

Department of Indigenous Affairs

Discussion Paper

September 2002

SERVICES TO DISCRETE INDIGENOUS COMMUNITIES
IN WESTERN AUSTRALIA

Purpose

This paper has been developed at a time of much change and debate in Indigenous affairs. There is general acknowledgement about the lack of sustainable outcomes in improving the social and economic position of Aboriginal people. However, there is less agreement about the most effective ways forward and about how governments can best work with communities to improve service outcomes. The level of analysis of these issues is unfortunately not matched by the level of resources and the sustained commitment required to turn things around.

The proposals and recommendations contained in the paper do not represent government policy but are included to stimulate discussion and encourage debate about these important matters.

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Executive Summary

Indigenous affairs has been characterized by a cycle of review which has led to short term and reactive responses to problems that require long term and sustained efforts by all arms of government. The provision of a healthy and safe environment in Indigenous communities has been construed as a welfare issue rather than as an investment in the future of the State. This has lessened the imperative for action and led to the provision of fundamental physical and social needs on a peripheral or funds permitting basis.

The general egalitarian nature of Indigenous society, Indigenous political and decision making processes, obligations to kin, connections to land and cultural beliefs are both strengths which have assisted Indigenous people to survive the years since colonisation, and complications which policy makers and service providers must acknowledge and work with in order to achieve reform.

To make genuine inroads to the needs of discrete Indigenous communities, there is a need for Commonwealth, State and local Governments to accept their responsibilities to provide equitable services to Indigenous people and to deliver basic citizenship entitlements.

There is also an urgent need for a significantly increased investment in the physical and social environment in which Indigenous people live in order to address the backlog of need; to put in place sustainable management practices; to address the gaps in the availability of social services and to promote the development of an economic base.

Strategies for implementation need to achieve a balance between ideology and practicality. Self-determination must be accompanied by strategies that build capacity for effective governance and management and which ensure access to specialist technical expertise and support when needed. The efficient and effective delivery of services at appropriate standards must be the primary objective.

The challenge for government and Indigenous organisations is to ensure that services are appropriate to the needs of Indigenous people; that they are of no lesser standard than that expected for non-Indigenous people; and to develop long term strategies that maximise opportunities for Indigenous people to successfully control and deliver those services. It is proposed that long term change in Indigenous affairs requires a balance between the legitimate and long term aims of self determination and the practical realities of community disadvantage in order to ensure that basic human needs are addressed.

A strategic and non-partisan approach is vital. Change in Indigenous affairs is a long term yet urgent process and can not afford to be diverted by political differences or indifference and by fluctuating priorities.

DISCUSSION PAPER
SERVICES TO DISCRETE INDIGENOUS COMMUNITIES
IN WESTERN AUSTRALIA

1.0 Introduction

The provision of services to discrete, often remote Indigenous communities offers unique challenges and complexities for governments, service providers and Indigenous organisations. Such communities suffer from a lack of access to basic services and a history of disadvantage and neglect.

It is not the purpose of this paper to reiterate the increasing number of dismal statistics, which demonstrate the extent of Indigenous disadvantage. The point is that some of these statistics are improving, most are not and some are getting worse. In 1997 the Federal President of the Australian Medical Association described the health status of Indigenous people in Australia as the worst “of any identifiable group on this planet”.

The lack of progress in addressing the gap between the social and economic well being of Indigenous and non-Indigenous people is an urgent and disturbing problem. Third world conditions continue despite the interventions of governments over succeeding decades. These conditions exist not only in remote areas but also on the fringes of towns and in the Perth metropolitan area.

Indigenous society and its traditional values and laws, is struggling to come to terms with the growing problems of social disorder. Violence, drugs and sexual abuse are not just symptoms but deep seated and complex problems that influence the downward spiral of many Indigenous communities and families.

The Independent Commission into State Government Finances commissioned by the Court Government estimated that substandard services to Indigenous people effectively costs the State Government \$344 million per annum in increased expenditure on police, corrective services, health and welfare. It was estimated that this would increase to \$485 million by 2006.

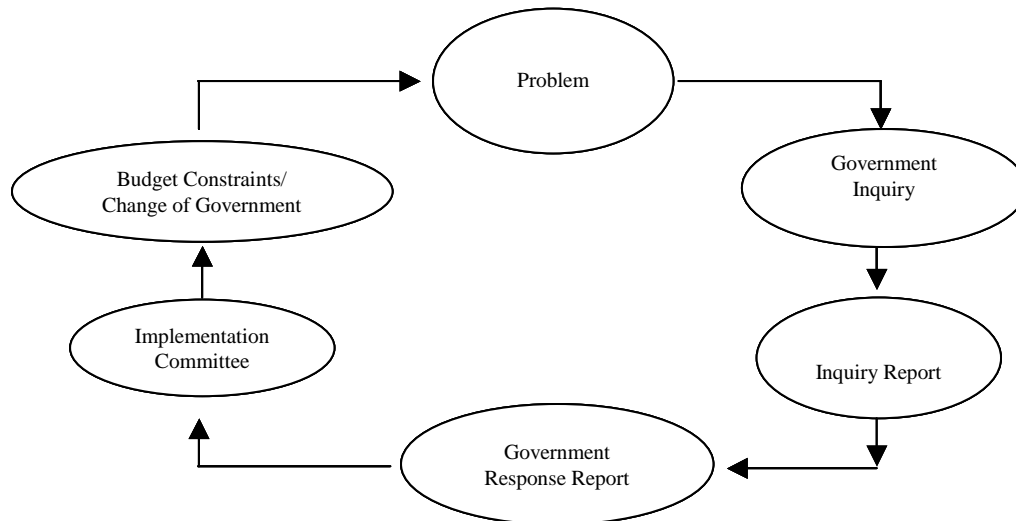
The ongoing and recondite nature of the problems that exist in Indigenous communities demonstrates the limited impact that governments have had on improving the social and economic position of Indigenous people and the consistent failure of Indigenous affairs policy in Australia.

2.0 The Cycle of Review

There is a plethora of research, reviews, reports and recommendations – *the “four Rs” of Indigenous affairs* – that document in great detail the various issues and problems facing Indigenous people and suggest ways forward in

order to tackle Indigenous disadvantage. The common theme of these investigations is that despite previous good intentions, expert advice and the work of many competent and committed people, progress has not been satisfactory and Indigenous disadvantage continues.

The cycle of review follows a regular pattern of:



There are literally thousands of recommendations for reform from key reports such as that of the Royal Commission into Aboriginal Deaths in Custody, the 1994 Task Force on Aboriginal Social Justice, various State and Federal Parliamentary Committees and the recent Gordon Inquiry. Many of these recommendations have been or are in the process of being implemented. These are usually those with limited resource implications, those which are politically acceptable and those that can be accommodated without a significant shift in the way the bureaucracy does business with Indigenous people.

The typical short term and reactive response to crises or current political imperatives of government does little to address the long term and systemic nature of the problems faced by Indigenous people and perpetuates a cycle of activity and interest that either dissipates with time, disappears due to competing budgetary pressures and priorities or changes direction with changes in government or key personnel.

3.0 The Causes of Ongoing Indigenous Disadvantage

There are no simple solutions to the problems facing Indigenous people and to the level of disadvantage experienced in discrete Indigenous communities. There is also no excuse for the lack of progress. There are, however, some very practical reasons why progress has been at best, painfully slow, and at worst – an indictment on governments at all levels and of all persuasions.

