



New South Wales

COPY

The Hon. Paul Lynch MP

Minister for Ageing
Minister for Disability Services
Minister for Aboriginal Affairs

27th May 2009

Ms Lynn Lovelock
Clerk of the Legislative Council
Clerk of the Parliaments
Parliament of New South Wales
Level 8, Macquarie Street
SYDNEY NSW 2000

Dear Ms Lovelock

Attached is the Whole of Government Response to the Recommendations of the Legislative Council Social Issues Committee's Inquiry into Overcoming Indigenous Disadvantage.

Please arrange for an out-of-session Tabling of this document.

Yours sincerely

Paul Lynch MP
Minister.

Received at 10:00am
Wednesday 27 May 2009
Lynn Lovelock
Clerk of the Parliaments



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A handwritten signature in black ink, appearing to read 'Paul Lynch'.

Paul Lynch MP
Minister

REPORT ON OVERCOMING INDIGENOUS DISADVANTAGE RECOMMENDATIONS

Whole of Government Response to the Legislative Council Standing Committee on Social Issues Recommendations into Overcoming Indigenous Disadvantage

The NSW Government is committed to working in partnership with Aboriginal people to strengthen communities and improve services. The NSW Government is open to new ideas and approaches to improving the unacceptable conditions faced by many Aboriginal people in NSW.

In August 2007 the Minister for Aboriginal Affairs, the Hon Paul Lynch MP, provided the Legislative Council Standing Committee on Social Issues with a wide ranging terms of reference aimed at identifying opportunities for strengthening the NSW Government's response to Aboriginal disadvantage in NSW.

Over the next 18 months the Committee considered submissions and conducted 13 public hearings. To ensure strong Aboriginal voice, public hearings were conducted in locations such as Redfern, Armidale, Kempsey, Dubbo and Nowra.

As a result, the Committee developed 23 recommendations which identify opportunities to fortify the Government's response to Aboriginal need. Many of the recommendations closely align with work already underway.

The NSW Government is not shying away from the need for increased focus on addressing Aboriginal need. At a national level, the Government has signed up to a range of targets through the Council of Australian Governments (COAG). These targets are:

- Close the life expectancy gap within a generation
- Halve the gap in mortality rates for Indigenous children under five within a decade
- Halve the gap in employment outcomes between Indigenous and non-Indigenous Australians within a decade
- Halve the gap for Indigenous students in reading, writing and numeracy within a decade
- All four year olds in remote communities have access to early childhood education within five years

The Government is driving an ambitious work program aimed at ensuring that NSW, the state with the greatest Indigenous population, moves decisively to achieve these goals.

This Government, through the COAG process, has signed up to a range of National Partnership Agreements which will result in positive benefits for Aboriginal people in NSW.

The Indigenous Economic Participation National Partnership will significantly improve opportunities for Indigenous people to engage in private and public sector jobs through:

- creating real sustainable employment in areas of government service delivery that have previously relied on subsidisation through the Community Development Employment Projects program;
- strengthening current government procurement policies to maximise Aboriginal employment; and
- identifying opportunities to increase Aboriginal public sector employment.

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The Government will shortly commence work in Wilcannia and Walgett in partnership with the Australian Government and local communities to improve local service delivery and coordination through the Remote Service Delivery National Partnership Agreement.

Through the Indigenous Early Childhood Development National Partnership Agreement the Government is working with communities and the Australian Government to improve the start that Aboriginal children have in life.

A key element of this Agreement is the development of nine Children and Family Centres across NSW. These centres will deliver a range of integrated child and family services for children and families living in areas with high proportions of Aboriginal people. The centres will be situated in a combination of urban, regional and rural locations. The Government has recently commenced a process of consultation with Aboriginal organisations to finalise the locations of these centres.

In addition, the Government is committed to a comprehensive COAG work plan which includes the development of an urban and regional strategy. The Government is also committed to a range of initiatives through mainstream national partnership agreements which have identified Aboriginal specific outcomes.

