in literacy and numeracy will take longer than those people who do not. It does not matter if there are giraffes and leopards in the room; it just will not matter. It has certainly been my experience that the flexibility of the ASH hours is insufficient. For example, Giraffe Rearing 001 gets 10 hours. We will tell you about things for 10 hours and we are convinced after 10 hours you will know all about that. The multiplier is how much per hour you get. TAFE may get an extra \$3 an hour for delivering that because you have to drive further and so on, but it is rarely the number of hours that gets increased, because that is actually about fundamentally how long somebody is exposed to the information. With lower levels of literacy and numeracy they are going to need longer exposure to do that. It is a very simple thing.

The next challenge is when you get to the end of the course. There seems to be a predisposition, in any event, to say, 'We'll pass you anyway, because if we fail too many people our assessment as a provider goes down.' You seem to be caught in this world of bureaucracy and structure that ends up with not necessarily the perfect results. Can you give me some of your views about the provision of ASH hours and any multipliers in that regard? Is my rough statement correct or am I completely off the wally?

Mr Callaghan—I can understand the scenario you are painting. In terms of my experiences as an ID and before that when I was a faculty director, where I was responsible for the hands-on rollout of delivery, targets and so forth, we never set specific ASH targets about, ‘This is how much you get.’ It was always about a focus on the student, their learning, development and competence. Quite often, when I was the head of business and computing we would be running ICT courses for Aboriginal students. If those students needed additional hours we would be continually reviewing their needs and we would be able to extend that. Also, with the change of teaching and learning methodologies—

CHAIR—You had sufficient pool of ASH hours within TAFE?

Mr Callaghan—Yes, absolutely. The way I managed the faculty and the way we run our institute, which is certainly the same for others, is that we are a business and we are able to move resources where we see fit to support the customer focus. That all sounds like business jargon, but we do see the student as the central most important part of what we do, and teachers certainly do that. We identify the students’ needs and certainly we provide other sorts of methodologies, particularly with technology and the blended learning environment. It might sound like it is an easy way to cut classes, but it is actually a way to better engage with students. We provide all sorts of different opportunities. Sometimes we find that tutorial support classes with drop-in zones and things like that can help.

In terms of Aboriginal learners, by and large we find that it is more experiential learning and numeracy and literacy is incorporated into the main component of that delivery. It can well be at times that we have team teachers. For instance, it might be a metal trades course. There will be a tutorial support there to assist them in terms of the numeracy and literacy component until they are learning ready and they do not need that. We balance those needs. From my experience, we certainly do not sit down and actually say, ‘This is the amount and that’s it.’ It is always a continuous review. That taps into our planning processes as well. In terms of the four-year plans that are over the top in terms of targets they are there, but in terms of what we do, we are always revising and reviewing where we are going, where we need to go and what we need to do. We are extremely responsive. The term that I have been using in recent times is that not only do we need to be responsive; we need to be future focused in terms of where we are going with these things. I do not know whether that answers the question.

CHAIR—The answer surprises me a little in that I have spoken to TAFE around Australia and I have not spoken to anybody else with this limitless bucket of ASH hours. The issue is that if certain areas need more there is no more to get. ASH hours cost money. There is a budget, so that is one of the constraints.

Mr Callaghan—I am not saying it is a limitless bucket. It is a balancing of the bucket. The bucket can be topped up from other resource avenues, and we certainly look at those in terms of innovative programs.

Mr Dreise—To piggyback on what Mr Callaghan said, generally speaking there are two ways we can look at Indigenous learners when we are designing and delivering educational programs. There are screening and diagnostic processes prior to people being put in courses. If the prerequisite literacy and numeracy skills are not there in certain instances, we are going to have to design things such as prevoc programs, general ed programs and entry-level-type programs.

There is then an alternative model where literacy and numeracy, as much as possible, is built in, because ideally you want literacy and numeracy vocationally context driven so that you are not learning your ABCs in isolation to what the industry actually requires you to do.

Mr Callaghan talked about team teaching. To give an example, we have run a number of diploma of Indigenous governance programs in the North Coast, including in Lismore, Coffs Harbour and Kempsey. We adopted a team teaching approach. You had a content specialist in governance as a teacher and you had a content specialist in literacy and numeracy, and they team taught. Within the same ASH hour allocation we were able to draw upon other programs, for example, ITAS, which is the Commonwealth government sponsored program—Indigenous Tutorial Assistance Scheme. We drew on that so that if any student within that program required even more literacy and numeracy on top of that there was a pool of resources, which Mr Callaghan alluded to earlier.

There are ways in which we can design that, but there are finite resources and within those resources there are costs, particularly off campus. You referred to the costs of delivery off campus where it is not institutional based. There is no denying that that comes with additional costs.

CHAIR—Indeed. Do you have a quality control process where you follow students after they have left the institution? They might have sat an exam, Giraffery or whatever it is. Some of it is competency based and competency assessed, but much of the vocational stuff that is done on campus is actually an exam of some form. Do you have a process to quality assure that by perhaps seeing some of the students six months after that and doing any sort of postgraduate or post-leaving TAFE assessment?

Ms Rankin—It is not something that we do as a policy. However, in terms of our rigour around the pass/fail or progression of individual students, as you are aware with national training packages, the qualifications that come out of that have competency based progression, and we work very closely with our industries to make sure that we identify what is appropriate for competency based progression. In those areas where there is still a traditional formal written or verbal assessment we have structures within TAFE that either set them centrally or are quality assured against local assessment and then local delivery. We have a quality assurance within the structure of when we have the student within our footprint. We do try to, and will always, provide support if required for the post-graduating student, but we do not have any mechanisms to formally track those at this point.

Mr Callaghan—Not in terms of the individual student, but we do have close connectivity with the employers in industry. For instance, in the past month we have been surveying the plumbing industry to see what they think of our quality and the methodology of our delivery in the plumbing area so we are getting feedback from the industry about the employability of the students that they have and their competence. We certainly are picking up through industry and informally we do get feedback through our connections in the communities, and also quite often those students that have been placed are role models for future classes. There is that informal networking.

Mr Dreise—We are probably not alone in this area in terms of postgraduate destinations. The university sector is similar. I suppose our core business is in terms of the provision of the service

to the student whilst they are with us. There are bodies such as NCVET and other research places that will look at trying to monitor postgraduate destinations, but certainly in the regional and more remote areas we would rely on more word of mouth sorts of mechanisms rather than big bodies of research.

CHAIR—We have had a constant theme about where you have a program, for example, which is an objective program delivered or whether you have it delivered more in a partnership approach. Speaking more about the remote and regional, which does not have to be extremely remote, many of the distractions that students have are normal contextualised distractions in their community. This is not dysfunctional. This is just normal. There are different requirements in terms of family, perhaps a death in the family, that would be completely different from mainstream. It has been put to me, anyway, perhaps not to the whole committee, from time to time that if we had an approach that did not only deal with the individual but dealt with the community at the same time—for example, TAFE or an institution may have an agreement with an individual, which is well and good and is the normal convention—the advice I have had is that if we also had an agreement with a higher order, whether it is family and community, even in small communities, that would reflect that agreement then the community would be at least aware of the obligations of the individual and, simply because of that awareness, may be able to better support that individual in terms of the agreement. Mr Callaghan, coming from a small coastal community, you would understand how that could work.

Mr Callaghan—Yes.

CHAIR—Do you know of any institutions or has TAFE explored that approach?

Mr Callaghan—I will make an opening comment and then Mr Dreise might wish to add to that. The institute Aboriginal units that we have are there to provide several services. Part of it is to support education delivery, connect with community, identify the profile to build community capacity, but also to support the individual student. Part of that role of that unit, particularly the manager, is to educate all of the institute on the protocols and cultural sensitivities of delivery to an Aboriginal Indigenous group, an individual, and also in so doing connect with the community to make sure it is contextualised to that community. That has been happening for the 12 years that I have been in TAFE, where the Aboriginal manager and the staff who are below that—there are usually three or four that are regionally connected—are really having their finger on the pulse in terms of what is happening and also communicating to that community. I would not say it is in a formalised way, but certainly that connectivity is really crucial to what we do. If it is not done it just does not work. The fact that we have had very good results over the years in terms of participation and completion rates indicates that that connection is working quite well.

Mr Dreise—We are looking at two new areas that we are interested in. This is probably not at the family unit level, which you have explained, but we are looking at individual learning plans. Students can opt in to that because, of course, we are in a post-compulsory education environment, so that is the appropriate thing to do. We are also forming with communities Aboriginal learning partnership agreements. We are not doing it around compliance and attendance, although we are always very clear that program survivability will be determined by regular attendance, because we cannot afford to have teachers out in the field teaching to two or three people, and that is the reality. We are looking at Aboriginal learning partnerships, but they are underpinned more by a spirit of what resources to this program does the community need to

bring, including participation, or key connections to land councils and so on, to make the learning project work. The best way to explain it is that we are increasingly wanting our programs to be project driven. Whether that is community maintenance or beautification, whether it is a certain enterprise, whether it is children and family wellbeing, our learning programs are actually delivered within a wider context. That is where our Aboriginal learning partnership agreements are key, because we are trying to capture the sorts of resources and human capital around that particular initiative that other agencies other than TAFE need to bring. We are interested in agreements, but more on that level.

Mr Callaghan—Having said that, we have Aboriginal student support officers. In their position and in their descriptors it states an understanding of cultural protocols and community identity. Part of their role in providing support is they know that just providing education is not what a student needs. There are all these other things, in terms of home life, drug and alcohol abuse, family and all sorts of things that potentially can happen. The student support officer's role is to understand that whole entire dynamic and be the connection and the referral point for those sorts of things.

Ms Rankin—I was just going to add that I Proud is one of those projects where we are looking at a cohort. The students themselves, as well as their community, are supporting their continued progression through, rather than it just being one person enrolling in a qualification. That is another way of building that sense of community engagement.

Senator ADAMS—Just on Aboriginal health workers and specifically the aged care component, do you run courses on that in TAFE?

Mr Callaghan—Absolutely. In Tamworth last year, because we have quite a few aged care facilities, we ran a prevocational course targeting members of the Aboriginal community. It was quite successful. I really cannot tell you the numbers, but I think we had about 12 students enrolled in the prevoc course and then they pathwayed into the certificate III. From there, some of those students have actually engaged in traineeships and employment in the aged care industry.

When you are an institute director in other roles you are on quite a few community forums. I am on the University of Newcastle Hunter New England Health Rural Medical Advisory Committee, and we talk about those sorts of things. It is a hard one to remember. It is a really active committee that is looking at how universities and TAFE can work together and provide employment opportunities, including for Indigenous students. Aged care is really an area that is struggling to fill its positions. It has huge skill gaps there. That is one area that we are pursuing and we are very active with that.

Senator ADAMS—That is certainly very evident with the smaller remote communities that health workers are trained in aged care. That is good.

Senator MOORE—Do you have courses that provide people with help to get into university?

Ms Rankin—The pathway courses, yes.

Senator MOORE—Do many Aboriginal young people go through that one?

Ms Rankin—That would be one that I would have to take on notice.

Senator MOORE—It is just that it is one of the ones in Queensland. You have a link with Newcastle, which is one of the better universities, to encourage Aboriginal participation. I think it is the first.

Mr Callaghan—Yes.

Senator MOORE—It is a great link. We have done that with Griffith in Queensland, where we have the TAFE co-located with the hospital and the university.

Mr Callaghan—The linkages are there. In fact, there has been a big movement or shift in focus between TAFE and universities in the last 10 years. I worked in the university sector many years ago and in those days you did not see a lot of TAFE transferring and credit transfers, but now there is quite an active process.

Senator MOORE—And it works.

Mr Callaghan—Quite a few of our certificate IVs and diplomas now dovetail into university studies as well as the TPC. Having said that, my observation in the Aboriginal community is that the majority of young people do not see university as something that is in the immediate horizon. That evolves as they are engaged in the TAFE learning experience and they realise that they have the capability and ability and they start seeing the role models. It is not usually something that happens immediately. It is bringing them in, getting that confidence and then saying, ‘Do you realise ...’ Quite often, once a student does their certificate IV or diploma and they recognise that they get the first year credit transferred to university so they can start second year, they go, ‘Wow. I didn’t realise that I’ve got the competencies.’ Quite often it is building that competency and confidence.

Senator MOORE—I am particularly interested in nursing and teaching, which are the ones that we are doing in Queensland, to see whether there has been the beginnings of any of that. As you said earlier about the police, it is once people see that it can be done.

CHAIR—Ms Rankin, you do not have to worry too much about ensuring that you have captured all the questions that we require on notice. You will be getting a letter from the secretariat to identify those on our behalf. Again, thank you very much for your detailed and comprehensive submission and the evidence that you have given before us today. There may well be further questions on notice and they will be provided to you through the secretariat. Thank you very much for your attendance today.