Historically, the provision of a healthy and safe environment in Indigenous communities has been construed as a welfare issue rather than as an investment in the future of the State. This has lessened the imperative for

action and created a tendency to provide for fundamental physical and social needs on a peripheral or funds permitting basis rather than as a central element of government expenditure and the core business of mainstream agencies.

The following summarises some of the barriers to addressing the needs of discrete Indigenous communities in Western Australia:

1. The documentation of disadvantage has never been matched by the quantum of investment required by governments to address the backlog of need.
2. Investment in capital infrastructure has not been supported by appropriate maintenance and asset management practices.
3. The basic planning, building and public health standards that apply for the protection of the residents of mainstream communities have historically been denied people living in discrete Indigenous communities.
4. Indigenous communities in Western Australia continue to have very limited access to the services and expertise provided by local governments.
5. The proliferation of Indigenous communities and organisations has led to existing resources being spread increasingly thin resulting in poor economies of scale and increasing distances from service centres.
6. The shift from government or mission run settlements to communities that are largely self-managed has not been accompanied by the transfer of expertise and the resources necessary for the effective running of these communities.
7. Indigenous governing bodies struggle in a complex environment with imposed governance structures, limited support and limited skills to fulfill both their internal responsibilities to Indigenous members and their external accountability requirements.
8. The limited administrative and management capacity of many organizations is exacerbated by the often short term and complex funding and onerous accountability arrangements with service agencies.
9. The aim of self-determination has been used as an excuse by governments and service providers to provide an inequitable level of service and to tolerate conditions and activities that would not be accepted in any other sector of the community.
10. Historically the issue of services to Indigenous people has been regarded as the responsibility of specialist Indigenous affairs agencies

such as the Department of Indigenous Affairs and the Aboriginal and Torres Strait Islander Commission, which have neither the resources nor the mandate to deal adequately with the problem.

11. The lack of access to mainstream services and funding sources has meant that Indigenous specific programs designed to bridge the gap of disadvantage have merely substituted for rather than supplemented mainstream programs and services.
12. Historical injustice, erosion of culture and ongoing racial discrimination are significant contributors to contemporary Indigenous disadvantage.
13. Social support programs have generally focused on treating the effects and symptoms of disadvantage rather than tackling their causes through targeted preventative approaches.
14. Dispossession from land and marginalisation from mainstream resource development and labour market opportunities has severely restricted prospects for economic development and contributed to welfare dependence.
15. Government agencies and staff have limited capacity to deal effectively with Indigenous people or to negotiate appropriate service delivery models within existing program structures.
16. Indigenous people have not been genuinely empowered to control their own lives or to negotiate as partners with government in order to achieve outcomes consistent with reciprocal and shared responsibilities.

These issues are explored more fully in the following sections.

4.0 A Way Forward

In June 1995, the Chief Executive Officer Working Party on Essential Services to Aboriginal Communities (the CEO Working Party) reported to the State Government on measures to improve the provision and maintenance of essential services to Indigenous communities. The CEO Working Party had been established by the State Government as a priority following the Report of the 1994 Task Force on Aboriginal Social Justice.

The Working Party defined “essential services as including water, waste disposal, power, housing, communications, access, education, community support and law and order. It determined that Indigenous communities have the same requirements for essential services as the rest of the community and that service provision to Indigenous communities should be based on the principles of equity and equality of outcomes.

The Working Party resolved that this should be achieved through a process of “normalisation” of essential services to large remote and town reserve Indigenous communities. Normalisation was defined as:

“providing and maintaining essential services to Aboriginal communities in the same way as they are provided to a non-Aboriginal town or community”.

The acknowledgement of the principle of equity is not new. In July 1983, the Australian Aboriginal Affairs Council (now the Ministerial Council on Aboriginal and Torres Strait Islander Affairs) resolved that:

“The Commonwealth, States and the Northern Territory will meet their responsibilities for providing their Aboriginal citizens with at least the same level and nature of services that they provide to their other citizens”.

In December 1992, the Council of Australian Governments endorsed the “National Commitment to Improved Outcomes in the Delivery of Programs and Services for Aboriginal Peoples and Torres Strait Islanders”. Under the National Commitment, the Governments of Australia agreed as a national objective, to:

“ensure that Aboriginal and Torres Strait Islanders receive no less a provision of services than other Australian citizens”.

The Statement of Commitment signed by the State Government and ATSIC in October 2001 endorses the principle of “equity with respect to citizenship entitlements”.

4.1 Self Determination and the Normalisation of Services

Normalisation is a process that aims to deliver the citizenship rights long demanded by Indigenous people and which are taken for granted by non-Indigenous people. It is a crucial process in achieving equity in access to services and in addressing the barriers to improved social and economic well being. It complements stated government policies of self determination and self management through the empowerment of Indigenous communities to choose appropriate modes of service delivery and to negotiate reciprocal responsibilities.

Too often self determination has been used as an excuse by governments and service providers that are unable or unwilling to provide services on an equitable basis with other Australian residents. No other Australians are expected to run their power, water and waste disposal systems, their municipal services, their social security system, as well as maintain law and order with such limited access to resources and technical expertise. As a result, conditions and activities that would not be accepted in any other sector of the community are endemic in Indigenous communities. Whether this is in

the name of self determination, cultural appropriateness or simply a lack of resources, this has been to the long term detriment of Indigenous people. It is no use repealing discriminatory laws and practices if existing laws and policies are applied selectively.

True self determination means people have a choice between running their own power stations and thus being responsible for the standard of power, diesel fuel supply and collecting the income required to maintain operations; or simply turning on the light switch like most people in Western Australia and receiving equitable service standards and fee for service arrangements. Indigenous communities in Western Australia have historically been denied that choice in many areas of service provision.

Importantly, normalisation does not mean a reduction in opportunities for Indigenous training, employment and enterprise development. Indigenous organisations and joint ventures are very often best placed to deliver services to Indigenous people. However, to expect a socially and economically disadvantaged community with limited support to have, in the short term, the necessary knowledge and skills to effectively govern and to manage public works can be counterproductive - no matter how well intentioned.

The guiding principle must be that services are provided at a required standard and that they represent value for money if long term benefits are to be gained. Employment and enterprise development, although crucial to long term objectives and aspirations, should not take precedence over the achievement of the explicit outcome required. To do so would blatantly discriminate against the recipients of the service by providing anything other than the best service available.

The Remote Area Essential Services Program is a good example of a program designed with the primary intent of providing efficient and effective delivery of essential services. However, the secondary outcomes have been substantial through competitive tendering arrangements that encouraged training, employment and enterprise development opportunities for Indigenous people.

The challenge for government and Indigenous organisations is to ensure that services are appropriate to the needs of Indigenous people; that they are of no lesser standard than that expected for non-Indigenous people; and to develop long term strategies that maximise opportunities for Indigenous people to successfully control and deliver those services.

It is proposed that long term change in Indigenous affairs requires a balance between the legitimate and long term aims of self determination and the practical realities of community disadvantage in order to ensure that basic human needs are addressed.

It is strongly recommended that the State Government reinforce its commitment to appropriate service standards and to the application of normalisation principles as a fundamental policy platform for future service delivery to discrete communities.

It is further recommended that these principles be applied as part of the concerted effort that is required in the following areas:

1. Improving living conditions.
2. Taking a preventative approach to social policy and justice issues.
3. Building the capacity of Indigenous communities and organisations to function effectively and to deliver and control services.
4. Building the capacity of government to engage Indigenous people, to recognize Indigenous rights and responsibilities and to respond appropriately and efficiently to the needs and aspirations of Indigenous people.