The NSW Government's State Plan reflects the need for a holistic and focussed approach to overcoming Aboriginal disadvantage. The Plan signifies a strengthened commitment to meeting the needs of Aboriginal people in NSW. State Plan Priority F1, *Strengthening Aboriginal Communities* identifies clear, transparent targets which focus on five focus areas:

- Safe families – Aboriginal families supported to live free from violence and harm.
- Education – Increase the readiness to learn of Aboriginal children at school entry.
- Environmental health – All Aboriginal communities in NSW have equitable access to environmental health systems – water, sewage and waste management.
- Economic development – Increase Aboriginal employment.
- Build community resilience.

The State Plan also identifies a number of key priorities which were identified as important to all people in NSW, that were identified as having a significant impact on the wellbeing of Aboriginal people. These include:

- Reduced rates of crime, particularly violent crime;
- Reducing re-offending;
- Embedding the principle of prevention and early intervention into Government Service delivery in NSW;
- Increased participation and integration in community activities;
- Increased proportion of children learning with skills for life and learning at school entry;
- Reduced rates of child abuse and neglect; and
- Increasing levels of attainment for all students.

Two Ways Together, the NSW Government's Aboriginal Affairs Plan, is the guiding statement for this Government's work with Aboriginal people in NSW. *Two Ways Together* drives the Governments delivery of its State Plan commitments. *Two Ways*

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Together is more broadly the Government's commitment to a coordinated, whole of government focus to meeting the needs of Aboriginal people in NSW.

Two Ways Together recognises that the interconnected causes of Aboriginal disadvantage and the need for holistic and coordinated responses. Since the implementation of *Two Ways Together* begun in 2003, there has been significant investment and focus on programs aimed at improving outcomes for Aboriginal people, with a focus on improving government agency coordination.

Through *Two Ways Together*, the Government is committed to working with and building on the strengths of Aboriginal communities at a state, regional and local level.

The Government's commitment to the safety of children and families has been supported by both the *Interagency Plan to Tackle Child Sexual Assault in Aboriginal Communities* and the rollout of the Government's Safe Families Program. More recently, the Government released *Keep Them Safe*, the Government's response to the Wood Special Commission of Inquiry into Child Protection Services in NSW. *Keep Them Safe* sets out the NSW Government's five year plan to improve the safety and wellbeing of children and young people. *Keep Them Safe* identifies a range of immediate, short term and long term actions which seek to build on community strengths to ensure the safety of Aboriginal children and young people.

Both nationally and at a state level the NSW Government remains dedicated to improving Aboriginal wellbeing through working in partnership with Aboriginal people and by engaging all levels of government. The NSW Government recognises that without sustained, integrated effort the significant gap between outcomes for Aboriginal people and the wider population will not be closed.

The following section details the Government response to each of the recommendations of the Committee.

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Recommendations

Recommendation 1

That the NSW Government includes Aboriginal-specific targets in the relevant Priority areas of the State Plan as part of its next review. The targets should be derived from existing targets included in the *Two Ways Together* plan, and should include Aboriginal-specific justice indicators relevant to Priority Areas R1, R2 and R3.

SUPPORTED

The Government will review the State Plan and State Plan indicators and the review will consider which priorities are most appropriate for Aboriginal specific indicators.

Recommendation 2

That the NSW Premier take steps to ensure that collaboration between the different levels of government in the coordination of service delivery, and consultation with Aboriginal communities, is given a high priority during future Council of Australian Government meetings on Indigenous issues.

SUPPORTED

NSW will continue to foster consultation and engagement with Aboriginal communities through the Partnerships Community Program and more broadly through *Two Ways Together*, to support and engender collaboration between levels of government, and to place a high priority on these in future COAG meetings on Indigenous issues.

Recommendation 3

That the Premier report to Parliament on the first sitting day of each parliamentary year, on the progress the NSW Government has made in closing the gap between Indigenous and non-Indigenous Australians. Aboriginal communities' views, as expressed through existing representative structures, on the government's success or failure addressing Indigenous disadvantage must be a key component of the Premier's report to Parliament.

PARTIALLY SUPPORTED

Reporting on the COAG agreed Closing the Gap targets is a nationally agreed strategy outlined in the National Indigenous Reform Agreement. As such, the NSW Government will provide information to the Australian Government for incorporation into the Prime Minister's annual report to the Federal Parliament regarding progress on the COAG agreed Closing the Gap targets.