[2.22 pm]

McINTYRE, Ms Servena, Manager, Child and Family Team, Orana Far West, UnitingCare Children, Young People and Families

PERKONS,, Ms Rita, Director, Social Justice, Partnerships and Communications, UnitingCare Children, Young People and Families

PRICE, Ms Liz, Acting Manager, , Orana Far West, UnitingCare Children, Young People and Families

WOODRUFF, Ms Jane, Director, UnitingCare Children, Young People and Families

CHAIR—I welcome representatives from UnitingCare Children, Young People and Families. Information on parliamentary privilege and the protection of witnesses has been provided to you. The committee has your submission. I note that the members of the committee visited your service in Dubbo last year and we are pleased that you are able to speak with us again today. I would now invite you to make a short opening statement or statements and at the end of your remarks I will invite members of the committee to put questions of you.

Ms Woodruff—Thank you for the opportunity to contribute to this important inquiry. Along with my colleagues, I represent UnitingCare Children, Young People and Families. This service group brings together UnitingCare Burnside, UnitingCare Unifam and UnitingCare Disability. These agencies collectively provide a strong network of services and supports to more than 23,000 children, young people and their families, which is our 2008 figure.

Our experience of providing services in rural and remote Indigenous communities is predominantly based in the Orana Far West region of New South Wales. We have a strong presence of local services and have achieved a high level of engagement with the Aboriginal communities there. In a region where 10.3 per cent of the population identifies as Aboriginal, the percentage of Aboriginal people accessing our services ranges from 42 per cent in our supported playgroups to 93 per cent in the Aboriginal Intensive Family Support Service.

Most of our programs are voluntary and we have a high level of Aboriginal families who self-refer to our programs. Eighty per cent of the families who are currently engaged with our Aboriginal Intensive Family Support Service are self-referred. We have gained a strong local reputation and have worked hard over a long period of time to gain the trust of local communities.

Ms Price is our acting manager of UnitingCare Burnside's Orana Far West Region. Ms Price has supported our services in Dubbo to adapt over time to better respond to the needs of families who access our service. She can speak about Burnside's experience of building trust with Indigenous communities over time so that local programs have a good reputation and a high level of engagement. Ms Price, in her substantive role, oversees our youth programs in the region. However, the scope of our programs in the Orana Far West region include out-of-home care and restoration programs; the SAP, Supported Accommodation and Assistance program

funded Doorways Youth Service; Reconnect, which is a FaCSIA program intended to support young people to keep them in education; and a range of child and family services.

Ms McIntyre is our manager of the Child and Family Team in the Orana Far West region, and that is the team that you visited as members of the committee in November last year. The Child and Family Team runs a suite of child centred family focused programs that range from prevention and early intervention right through to the Aboriginal Intensive Family Support Service, which is an intensive case management program for vulnerable Aboriginal families. Ms McIntyre is able to share with you the success of these programs in engaging with Aboriginal communities and some of the outcomes that have been achieved for Aboriginal children, young people and families in the region. We have a case study that has been tabled for you today, which illustrates some of the work in that area.

As a whole our service group prioritises the development and implementation of services for Indigenous people living in New South Wales. Our working group for Aboriginal initiatives, Yanamille, which means gathering, has developed our Aboriginal service delivery principles, which have now been endorsed by the whole organisation.

Ms Perkons is our director of Social Justice, Partnerships and Communication. She will speak to you about these service group strategies for improving our engagement with Indigenous communities, including our Indigenous employment strategy. These strategies build on local achievements and experiences and aim to build on the working knowledge of staff who strive to work alongside Indigenous communities every day.

Collectively we offer three key messages to the inquiry today. The first is that what we need are service delivery models that are long term in their approach, that can provide space for flexible and innovative service delivery, and for building trust and long-term relationships with families and communities. I am sure it will not escape you that the key words in those sentences are 'long-term', 'flexible' and 'trust'.

Short-term funding arrangements or programs that are frequently implemented as pilot programs only cannot achieve meaningful engagement with regional and remote Indigenous communities. This is particularly true of communities where there is intergenerational experience of social exclusion and isolation. The need for vision and long-term investment is clear in our eight-year plus process of relationship building that commenced with the establishment of the Doorways program in Dubbo. We have worked to engage with people to achieve a high level of trust and cooperation between staff and local Aboriginal families and communities. We have also tabled today a case study from our Community Placements program, which is an out-of-home care program that conveys the importance of this trust in its capacity to provide high-quality foster care for Aboriginal children and young people in the Orana Far West. I am sure I do not need to remind you at all of the overrepresentation of Aboriginal children, both in the child protection and out-of-home care systems.

Secondly, as the key is engagement, a punitive approach will work against engagement for families where children are experiencing neglect or, for example, not getting to school on a regular basis. Compulsory income management and other punitive measures do not foster long-term sustainable family change. Instead we need to find out what are the barriers that these families face and assist families to address those obstacles. I would remind you that in one of our

programs where families are really struggling the self-referral rate is almost 100 per cent, so we must not think that these families will not seek out assistance if we make it accessible and available to them, but it does require us to build long-term relationships.

The third key message is that there is a role for services such as ours who work with both Indigenous and non-Indigenous children, young people and families. We offer some services that are designed specifically for Aboriginal clients and some that are non-specific. We consider both approaches to be important; each approach meets different needs. We are careful to ensure that an Aboriginal person who accesses any of our services will experience acknowledgement of their history and how their history has shaped their experience. We also ensure that all people who access our services are assessed as individuals with individual needs that may or may not relate to their cultural heritage.

Our Indigenous staff are crucial to the effectiveness of our role. The individual and collective reputations of our Aboriginal staff have assisted us to build a positive word-of-mouth referral network. We are careful to ensure that all services in the region offer a balance of Indigenous and non-Indigenous staff, as we have learnt that this best meets the needs of local communities. The key issue here is that the profile of the staff should match the profile of the community and the needs identified by that community.

We also adopt a child centred approach to service delivery. In any engagement we will always prioritise the best interests of the children or young people, and we find that our parents, families and communities will come together to help us to achieve this. Child centred service provision is non-stigmatising. Improving outcomes for children is a shared goal. A child centred approach requires also, of course, a focus on families. Indigenous communities believe in the importance of the family and respect our commitment to provide family focused services in the Orana Far West. Thank you.

CHAIR—Senator Adams.

Senator ADAMS—I am not quite ready yet.

CHAIR—Thank you very much for your submission. Again, I would like to acknowledge the specialist work that you do. It seems like some NGOs tend to focus their work in some particular regional area, and I think it is probably because they want to get it right before they move anywhere else. But it is tremendous. You have made a couple of comments both in your opening remarks and in your submissions in regard to the policy frameworks in New South Wales. Whilst you go on to talk about the New South Wales interagency plan to tackle child sexual abuse, you make a statement that there is no New South Wales statewide policy framework that specifically addresses that sort of issue in Indigenous communities. I am just trying to glean something from this; you have put the two things together. Whilst the New South Wales interagency plan to tackle child sexual assault has challenges—I will deal with that in a moment, as you have obviously indicated that is the case—you would like as a demographic of that or a subset of that to specifically deal with this issue in Indigenous communities? Is that a correct assumption from your submission?

Ms Woodruff—That submission was written some time ago and I think things have changed a little bit in New South Wales in the interim. If you would not mind, I would rather frame it into

the current policy framework in New South Wales, which is called Keep Them Safe. That is a changed approach to child protection and child wellbeing in New South Wales.

CHAIR—That was my next question, but obviously I did not realise that parts of this submission were predicated on that.

Ms Woodruff—That is exactly right. It was probably written during the inquiry before the government's response.

CHAIR—Perhaps I will put my next questions in that context. Can you give me an indication of where we are up to. You assert that at the time of writing New South Wales police remained the only government body to actually formalise a policy framework that reflected the New South Wales interagency plan to tackle child sexual abuse.

Ms Woodruff—Yes.

CHAIR—Is that still accurate or have other departments formalised—

Ms Woodruff—I am sorry, I cannot answer that question. One reason is that we are a non-government agency. We are not necessarily party to state government decisions.

CHAIR—Indeed. It was just that in your submission you indicated that the New South Wales police remain the only government department with a formal policy framework to specifically address those issues. I think that is a very valid issue. It is okay to have a plan, but if no-one is actually playing the game apart from the people who wrote the plan, it is pretty bloody useless. Perhaps you could indicate the departments, if you are going to have a priority and not say everybody does it. The Department of Agriculture may not be as important, for example, as FaCSIA or someone else. You may want to take this on notice. Which of the departments do you think would be prioritised as very important to be able to adopt some sort of a policy framework or have that completed?

Ms Woodruff—A policy framework for what exactly?

CHAIR—This is in the context of your statement that New South Wales police remain the only government department with a formal policy framework to specifically address the actions that are required by the interagency plan. The New South Wales government said, 'Here's our interagency plan. Obviously this is what you have to go and do', but clearly, certainly at the time of writing the report, the only people that had actually gone out and done it were the New South Wales police force. My question is: if we want to give the departments a hurry-up, which ones would be most important to put some pressure on to adopt this interagency process?

Ms Woodruff—Again, I would want to pull this back into a framework of Keep Them Safe, whilst I understand exactly what you are asking, because my answer would be the same for both. I think one of the characteristics of Keep Them Safe that would give you some hope for the future is a very clear statement about shared responsibility. In the context of shared responsibility it would now be what is the Department of Human Services in New South Wales, which is now made up of Community Services, Disability and Ageing, Juvenile Justice, Aboriginal Affairs and Housing. That is clearly now a cluster. I am sure you have been taking

evidence across Australia so you would be aware that every state and territory has a different cluster.

CHAIR—But calls it the same just to confuse us.

Ms Woodruff—It is not the same, because Health is in it in Victoria, so it is actually quite different. The focus of that department is on vulnerable people. You or I might have a view about whether that is a good idea, but that is the structure. Clearly, the Department of Health. I think it is the justice cluster, so it is not just police. It actually needs to involve the courts and other aspects of the Attorney-General's Department and education. However, I would say that I think focusing on government departments is not the way to go. The way to go is to focus on regions or communities or whatever happened to be the natural boundaries within a state. Again, it is easier to talk about that in Victoria than New South Wales, but that is what we need to move to in New South Wales. In doing that, it involves a whole lot of other people as well. It does, as an example, involve the non-government sector.

One of the things that we have suffered from, from a policy and strategic perspective, is an assumption that departments will fix problems, when in fact we need to address problems right across the whole community. That obviously includes many people who are not part of a non-government sector, but I will just use that as the example. I think that is a policy lack. It is a policy lack that to some extent has been addressed within the national child protection framework, where the not-for-profit sector or the non-government sector has been very engaged in the development of that strategy. The reason it is important is that we are the service providers. Whatever the action, whatever the intervention by government, it is usually very focused on a particular action. There is a problem. There is a crisis. Police and DOCs as a team might move in, remove a child, which actually does nothing for the child and nothing for the family except keep them safe in the short term. But if you do not then provide that suite of services and engagement, and if it ends up being a child who is removed, which is a court decision, of course, then without support for that foster family or that kin family you will actually end up with that child in as bad or worse a situation as they were before you intervened. It is a different conceptualisation and it is not one that has been well embraced by government.

CHAIR—It has been put to me on several occasions as a criticism—and potentially this is only in the Northern Territory context—that in terms of child protection, because of extended family groups, it may simply be, as I mentioned earlier, that this odd notion of neglect is not necessarily something that is negative. It is just seen as negative for those people who perhaps do not understand it from a cultural perspective. The family has a great deal of trust in the wider community. It is not like I just abandoned my kids and went down to the shop. I actually left knowing that it was much wider. It is a slightly different context. Often, because it is a requirement in the Northern Territory to return, in terms of fostering, to the closest kin group and certainly language group, to ameliorate many of the issues that you are talking about, it has been put to me by many people in the system that this actually puts them much closer to the perpetrators. This is not another view, but it is a well held view, that we need to think very carefully about that notion of returning them to the kin group and those sorts of things, because on many occasions it has been described to me as a constant fear that people live under. They may be closer to the family group. They may be dealing with all of those things. If the notion is to provide a safe environment, 'safe' meaning how you feel emotionally, that clearly does not

provide it. I acknowledge that this is a very complex area, but I just wondered if you could respond to some of those concerns?

Ms Woodruff—Sure. I am going to ask Ms Price to respond from some of her experiences, both with young people and also in our out-of-home care program. I would just like to say, firstly, that if you start from the needs of the child you often end up in a different place than if you start from the needs of an overarching policy or a direction. I think if you start from the needs of the child you are much more likely to be aware of issues around emotional safety, security, cultural connection, opportunities for education or whatever it is that you are trying to achieve than if what you are simply trying to do is apply an overarching policy. We have many Aboriginal children in our out-of-home care programs.