The following sections discuss some of the current directions and issues in these areas.

5.0 Addressing Substandard Living Conditions

5.1 Application of Public Health Standards and Sustainability of Infrastructure

The history of development of Indigenous communities in Western Australia, has been characterized by ad hoc development and the circumvention of State and local government approval processes. The basic planning, building and public health standards that apply for the protection of the residents of mainstream communities have historically been denied people living in discrete Indigenous communities.

For example, the Crown is not expressly bound by all provisions of the Health Act, which limits the powers of local authorities to enforce health provisions in Indigenous communities. In addition, the areas in which many Indigenous communities are located are exempt from building controls and the application of the Building Code of Australia.

In the absence of external scrutiny, building and infrastructure standards have been sacrificed to budget imperatives leading to premature breakdown of infrastructure, inappropriate design and materials or insufficient capacity to handle demands placed on services. The result has been the deterioration of

the physical and social environment in which many Indigenous people live and resultant increasing pressures on health, justice and welfare services.

Following the 1995 CEO Working Party Report, State, Commonwealth and local government agencies have cooperated to develop a policy framework in order to apply controls to developments in Indigenous communities as a prerequisite to raising basic living standards. This framework is provided through a number of key initiatives which are consistent with the principles of normalisation and which have been coordinated through key interagency forums such as the Environmental Health Needs Coordinating Committee, the Aboriginal Community Essential Services Steering Committee and the Local Government Indigenous Issues Coordinating Group.

These initiatives include:

1. The development of “town plans” for Indigenous communities consistent with Statement of Planning Policy No. 13 under the *Town Planning and Development Act 1928*.
2. The development of national and State homelands/outstation policies to manage the development of future communities.
3. The development of a *Code of Practice for Housing and Environmental Infrastructure Development in Aboriginal Communities in Western Australia* in order to improve the functionality and sustainability of infrastructure consistent with mainstream standards.
4. The establishment of a network of Environmental Health Officers in key local government districts in order to improve monitoring and enforcement of public health requirements.
5. The negotiation of Commonwealth/State agreements on the provision and maintenance of essential services and housing.
6. The development and implementation of key infrastructure programs to advance normalisation such as the Remote Area Essential Services Program (RAESP), the Aboriginal Community Strategic Investment Program (ACSIP), the Town Reserves Regularisation Program (TRRP) and the Aboriginal and Remote Community Power Supply Program (ARCPSP) (Attachment 1 provides additional information on these programs).

Many of these initiatives seek to circumvent current legislative impediments to the application of public health laws in Indigenous communities (e.g. Health Act 1911, Local Government Act 1995 and the Town Planning and Development Act 1928) by seeking to ensure that appropriate development standards and approval processes are applied through contractual and other agreements. They also empower the residents of Indigenous communities to control the planning and development of their communities and to negotiate appropriate service delivery options.

Analysis of the 1997 Environmental Health Needs Survey, conducted in 259 Indigenous communities in Western Australia and more recent national surveys conducted by ATSIC, demonstrates that progress is being made in addressing priority environmental health needs. Seventy percent of the priority needs identified in the 1997 survey have since been addressed. This is largely due to improved targeting of resources; improved coordination and resource sharing between the Commonwealth and the State; the concentration of resources in the larger communities; the application of improved standards and surveillance; and to increased expenditure through State and national infrastructure programs.

In order to consolidate this progress and to ensure compliance with the current policy framework, legislative changes are required to key public health laws. This was also identified in the *Report on Environmental Health of Aboriginal Communities in the Kimberley Region* (the Nevill Report), which was tabled in State Parliament in November 2000 by the Standing Committee on Estimates and Financial Operations. This report reiterated key principles consistent with the normalisation process and emphasised the importance of legislative change in order to ensure the equitable application of public health laws in Indigenous communities in the Kimberley.

In summary it is recommended that:

- New building legislation be progressed as a matter of urgency in order to ensure that the Crown is expressly bound by the legislation enabling building codes and standards to be applied to developments in Indigenous communities occupying Crown land;
- The Health Act 1911 and the Local Government Act 1995 be reviewed to ensure that local governments are able to monitor and enforce environmental health standards in Indigenous communities.
- A statutory planning framework is put in place to control the establishment and future development of Indigenous communities.
- The Environmental Health Officer network be expanded to include all local governments servicing discrete Indigenous communities and that long term funding is secured for this purpose.
- The State Government continue to invest in key programs such as the TRRP, ACSIP and RAESP and provide additional funds for this purpose.
- The RCPSP be expedited in the three pilot communities and expanded to all communities with populations of more than 200 people as soon as possible.

5.2 Local Government Services

The issue of local government service delivery to Indigenous communities has been a contentious one for many years. Local governments have long been criticised for the inequitable distribution of resources despite receiving funding from the Grants Commission which recognises Indigenous population and

disability factors. Local government representatives argue that these funds form part of its general revenue, which is not sufficient to provide services to discrete Indigenous communities.

The non-payment of rates by the majority of Indigenous communities has also impacted on the financial capacity of local governments to deliver services. However, importantly, it is also a major impediment to the development of positive relationships between Indigenous communities and local governments.

Key issues impacting on the limited nature of services provided to Indigenous communities by local governments include:

- Inadequate resources to service remote areas.
- Land tenure and consequential non-ratability of land.
- The 'private' nature of Indigenous communities and facilities.
- The availability of services and facilities to remote residents in town centers.
- A history of Federal, State and Indigenous agencies circumventing local government approvals and involvement.
- The current substandard nature of infrastructure.
- Current legislative impediments to the application of public health laws.
- A history of acrimony and misunderstanding between the parties.

It should be noted that the majority of Indigenous communities are concentrated in a relatively small number of local authorities which share common features which mitigate against effective service delivery - low population, vast areas, harsh environments, low proportion of rates to total income, high unsatisfied expenditure needs, and narrow local economic base.

The difficulties in providing services to remote Indigenous communities need to be recognised, as do the inadequacies of current funding levels. Endeavours to improve service delivery therefore need to include measures to augment the current financial capacity of local governments to service these communities. At the same time, however, there needs to be improved accountability in order to ensure an equitable and needs based allocation of available resources by local governments amongst all the competing areas of responsibility. This involves the full acceptance by Local Governments that Indigenous communities are part of their area of responsibility and are entitled to share equitably in the enjoyment of accessible services and amenities.

Some communities such as those on the Dampier Peninsula and the Jigalong community in the Western Desert have expressed interest in forming new Shires based on the relative success of the Shire of Ngaanyatjarraku. Generally, the desire of these communities to pursue separate local government status is driven by frustration at the failure of existing local government bodies to provide equitable services and by the perhaps erroneous belief that establishing a new Shire would result in significant new

resources. Studies undertaken by the DIA in the West Kimberley and Western Desert regions have found that a new local government would be almost totally reliant upon grant funding and that any additional funding attracted from the Local Government Grants Commission would largely be consumed by the administrative costs of running the new Shire.

Recent efforts in Western Australia to improve access to local government services have concentrated on negotiations with existing Shires to resolve service impediments and to improve relations. Progress has been made through the promotion of the principles of normalisation through improved development controls, town planning, the negotiation of service agreements and through the close involvement of local governments in programs such as ACSIP and the TRRP.