The NSW Government understands that the national representative structure for Aboriginal people to be established by the Australian Government will also provide input into this annual report to the nation.

Additionally through *Two Ways Together* a biennial report on indicators relating to the wellbeing of Aboriginal people is produced.

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Recommendation 4

That the NSW Government require government departments and agencies involved in the delivery of services to Aboriginal communities to use the representative structures established by the Department of Aboriginal Affairs' *Two Ways Together* Partnership Community Engagement strategy to conduct their business.

SUPPORTED

The need to work through one identified governance structure was a key theme identified in the community consultation sessions held as part of the development of the *Two Ways Together* Partnership Community Program.

In response, Guidelines for the Partnership Community Program reflect the commitment from NSW Government agencies to work through the same community governance bodies endorsed by each community under the Framework on community wide issues.

The Guidelines recognise the status of the NSW Aboriginal Land Council as a state elected body. In addition, the Government recognises the value of continuing portfolio specific consultation processes with Aboriginal peak bodies, such as the Aboriginal Health and Medical Research Council and the Aboriginal Education Consultative Group.

Recommendation 5

That the Department of Aboriginal Affairs increase the staffing complement of Partnership Community Officers to adequately support the *Two Ways Together* Partnership Community Engagement strategy. Additional funds must be allocated to the Department of Aboriginal Affairs to fund any additional positions. The Committee suggests that 40 Full Time Equivalent Partnership Community Officer positions may be an appropriate staffing level.

PARTIALLY SUPPORTED

40 *Two Ways Together* Partnership Communities across NSW have been identified to begin participation in the Program. Twenty (full time equivalent) Partnership Community Project Officers will initially support these communities, and this number is expected to be sufficient to adequately assist communities to set up community governance bodies and develop Community Action Plans.

Under the Program there is a commitment to work with Partnership Communities until they have established an effective governance structure and a Community Action Plan. While it is expected that this will be done within a two year period, communities will not be disadvantaged should additional time be required.

Recommendation 6

That the Department of Aboriginal Affairs meet expenses associated with attending and participating in Partnership Community Engagement group meetings, such as travel expenses and meals.

SUPPORTED

A budget of \$3,000 per Partnership Community governance body has been set aside in the DAA budget for the purposes described in this recommendation.

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Recommendation 7

That NSW Government agencies engage Aboriginal communities to identify local problems and solutions, and tailor programs delivered in a community accordingly.

SUPPORTED

The NSW Government, through *Two Ways Together*, recognises that Aboriginal people know best the needs of their community. There already exist a range of structures in place, for example Community Justice Groups and Community Working Parties, through which government agencies are working with communities to identify both issues in particular communities and appropriate responses to address these.

The NSW Government commitment to work with communities to develop responses to meet their particular needs is also reflected in *Keep Them Safe*, the Government's response to the Special Commission of Inquiry into Child Protection Services in NSW.

The *Two Ways Together* Partnership Community Program, which is the local level of *Two Ways Together*, will provide a key mechanism for local level engagement. There are 40 Partnership Communities across NSW. These are locations where government agencies and Aboriginal communities, working through a community governance body will work closely together. Jointly they will identify local needs and develop Community Action Plans. These plans will provide evidence based practical service delivery responses and initiatives, determined by the local community. These will meet local needs and strengthen community wellbeing. The plans will also ensure that services required by Aboriginal people are accessible, culturally appropriate and deliver results.

Complementing the program is the development of a toolkit aimed at supporting communities in identifying and addressing local issues in partnership with government.

There already exist a range of strategies and mechanisms in place for working effectively with Aboriginal communities at the local level. These include:

- Protecting our Places, an Environmental Trust program aimed at protecting land that is culturally significant to Aboriginal people and to support environmental education projects. The Aboriginal Land Clean-Up Program aims to reduce the incidence of illegal dumping across NSW whilst working with Aboriginal communities to improve health, education and social outcomes for Aboriginal people.
- Adaptive Environmental Management Plans (AEMPs) which are part of the Wetland Recovery program. AEMPs have an Aboriginal Cultural Values component. Aboriginal communities have been engaged to identify the values they hold with regards to the Macquarie Marshes and Gwydir Wetlands, and local communities have been able to provide ideas on how they can protect country, undertake cultural activities on country, and participate in the management of the wetlands.
- Department of Education and Training Regional Offices, TAFE colleges and schools in the respective regions, have Education Teams that consist of Education Consultants, Aboriginal Community Liaison Officers, Home School Liaison Officers, Aboriginal Education Workers and other key personnel. These

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staff work closely with schools and TAFE colleges to design and deliver a broad-range of programs that address the needs of the student holistically, taking into consideration academic, social and cultural factors, which all affect the overall academic achievement of students.