Ms Price—As Ms Woodruff said, the scope of our services in Orana Far West has been about meeting the needs of the child. This provides us with common ground with parents and it enables us to share goals with them. We also work very intensively with community. As Ms Woodruff said earlier, it has taken us about eight or nine years to develop that trust within the Aboriginal community. When we work in areas in Orana Far West we have key connections into the Aboriginal community. Like I said, it took us quite a number of years to build that trust. People come to talk to us and yarn to us about what is happening in that community. One of the strategies that we use in out-of-home care is that we believe that it is so important to Aboriginal children to be connected back into their communities. We find the key people in that community and we do that by having quite a number of Aboriginal staff, and they make connections to key community. So, when we place kids back into that community we have the community looking after them and the community saying, ‘This is not okay. Yes, this is okay.’ They have that knowledge. Because we take time to build trust in communities they are quite open to telling us, ‘No, you can’t put that kid there because that’s the perpetrator there.’ That takes time. I suppose the message that I want to get across today is that in any community it takes time to build that trusting relationship.

CHAIR—Thank you. Senator Adams.

Senator ADAMS—I am just looking at your Doorways outreach program for homeless youth. A number of the more remote communities that we have visited have had a problem in that the young women tend to stay at school a little bit longer and are able to get proper jobs, and the young men, once they go through their initiation ceremony, of course, cannot go back to school to sit with the children, because they are men. Then, as they are getting to 15 or 16 they are realising that a lot of them can hardly read and write, and to get a job they are going to need some sort of bridging program, but the teachers are so busy with the numbers of programs going through now and the fact there are more children attending school, they do not have the time to run an adult bridging course to get these young men up to speed. Have you struck that in the area that you are working in?

Ms Price—Certainly. Like I said, Doorways was established initially in Dubbo about 10 or 11 years ago. At that time there was a lot of flexibility around the program. We actually looked at the needs of the community in trying to engage really disengaged families. Like I say, it took time to do that. I have been managing that program now for seven years, and certainly earlier on we found there was quite a significant number of pregnant women. There were a lot of young pregnant women coming into our program that were disengaged with the school system and

disengaged from their families. They were also disengaged from support needs that they needed at that time. The program allowed us to be quite creative with the funding. Some of the strategies put supports in place for pregnant women. We offered young pregnant mums a baby shower. I think 80 per cent of those pregnant mums were Aboriginal young girls. It was about simple things like that. We offered a baby shower and then invited other community to come in, bring presents to these girls, and connect them into those services.

That is where vouching comes in within the Aboriginal community. I do not know whether you have heard that terminology before. If we vouch for a service and say they are okay Aboriginal people are more likely to say they are okay because we are vouching for them. It is the same if someone vouched for us to say that we were okay. That was a way of getting the community in. These young people obviously needed that. We then followed up. When they went and had their babies, we took them a present and then we followed up. It was simple things like that. We made that connection. Again, connections take such a long time. You are talking about people that are not trusting of welfare and so it takes time to build that trust.

That is just one example. To answer your question, there are a lot of young people who come into our service who cannot read or write. Like I said, it takes time to build that trust, and it is the shame factor. They are ashamed that they cannot read and write. They build up a lot of strategies to hide that. It takes some time to come to the realisation that they are illiterate, and then we look at linking them into services in the Orana Far West that are able to offer that expertise. That also allows the young people that come into our program another link and another positive experience. From my experience it is so important that people have an opportunity to have a positive role model.

Senator ADAMS—We are dealing mainly with children, but in respect of families we have discussed this morning domestic violence issues, law and the way that families have those problems. We are talking about dealing with a child upwards. If the mother is being beaten up all the time and there are a number of children in the family who have to go to a safe house, if the male is the perpetrator do you have any ways of allowing the women and the children to stay in their own home and for the perpetrator to go somewhere else? How do you work with that, if a child is really suffering through domestic violence issues?

Ms Woodruff—I will ask Ms McIntyre to answer that question. She is our child and family expert here.

Ms McIntyre—It is again with a focus on the child. The first thing we would do in establishing a relationship would be helping the family understand that that is our primary focus. If there were issues of domestic violence or other family violence, we would ensure there was a safety plan in place. That safety plan would include safe places that the family might go. It might mean that dad exits the home at that time, but it is really important to engage the father in that process wherever possible, and that can actually be challenging sometimes, because particularly around children and little people it is considered to be women's business in the Aboriginal community. We are working very hard to ensure that men and fathers have a significant role there as well.

Senator ADAMS—A number of communities provide safe houses for women, but there does not appear to be nearly as much emphasis on a safe place for a man to go.

Ms McIntyre—Correct.

Senator ADAMS—We just heard today that an Aboriginal woman with seven children had to be shipped off to another community way out somewhere else. It just seems really sad that those children have got their links to the community and yet they have to go through the upheaval of having to move. Whereas if the perpetrator can be moved that would be one person versus eight. That is just an example that we were given, but I just wondered how you look at that.

Ms McIntyre—Again, on that principle that when we are talking about Aboriginal families it is the extended family. It might mean identifying an aunt that the father or the male in the house might need to go to. It might be in another community. Somebody might be willing to take them over there. It might be a role that an agency such as ours might have in transporting that person to another location if that is to be the case. It depends on how effective we are in doing the initial engagement and promoting the child as the primary focus for all. We can count on the real love of families around children. It just gets forgotten along the way. When we bring that to light then generally there is not too much objection.

Ms Price—That has certainly been my experience also. We have had cases where we have worked with both. The mother and the father have been accessing our service. While domestic violence has occurred we have not excluded the father from our service. We have included him into the solution as well. I can only speak about my experience in my community. We are able to accommodate women and children on most occasions in their own communities.

Ms Woodruff—One of the advantages that we have in the work that we do is that we are able to offer a range of services and a range of supports. Although we do not run a women's refuge, we obviously work closely with them. We have a youth service, a child and family service and so on, and so that means that you may have young people with a child and real difficulties around their relationship coming into the youth service who would benefit from one of the more targeted programs in the child and family area. I think that is a very good example of starting with the needs of the child and the needs of the family. If you do not manage to fix that little bit of the problem, all the rest of it is falling away. If you cannot do that within your own agency—and clearly that is not always appropriate or the case—it is about building those links and networks with other services and being creative about how you do that so that we do not just meet one bit of the need. I think that is one of the worst things we do to people. For instance, we insist that children have to go to school and of course they do, but sometimes we forget the shame of not having a proper uniform, proper shoes, breakfast or whatever it is. There is a whole set of other dynamics that make it much more complex and which you can work with, but you actually have to work with it. You cannot just put it on one side and forget about it.

Senator ADAMS—I was just going to bring up the issue of alcohol. I come from Western Australia and have had a lot to do with the Kimberley area. Of course, we have had some real changes in family units now since the alcohol has been removed from the access of some of the more hardened alcoholics in the community. Have you done anything in New South Wales like that in any of the more remote communities, where you have had to bring in alcohol restrictions?

Ms McIntyre—Not in the communities that the Child and Family Team service at the moment. I do not understand that there are any particular strategies in place, but there certainly

have been across New South Wales dry communities developed with the relevant communities rather than just enforced.

Senator ADAMS—These ones in Western Australia have been the communities asking for this, because things have got to such a desperate stage.

Ms McIntyre—I think there is a place for that.

Senator ADAMS—I am trying to see whether in the outlying parts of New South Wales you have had the same problems. With the young pregnant mums having to travel nowadays that we cannot have our normal deliveries in small rural towns—they have to travel a long way—what support is there? Do you have any involvement in getting them to where they have to go and coming back with the baby?

Ms Price—If they fit the young person or Child and Family Services we would certainly support that. I was at a meeting yesterday out at Nyngan in New South Wales, and that was one of the issues raised from the local land councils out there. UnitingCare was invited out to the group of land council meetings to speak about our services. As mums are coming into Dubbo, being the nearest birthing centre these days for out west, there was a real issue around accommodation. I know that the Department of Health was speaking about what they could do to alleviate that issue.

Senator ADAMS—As far as accommodation goes?

Ms Price—Yes.

Senator ADAMS—It is becoming a huge problem.

Ms Price—It is.

Senator ADAMS—In Western Australia a lot of our northern people go straight down to King Edward, and they do have accommodation but that is overflowing all the time and it really is very difficult. For the smaller Aboriginal communities it is becoming a huge problem, because they are used to probably having their grandmother and the extended family there to help them, whereas they have to go miles away and maybe have never been to a city like Dubbo. It is very frightening. It is bad enough going through what they are doing and how they are going to support their baby if their husband or partner cannot go. I was just wondering if you had a service that supported them.

Ms McIntyre—If we know they are in the isolated communities we identify how that is going to happen and when it happens. It might even mean coming in a couple of weeks beforehand and working out where their accommodation might be in that instance. We have had feedback in some communities that there have not been any plans in place and they have attended the hospital, looking for the ambulance to take them, and have been turned away on occasions as well. You need to make sure there was some arrangements if they were not further enough along or what have you. In the end, when they have to go, the ambulance will take you. But if there is some time they will ask for you to make your own arrangements. In some cases that could mean

the ambulance taking people on a daily basis. I understand why some of those reasons might be in place.

Senator ADAMS—One of my favourite issues is the patient assisted travel scheme. Do you have anything to do with that, as far as getting any of your people to specialist appointments and having to deal with the system?

Ms McIntyre—Yes, a little. From our experiences, the family needs to find the funds first and then they have it reimbursed. With that service we have paid it and, where we did have the brokerage, sought for the reimbursement that way. That is for specialist appointments such as in Sydney and others.

Ms Woodruff—Ms McIntyre's comments about brokerage made me think about how important that is. That is the capacity of service providers to actually have some money to be flexible around how needs are met. That is the same point that I was making earlier in terms of not getting constrained by the policy or the rules and actually look at what is needed. We do have a number of programs that have money attached to them as part of the program to assist the needs of a family or sometimes of a young person. The Tiller program is a Commonwealth example of where kids are leaving out-of-home care, for instance. But the difference that can make. It is not about money. It is about flexibility to put together what you need. For example, if a family does have to pay up front and they cannot, then they cannot. If you can provide that as a resource to make something possible, it has probably made the most important difference you could make. We would like to see all programs with brokerage money attached, because again it is about that flexibility.

Ms Price—The comment that I would like to make is that systems are very hard to manoeuvre through if you do not know how the system works.

Senator ADAMS—Even when you do it can be a problem.

Ms Price—Even when you do it is extremely difficult.

Senator ADAMS—Thank you.

CHAIR—Ms Woodruff, you made some comments in your opening remarks that I would have imagined dealt with reference part A, in terms of the intervention.

Ms Woodruff—Yes.

CHAIR—It may not have been, but it just generally referred to income management. I think you said, along the lines without verballing you, that income management does not foster long-term family change.

Ms Woodruff—That is right, yes.

CHAIR—Have you come to that view because of any particular evidence or is it just something anecdotal, something you feel or just a view of UnitingCare?

Ms Woodruff—I do not think that I could say to you that we have hard evidence about that, but what we do have is hard evidence about how you can manage through voluntary schemes. We have a lot of experience. We have services all over New South Wales that range in intensity from fairly low level early intervention programs up to the most difficult families and young people. An example that is not an Aboriginal program, but I really do not know why it would be any different, is that we have a drug and alcohol program for people of non-English speaking origin in Cabramatta in New South Wales, where the majority of those people have voluntary arrangements with Centrelink around management of their income, which is then mediated by the case worker who is in what we call our Moving Forward program. These are parents who are drug and alcohol affected who are seeking treatment but also have the care of their children. In the sense that they are at the hard end we find that working through voluntary arrangements works very well and we are very keen to encourage those for people. It is more about working out what is the better way to achieve this end.

I guess the concerns that we would express, in particular around the efficacy of controlled income management, is that at the end of the day the service systems are not going to be there. Centrelink is not going to be there. Social workers are not going to be there. Child protection workers are not going to be there. Children will grow up and become independent or not. Parents will continue to have children. Our goals have to be to get those people to manage their own lives in ways that maximise their concern for their children, the outcomes for their children, and indeed for themselves and their young people.

It is very hard for me as a social worker with many years experience to see how taking people's money away from them is actually going to help them to manage it themselves. It really is a fundamental point. At the end of the day we have to have people who are responsible, independent and contributing, not people who are forced into that position by the various sorts of arrangements that we have in society. I can also add that the other issue for me is that I cannot see, from the experience that we have as an agency, how a one-size-fits-all policy is going to work. I think you must build from the needs of the child, the family or the young person. Of course, we are speaking from that perspective. We are not speaking from the perspective of older people and so on. We have nearly 100 years worth of experience behind us in this agency and we are very compelled by that position.