Other initiatives to improve local government services to Indigenous communities include the active promotion of increased Indigenous involvement in local government both as voters and candidates; a review of Ward boundaries in Shires with high numbers of Indigenous communities in order to promote increased representation of Indigenous people on Council; and the utilisation of the Advisory Committee structure established under the *Local Government Act 1995*.

A local government Focus Paper was developed by DIA in 1999 that was endorsed by the Aboriginal Affairs Coordinating Committee as the policy framework for improving access to local government services. The recommendations from that paper have informed the development of a recent draft Strategic Directions Paper developed by the Department of Local Government and Regional Development (DLGRD). Progress in implementing the recommendations of this paper has been impeded by a lack of resources within the DLGRD. A Memorandum of Understanding has recently been signed between DIA, DLGRD, ATSIC and the Department of Housing and Works to jointly fund a dedicated policy unit with DLGRD to progress these issues.

- It is recommended that the Government acknowledge the vital role that local governments have in improving services to Indigenous communities and confirm its commitment to the directions and recommendations outlined in the Focus Paper and the strategic directions paper developed by DLGRD.

5.3 Housing and Housing Management

Indigenous housing continues to be characterised by a severe shortfall in the financial resources required to meet outstanding needs. Although in the order of \$300 million is spent nationally on Indigenous housing, surveys of need indicate as much as \$4 billion may be needed to address the current deficit in housing and related infrastructure. Western Australia is ranked second after the Northern Territory in relation to overcrowding with more than 8% of the Indigenous population in the State living in dwellings with 10 or more persons

(The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Peoples, 1999).

The recent signing of the Indigenous housing bilateral agreement in Western Australia has resulted in an additional \$6.289 million for Indigenous housing over five years to take the annual State contribution to \$17 million. However, there is a need to continue to increase the funds available and to negotiate additional Commonwealth funds in order to make significant inroads into the current housing deficit. It should be noted that if public housing funds were allocated purely on a needs basis, then a significantly greater proportion of the Department of Housing and Works expenditure would be focused on the needs of Indigenous communities.

Importantly, as well as the need to address the significant backlog of housing need in Western Australia, there is an urgent need to improve the sustainability of the housing stock through improved management and maintenance practices. Improved housing design and building practices are yet to be backed up by adequate support to protect the significant capital investments being made by State and Commonwealth agencies.

Access to quality asset management and trade expertise is severely limited in remote areas resulting in a housing stock that deteriorates rapidly, often fails to provide for basic human needs and at times presents direct dangers in terms of unsafe electrical and other facilities.

There is no consistent rental policy for community housing and an ad hoc approach to repairs and maintenance. There is currently \$2 million of outstanding water debt in town reserve communities which is also symptomatic of poor housing management capabilities and at times unrealistic responsibilities thrust onto Indigenous organisations.

Despite innovative programs such as the Department of Housing and Work's (DHW) Management Support Program and Management Incentive Program, sustainable improvements to Indigenous housing management are not being achieved. Improved approaches are required to support the management and maintenance of the growing housing stock in discrete communities. These need to build the capacity of the Indigenous community housing sector to manage and maintain housing effectively but also recognise the need for additional support and expertise where required.

The Aboriginal Housing Board has recently endorsed a proposal for the expansion of the Remote Area Essential Services Program to address electrical and plumbing needs in internal housing. This proposal recognises that regular access to qualified electricians and plumbers is required in order to adequately maintain existing household facilities.

Increased investment is also required to ensure that the occupants of community housing have the skills and knowledge to effectively utilise housing facilities and to undertake day to day household management. There is a significant gap in this area since the abolition of the previously successful

homemaker program. This gap has been recognised through the recommendations of both the State Homelessness Taskforce and the Gordon Inquiry.

In summary, it is recommended that:

- Negotiations continue with the Commonwealth and State to increase the funds available to address the backlog of Indigenous housing and infrastructure.
- The Indigenous Housing and Infrastructure Council establish uniform rental policies for community housing stock to guide community rent collection.
- Priority is given to the extension of the Remote Area Essential Services Program to address the repair and maintenance needs of community housing in eligible communities.
- The effectiveness of existing approaches to the management of community housing in remote and town reserve communities be examined with a view to ensuring community access to appropriate housing management expertise in conjunction with long term strategies to build the capacity of Indigenous housing organisations.
- That DHW, Department for Community Development (DCD), Department of Health (DOH) and ATSIC collaborate to develop programs and services to improve skills in household management in Indigenous communities.

6.0 Targeting Service Delivery

There are obvious limitations to the resources available to governments to provide services to the 283 discrete communities¹ in Western Australia. It is therefore proposed that a strategic approach be adopted that concentrates resources in major service centers and at the same time improves access to services for smaller outlying communities.

The *Agreement on the Provision of Essential Services to Indigenous Communities in Western Australia (October 2000)* details a policy framework and service delivery principles for large remote and town reserve communities. This policy framework remains valid and has been used as a basis for the prioritisation of State and Commonwealth infrastructure funding with significant success in improving agency collaboration and targeting of resources to areas of highest need.

¹ Recorded from the 2001 Community Housing and Infrastructure Needs Survey

It should be noted that approximately 17,000 or 30% of Indigenous people in WA live in discrete communities. 40% of these people live in the 18 or so communities with populations of more than 200 people. These communities are currently the focus of key normalisation programs such as the ACSIP and the RCPSP.

There are a further 60 or so communities with a population greater than 50 that meet current State criteria for essential services support under the RAESP as outlined in the Essential Services Bilateral Agreement. These communities account for a further 40% of the population of discrete communities.

The remaining 20% (~ 3,400) live in the 200 or so small outstation communities that have generally been deemed the responsibility of the Commonwealth through ATSIC.

The large (more than 200 people) communities are equivalent to small mainstream towns and could potentially be formally gazetted as such under the Land Administration Act. Such communities should have equivalent access to State subsidies for power, water and sewerage, be serviced on an equitable basis by local governments and provide a base for key service agencies such as Police, DCD, Health, Education and the Department of Justice.

This approach is consistent with current work in transport and communications where it is recognized that insufficient funds are available to provide and maintain major infrastructure to all communities. It has therefore been proposed to establish a strategic network of all weather aerodromes and supporting road network to service remote communities. Similar nodes of telecommunications infrastructure have also been proposed through the Commonwealth Government's *Telecommunications Action Plan for Remote Indigenous Communities* (2002).

The "one stop shop" government offices proposed for remote communities by the Gordon Inquiry is also consistent with the need for a strategic approach to the delivery of government services and the focusing and sharing of resources to maximise benefits for residents. Funding is available through DLGRD's "Collocation Scheme" to encourage such resource sharing.

The problems of servicing the disparate needs of the many small outstation communities in Western Australia have been well recognised. The social and cultural benefits of the establishment of homeland communities on traditional lands needs to be balanced against the potential for a decrease in access to services. Problems have arisen in the past due to a lack of a clear policy framework to govern the establishment of new communities and unrealistic expectations of residents in terms of the level of services available.

This has been addressed in part through the establishment of State and ATSIC homeland policies. However, despite this policy framework, some

ATSIC Regional Councils continue the build and abandon approach that potentially places increased pressure on recurrent resources and puts at risk the health and well being of residents. Preliminary analysis of the 2001 Community Housing and Infrastructure Needs Survey (CHINS) indicates that new communities continue to be established with 24 additional communities being identified as compared to the 1997 EHNS.