- Area Health Services have developed, or are in the process of developing, related Partnership Agreements with individual Aboriginal Community Controlled Health Services or consortia of the same, such as the Bila Muuji Aboriginal Health Service Incorporated in mid-western NSW (Greater Western Area Health Service) or the Many Rivers Aboriginal Medical Service Alliance on the north coast of NSW (North Coast Area Health Service). Such agreements enable the development of health specific responses to community needs.
- The NSW Police Force has established 33 Local Area Command Aboriginal Consultative Committees for the purpose of managing Aboriginal issues within the LAC.

Recommendation 8

That the NSW Government provide adequate funding and infrastructure resources to the Department of Aboriginal Affairs for the provision of training to Aboriginal people to deliver services to their communities, and meet accountability requirements.

SUPPORTED

The NSW Government as a whole is committed to building governance capacity in Aboriginal communities. State Plan Priority F1 identifies community resilience as an underpinning strategy essential to sustained improvements in other areas of Aboriginal wellbeing. The *Two Ways Together* Partnership Community Program is a key State Plan program implemented in response. Under the program, the Department of Aboriginal Affairs will support Aboriginal communities to work with government to improve service delivery and strengthen community wellbeing. This program complements the work undertaken by the Department's regional network in building community capacity.

Additional to this work, the NSW Government is supporting a range of initiatives which strengthen the capacity of Aboriginal people and organisations. These include:

- *Keep Them Safe*, the Government's response to the Special Commission of Inquiry into Child Protection Services in NSW, identifies a range of initiatives specifically designed to strengthen the capacity of Aboriginal providers to deliver services to communities.
- In December 2009, the NSW Government signed the Remote Service Delivery National Partnership Agreement. Through this agreement, and focussing on Wilcannia and Walgett in NSW, Federal, State and local governments will work together to improve the access of Aboriginal people to services and to improve community governance. An important component of this work will be increasing the proportion of service staff who are Aboriginal people
- Recent amendments to the *NSW Aboriginal Land Rights Act 1983* have seen the provision of governance training to local Aboriginal land councils to ensure that they are better placed to effectively meet the needs of their members.

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- Under a number of reform agreements through the Council of Australian Governments, NSW has agreed to improve training and support for Aboriginal people to increase the number of Aboriginal workers providing (mainstream) services especially in communities where there is a relatively high proportion of Aboriginal people. Sectors particularly targeted include health, education and community services.

The Department of Aboriginal Affairs plays an ongoing role in connecting agencies with available resources to improve their capacity to train Aboriginal people to deliver services to their communities and to meet accountability requirements. DET develops a wide range of training resources for NSW.

Recommendation 9

That the Department of Aboriginal Affairs develop practical training to be delivered to NSW public servants on how to communicate clearly and effectively with Aboriginal communities, without using bureaucratic language.

SUPPORTED

The NSW Government is committed to engaging with Aboriginal communities in a clear, effective and culturally appropriate way. This is reflected in the Government's State Plan Priority F1 which recognise that effective partnerships with communities must underpin approaches to closing the gap in Aboriginal disadvantage. Through *Two Ways Together* the Department of Aboriginal Affairs leads whole of government engagement with communities at a regional and local level. Regional Engagement Groups bring together representatives from Aboriginal peak bodies and state and federal government agencies to identify regional priorities and strategies to meet these. At a local level, the *Two Ways Together* Partnership Community Program will bring together communities and government agencies in a forum that is culturally appropriate to the particular community to identify the community needs and responses to these.

Additionally, the Department of Aboriginal Affairs' regional network is committed to ensuring that government agencies and communities work together in a mutually respectful and productive way. Community Engagement Days have been organised by the Department across the state. These provide an opportunity for government agencies and community members to come together and discuss issues of concern.