CHAIR—I have tried to ask a number of people. It is not that we are talking about different things, but certainly different places. I think it is a bit about motive. I can recall being involved in the motive behind this. Certainly, as a committee, we have tracked through the Territory, tracked how we are going with that and talked to many people in the community. Many of the communities, particularly women in the community, are completely disempowered from any decisions on any money that comes in—zero. The people who make those decisions in a voluntary case will not be making the decisions that anybody assumes they will be making. We have certainly affirmed that anecdotally and I am pretty sure that will come out in probably more scientific based evidence. It is very difficult. The difference is not about managing money. We are just simply saying, 'We don't think you should be spending 100 per cent of the money on alcohol and gambling. We really think your children deserve a feed.' That is the motive behind a completely different set of circumstances.

Ms Woodruff—I absolutely do not want to resile from our position.

CHAIR—I am not suggesting that at all, but I am talking about motive. There is a different motive. You are talking about management, but there is that notion that our vernacular falls short of the real descriptors we need, and the multiplicity of those descriptors. Because ‘management’ to some would give a view of, ‘We need to micro manage how you manage your money.’ In other ways we might just say, ‘It might be useful if you get some.’ In any event, I thought there may be some processes and you might have pointed to some evidence, because the committee is very keen on hearing some of that.

Ms Woodruff—Not resiling from our position and reminding you of my Moving Forward example, and also making clear a statement that we do not provide services to remote communities in the Northern Territory and we will not try to speak for them, because that is not our experience. We need to speak from our own experience base and the base of the communities that we work in, and we are not providers in that area.

CHAIR—That is why I prefaced my question by saying I was not sure if that statement was in regard to responding to the first part. Maybe, in a more general sense, it would be.

Ms Woodruff—I think we have all pretty well forgotten what was in the submission.

Senator ADAMS—From the Kimberley perspective in Western Australia, we had a pilot program going there, which was going to be about truancy. People whose children did not go to school were going to have their income managed. What has come out of that is that there has been a number of families that are now asking for that support, going into the program voluntarily, but they are learning about how to manage their money. They are not going to be there forever. They really are learning so much about how the rent can be paid and all the other bits and pieces. Communities and the people in the communities have said, ‘This is a great idea because so-and-so is doing this and their kids are getting this and they are getting that, so how are they saving their money?’ All of a sudden it is a bit like a tap that is half turned on and now its at full flood, which is very good. They are being taught that if the money goes here and there then they will be able to eventually manage the rest of it. They are just getting support to do it and getting a lot more confident.

The domestic violence has been lowered, because they do not have that cash. The women have got control. The fact that the Basics card is going to be extended across the Northern Territory, WA and South Australia, and probably in the end right across Australia, is very good. It means that when the transient families go to a funeral somewhere there are no boundaries for them as far as whether they are in Alice Springs. Or if one of their people has died in Warburton or somewhere like that, they can come into WA and actually use their Basics card to provide whatever they have to provide while they are travelling.

There are a lot of really good initiatives that are coming from this that might have appeared to be a terrible thing. I am talking about WA because that is a voluntary thing. There are very few families that have come into it because of what it was started off as. As we move around, and it has been there a bit longer, and especially with the communities that had the alcohol restrictions on them, you can go into that community a year later and it is so different and so good to see. It really is. There are probably a few that are not happy about it, but the children are all going to school, all involved in sport and the whole community has turned around.

Ms Woodruff—I keep hearing you say ‘voluntary’. I am with you.

CHAIR—I am really looking forward to some suggestions on the voluntary process. Exercising your child’s right to an education at the moment is currently under 50 per cent. That is the way it is now under a voluntary process. That concerns me and we will no doubt continue to have this discussion.

Ms Woodruff—Absolutely. We might have some suggestions around how you engage children in school from our own experience.

CHAIR—Indeed. I am sure there is no unique solution.

Ms Woodruff—And why would there be?

CHAIR—Indeed.

Senator MOORE—The sorts of programs that we heard about and we were fortunate enough to visit when we went to Dubbo indicated the effective way of working with communities. Those were the sorts of things that you brought to us today. We look forward to going back and also to making sure that you keep your funding, because you were very worried about that when we were there as well.

CHAIR—Thank you for coming along today, giving your very valuable time and for your comprehensive submission. As you can see by the questions, there is a great deal of interest in this area so there may be some questions on notice that will be provided to you by the secretariat.

[3.11 pm]

BOOBY, Ms Rhonda, Executive Director, Offender Services and Programs, Corrective Services, New South Wales

GRANT, Mr Luke, Assistant Commissioner, Offender Services and Programs, Corrective Services, New South Wales

WOJCIECHOWSKI, Ms Susan, Senior Project Officer, Corrective Services, New South Wales

CHAIR—I welcome representatives from Corrective Services New South Wales. Information on parliamentary privilege and the protection of witnesses has previously been provided to you. The committee has your submission. I now invite you to make a short opening statement, at the conclusion of which I will invite members of the committee to put questions to you.

Mr Grant—Thank you for inviting us here. We provided a submission to the committee, which you obviously have and have read. Our experience largely lies in the realm of working with perpetrators of offences against children and adults. Our work with Aboriginal communities is something that we are very proud of. We have had a lot of developments in the last few years where we have changed our approach to working with Aboriginal perpetrators and also working with the community. We subscribe to an evidence based approach to our work. We do not do anything these days unless we are very confident that it is going to be efficacious. We do not apply our resources to things that are just based on intuitive feel-good types of responses.

The majority of people would not be aware that Corrective Services is involved much more in the community than they are in jail. Whilst imprisonment is a significant cost component for our organisation, we manage more than twice as many offenders in the community as we manage in custody. There is very good evidence to suggest that the approaches to the management and treatment of offenders in the community is a much better way of dealing with community safety than actually locking people up in jail. There is a false emphasis on imprisonment as a strategy for community safety that people need to learn about.

In addition to our work with perpetrators we also have a number of crime prevention strategies. Something that was not in our submission that I would like to draw your attention to is a very significant project that we have just completed, which is called the Speak Up campaign, where we worked with Aboriginal communities in New South Wales. In the wake of the Aboriginal Child Sexual Assault Task Force report the government elected to focus on a number of targeted communities. We have worked with people in Toomelah, Boggabilla and Nowra to develop a strategy around engaging and having a dialogue around Aboriginal child sexual assault. We have developed some very comprehensive resources, some of which do not exist in any other jurisdictions, that we think have national significance and we hope people take an interest in. We are very happy to talk to you about our work with perpetrators or our work with community engagement, our focus on preventative strategies and the emphasis that we would like to place in the community rather than actually having this reliance on incarceration as the best community safety strategy, which we do not think it is.

CHAIR—As to the false emphasis on jail—you can possibly be vaguely critical of the judiciary in the Senate. We are pretty happy with that, and provide lots of levels of protection. The judiciary have the final call about this, and I imagine they try to reflect community views with both the length of the term and the fact that it is a jail rather than a community based outcome, which seems to change. I cannot keep in touch with it. This is your main game. How do you think the trends are going and how do you go about influencing the whole process with the weight, balance and understanding? Does the judiciary, for example, have updates on the variety of programs available, their efficacy, and success or otherwise, to ensure that when they make these decisions they make them with the full information at hand?

Mr Grant—I can qualify my opening statement by saying that jails have a significant purpose and that incapacitation is a suitable strategy for some people who cannot be managed in the community. The point I was making was that there is an overemphasis on incarceration as the best strategy for community safety nets, and it was overrelied upon.

CHAIR—Where do you think that overemphasis comes from? Is that just a decision that comes down? You do not have to make a comment on that.

Mr Grant—There has been a recent review of public perceptions around sentencing in New South Wales. The Sentencing Council commissioned the review and the Bureau of Crime Statistics completed it. They asked people about their satisfaction with the level of sentences for particular types of offences. They found that the community suggested—something of the order of 70 per cent of people—that sentences were not long enough. When they analysed this response in a more meaningful manner they found that they had also asked people about their views on how long they thought people get for sentences. The people who thought that sentences were too short had no idea how long they were. The people who were less educated and who relied upon the television as their source of information about the justice system were people who basically were expressing an ignorant view. There was a fundamental supposition that imprisonment keeps people safe. There is a view that there is a very powerful deterrent effect, either a specific deterrence for an individual who is incarcerated or a general deterrence for the community, that if someone is threatened with going to jail they are not likely to offend or they will make other choices in the way they behave.

I think the views about incarceration are largely based on ignorance. The community's expectations about sentencing are fairly misinformed. There is a lack of knowledge about the capacity to manage people safely in the community because we have all sorts of coercive powers on people when they are in the community and we also have the capacity to provide programs in the community. What do not go hand in hand with that are the negative effects of incarceration. If you remove someone from their community and their family, irrespective of whether their family is an antisocial family or not, their means of social support and employment, you have to spend an enormous amount of money just mitigating those effects before you can actually do anything about changing a person's behaviour. Incarceration of itself has a criminogenic effect. Therefore, if you can manage someone safely in the community—so you are assessing people who pose a high risk to the community and the majority of people are not necessarily dangerous and can be managed safely in the community—it is a cheaper and better option. You can reinvest the money you would invest just in watching people sleeping at night, managing them in a 24-hour, seven days a week environment by putting that into effective community treatment. If you provide educational programs, parenting programs or programs with a cognitive behavioural

therapy approach it has been shown to work. If you reinvest the money in those projects and then the community will probably get better community safety outcomes. I just want to restate again that statement does not extend to serious violent disordered people who, in the interests of community safety, need to be in jail.

CHAIR—You are lifting the bar. If the very bad things are up here and parking tickets are down here, you just believe you can lift the bar to an extent to provide efficiencies as well as a better maintenance of both the individuals and the safety in the community? That is the bar you would lift, the actual criminal element, if you like? As the penalties get worse, from a parking ticket to murder, somewhere in there we can actually lift that and provide less jail and more community service at the bottom end of it?

Mr Grant—A more individualised approach and outcome for people who are incarcerated. What we have been trying to do over the last few years is to provide the judiciary with a range of community based alternatives that can be engaged in. They have been taken up as well. We do have a large number of people. Unfortunately, the number of people who come into contact with the justice system seems to be increasing over time.

Senator ADAMS—As to community work orders and what you are describing, I come from a small rural community and I am a JP so I am very aware of the types of charges that we have got. How do you get people to actually supervise these people or act as mentors? Where do you get them from?

Mr Grant—We rely upon our own staff. We have a service in the community that operates on a number of levels, Community Offender Services. In New South Wales they are very dispersed. We have about 65 locations around the state where we have staff. We have people in remote communities as well as in the metropolitan areas. Obviously we have fewer people out in the more remote locations. Depending on the nature of the order and the types of conditions of the order, they have quite a lot of authority to manage people, to do random home visits, drug testing of people and to require people to engage in treatment and so on. We largely use our own staff for that. We do not have much of a dependency upon community mentors and people who do it on a voluntary basis.

Senator ADAMS—You are very lucky. I come from Western Australia. Looking at your graph of incarceration, I am just wondering where we are going wrong.

Mr Grant—We have a very high incarceration rate. I think Western Australia is the only state, in terms of Aboriginal incarceration, that is higher than we are.

Senator ADAMS—That is right; higher than yours. Yes, just our community service orders. We are finding it very difficult to get people to actually take up that responsibility.

Mr Grant—You are asking in relation to community service orders? I thought you were talking about community supervision as opposed to a community service order.

Senator ADAMS—All of those sorts of community areas.

Mr Grant—Ms Booby, would you like to comment on community service orders?

Ms Booby—I think the senator might be using it in a generic sense because in some states community service is like probation here.

Senator ADAMS—That is the problem. Where do you go in every state when the terminology is completely different?

Mr Grant—We do have workplace supervisors and community projects. However, we are moving towards our own departmentally supervised projects. We have a range of programs in the community where people are managed under community supervision where there is a requirement for them to do work with periodic detention and community service orders. We are trying to bring that together now so we actually have our own supervisors, where possible, to work on larger community projects. I think you are quite right in saying that that can be harder in more remote communities in finding the work and finding the supervision.

Senator ADAMS—There are a couple of programs that you have spoken about while people are in prison that they have access to. I cannot pronounce them, so I might need you to pronounce those for me. With respect to the evaluation of the programs, could you comment on how successful they are with people not reoffending?

Mr Grant—Yes. Are you particularly interested in violent and—

Senator ADAMS—The custodial programs.