It is suggested that greater scrutiny needs to be placed on the establishment of homeland communities. The establishment of the new Aboriginal Housing and Infrastructure Council provides an opportunity to establish a greater level of consistency and improved management of these issues. It is also suggested that the granting of land tenure by the State for the establishment of new communities provides an opportunity to ensure improved compliance with State and national policies.

In summary, it is recommended that:

- Service models and standards recognise the following four basic community categories:
 - Large remote communities (population greater than 200)
 - Small – medium remote communities (50 –199)
 - Homeland and emerging communities (1-49)
 - Town - based communities (access to town based services)
- That the policy framework and service delivery principles for remote and town based communities contained in the bilateral agreement on essential services be universally applied.
- Large remote communities (population more than 200) be recognized as equivalent to small mainstream towns and form the basis of a network of major service centers.
- Negotiations proceed with selected large remote communities to establish formal town sites under the Land Administration Act 1997.
- Improved controls be applied to homeland and outstation development consistent with the State Outstations Policy and that the Aboriginal Housing and Infrastructure Council monitor the implementation of these policies.

7.0 The Application of Normalisation to Human Services

The Gordon Inquiry has highlighted the repercussions of the selective application of laws and regulations that are in place for the protection of the residents of mainstream communities and the current unfair and inequitable distribution of resources to Indigenous communities.

The principles of normalisation that have been applied successfully to efforts to improve the quality and sustainability of physical infrastructure in Indigenous communities also need to be applied to the social and human services area.

7.1 Remote Policing

Law and order is a pressing priority for the residents of many remote communities. Indigenous women are 45 times more likely to be the victim of domestic violence than other Australians and are eight times more likely to be the victim of homicide (Gordon Inquiry 2002).

A number of communities have for many years sought a permanent policing presence in order to promote a foundation of safety, security and social stability for future community development. The achievement of sustainable outcomes in areas of health, education and economic development are dependent upon such a foundation. Yet, despite the horrific incidences of violence, property damage, sexual assault and drug abuse in many Western Australian Indigenous communities, few communities have a permanent police presence and none have a permanently manned police station.

This issue has again been highlighted in the submission to the State Government from the Shire of Ngaanyatjarraku and through the findings of the Gordon Inquiry. Recent events in the East Kimberley have demonstrated the difficulty in providing basic health and educational services due to the inability to guarantee the safety of workers in the absence of reliable policing services.

The introduction of back to back patrols in the Balgo community in the East Kimberley demonstrated that the occurrence of crime and anti-social behaviour can be rapidly reduced by half when police officers are present on a full time basis. Yet most communities are dependent on community wardens or Aboriginal Police Liaison Officers (APLOs) to maintain law and order. Wardens often do a tremendous job under enormous difficulties but have limited training, limited external support given the distance from uniformed police and have limited powers to deal with the issues with which they are confronted. Wardens provide an important mechanism for community empowerment and can provide an important supplementary service to Police. However, neither wardens nor APLOs should be a substitute for fully trained and equipped police officers and for a system of law and order that equates with that provided to the rest of the State.

It is understood that a recent review of remote policing undertaken by the WA Police Service has recommended the establishment of permanent police presence in Indigenous communities. It is recommended that the State Government give a high priority to this issue in order to establish a foundation of law and order on which to build future community development.

In summary, it is recommended that:

- Access to adequate and equitable police services is recognised as an essential foundation for the achievement broader social and economic outcomes.
- Permanent police resources be allocated in selected large permanent communities.
- Aboriginal Police Liaison Officers and community wardens be adequately supported to provide a supplementary service to uniformed police.

7.2 Universal Prevention

The Gordon Inquiry is one of a number of recent reports that have galvanised attention on some of the visible symptoms of community dysfunction and social disorder in Indigenous communities. Previous reports and initiatives both at a State and national level have focused on issues such as family violence, youth suicide, homelessness, drug abuse and contact with the criminal justice system. There are a number of common denominators underlying the findings and recommendations of these reports. These include the lack of services in remote communities to adequately support those at risk or those already affected by such issues; the capacity of both government and communities to deal appropriately with these growing problems; and the need to adopt a preventative approach that invests in strategies to prevent people becoming at risk in the first place.

The adoption of a “universal prevention” approach has been identified as a key strategy through the recommendations of the Community Drug Summit, the Aboriginal Suicide Prevention Steering Committee (ASPSC), the Aboriginal Family Violence Strategy and the Gordon Inquiry. It has also been adopted as a key social policy principle through the Ministerial Council on Aboriginal and Torres Strait Islander Affairs and the Indigenous Affairs Advisory Committee.

Much of this work has built upon the findings of the ASPSC that was established in 1998 to coordinate the implementation of strategies and services to prevent suicide and suicidal behaviour in Indigenous youth. The ASPSC developed a proposal to facilitate more integrated, locally relevant and culturally appropriate responses to address the issues underlying Indigenous self-harm and other adverse health, education and social outcomes. The proposal is built around current research findings of the Institute for Child Health Research, which suggests that interventions early in the lives of children, and those that are integrated across the whole ecological context in which they live, have the greatest likelihood of producing a sustained reduction in adverse social outcomes. Recent health economic analysis has also demonstrated the potential cost savings of such approaches over the medium to longer term.

While this proposal was initiated out of the need to develop community responses to the prevention of suicide it is evident that suicidal behaviour is but one of the adverse outcomes that require urgent attention within Western Australian Indigenous communities. It is also the case that problems such as juvenile and adult offending, sexual abuse of children and women, family violence and alcohol and substance misuse, all develop along similar pathways to suicide. The overlap of the risk settings and risk exposures in which these problems arise points to the need for significant investment in broadly based primary prevention.

There are currently a number of State Government forums grappling with social policy issues in Indigenous affairs that involve numerous State and Commonwealth agencies. Whereas there may be clear lead agencies with regard to responding to the service needs of those impacted by suicide (Health), child abuse (DCD) or crime (police), there is no clear lead agency responsible for driving the prevention agenda. There is also no clear peak forum charged with responsibility for identifying and addressing the gaps in programs and services.

Funds cannot be readily diverted from badly needed treatment or at risk programs to primary prevention initiatives. Additional funds are therefore required to model the approach in selected locations and to demonstrate the long term benefits to be gained. Current negotiations in the Ngaanyatjarra and Tjurabalan regions provide opportunities in this regard. At a community level there is considerable benefit in complementing the existing ACSIP in communities where infrastructure has been upgraded and community management initiatives are in place.

It is therefore recommended that:

- Universal prevention be adopted as a fundamental premise in Government's response to and implementation of the recommendations of the Gordon inquiry and broader social policy approaches.
- The principles of normalisation, equity and citizenship entitlements be applied to the delivery of human services.
- A peak social policy forum (comparable to the Environmental Health Needs Coordinating Committee) be established under the auspice of the IAAC to coordinate current activities in this area and to undertake strategic service mapping, gap analysis and priority setting (this may be achieved through an existing forum).
- This forum liaise closely with other existing forums such as the Aboriginal Justice Issues Senior Officer's Group, the Early Years Taskforce and the IAAC Working Party on the Prevention of Child Abuse to establish clear terms of reference and reporting roles and responsibilities.

- That the role out of the Government's social policy reform agenda complement existing initiatives such as the Aboriginal Community Strategic Investment Program and the development of regional agreements consistent with the implementation of the Statement of Commitment.

8.0 Indigenous Governance and Community Capacity Building

Sustainable improvements to the social, cultural and economic well being of Indigenous people in discrete communities cannot be achieved without effective community governance and an investment in the capacity of communities and individuals to manage their affairs.