The NSW Government however recognises that all agencies have a role to play in strengthening communication with Aboriginal communities.

The Department of Community Services has produced a publication entitled *Working with Aboriginal People and Communities: A Practical Resource*. This outlines a range of considerations when working with Aboriginal communities, including the need to use appropriate language. The resource is being distributed widely throughout the public sector.

In addition, the Aboriginal Cultural Awareness training provided by TAFE NSW raises service provider awareness of Aboriginal culture, diversity and service delivery to Aboriginal communities. It enhances cultural inclusiveness in work practices and increases responsiveness to Aboriginal people, communities and issues. This training

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package is being used by a number of government agencies to improve their staff's cultural awareness and their ability to communicate effectively with Aboriginal people.

To complement these resources for State agencies, the NSW Government has launched a new kit encouraging more local councils to engage with Aboriginal communities. This Kit has been prepared by the Department of Local Government and the Local Government and Shires Associations of NSW, with the assistance of staff from the Departments of Aboriginal Affairs, Environment and Climate Change, and Planning, as well as from Armidale-Dumaresq, Marrickville and Rockdale City Councils.

The aim of the Kit is to provide a comprehensive, user-friendly resource for local councils to assist them with engaging Aboriginal communities in their areas more effectively, and to empower Aboriginal communities to participate in council decision-making and service provision. The Kit will help councils identify and develop common ground to create productive partnerships with all communities and unlock the potential for Aboriginal people to contribute to the development of sustainable communities.

The NSW Government is supporting the further development and use of such resources across all levels of government through its involvement both in the Remote Service Delivery National Partnership and the Urban and Regional Strategy initiatives of COAG. Under both of these initiatives, agencies are being encouraged to extend their use of the TAFE courses and other resources for staff. At the same time, NSW is committing to develop cultural competency standards which will assist agencies to identify their current level of cultural competency and draw on the wide range of tools to bring cultural competency to an appropriate standard.

Recommendation 10

That the NSW Government, through the representative structure supported by the Department of Aboriginal Affairs, facilitate Aboriginal communities to determine measures of success for programs being delivered in local communities, prior to the commencement of the programs, and strengthen communities' capacity to meet those outcomes by providing relevant training and infrastructure.

SUPPORTED

The NSW Government recognises the need to involve Aboriginal communities in the delivery of programs and services. The Draft *Two Ways Together* Partnership Community Program Guidelines outline how local level planning undertaken through the Partnership Community Program will be conducted using relevant program and statistical information. This will include the development of the *Two Ways Together* data plan to ensure that all relevant data is collected. From this data the community governance body and relevant agencies will agree key reporting indicators against which the Community Action Plans will be measured.

The Draft Guidelines for the Partnership Community Program also set out the support to be available for community governance bodies.

In partnership with DAA, the Department of Environment and Climate Change (DECC) is developing tools to support Aboriginal communities in making informed decisions about their future needs and priorities – decisions grounded in a solid evidence base and a realistic understanding of a community's current situation, to support its

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priorities and aspirations. This will provide communities with a strong negotiating position when it comes to agreeing on action plans in partnership with government. The toolkit is intended to be made available for use within the Partnership Community Program and to any Aboriginal community that wishes to undertake planning to strengthen their wellbeing.

Additionally the Government is supporting a range of initiatives which aim to build capacities and skills at a local level in Aboriginal communities:

- DECC has developed resources to assist Aboriginal communities to address and prevent illegal dumping on community managed lands. In administering the Aboriginal Heritage Conservation Program, DECC actively engages Aboriginal community members, providing opportunities for capacity building and training.
- The NSW Aboriginal Health Partnership Agreement and related Area Health Service level Partnership Agreements provide functional mechanisms for Aboriginal Community Controlled Health Services to have input to the development of measures of program success. Additionally, under the Service Development and Reporting Framework for Aboriginal Community Controlled Health Services, Aboriginal Community Controlled Health Services develop their own Action Plans before the start of the financial year. The Action Plan includes aims, strategies and measures for the domains of Service Delivery; Management; Linkages and Coordination; and Community Engagement, and, after negotiation with the government agencies, forms part of the respective Funding and Performance Agreements for the following financial year.
- Community Justice Groups, supported through *Two Ways Together*, ensure communities are supported to participate in decision making on issues relating to the criminal justice system.