Mr Grant—In this paper we put in specific programs that are operating in non-metropolitan Sydney. However, I will start with our mainstream programs, particularly for perpetrators of sexual offences, which I know you are interested in as well. We do not offer those programs everywhere. We would operate those programs in a couple of discrete locations. A program that is not mentioned here and which is easier to pronounce is the CUBIT program for sex offenders. I would like to draw your attention to that for a moment, because there is another perception that sexual offenders are hard to treat and unresponsive to treatment. We have been engaging in sex offender treatment for a number of years and we have a very intensive and highly effective program for sex offenders. We manage perpetrators against adults and children in the same program and we are having very good results. Ms Booby might like to fill you in on the details, but we are claiming something like a 60 per cent or 70 per cent reduction in the rate of reoffending for people who we treat and who we do not treat. We have evaluated that against themselves. It is quite hard in jails to do randomised controlled trials, which is like the gold standard. You cannot randomise someone and say, ‘We are going to treat you, but we are going to leave you untreated.’ We have an obligation to treat everyone.

The methodologies that we rely upon are usually based upon an actuarial risk assessment type of device where you would say, ‘This person, untreated, is likely to reoffend at this rate.’ We treat high-risk offenders as opposed to all offenders. On the basis of that we know that, as a group, the sex offender group that we treat are probably likely to reoffend at about 27 per cent or 28 per cent within two years. They have a lower rate of reconviction than general offenders, who are more around 40-something per cent. Our success is something like six per cent to seven per cent in two years, as opposed to the 30 per cent that you would expect if they remained untreated.

We are very confident about the efficacy of sex offender treatment. Our preference is to treat those people in custody. Despite my statements before about saying people should be in the community, with the high-risk people, like sex offenders and violent offenders, our preference is to have them in an intensive treatment program in a correctional centre. Whether they are arrested in Broken Hill or in Sydney, at the moment we would treat them in the same core locations. We are about to move into two locations. Currently we treat sex offenders in the metropolitan area of Sydney and then we return them to their communities further down in their sentence or at the time of release.

Another program mentioned here is the Yetta Dhinnakkal program, which is something that was a significant development for us. That was a program where we decided that young Aboriginal men were effectively contaminated by their exposure to mainstream jail, so we bought a large rural property out near Bourke, which is some 20,000 hectares in size, and on that place we started with younger Aboriginal offenders. We included other non-Aboriginal offenders. They were generally people that had less exposure to the criminal justice system. What we were trying to do was isolate them from the influences of mainstream jail, to put them in a place where we could focus on Aboriginal cultural identity and the acquisition of rural skills. It is a working property. We had things like genealogy projects so that people could be connected to their histories. A lot of Aboriginal people in New South Wales still do not have a good connection to their families and know who they are, so that was something we incorporated into the program.

We have not published an evaluation of the Yetta Dhinnakkal program, but our outcomes in terms of recidivism rates were significantly lower. If you compare the group of people who went through that program to a comparable group of same aged people with similar offence clusters, the rate of reoffending was significantly lower. In the program out there we tried to recruit locally. We employed Aboriginal people ideally from the local community and we employed Aboriginal elders. In our new jails that have large Aboriginal populations we employ Aboriginal elders to work in the centre. That was a very good strategy. They lead the cultural programs in the centre. That is the Yetta Dhinnakkal program.

The Warakirri program, which is at Ivanhoe, is not on a rural property. It is actually a small, very isolated town. The reason it is located in that area is just that it was a place where we could acquire a property that we could use almost immediately to accommodate a number of people at a reasonable price and also to have Aboriginal people out in that area. What we try to do in that centre is to send people from that location out into the national parks to work in regeneration, revegetation projects and putting in place cultural walks and so on. It is a location where people are placed to give them work skills. We send them out to work on community projects. Our mobile camp program means that people can be out in a totally self-contained environment in the community in the bush in a national park doing community work for five days and then they come back into the centre on the weekends. It is a very cheap option and we generally only have one member of staff supervising the offenders. They do an enormous amount of good community work.

Senator ADAMS—Have you had any employment opportunities to become rangers from that program?

Mr Grant—There have been some successes. That is something that I do not immediately have the information on. The location of that program does not mean that people who are in that area are going to be released to that area as well. It is a bit of a problem with jails because, whilst you can plan to have a local facility and have people managing that facility, often people for association reasons or others move around the place. The place they finish their sentence is not necessarily where they are going to end up. They can acquire a skill that we are hoping is going to give them better prospects of employment, but they will not necessarily be employed in that area. I do not know about that program, but we have had successes in other locations.

I am not sure whether we mentioned in our submission the Nangi Kanga program, which was an Aboriginal construction work program based in Cessnock in the Hunter Valley. We have now formed partnerships with the union movement and also with the Master Builders Association. The whole intention there is to put people through a traineeship in the construction area and to link them to employment in the community in that area having completed a traineeship. That is a much more structured approach to doing a traineeship in jail and getting employment post release so you plan for it elsewhere. We have a number of examples of projects like that.

The Girawaa program is another program that seems to be unique. That is a very well developed cultural artefacts and products centre at the Bathurst Correctional Centre, which is a minimum security centre. Only Aboriginal inmates work in that environment. They are trained to develop a range of artefacts that are then sold as a commodity. We have a large industries activity in prisons in New South Wales. We have sales of about \$57 million a year. The Western Australian corrections people are visiting us on Monday to have a look at what we are doing to see if they can emulate our success.

One of the things you might be interested in, in relation to that, is that we have made a commitment to provide one per cent of all our sales to victims activities. That means we actually have a victims of violent crime grant system. If it is \$57 million, that means last year we allocated \$570,000 specifically to victims groups who could make application for funds under this arrangement for various activities. We would actually provide funding for a women's refuge, for instance, or a group that wanted to make some sort of activity or a video. That is one of our community granting strategies, but it is actually a very good restitution activity for offenders, which ensures that if they do work and we sell the products of their labour some of that money, in addition to paying for the costs of incarcerating them, goes back to the community and to the victims.

CHAIR—Who gets the remainder of the money?

Mr Grant—The money is not profit. \$57 million is the sales. The net return last year might have been about \$4 or \$5 million. That money goes back into the costs. Once you have paid for the prison officers, that goes back into the cost of managing people in custody. We pay inmates to work. We do not generate enormous profits. We pay them for their labour. It is not an award wage, but I think we spend about \$5.5 or \$6 million in labour in salaries alone for inmates' wages for their time in custody. The other money gets returned to offset the cost of incarceration. It costs about \$200 a day.

CHAIR—I do not want to verbal you, but in a simple sense part of the cost is the staff in the prison system and the incarceration costs, which are always going to be well and truly above any profit you make?

Mr Grant—That is right, but when you have pulled away those costs, we still return a very small amount of the money. Some things are more successful than others. We are very limited in what we can do because we have a competitive neutrality concept or principle under which we work. We are not in a position to compete with employment in the community. That would be a very poor thing if we actually did that. We are largely involved in import replacement work and self-sufficiency work. We have our own internal economy. We produce food and so on, purchase the food from ourselves, and do so on a commercial basis, but at least it means we are not buying it from somebody else when we do that. I might ask Ms Booby to talk to you about our Tabulam project, which is really interesting and is the model that we would like to proceed with in terms of the programs that we are running in the community.

Ms Booby—In your documents that is called Balunda. Tabulam is on the North Coast of New South Wales between Casino and Tenterfield. It is a working cattle farm. It has accommodation for up to 70 people. Its official opening was a couple of months ago. It is not at capacity yet. There are currently 28 people in there and there have been 21 graduates. It is not a prison. It is more like a bail hostel, if you like. It operates under section 11 of our Crimes Act. It is an opportunity for people who go to court. The magistrate decides that this person may well be either remanded in custody or looking at a prison sentence. Rather than doing that they will remand them on a long bail. A condition of the bail is that they reside at Balunda and undertake programs there. Whilst they are there there is an assessment and a range of programs that are individually designed for each offender. They range from educational programs, anger management programs, cognitive behavioural, Think First, the relationship between thinking and acting, domestic violence, driving, obtaining a driver's licence—a range of programs. The programs are delivered and in the main part developed by community based agencies that are either Aboriginal agencies or employ a high proportion of Aboriginal staff. They come from the communities into the farm to deliver the programs rather than have them delivered by our own staff. It is for young people up to about the age of 30-odd. When these young people leave the centre they go back to their towns where they have already had some contact with the community agencies that have been coming out and running the program, so they are more able to access the programs in the community.

There has been no evaluation as yet because it is so new, but we are keeping data. We do have an evaluation project. We have data on the number that have been through and the numbers that have breached, perhaps because they decided it was not for them. They can break their bail. It is not a custodial centre. We have data on those who have left, what happened to them, what the court outcome was in the end and how they fared. We also have the same sort of data on those who stayed.

Mr Grant—I might just finish off that description of the program. Ms Wojciechowski can explain to you about our Two Ways Together. There are a number of programs under the state government's Two Ways Together.

Ms Wojciechowski—We have three programs funded under the Two Ways Together initiative. The first one is Rekindling the Spirit, which is a program that operates on the mid

North Coast at Lismore and at Tabulam. Rekindling the Spirit is in fact an independent Aboriginal organisation that works in very close partnership with our department to provide group based interventions and also one-to-one interventions for offenders who are on community based orders. By that I mean people who have been in jail and are then supervised on parole, or people who have been sentenced by the court to a supervision order. The program operates at Lismore. It not only operates for male perpetrators of family violence but also for female perpetrators of family violence. There is also a component that cares for the victims' needs, be that male or female victims, and their children. Rekindling the Spirit has been established for a number of years and operates successfully in partnership with our agency. They have recently been trying to extend that program to Tabulam. Tabulam is a very challenging area to work in. The community is fractured. They are continuing to work well with that community in order to develop the community, so the community can, in fact, respond to the interventions that they provide.

Another program we have funded under Two Ways Together is Yindyama La, which is operating out of Dubbo. It operates in partnership with Circle Sentencing. It was not necessarily the way that we had initially planned it, but just evolved that way. It has considerable support within the community. The community has a very strong sense of ownership over the program and of the material. That is for male perpetrators of family violence, who are supervised by the probation and parole officers in that particular location. Again, that is a very successful program in that it is linked to a number of community structures that are occurring there.

Finally, we have the new Walking Together program that has been developed to pilot in Newtown/Redfern, which is perhaps one of the most challenging areas that we have in the inner city. That particular program is being developed around an evidence based model of change. As the Assistant Commissioner said to you, we are very keen on evidence based programming, but what we have actually managed to do with the new Walking Together program is to merge two separate belief systems and that is our own Western ideas about how behaviour changes, with an Aboriginal healing component to it that is developed and delivered by the local community. The Dhinnakkal community are very much involved now with what we are doing and are very excited. In fact, they are saying to us, 'Why haven't we always had this? This is the way we should be working.' Quite literally, it is taking the Two Ways Together funding and developing something which is, in fact, two ways together. We are looking at piloting that program in Newtown at the beginning of next year.

Senator MOORE—Mr Grant, in your opening statement you talked about the fact that there are very many more people in the community than there are within the traditional jail arrangement. Do you have figures on the Aboriginal numbers in both of those areas?

Mr Grant—Yes. Currently, Aboriginal custody in New South Wales is about 22 per cent. In the community based programs it is about 18 per cent. I have the exact numbers. There is a range of community based options and there are different numbers in each option.

Senator MOORE—I am interested in the program at Balunda, which is the facility that Ms Booby was talking about. I am interested because it actually looks at a whole range of community engagement, which is really positive. It says that people can volunteer to be in this program. Is that from across the whole state?

Ms Booby—At the moment its intake area is restricted to that northern area. When it was first established it was restricted to the Northern Rivers area, and it has now been expanded out to the northwest of the state out to Moree and Inverell. The drawing area through the magistrates is limited not by any legislation but by the fact that those magistrates know about it, have been briefed on it and use it.

Senator MOORE—These are for non-violent serious offenders? Is that right?

Ms Booby—That is right.

Senator MOORE—When I read about it, it was looking for people staying from three to 12 months, which is for a very low sentence.

Ms Booby—It is not a sentence.

Senator MOORE—I am sorry, it is a process. Is this to try to break the connection early so that people are being caught up in the system early and are not becoming comfortable in the system?

Ms Booby—It is really about providing the programs to reduce reoffending in a non-custodial setting. It is about avoiding that revolving door into the prison.

Senator MOORE—You were very proud of the stuff that you brought along. This is the recent evaluation and you did say it was the sort of thing that you think could have national context. What is the process currently to share best practice? We have been talking with people in a number of states, and we will continue to do so, about their own issues. There are similarities in terms of the sorts of programs being run and what people hope. What is the mechanism in the current system to share that?