8.1 Self-Management

Over the past 30 years, the shift from early government or mission run settlements to communities that are largely self-managed has reflected a desire by governments to respect Indigenous people's right to self determination. Unfortunately, this change in policy was not accompanied by a transfer of resources and expertise to communities that were largely unskilled and inexperienced in municipal management. The legacies of this change are still being felt today as communities either sink or swim often based on the presence or absence of a few skilled and committed individuals.

The complexities of self-managing communities was further complicated by the protection and assimilation policies inflicted on Indigenous people in the preceding decades. Through these policies, people were removed from their traditional lands and located in settlements that usually bore little resemblance to traditional Indigenous groupings. Traditional patterns of interaction were severely disrupted through the forced socialisation of different clan and language groups or family members leaving an enduring legacy of confusion and conflict.

Since the 1970s and government policies of self determination and self management there has been a rapid growth of Indigenous organisations and incorporated groups representing various forms of indigenous governance at local, regional, State and national levels. There are now several thousand separately incorporated Indigenous organisations in Australia that range from community councils and local associations to Land Councils, Native Title Bodies and ATSIC Regional Councils.

These organisations are important expressions of increased Indigenous control and many serve vital functions in the provision of services and support to Indigenous people. Importantly, many of the smaller associations have developed in an ad-hoc manner and often in response to dissatisfaction with other structures, often imposed by government, that were not meeting the expectations of all community members.

Some associations have similar or overlapping functions and some compete actively for resources. Many such organisations also have limited capacity or expertise to fulfill their purpose or to meet the obligations they have to funding bodies and to their members. There is perhaps potential to rationalise the number and purpose of some organisations in order to maximise the efficient use of scarce resources.

This limited capacity is exacerbated by the funding relationship between Indigenous organisations and government. The need to fit community needs and priorities into predetermined program guidelines via short term funding submissions together with the often onerous accountability requirements of funding agencies creates a complex administrative environment. The scarce resources and expertise of community organisations is often consumed by the need to meet submission deadlines and reporting requirements to the detriment of the achievement of the purpose for which the organisation is established. A lack of progress results in more stringent bureaucratic requirements and further paralysis of the organisation.

Indigenous organisations have the complex task of negotiating between the differing political positions and cultural imperatives of both the mainstream and the Indigenous community. There is therefore a potential incompatibility between the demands on organisations and individuals to fulfill external accountability requirements, and the meeting of obligations to constituents who are concerned with social, cultural and political obligations.

Pearson (2000) sees self-determination as the right of Indigenous people to take responsibility as well as the willingness and capacity to fulfill that responsibility and to be morally accountable to other Indigenous people for the efficient use of resources. This internal accountability is seen as a far more powerful justification for the equitable and transparent utilisation of resources than the requirements of distant bureaucracies. The link between internal and external accountability and the achievement of organisational self determination are discussed in detail by Martin and Finlayson (1996).

8.2 Internal Accountability and Governance Structures

Most Indigenous organisations are incorporated under the Commonwealth *Aboriginal Councils and Associations Act 1976*. Accountability under this Act is largely expressed in terms of financial and procedural accountability to the Registrar's office. There is less emphasis on the accountability of an organisation to its Indigenous members or clients. Organisations that are more accountable to their members are more likely to be effective in meeting their objectives and are more likely to be financially accountable. There are many effective Indigenous service delivery and support agencies that have developed mechanisms to ensure equity in service delivery and decision making.

The inherent tensions between public accountability and self determination can therefore be potentially reconciled through effective mechanisms to enhance internal accountability. This includes encouraging the development of governance structures that are broadly inclusive of the major interest groups relevant to the purpose of the organisation. This would appear to a precondition for effective governance and efficient management.

There are few formal requirements to ensure that the governing committees of Indigenous organisations represent the various groupings that the associations serve. This contributes to dissatisfaction within the Indigenous community and encourages high turnover of governing councils, subsequent instability and the potential for the formation of breakaway organisations. This contributes to the natural “fission” of Indigenous organisations described by Martin and Finlayson (1996).

A further illustration is the desire of some Indigenous communities that are dissatisfied with the adequacy of current local government service delivery to seek to establish independent local governments in order to improve representation and achieve a more equitable allocation of resources. This is contrary to the trend to amalgamate local governments and to achieve greater economies of scale.

Indigenous communities operate under a complex system of traditional laws and are characterised by a complex network of allegiances based on family or clan groupings and traditional connections and obligations. They are typically highly factionalised and there is a strong emphasis on individual or local group rights and autonomy. Both these themes contribute to a tendency for localised decision making and an emphasis on maintaining internal relationships. There is therefore a potential conflict between traditional Indigenous decision making processes, which encourage desegregation and the tendency of government to work with wider regional groups, or centralised structures.

In order to establish effective structures and processes for negotiation between Indigenous representatives and government, there needs to be a balance between localised autonomy and economies of scale. This balance may differ for negotiations about policy and service planning and the delivery or management of services.

Westbury and Sanders (2000) discuss the benefits of “dispersed self-governance” in order to maintain appropriate and viable structures at the local level that promote representation of key interest groups. They also recognise that such local groups often do not have the capacity or expertise to carry out the wide range of service functions required at a community level. It is therefore proposed that such localised structures need to be complemented by and linked to larger specific purpose regional service agencies and have access to mainstream services and expertise.

The structure of local and regional governance has implications for the negotiation of regional agreements as envisaged in the *Statement of Commitment*. These agreements are seen as a framework for the recognition of localised decision making processes and the establishment of efficient service delivery mechanisms that recognise both the responsibilities of government and the aspirations and capacities of communities.

Another model of governance has developed in the south west of Western Australia through the Community Action Groups (CAGs). CAGs are local Noongar initiatives that seek to improve the representation of interest groups in negotiations with government. The formation of CAGs has effectively empowered Indigenous families in specific localities through equal representation of all the key family groupings to represent Noongar issues.

In remote areas of the State, the Department of Housing and Works is working with Indigenous communities through the ACSIP to improve the representational structure of community councils in order to improve governance, internal accountability and community stability.

DIA and the Aboriginal Lands Trust (ALT) also work closely with community groups as part of the ALT land transfer program to ensure appropriate structures and representation of all interest groups in order to transfer management orders and titles to the most appropriate holding body.

This work is illustrating the point that effective representation in Indigenous communities is not necessarily based on individual equality or on the principal of "one vote one value". Rather the right to speak is based on having certain interests or qualifications such as land ownership, cultural authority or family membership.

For government to work effectively with Indigenous people it needs to recognise the need for flexibility in negotiating with Indigenous people and to acknowledge that appropriate governance structures and processes may differ according to changing circumstances and to the subject being discussed.

8.3 Community Capacity Building

The lack of sustained progress in shifting key indicators of Indigenous disadvantage is directly linked to the inequities in current service provision and to the unrealistic expectations thrust on communities. It is also directly linked to the capacity of individual communities to cope in this situation. Some communities manage better than others. The reasons for this are complex but can be directly related to:

- effectiveness of community leadership and governance.
- the degree of social and cultural cohesion;
- internal staffing levels, expertise and continuity;

- individual capacities to take responsibility and to utilise existing resources to tackle problems; and
- the level of service and funding provided by government.

The United Nations defines capacity building as:

“the process by which individuals, organisations, institutions and societies develop abilities (individually and collectively) to perform functions, to solve problems and to set objectives”.