Recommendation 11

That the following outcomes of the job compacts be included in the Premier's report to parliament, as recommended in recommendation 4:

- the number of job compacts negotiated and the number of organisations engaged in job compacts
- the number of people employed under job compacts
- the number of training opportunities provided
- the number of people and businesses supported by mentoring.

PARTIALLY SUPPORTED

Job Compacts is a key initiative aimed at developing innovative and creative measures to combat the higher level of unemployment experienced by Aboriginal people. Job Compacts will form an important component of the NSW Government's Aboriginal Economic Development Policy which is currently being developed.

Reporting on the Job Compacts initiative will also be provided through State Plan reporting processes.

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Recommendation 12

That the Government commit to funding programs that have successfully completed a pilot for a minimum of three to five years.

PARTIALLY SUPPORTED

The NSW Government is committed to supporting programs which deliver demonstrated, sustainable and cost effective benefits to Aboriginal communities.

The Government has a responsibility to ensure that all funded programs are effective, well managed and sustainable.

The funding of pilot initiatives allows the testing of new ideas and ways of delivering services. The Government places a strong emphasis on evaluation of new initiatives to identify scope for process improvement and efficiency. It supports the ongoing funding of pilots that have been planned well, with clear and explicit objectives and strong strategies for sustainability, and whose evaluation clearly identifies the achievement of cost-effective outcomes for key stakeholders.

That's why, in 2004 the NSW Government approved \$40 million in funding over four years to support a range of well-evaluated initiatives under *Two Ways Together*. Agencies have continued to fund most of these programs from their general budgets in recognition of the significant improvements they have made in the communities in which they operate. This has included ongoing funding of a number of critical programs such as Circle Sentencing, Aboriginal Community Patrols, Aboriginal Community and Justice Groups.

The NSW Department of Health currently uses triennial (three-year) Funding and Performance Agreements for Aboriginal Community Controlled Health Services funded under the Health Minister's Non-Government Organisation Grant Program. This approach provides relative certainty for the funded organisation whilst giving the Department flexibility to periodically review resource distribution against health priorities.

Recommendation 13

That the funding provided to implement the Interagency Plan to Tackle Child Sexual Assault in Aboriginal Communities 2006-2011 be maintained for a minimum period of ten years at at least the current level of annual funding.

PARTIALLY SUPPORT

The NSW Government recognises the need for a continued focus on addressing child sexual assault in Aboriginal communities beyond the five years of the Interagency Plan.

In November 2008 the Government welcomed the Report of the Special Commission of Inquiry into Child Protection in NSW. The Government has developed a five year action plan, *Keep Them Safe*, which not only responds to Justice Wood's recommendations but also sets out the Government's future commitments to protect children in NSW.

Implementation of the Interagency Plan is a high priority for this Government and the Commission's specific recommendations on this matter are supported. The *Keep Them Safe* plan acknowledges the work already being done to tackle child sexual assault. Further

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actions will be implemented under *Keep Them Safe* to support and strengthen Aboriginal families and communities to care for and protect their children.

Recommendation 14

That the NSW Government develop a whole of government website containing comprehensive information on the funding sources available (including those available at Australian Government level) for Aboriginal community based programs services in specific regions, and across the State as a whole.

SUPPORTED

The NSW Government recognises the importance of the internet as a tool linking communities with key funding information. There are a number of sites which contain this information and are accessible via the Department of Aboriginal Affairs website.

The Department of Aboriginal Affairs website at www.daa.nsw.gov.au provides comprehensive links to information on funding sources available for Aboriginal community based programs and services in specific regions, and across the State as a whole.

These links include those to:

- the Community Builders website <http://www.communitybuilders.nsw.gov.au/> - an interactive, electronic clearing house that provides a broad range of information from best practice to funding options on social, economic and environmental issues and is a good example of a whole-of-government website.
- the Commonwealth Government Grants website www.grantslink.gov.au - covers funding provided by the Commonwealth Government.
- the 'Our Community' website www.ourcommunity.com.au which provides extensive information on grants available to Aboriginal people, including those from government, communities and individuals. The site includes detail on raising money through donations, appeals, community-business partnerships, wills and bequests, and many other sources.