Mr Grant—There are a number of mechanisms within the corrections world. We operate across the whole justice sector. In different states there are justice agencies and in some they are just independent correctional agencies. There are different things that operate. On a national level, through the Corrective Services Administrators Conference, the CSAC national meeting that the federal government participates in as well, forums are established for sharing information, whether it be around sexual offenders or whether it is around programs and approaches to programming. There are national standards and national guidelines for rehabilitation programs that are offered by Corrections, and we are sharing information through those forums. We have forums where all the states come together and we showcase the work that we are doing. The Australian Institute of Criminology has a function in establishing forums and they run programs around themes.

Senator MOORE—Do they do awards, too? Through that area are there awards for achievement?

Mr Grant—We have not received any if there are any. Perhaps we could nominate ourselves.

Senator MOORE—You might, because I am sure there are.

Mr Grant—They hold roundtables and sponsor conferences. They do some national research programs. For instance, they looked at reintegration of Aboriginal people post release from custody on a national scale. That was co-funded by the correctional agencies around the country. There is that mechanism. There are some online clearing houses and there is one specifically about Aboriginal justice initiatives that the New South Wales Attorney-General's Department sponsors that is available to people around the country where information about outcomes, papers and so on is actually presented. There is a number of mechanisms for sharing best practice. There is a reasonably good communication in corrections between the agencies and we are in regular contact. For instance, in relation to sex offending, we are interested in the instruments that are used for determining whether someone poses a risk, on which you make certain decisions about whether you think someone should be incarcerated or whether you think someone should have a longer sentence. It is important to validate those in the country, and one state probably does not have the resources. It may be valid for New South Wales, but it might not be valid as an instrument in Western Australia. There are good opportunities like that through the CSAC for actually working together, pooling data and working on collaborative projects.

Senator MOORE—For projects such as the ones we have talked about, is there a costing model so you can compare the costings of these programs to what a standard custodial process would be for similar offenders?

Mr Grant—Are you talking about the Tabulam project?

Senator MOORE—Yes, all of them. They are all quite specialised. If you were looking at it from a purely financial point of view, which I know no-one would be, you would look at what these programs cost. Also, we heard today that there is a term about budgeting, using the whole social impact of what the budgeting is, taking into account savings later.

Mr Grant—We do not really have an organised program of doing cost-benefit analyses for programs. Individual programs are assessed on that basis. When an evaluation is being conducted of a particular program, the cost implications are considered. However, the bottom line, which is a fairly self-explanatory one, is that prisons cost over \$200 a day. It is almost impossible to dream up a community based option that would cost you more than that per day for each person. You are talking about \$1,500 a week you could spend on each person and have a cheaper option than a prison based program.

Senator MOORE—We heard from Dr Weatherburn today. I am just wondering if the sort of research they do could be one of the things they could look at.

Mr Grant—They are involved in joint research projects with us. The cost-benefit stuff is something that really is quite poorly done nationally. In terms of correctional outcomes, we focus on recidivism as our major measure—recidivism at what cost. In terms of the costings, if you are comparing it to the cost of an alternative sanction or the cost to victims, court processing, policing and so on, this is something that has not been done particularly well.

CHAIR—Given the Washington State Institute for Public Policy's comprehensive framework—I am not sure exactly what sort of links can be made, but I would have thought that many of them could have been within the system—they were only given US\$50,000 to do the program, but I would have thought having the framework now available—

Mr Grant—They did a meta analytical study. They did not do original work. They used existing research papers and they pulled them together using a particular methodology. The \$50,000 was sitting on top of probably \$500 million, in terms of the cost of it.

CHAIR—That being the case, I am not so sure about the relationship, but I am sure we would be able to find some way to use that methodology, given the relationships espoused earlier in evidence.

Mr Grant—Yes.

CHAIR—Do you think there is some merit in attempting to start a program so that we can have some of those benchmarks in existence?

Mr Grant—Absolutely. We are very interested in it. As I said, we do it on a program-by-program basis, but there is no framework for doing it; that it occurs routinely with programs. Maybe that is something the Australian Institute of Criminology would be interested in doing.

CHAIR—I have one last technical question. I am not really aware of the situation in New South Wales. Is there any sort of post-custodial sentencing in arrangements in terms of preparing people for customary law in New South Wales? Do you have any issues here at all of that nature?

Mr Grant—Not really.

CHAIR—That is fine. Thank you very much for the evidence you have given today. As you can see by the questions, there may well be other questions on notice or clarification that will be provided to you through the secretariat.

Proceedings suspended from 3.48 pm to 4.00 pm

[4.00 pm]

ALLEN, Mr Michael, Chief Executive, Housing New South Wales

BROUN, Ms Jody, Chief Executive, Department of Human Services

CHAIR—I welcome Ms Jody Broun from the Department of Aboriginal Affairs and Mr Michael Allen from Housing New South Wales.

Mr Allen—I am also acting chief executive of the Aboriginal Housing Office and I am appearing today more in that capacity.

Senator MOORE—Does that mean two separate things?

Mr Allen—Yes. Part of the overarching Department of Human Services.

CHAIR—Information on parliamentary privilege and the protection of witnesses and evidence has been previously provided to you. We have a submission from New South Wales Housing. I now invite you to make a short opening statement and at the conclusion of remarks I will invite members of the committee to put questions to you.

Ms Broun—I will make the statement on behalf of both of us to get us going and then we can go into questions. I would like to begin by acknowledging the traditional owners, the Gadigal people of the Eora nation and pay my respects to their elders past and present.

Firstly, it might be worth going through some of the demographics of Aboriginal people in New South Wales. I know the submission that Housing has provided goes into a lot of detail on demographics, but I will just give you a bit of an overview of the key features. New South Wales has Australia's largest Aboriginal population, which is about 150,000, or 2.2 per cent of the New South Wales population. That is just under 30 per cent of the Aboriginal estimated residential population of Australia that are living in New South Wales. Only about 5.1 per cent of that population live in remote or very remote areas. The remainder of the population live in outer regional, which is 18.4 per cent, inner regional, 33 per cent, and major cities, about 43 per cent. The Aboriginal populations of New South Wales grew by about 13,000 people between 2001 and 2006, which represented a six per cent population growth. Fifty-seven per cent of the Aboriginal population of New South Wales are aged 24 or younger, and 83 per cent are 44 or younger. Aboriginal population growth in regional New South Wales far exceeds that of the general population and many regional towns are experiencing significant out-migration of the non-Aboriginal population. For example, between 1996 and 2001—which is going back a bit, but interceding periods of the last Census were similar—the Aboriginal population of Broken Hill increased by 50 per cent, while the non-Aboriginal population fell by about six per cent. The Aboriginal population of Dubbo increased by close to 30 per cent, and the non-Aboriginal population increased by about four per cent. You can see there is a big difference and a growth trend of the Aboriginal population in those regional centres. In Tamworth, for instance, the Aboriginal population grew close to 40 per cent and the non-Aboriginal population by just 1.5 per cent.

Senator ADAMS—Can I just ask a question?

CHAIR—Yes.

Senator ADAMS—Do you know why we are getting these big increases?

Ms Broun—Family formation would probably be the answer. Aboriginal people are probably having children at a greater rate. There are also non-Aboriginal people moving out of these locations, particularly in the more regional and remote areas, where we are finding non-Aboriginal people moving out.

Senator ADAMS—What I really wanted to know was why the Aboriginal people are moving in?

Ms Broun—They are not necessarily moving in. Dubbo, for instance, is soaking up people from some of the more outer regional areas. As I said, it is also family formation. I know there is a lot of movement over towards Newcastle and the central coast. There is a lot of growth there, but there is just the normal population growth as well. I think some of the difference you see in the Census also comes from people's willingness to identify during those periods. It might not accurately reflect the full population growth. The ABS are getting better at doing their counting, but also perhaps people are more willing to identify, so there are probably several answers.

CHAIR—You can continue with your opening remarks.

Ms Broun—We have done some work on population projections as well for New South Wales. We are projecting the Aboriginal population of New South Wales to grow from about 150,000 in 2006 to about 200,000 in 2021. That will be an annual average growth of about two per cent. The growth rate of the total New South Wales population is about 0.9 per cent, so there is a greater growth rate as well. In the 15 to 29 age category we are projecting that will grow to 25 per cent. You can see a lot of growth in those groups as well. If you also take into account that a lot of the population are under 25, they are the ones that are having children and there is a lot of family formation as well. Those are probably the key statistics.

The New South Wales government is committed to improving the wellbeing of Aboriginal people, whether they live in remote, regional or urban areas of the state. We have several key frameworks that are taking a long-term systemic approach to reducing those levels of disadvantage currently faced by Aboriginal people in all areas of the state. These are done through the state plan, which commits to improved health, education and social outcomes, and also through a number of other state plan priorities. There is an Aboriginal specific state plan priority and there is also some others that have specific and significant impact for Aboriginal people. They are things like reducing the rates of crime, particularly violent crime, increasing the proportion of children learning with skills for life at school entry, and better environmental outcomes for native vegetation. There are some key outcomes sought for Aboriginal people in those priorities as well.

Under the priority for Aboriginal people, which we call F1, there are some specific actions about water and sewerage, and the maintenance and operation of water and sewerage in

Aboriginal communities. These are just some examples. There is transport to preschool to increase children's access to preschools, and what we call the partnership community program.

We also have a 10-year program called Two Ways Together, which Housing referred to in their submission. It is really about government working closely with Aboriginal communities. That is the principle and philosophy of it. It is about working in partnership with Aboriginal communities and recognising that Aboriginal people know best the needs of their community, and that there is not a one-size-fits-all. We are coming up with different solutions for different communities.

While the majority of Aboriginal people in New South Wales live in urban areas, the government recognises that Aboriginal communities in regional and remote areas have particular needs that require different responses. In the interests of time, I will skip some of this, but we can come back to it in the questions. There is an area of the state that we would probably consider more regional remote or outer regional which is called Murdi Paaki. That covers about 16 major communities. That area was the COAG trial site up until the end of 2007. We have a really strong working relationship with the Murdi Paaki Regional Assembly. As I said, there are 16 of our partnership communities in that location. We support those 16 communities in their governance frameworks and other work with them on the ground. I can go into some more detail about that program later on. We actually have a partnership agreement between Murdi Paaki Regional Assembly, the state government and the federal government. The focus is on leadership and governance at the local level, but improving service delivery as well.

I heard your question to Mr Grant around customary law, and it is probably worth pointing out that there are obviously differences between communities in New South Wales and the Northern Territory. One of the main differences is that Aboriginal communities in New South Wales are actually part of mainstream towns. If I was talking about the community of Bourke, for instance, there are about 1,000 Aboriginal people, but it is in a bigger community of about 3,000 people. As such, there are a lot of government services in these places as well. Where we might talk about discrete Aboriginal communities, they are often ex-reserves and missions that are on the edges of these towns. There are also differences around culture and language and I can go into some of the work we have done in languages, for instance, but clearly there are some differences in those sorts of areas as well. As Mr Grant was saying, there are not the issues around customary law.

The flagship program for Aboriginal Affairs that underpins a lot of the other work that we are doing is called Partnership Communities, which goes back to those principles about working with communities in partnership. The elements of that are working with community on the ground to develop up their community governance and also work on service delivery action plans. We have 40 partnership communities that we are working with which cover about 45 per cent of the Aboriginal population in New South Wales. That is right across the state. There are actually some in Sydney as well. Of those 40, sixteen are, as I said, in Murdi Paaki, so we classify them as remote and very remote, and there are about another 18 in regional New South Wales. Tamworth, for instance, is a partnership community.

We recognise that a strong sense of cultural identity is a key element of community wellbeing, and the government has been doing a lot of work in strengthening Aboriginal people's connection to the land, culture and language. Over the last five years the New South Wales

government, through Aboriginal Affairs, has provided over a million dollars to support 60-odd language programs around the state. They are really around revitalisation efforts of languages. As you can imagine, a lot of the languages have been lost or are close to being lost, so we are trying to save Aboriginal languages. There is a lot of work on dictionaries and that sort of thing.

Another major program in New South Wales has been the Aboriginal Communities Development Program, which has been a 10-year program of housing and infrastructure worth \$240 million. That comes to an end in June next year. Probably the biggest achievements in that have been completion and refurbishment of over 1,000 dwellings, 183 new dwellings and 80 existing dwellings replaced with new dwellings, in addition to the other 183, and 92 dwellings purchased, together with the rollout of 79 water and sewerage schemes in 44 locations around the state.

CHAIR—How long was that?

Ms Broun—That was over 10 years. In addition, there are 939 dwellings in 29 communities that have had works done as part of another element of the ACDP, which is Housing for Health. You are probably aware of the Fixing House for Better Health program. It is that sort of approach. It is about going in and making sure that the toilet, bathroom, kitchen and those sorts of essentials work for a healthy lifestyle. Through all of those programs there has been an aim of getting people trained and employed. Through the delivery of the ACDP we have had a lot of people trained. We have had more than 200 people doing apprenticeships in a variety of areas, including plumbing, carpentry, painting and horticulture. We also supported the establishment of a number of Aboriginal building companies through that program. I think about 11 across the state have been supported through that program. That is probably enough as an opening statement. It is probably better to allow you to have time for questions.