Capacity relates to the ability of communities to function efficiently and to cope with the demands of their interactions with government and the wider community. This is dependent upon the level of skills available to the community for good governance and community management. It also relates to the level of disadvantage faced by the community and to the community’s social and political organisation.

The 1997 Environmental Health Needs Survey identified poor community management and administration in many remote communities as a major obstacle to sustainable improvements across key indicators of environmental health. Communities with a history of poor management and high levels of social disruption tend to be those with reduced asset life, high repair costs and a recurring need for capital replacement.

These communities therefore, either tend to get more than their share of resources as they constantly have high need or, they are avoided completely by agencies under pressure to show value for money - therefore resulting in reduced funding opportunities, consequential increased disadvantage and a subsequent downward spiral for the community.

Addressing the issue of capacity is critical not just in order to sustain improvements in the physical well being of residents, but also the social, cultural and emotional well being which contribute to the resilience of the community as a whole. The managerial competence of a community is directly linked to the level of social disadvantage. Similarly, a community’s social and political organisation and the degree of social disruption and disadvantage directly impact on the success of government programs designed to address that disadvantage.

The report *“Revisiting the Old in Revitalising the New – Capacity Building in Western Australia’s Aboriginal Communities”* completed in June 2000 by the North Australian Research Unit (the NARU Report), found that building the capacity of Indigenous communities to manage their affairs was crucial in order to improve the poor conditions currently experienced by these communities. The report made a number of recommendations including the need to improve access to government services, training, mentoring and leadership support; community staff recruitment and competencies; engagement with communities, governance structures and the need for a single agency responsible for overall Indigenous community development.

The Department of Indigenous Affairs is currently working with State, Commonwealth and local government agencies to progress a number of initiatives consistent with these recommendations. These include:

- Working with training providers and funding agencies to coordinate the delivery of governance training to Indigenous organizations.
- Developing a staff recruitment and workplace relations service to support communities in attracting and retaining competent staff.
- Developing protocols and guidelines for consultation and engagement with Indigenous people.
- Facilitating Indigenous input to the State Leadership Framework.

The Gordon Inquiry has strongly endorsed further work to develop the governance, management and leadership capability of Indigenous communities and calls for a comprehensive response to these issues across government.

In summary it is recommended that:

- The complexities of self managing communities and the limited capacities of many communities to engage with government and to deliver effective services are recognised.
- That stable and effective community governance and management be recognised as fundamental to achieving social and economic improvements.
- That initiatives to improve governance, community management and leadership be given a high priority and funding support by government.

9.0 BUILDING THE CAPACITY OF GOVERNMENT

The notion of a partnership with reciprocal responsibilities as envisaged in the Statement of Commitment places an onus on the State Government, working in conjunction with Commonwealth and Local Governments, to perform effectively and efficiently in its dealings with Indigenous people.

The Federal system of government in Australia means that we operate under three spheres of government each with specified and often related or overlapping functions. There are many advantages of such a system of government, however, there are also added complexities such as the potential for confusion about roles and responsibilities; the potential for duplication and waste, the potential for buck passing for policy failures and complicated and competitive fiscal arrangements.

Indigenous affairs, perhaps more than most areas of government, has suffered from all of these complexities. In addition, Indigenous people must not only work with the three spheres of government but must sort through the myriad of separate State and Commonwealth Government agencies that have been created to deliver specialised services and advice. The natural

compartmentalisation of Government to deal with specific issues contrasts with multi-dimensional nature of many of the problems in Indigenous affairs.

The traditional response to the fragmentation of government agencies and programs is to establish interagency committees. These may serve important functions but can often be time consuming and may lose focus unless tasked with specific responsibilities and reporting requirements. There are currently a multitude of interagency committees operating in Western Australia which need to be rationalised under the auspice of the Indigenous Affairs Advisory Committee. Another response to the complexities of government is to create other departments charged with the responsibility of coordinating the activity of others. The difficulties encountered by agencies such as the DIA and ATSIC, which have a coordinating mandate, can not be understated. Indigenous people represent 3% of the Western Australian population and 100% of the client group of these agencies. Engaging other agencies that have mainstream service responsibilities but for which Indigenous people represent only 3% of their client group has obvious difficulties in terms of relative priorities. The very existence of these agencies can serve to marginalize the needs of Indigenous people as a matter to be dealt with by the specialist Indigenous agencies rather than as part of the core business of every agency with functional responsibilities.

Successful collaboration has tended to occur with agencies where Indigenous people are over-represented as a client group; where there is a strong personal commitment from individual agency staff; or where there is political or other pressure to address particular issues.

There has been some recent success stories in Western Australia in coordinating the activities of a number of government agencies to achieve outcomes in conjunction with Indigenous people. This includes the work of the Environmental Health Needs Coordinating Committee and its network of regional coordinating forums that has been recognised as national best practice in the coordination and targeting of environmental health programs. The establishment of the WA Aboriginal Justice Plan was also a significant achievement representing a partnership between a number of government agencies and the Aboriginal Justice Council. The negotiation of multilateral service agreements in the Shires of Broome and Derby-West Kimberley are major achievements delivering immediate and practical outcomes.

It is of concern that such achievements appear to be the exception rather than the rule in Indigenous Affairs or indeed within government. This is because the system of government militates against such successes. They have to be achieved against a backdrop of agency autonomy where each department plans independently and is responsible for its own outcomes. Defined program objectives, budget allocations and accountability requirements often discourage the flexibility and innovation that is necessary to effectively integrate the activities of a number of agencies in order to respond effectively to local needs and to emerging whole of government priorities.

The *National Commitment to Improved Outcomes in the Delivery of Services for Aboriginal Peoples and Torres Strait Islanders*, endorsed through the Council of Australian Governments 1992, provided an important framework for improving coordination and defining intergovernmental responsibilities in Indigenous Affairs. Under the auspices of the National Commitment, bilateral agreements have been developed in Western Australia in the functional areas of Health, Housing and Essential Services. Negotiations have recently commenced on a further bilateral agreement in the area of roads and transport.

These agreements have been a significant step forward in clarifying program and funding responsibilities and in establishing processes for negotiation with Indigenous representatives about the design, delivery and evaluation of government services. In some cases these agreements establish an effective framework for the development of regional planning and service delivery models.

The Statement of Commitment confirms a commitment to seek regional and local approaches to improve the responsiveness of government to Indigenous needs and priorities through the negotiation of agreements based on partnerships and reciprocal responsibilities. This is being overseen by the Indigenous Affairs Advisory Committee (IAAC), the purpose of which, is to promote a coordinated response to the needs and priorities of Indigenous people and to provide advice to Government on the effective delivery of services.

The IAAC is leading a number of key initiatives which seek to link government agencies in developing joint strategies around key priority areas for action including:

- Child development and growth
- Early school engagement
- Building on the strength of Indigenous community and culture
- Breaking the cycle of alcohol and substance abuse and ending tobacco use
- Functional and resilient families and communities
- Functioning community infrastructure

At a national level the Council of Australian Governments (COAG) has agreed to a national reconciliation framework to address social and economic disadvantage through an approach based on partnerships, shared responsibilities, program flexibility and a focus on local communities and outcomes. At both a national and State level, governments are seeking to drive change through the establishment of key benchmarks and performance indicators in Indigenous affairs.

The COAG agenda and the Statement of Commitment in Western Australia provide an important framework for a new way of working that has the support

of Indigenous representatives and Governments at the highest level. The next step is the continued development of these frameworks and the implementation of realistic, practical and measurable strategies in partnership with Indigenous people throughout the State.