CHAIR—Indeed. I have picked up a number of those comments in your submission, which is terrific. On the drier end of things, regarding the 40 partnership communities I notice you have gone around and done a whole range of things there. Would you be aware of the numbers of people living in houses in each of those communities? You can provide that for us on notice if you do not know.

Ms Broun—The numbers of people living in each of the partnership communities in houses?

CHAIR—In houses, yes.

Ms Broun—I am assuming that most are living in houses, but I can give you the populations of each of those.

CHAIR—So are they mostly not living in houses?

Ms Broun—No, they mostly are living in houses. I can give you the populations for each of those partnerships.

CHAIR—No. What I wanted to know was how many people are living in each house. I am just dealing with the issue of overcrowding and the connectivity between the maintenance and those sorts of things.

Ms Broun—That might be an area that my colleague has some figures on.

Mr Allen—I can give you some broad-level information around overcrowding. The estimated number of dwellings required to meet all overcrowding need in New South Wales, based on the 2006 Census data, was 1,789.

CHAIR—Is that an additional requirement?

Mr Allen—It is an additional 1,800 dwellings to meet the needs of people living in overcrowded accommodation now. That need was highly concentrated in metropolitan and regional areas, with almost 1,700 of the dwellings in non-remote areas and only around 115 in remote or very remote locations.

CHAIR—The reason I ask this is quite specific. If you have not got it then perhaps you can take it on notice. It is really important because the Commonwealth and other jurisdictions can tell us in a community what the average occupancy levels are. For example, it might be Johnny Giraffe community where we have X number of houses. We have so many people living here. It is just a bit of arithmetic to work out on average how many people are in each house. For example, Wadeye has 17 people, on average, living in each house—pretty horrific. The reason for my question is to try to make some jurisdictional comparisons about that. I note it is very useful to know that almost 1,800 houses would be needed to ameliorate that, but it is a little bit more than arithmetic to actually come back to the original numbers without that. I acknowledge what you are attempting to do, and it would be terrific if you could take that on notice. I would be quite happy with that, unless you have some answers to hand.

Mr Allen—We have some information to hand.

Ms Broun—I have some to hand for a number of the more remote locations. I do have Bourke, Brewarrina, Cobar, Collarenebri, Coonamble, Goodooga, Lightning Ridge, Menindee, Walgett and Wilcannia. For instance, in Bourke the average occupancy of Aboriginal households is 3.7 residents. That is 15 per cent greater than Aboriginal households for the rest of New South Wales and 53 per cent greater than for non-Aboriginal households in Bourke itself. I have that information for those communities.

CHAIR—That is excellent. Perhaps you could provide that on notice or table it as we leave. I know you also have the priority communities—22 communities. You have the partnership communities and the priority communities. The question I have, particularly with the priority communities, is: how did you decide which communities were in and out? Was it just simply anything over this number and size? Did you use things like school or levels of amenity? What were the indicators that you used to select the selection criteria? Again, if you do not have it here you can take it on notice.

Ms Broun—I can probably give you some more detail after the event, but broadly the ACDP, the 22 partnership communities and the decisions around that were probably made more than 10 years ago, based on the CHIN Survey at the time. It is quite old information. The actual survey went through communities and looked at the levels of need, but I cannot tell you how the decisions were made for who was in and who was out.

CHAIR—I think you understand the question, anyway. We will make sure we send it to you. Again, was there actually a framework process to say, ‘This is how we are evaluating them’? This is the information we are using? That would be very useful. How are the Aboriginal Participation in Construction Guidelines going? How many have you got in so far and can you give me an update? You have talked to me about the 11 Indigenous building companies. Would you be able to tell me how many employment opportunities have been filled?

Ms Broun—As I said, more than 200 people have at least commenced apprenticeships. I think fewer than that have completed them. A number of the 11 companies that were started are still in existence, but not all of them. I do not have all of that information with me. I know that one in Kempsey is called Aboriginal Connections and is doing really well. It really is dependent on how dependent they were on the Aboriginal Community Development Program and in some locations on how sustainable it is for them to maintain the building company after that program. I could go on to the Aboriginal Participation in Construction Guidelines.

CHAIR—In terms of completeness, when I am talking about being an apprentice or whether they are employed in those things, perhaps those people who are currently enrolled as an apprentice might be the way to do it. Those people who have completed, and just the question of their employment status.

Ms Broun—About where they have gone?

CHAIR—As to the apprenticeship board in New South Wales, some may be in between an employer being supported, for example, or they may be employed. When they leave I am not sure whether there is some follow-up of that. But what would be their employment status? Again, I do not expect you to have that to hand.

Ms Broun—I am not sure that we can get it, either. I am not sure how easy that will be.

CHAIR—My questions are always easier than the answers.

Ms Broun—In terms of the Aboriginal Participation in Construction Guidelines, that was also a key activity under the state plan priority F1. Six New South Wales government agencies agreed to nominate 15 construction projects where they would mandate employment of Aboriginal people through those projects—so they were major projects—and use the Aboriginal Participation in Construction Guidelines to actually drive up employment through those projects. The majority of those are located in regional New South Wales. For instance, the correctional centre in Nowra, the hospital in Bega, TAFE refurbishments in Dubbo and Nowra, schools in Orange, Bowraville, Kempsey and Casino, roadworks in Wagga and Moree, and various housing projects right across New South Wales. Perhaps Mr Allen could talk more about the housing projects. The information from those participating agencies in all of those projects is still being collected. However, some preliminary data indicates that over 181 Aboriginal people have been employed through those projects, including 13 apprenticeships and 48 trainees. It is starting to have that level of impact. That is only a number of them and, as I said, that is preliminary data.

CHAIR—That database would certainly be very useful to us. In New South Wales who would have the following responsibility? For example, out at Dubbo we have a local city council that is notionally responsible for public transport in the area? If there are specific nonviable programs

that are needed to get from an outlying community to a local school, local services or hospital services, who takes responsibility for that in New South Wales? Is it the New South Wales government or do you still rely on the conventional processes of local government?

Ms Broun—I probably cannot talk for transport, but I do know that they set up 11 transport coordinators around the state just for that purpose, to actually sort out some of the transport issues between and around towns. They did focus a lot on Aboriginal transport issues. Most of it is managed through the state rather than through local government, as far as I am aware, but I do not have the details of that either.

CHAIR—In terms of accommodation issues and accessing services where they do not have them, they often have to go to somewhere like Dubbo or Bathurst, which might be their centre in the area. The accommodation can be quite prohibitive. Do you have any special arrangements made for subsidised accommodation within the centres that these services exist?

Mr Allen—We certainly have a look at a whole series of demand indicators to help us plan both mainstream public and community housing as well as more specific Aboriginal public housing. We are generally seeing an increase in demand, as Ms Broun mentioned, in the demographic stats around the centres of service. Places such as Dubbo are growing and so the public housing numbers in those locations are growing as well. Obviously it is less so in the more remote locations. We take those sorts of indicators into account in planning the new housing. We are currently working with the Australian government as part of the Remote Indigenous Housing National Partnership to have a look at some employment and education related accommodation, so providing some accommodation in those centres, particularly for young people, where they can get education and also get jobs. They are in regional centres as opposed to more remote locations. Areas like Dubbo are a very good example of that.

Senator ADAMS—We have had evidence today and right through all of our inquiries in different areas about programs and the length of the election cycle rather than long-term programs that can be carried on, and retaining the people that are responsible for running or promoting them. The three-year cycle, especially in the remote areas, is far too short. The fact is that we have very successful programs, but after 18 months, whoever is running them, knowing that the funding is going to run out—they are supposed to be sustainable at the end of the three years, which is just about impossible—is leaving and you are losing the expertise and the program just crashes. As soon as it is finished that is the end and there is nothing really to take its place. Evidence was given that by the time you move into a community, get to know people, get people to accept what you are doing—it can be six to eight months, even longer—then there is really not much time in the middle of it to be able to produce something and have it up and running properly. The frustration for them is when they just get it going, everybody in the community is happy to embrace it and it is going along really well, then bang, the funding is gone and the people are gone. Have you looked at any of that? You have a 10-year plan. Do you have funding to accompany that 10-year plan for programs that you put in?

Ms Broun—It is acknowledged as an issue in the way that funding is dealt with.

Senator ADAMS—It is a huge issue and the flexibility of the programs is zilch.

Ms Broun—Two Ways Together, for instance, is a 10-year strategy. It is about having a longer term vision around what is happening in those communities. Our own program, for instance, the language program, is a much longer term program than just a few years. We have kept those programs going for a long time. My division does not really deal with program funds and things like that. We do not provide a lot of submission based funding or project based funding. It is mostly around us being in the community and helping the community's needs to be met from other government agencies. I am not sure whether Mr Allen would like to add anything.

Mr Allen—I can add a couple of things. Firstly, there has been a significant change with the National Affordable Housing Agreement, which replaced the old Commonwealth State Housing Agreement. The CSHA was time limited generally to a five-year timeframe. The NAHA, the National Affordable Housing Agreement, is not time limited. It simply rolls on. It is an agreement subject to review by state and federal governments over time and the funding is forecast in forward estimates.

Also, the Remote Indigenous Housing National Partnership is a 10-year funded program, so it does give us an opportunity to plan into the longer term with some reasonable certainty around the funding. Those things have been recognised, are really quite helpful for us in a service delivery sense and obviously helpful for people in those communities. Our colleagues in our community services agencies have also been looking at their funded programs, and we are currently undertaking a review across our Department of Human Services, of which our agencies are part, to have a look at how those funding arrangements are put in place. That is not just for Indigenous communities but for all communities, so that funded services have more certainty around the timeframes and the futures of the money that is available to them. As Ms Broun said, those sorts of issues around funding cycles and two- or three-year programs are well recognised as having some difficulties for the organisations and for the people that are receiving those services.

Senator ADAMS—It is also the people delivering the service. To get a professional of any description out there to run a program; they have to look to their future and when they know that it is not going to be a recurrently funded program, but only three years, then after 18 months they are starting to say, 'Where am I going to go?' It is very disruptive. What frustrates me is that there have been some very successful programs. Coming from a small rural community, it is the frustration of getting everything together, getting shires to work together, getting all those partnerships and everybody on board and then bang. My question was for New South Wales. As you stated with housing, that is certainly a great benefit. I am sure that you retain your experts in the field. They know where they are going for the 10 years if they wish to stay for 10 years, whereas with these other programs, which fit down below that, they are just cutting out so soon. As far as throwing the baby out with the bath water, that is exactly what we are doing. We have built up all that expertise in the area and then it is gone. Sustainability of programs in these sorts of communities is just so difficult. Unless you can get a private partnership and actually take it over there is just no way. It is going to take time to build it up and then it may become sustainable but not in three years. Could you comment as to where you see it going? I know that you are not involved with those smaller ones, but can you comment from a general point of view?

Ms Broun—One way of dealing with this is through the Partnership Community Program at the community level in examining what is going on on the ground and then being able to work

across a range of government agencies to streamline their funding sources. What you often find with a service provider and a non-government service provider at that community level is that they are getting funding from a range of different agencies. Part of the Partnership Community Program's mandate is to go out and do work with the community on their governance structures, but also to work with government agencies to deliver against an action plan, look across-the-board at what the service delivery is like and how it can be improved to get better outcomes. I am sure it will come through that process as well. It involves doing some streamlining of the service delivery in those locations. Often you will find, particularly in some of the smaller towns, that there is more than one service provider providing the same service.

Senator ADAMS—Yes, there is a lot of duplication.

Ms Broun—There is a level of duplication. It is about getting better coordinated services as well and eliminating some of that duplication that occurs out on the ground. Going back to your transport question, quite often it comes up in communities that there is no bus. The first thing they ask for is a bus to use for a particular program. I know when Transport had the transport coordinators go out and do their audits of what was on the ground, they would often find there were 11 community buses in the town, but they were not all being used or they had too many rules about who could use them.

Senator ADAMS—That is right.

Ms Broun—It is not always the case of the services not being there. It is often a case of the longer term planning and that will occur through the partnership communities. The other is not duplicating service delivery, and coordinating better at that local level.

Senator MOORE—The point about coordination comes up consistently in this committee. Everyone talks about the need to coordinate. Is there anything driving that coordination? Does anyone have the ownership to ensure that at a place like Broken Hill—which I love and have been able to visit a couple of times—the various services that are there, plus the visiting services out of Broken Hill that go to the outlying communities, which tend to be the wider area, there is responsibility for someone at the local, state or federal level to be the driving point for coordination of services?

Ms Broun—In New South Wales the Department of Premier and Cabinet actually has regional coordinators across the state whose role is to work with regional directors of other state government agencies to coordinate activity in those regions. The person for most of the far west of the state is based in Dubbo and links in very closely with my area director, who is also based in Dubbo, and is co-located with the federal ICC manager. We are actually in the same building. We have done a lot of work to try to improve our coordination in New South Wales. A couple of the ways we have done that is by co-locating my regional staff with the ICC staff. More recently I have set up a couple of area director positions—one in Newcastle and one in Dubbo. That is again to work more closely with those regional coordinators of the Department of Premier and Cabinet, but also other regional directors, whether it is housing or education—working really closely and better coordinating their activities.

The other way we have done it is we did regional reports. In the regions of New South Wales we did a demographic report of the Aboriginal population in each of those regions, and then

there were regional action plans against identified priorities for each of those regions, which have been delivered mostly through my regional managers. There is a lot of coordination activity. Whether that means that is happening as well as it could at the local level is a bit of a test, but that is part of having the partnership community project officers, which are new positions. Of the 40 communities, I have still got a few to fill. They have only been out there over the last few months. Better coordination at that level will be a test of how well they are working on the ground, but at the regional level there are quite strong structures in place.

Senator MOORE—What level are they?

Ms Broun—Level in terms of?

Senator MOORE—Public sector seniority.

Ms Broun—Mine in Dubbo and Newcastle are area directors. They are senior officer group level.

Senator MOORE—What about the Department of Premier and Cabinet?

Ms Broun—I am not sure what level.

Senator MOORE—In many cases it comes down to seeing who is highest. People know very quickly who is the senior person.

Ms Broun—In these environments it probably comes down to really strong networks and relationships and the sorts of structures that support that. I know there are some very good structures out on the ground. There are regional coordination management groups that have been out for some time where the regional directors of a lot of agencies meet and work out their regional strategies. It is not just about levels and who is at the top of the heap. It actually is about working really closely as a team to identify work on regional strategies. Mr Allen might want to talk from a line agency perspective.

Mr Allen—Just very briefly, the regional coordination management groups are quite powerful. Our representative at the housing level is a general manager. It is someone who is in charge of very big geographic areas and would have a number of area directors working to them. They are quite senior people in these groups and they usually have, in most cases, a human services subgroup. It is all state government agencies. They have broad agendas across justice, transport and human services, but we have a specific human services subcommittee of those regional management groups to give a clearer focus on some of the issues that we have talked about here this afternoon.

Senator MOORE—Another issue that comes up consistently is availability of housing when you are trying to attract people to go into regional areas as well as remote. It is just as much in some of the regional centres, particularly when you look at some of the growth figures that are happening in some of those places. Does New South Wales have a policy about housing for people who go and work in those areas, and does it differ for people who are local as opposed to people who are from outside?

Mr Allen—New South Wales is currently reviewing a number of arrangements for public servants working in remote and more remote locations in terms of the housing that is provided. We do not have a public servant housing authority unlike some states and territories. Western Australia, for example, has a public servant housing authority. It is generally done by the individual agencies. Police provide housing for police and so on. At the moment we are looking at how we might coordinate that better at a whole-of-government level, as well as additional employment incentives. Again, it is a similar situation where individual agencies have employment incentives for people to work in the bush. We are having a look at how we might try to draw those together and we have put in place a pilot over the last 12 months or a bit longer on what other incentives we can provide to people to work in those locations, as well as the work that individual agencies are doing to train, educate and develop people who are already in those communities and are likely to stay.

Senator MOORE—One of the other issues is for NGOs who are working in those areas. Not so much in New South Wales have we heard that evidence today, but certainly in some other states, in particular WA, there is a dire situation in trying to employ NGO people in doing very valuable implementation of services for both the state and federal government. They are unable to attract workers to places outside the major centres because the salaries are bad. We all know the salaries are bad, but it is also the inability to get appropriate housing and opportunities when they get there. It is part of the whole process in terms of building up infrastructure locally. I have not had a lot to do with New South Wales communities, but I know from a social security background it was always an issue of getting staff into what is now Centrelink or ICCs. Trying to get people to work in Moree, Taree or even Tamworth, which are significant centres, was always a challenge.

Mr Allen—It is certainly a challenge for us in New South Wales, but in fairness to a lesser extent than some of the other states and the Northern Territory. As Ms Broun said at the outset, even in our remote and very remote locations we have towns that are very much part of those areas where there are existing services, than some of the more remote communities in the Northern Territory or South Australia.

Ms Broun—Staff housing, whether it is for government employees or the non-government sector, is an issue in attracting anyone and keeping them out there as well.

Senator MOORE—When you get into the area of health, with the doctors and nurses, it just creates a whole other area. We heard evidence this morning from the Women's Legal Services that at one of their remote centres—and I just cannot remember which one—there was no-one available to do a rape kit at the local hospital. It was a significant centre.

CHAIR—Bourke.

Senator MOORE—That was an amazing statement to hear. We will certainly follow up with whoever is appropriate. I would imagine it would be Attorney-General's, Health or someone. This was a particular perspective of an Aboriginal service. Is that the sort of thing people would talk to your department about or would they go past your department straight to Health or Attorney-General's?

Ms Broun—I will not answer for that particular issue.

Senator MOORE—I am using that as an example. If there was an issue to do with Aboriginal service delivery would that be something that is appropriate to come to your area for policy?

Ms Broun—They will come to us and we would refer it to the appropriate agency. That is one answer, in terms of immediate responses. Again, I would go back to the Partnership Community aims. They would have an action plan to do an audit of what services are in the town and how we can improve them. We would do that work with the community on what suggestions they have to improve them. To get that action plan actioned is the second part. It is not just about a lot of talk and saying, ‘Here is a nice plan’, but actually getting things changed. An easy example is: how can we make sure that kids can get to the preschool? Some of these things do not have difficult answers, but it is a matter of someone actually driving that, so that is going to be the role of the Partnership Community project officers.

Senator MOORE—I have one other semi-housing type question. I know Senator Adams was following this up in terms of people who have to go in to centres for medical help, particularly birthing. We have talked about Aboriginal hostels from time to time and I know that you have talked about this a little bit earlier, but it has always been an issue for me about where hostels fit with the other areas of housing provision when the hostel’s whole reason for being was to provide specialised housing for people, mainly when they were moving or having to move around to different areas, as opposed to a home. We have been hearing consistently in this committee where services have been centralised—all sorts of services and not just birthing, although birthing sometimes can involve four months being away when people are sent for different reasons, for medical tests, chemotherapy and all kinds of things—and there is no accommodation. We know it is an issue. We spoke to people in Dubbo about it when we were there. Dubbo is a big town. In fact, I would call Dubbo a city in terms of its structures and its setup. The city council is most aware of these issues. We spoke with them, but they do not have a sense of any particular provision there when people have to go to the hospital where they can be looked after when they are coming sometimes hundreds of kilometres to that hospital for services. It does strike me as a particular area which, in our discussions, no-one seems to own. I am sure you are aware of it, because each of your key hospitals down your spine of service provision has these issues. It is not just Aboriginal people, of course. It is anyone who needs this service. The particular issue that has been raised with this committee has been the absolute need for Aboriginal people to leave their homes, because they are sometimes quite stressed, anyway, but there is nowhere safe to go, and no-one owns that problem. I did not see it in the housing process.

Mr Allen—No. It is not in the submission that we provided. It is an area though that we recognise needs some work and we have been having some discussions with FaCSIA about how we might build in some opportunities for short-term accommodation, particularly for birthing reasons, into the Remote Indigenous Housing Partnership. We have not proposed anything in the first two years of the program, but we are certainly having ongoing discussions with FaCSIA about what we might build into the subsequent years of the program. I am not familiar in detail with where Aboriginal hostels are up to in terms of operation as an organisation.

Senator MOORE—There are a couple of centres in New South Wales. Off the top of my head I cannot name them, but they do have a couple of locations.

Mr Allen—We also work with a number of non-government housing organisations, community housing providers, in all those sorts of locations and we are able to provide shorter term temporary accommodation, but that is literally hotels or motels for a week or two, not for longer periods. We certainly actively fund a program for that sort of shorter term temporary accommodation.

CHAIR—That is very interesting. We have been dealing with this in a number of jurisdictions. I understand that it might become more acute. The reason for these changes was a decision made by the Australia New Zealand College of Obstetrics. They decided that they would marginally change the standards. It meant a lot to us, but they thought it was marginally. It was about the 24-hour availability of a doctor to stand by to support a midwife in certain criteria. They also changed the risk assessment criteria presentation slightly. There is no point in going into that here. I think we are only just starting to feel the effects of that. Their determination is 32 days before the predicted birth date you then have to be in an area where there is a doctor 24 hours on call. From a housing perspective, we have had a health issue and a determination by some rocket scientist somewhere else—and I will not talk about that—and we have just accepted it. It has not actually even been discussed, although I am having some very pointed discussions with them at the moment. What it has meant is that suddenly if you live in these areas—and you can just colour them, those are the areas—that means you now have to move into another area and somehow survive there for 32 days. The PAT scheme does not cover a partner to go with you in any sort of an amicus situation. The physiological thing is that you are now alone. You are now not where you live and often without the support, through no mischief at all, and none of the normal supports of accommodation and housing that one may have previously expected. I just provided that as some of the reasoning behind our questions. I have a question on notice to Mr Allen. I understand that you have some 4,100 properties that you manage.

Mr Allen—The Aboriginal Housing Office owns them.

CHAIR—The Aboriginal Housing Office owns them, but you manage them on their behalf. On notice, would you be able to give us an update on the inventory of those? Can you tell us, for example, how old they are—say, X percentage is younger than 10 years old, X percentage is younger than 20, X percentage is younger than 30 and the remainder are over 30 years old? I would assume you would have those sorts of figures?

Mr Allen—Yes, we would be able to give you an age profile. It is just over 4,500 properties, of which we have upgraded almost 4,000 in recent years.

CHAIR—I do not want to be too specific and pin you down with too much work, but the information that you have, providing for that inventory of houses—age, condition and if you have any ideas in terms of whether you have already made decisions in forward estimates about reparation, replacement and those sorts of processes, how you are dealing with that—given that you have another 8,500 Aboriginal and Torres Strait Islander people who are living in public housing that you are managing on behalf of Aboriginal Housing. I am not sure how all of that works and we do not have time to forensically pull that apart today. If you have some information regarding how all of that works we would really appreciate it.

Senator ADAMS—Are the community working parties working well and are you going to keep them going? How do you feel about them?

Ms Broun—Under the Partnership Community Program our aim is to have local-level governance structures. In some places they are called community working parties. I think it is variable how well they work, but the role of the Partnership Community Project officers—again, who have only started in the last few months—is actually to make sure that they are functioning well and that they meet some key governance principles, transparency of decision making, communication back to the rest of the community and those sorts of things; so they are having regular meetings and they are supported to do that. I am not sure what you have heard, but obviously some work really well and some have problems.

Senator ADAMS—We met with working parties at Dubbo, Cobar and Broken Hill. I think, as a committee, we found that the information we got from them was very good, because it gave you a whole picture of that community, what services they had and just how it all worked together. With normal committees you have people who are a little bit more powerful than others and so on, but just from what we saw we as a committee gained a lot of information that we probably would not have got; just speaking to government agency people you were not getting that community input. It was the fact that they were working so well together. Often, it is always the cry in a community that you never really get to find out what the police are doing, what the health services are doing or what the housing people are doing. The local council does not divulge that to the community and they may not be meeting with them. I just felt that they were very good.

Ms Broun—The model that we will be implementing in the 40 partnership communities is based on the model that was built through the COAG trial in the Murdi Paaki area. They had a model of community working parties. It is about representing community views and bringing people together rather than government going out and having to meet with 20 different groups and then come up with their own idea. It is actually about having all of those people in one room, sharing the information with government and working closely on solutions to local problems at the one table. They are very effective where they work well. Our aim is to have all of the 40 partnership communities with local governance models in place. Some communities do not choose to call them community working parties, they will choose to call them something else, but that is up to them. That is the way we have built that model.

Senator ADAMS—I would not like to see that go, because I felt at least the same message was getting across the community.

Ms Broun—That is right.

Senator ADAMS—Thank you.

CHAIR—I would like to thank you on behalf of the Department of Aboriginal Affairs and Housing New South Wales for your appearance here today. There may be further questions on notice if the questions so far have not been voluminous enough. I thank you for the evidence you provided today, and any further questions will be provided through the secretariat. I now adjourn until a date to be fixed.

Committee adjourned at 4.54 pm