It is recommended that a coordinated process to build the capacity of government is undertaken including:

- reviewing the current policy, legislative, budget and output purchasing framework;
- training, development and public sector cultural change for relevant public sector managers and directors including:
 - engaging in partnerships with communities in general, and Indigenous communities in particular;
 - contemporary approaches to applied community development;
 - contemporary approaches to public sector management including collaborative ways of working;
- reviewing financial and other delegations to enable operational managers to have the flexibility to negotiate and implement local solutions to local issues.

It is also recommended that government purchasing decisions in Indigenous affairs be informed by advice from the Department of Indigenous Affairs on current interagency strategies and agreed funding priorities.

KEY COMMONWEALTH AND STATE INFRASTRUCTURE PROGRAMS

Remote Area Essential Services Program (RAESP)

RAESP is a joint Commonwealth/State program for the provision and maintenance of water, power and waste water services in remote Aboriginal communities.

ATSIC provides funds for capital works for all communities while the Department of Housing and Works (DHW) funds repairs and maintenance to selected communities. (ATSIC provided around \$8.7 million in 2000-01, while the annual State contribution is around \$7 million per annum).

A Program Manager (Ove Arup) is appointed jointly by DHW and ATSIC to oversee the program who reports to a steering committee convened by DIA which also includes the Office of Energy and the Office of Water Regulation.

For RAESP purposes Western Australia is divided into three regions (Kimberley, Pilbara/Gascoyne and Goldfields/Central Reserves) which are serviced by contracted service providers. Planned maintenance services are undertaken every 6-8 weeks. Water testing is undertaken on a monthly basis.

The criteria for receipt of State funding are detailed in the Essential Services Bilateral Agreement. Communities eligible for State RAESP support are generally those communities of 50 people or more with an agreed standard of infrastructure.

Currently 71 communities are funded by DHW for repairs and maintenance. ATSIC provides additional maintenance funds to a further 9 communities bringing the total to 80 communities. ATSIC also provides contingency funds through Regional Councils for emergency service and repairs to water supply and other basic infrastructure in communities not formally contracted under the RAESP.

The RAESP capital works program is developed on the basis of independent needs assessments and consultation across Western Australia's nine ATSIC regions. Each Regional Council endorses a capital works program which is initially developed by the Program Manager based on assessed priorities.

RAESP has a strong emphasis on providing community-based training and employment opportunities. The WA Department of Training and the Commonwealth Department of Employment, Workplace Relations and Small Business provide financial assistance for conduct of the training program. There are currently 50 people in accredited ESO (Essential Services Officer) training; approximately 30 have completed an earlier course, twenty of whom are now employed on a full or part time basis.

Town Reserves Regularisation Program

Joint DIA, ATSIC and DHW program which seeks to upgrade essential (power, water and sewerage) and municipal (roads and communal facilities) services to town reserves communities.

The aims of the Regularisation Program are to:

- . improve service and environmental health outcomes for residents;
- . transfer maintenance responsibilities for community infrastructure to relevant mainstream agencies;
- . provide long-term cost savings by reducing future demand on ATSIC and DHW resources;
- . reduce problems relating to payment of water and power accounts.

The Regularisation Program seeks to upgrade service infrastructure to a level where mainstream authorities (Water Corporation, Western Power and local governments) can take it over, and similarly to upgrade road systems to levels likely to be acceptable to local Councils.

The program targets approximately 45 town based communities. An initial 26 communities are earmarked for Stage 1 of the program at a cost of \$10.5 million. \$5.6 million has been allocated over the next three years. The program is being coordinated through DHW.

In the meantime an “Interim Policy for Dealing with Urgent Environmental Health Needs and Unpaid Utility Accounts in Town Reserve Communities” has been developed whereby the DHW acts as a ‘clearinghouse’ to deal with urgent maintenance problems that arise from time to time.

Aboriginal Communities Strategic Investment Program (ACSIP)

This program was developed by DIA in 1996 as a pilot project in response to the recommendations of the report of the Chief Executive Office Working Party on Essential Services (Hames Report). It is now administered by DHW and has a budget of some \$4-5 million per year.

It aims to ensure that remote communities have access to essential, municipal and administrative services of a standard comparable to that of mainstream towns of similar size.

ACSIP has four key objectives:

- . increased involvement of local government in the delivery of municipal services to ACSIP communities;

- . □ improved community management and administration;
- . □ normalisation of the delivery of power, water and sewerage services; and
- . □ contributing to an improvement in the environmental and individual health of communities.

One element of the ACSIP is the Environmental Health and Dust Abatement Program, which comprises a targeted program to seal internal roads (possibly with additional support from the Department of Main Roads), fund landscaping and greening initiatives, and in some cases provide swimming pools.

ACSIP targets selected large remote communities (population over 200). There are current projects in Oombulgurri, Kalumburu, Jigalong, Yandeyarra, Burringurrah, Nambi Road, and the Dampier Peninsula communities.

Aboriginal and Remote Remote Community Power Supply Program

Section 8.0 of the Essential Services Bilateral Agreement refers to a “Statement of Intent” by the State Government to pilot an Aboriginal community power procurement process, whereby the State Government will assume increased responsibility for power supply to selected communities in Western Australia. This is a vital process in ensuring access to reliable and affordable power supplies in remote communities consistent with the normalisation process.

Wangkatjunga, Bidadanga and Warmun have been selected as the first stage of a pilot process that has been approved by State Cabinet. These communities will be included in a procurement process to be coordinated by the Office of Energy in conjunction with ATSIC and DIA, whereby tenders will be called for power providers to generate and sell power to those communities.

Importantly, it is proposed that the gap between revenue collected at uniform tariff prices and production costs would be met as an operational subsidy to be negotiated between the Commonwealth and the State. The model proposes that the State component of this subsidy would be a community service obligation payment directly to the service provider. It is intended that this process initially target the largest remote communities (population more than 200).

National Aboriginal Health Strategy (NAHS)

NAHS is a national program to improve environmental health conditions in Aboriginal communities through the provision of housing and infrastructure targeted to address need. Funding for the current triennium totals \$35.5 million.

The program emphasises improved water supply, waste water disposal, housing, power supply, rubbish disposal and dust control. In light of findings of

Western Australia's Environmental Health Needs Study, there is an increased emphasis on solid waste disposal in the second round of NAHS. In Western Australia the NAHS program is managed by the engineering firm PPK.

Decisions on the allocation of NAHS funds involve the development of a program of prioritised projects based on health impact assessments. Relevant assessment criteria include level of need, value for money (eg the size of population that would benefit), the nature of services required (water is normally a top priority), and the likely sustainability of gains. Funding is ultimately allocated to the those communities ranked highest in priority across the State.

2000/2003 NAHS projects include: Bardi, Muladja, Mt Margaret, Kalumburu, Mindibungu, Mugarinya, Moongardie, Kiwirrkurra, Yiyili, Yungngora, Wirrimanu, Looma and Mardiwah Loop.

ATSIC Army Community Assistance Program (AACAP)

AACAP is a joint ATSIC and Army initiative that provides infrastructure and housing to remote Aboriginal communities using the design, management and construction resources of the Army and with funding from ATSIC and FACS. The program has a twofold purpose:

1. to address housing and infrastructure needs on Aboriginal communities; and
2. to provide Army project management and construction units with relevant training opportunities.

AACAP is coordinated closely with NAHS and is currently undertaking some \$10 million worth of works in Indigenous communities on the Dampier Peninsula.