Recommendation 15

That the Government, in consultation with the Department of Aboriginal Affairs and Aboriginal communities, review funding criteria for services to Aboriginal communities, to provide greater flexibility and promote programs that focus on Aboriginal communities' identified needs.

SUPPORTED

The NSW Government recognises that a one size fits all approach is not going to result in sustained improvements for Aboriginal people. The NSW Government is committed to ensuring that programs meet the needs of individual communities. The commitment is reflected in the Government's support for the *Two Ways Together* Partnership Community Program. Under the program the Department of Aboriginal Affairs will support communities to work with governments to develop responses to their particular needs. The program also has a particular focus on agencies identifying their capacity to respond flexibly to community priorities.

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Furthermore, ongoing support is provided through the Department of Aboriginal Affairs' regional network, to organisations seeking assistance in completing funding agreements.

Additionally, the NSW Government has committed to address this issue in *Keep Them Safe*, the NSW Government's Response to the Report of the Special Commission of Inquiry into Child Protection in NSW. A key element of this response is the reform of funding arrangements for Aboriginal services, commencing with organisations funded by Community Services, to simplify processes and provide more scope for local tailoring and innovation.

Recommendation 16

That the Department of Aboriginal Affairs work with Indigenous community representatives and the Australian Government to develop a suitable definition of 'cultural resilience' to be used by all agencies when formulating and implementing policy objectives.

SUPPORTED

The Department of Environment and Climate Change (DECC) has conducted research to define and test an understanding of resilience that captures the specific realities of Aboriginal communities in New South Wales.

DECC and the Department of Aboriginal Affairs are continuing work on the Resilience Framework (now known as the Strengthening Community Wellbeing Framework) through broad community and government consultation in 2009.

Recommendation 17

That the NSW Department of Education and Training liaise with representatives of the Aboriginal Education Consultative Group and teacher training institutions in NSW to ensure that:

- there are sufficient teachers, both Indigenous and non-Indigenous, qualified to teach those compulsory elements of the primary and secondary schools' curricula that relate to Aboriginal history and culture
- extensive and intensive in-service training is given to existing teachers so that they meet the standards required to effectively understand and teach Aboriginal culture and history

SUPPORTED

The need for teachers to have an understanding of Aboriginal education is recognised by the Government as well as in the Professional Teaching Standards issued by the NSW Institute of Teachers. Element 2 of the professional knowledge domain requires teachers to demonstrate knowledge and understanding of specific strategies for teachers of Aboriginal and Torres Strait Islander students. The standard for this element escalates as teachers move from the graduate teacher stage to Professional Competence, Professional Accomplishment and Professional Leadership stages.

From May 2007, Aboriginal education has been a mandatory component of initial teacher education programs and has been incorporated into the NSW Institute of Teachers *Policy for Approval of Initial Education Programs*. The requirements for teacher education programs have been developed to ensure that graduate teachers:

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- Understand Aboriginal histories and the diversity of Aboriginal cultures and perspectives; and
- have the knowledge and skills to address the specific learning needs of Aboriginal students.

Since 2007, the Department of Education and Training has been working with a number of universities, in conjunction with the Institute of Teachers, to develop best practice models for implementing Aboriginal education in initial teacher education programs.

The approaches include:

- extensive study of issues relating to Aboriginal education and culture;
- preparation for teaching and living in areas with high Aboriginal population, including rural and remote locations;
- mentoring by an Aboriginal community member; and
- professional experience placements in areas with high Aboriginal populations (including an Aboriginal community engagement experience, and a professional teaching internship in a school with Aboriginal students).

Graduating teachers seeking employment with the Department of Education and Training are required to undertake a personal suitability interview. Graduates' suitability for employment is assessed in line with the Professional Teaching Standards.

In addition, the NSW Government has established new scholarships to prepare graduates for teaching Aboriginal students. In 2008, 33 scholarships were awarded to selected final year teacher education students across several universities to undertake enhanced pre-service training prior to their appointment to NSW public schools with significant Aboriginal enrolments. A further 20 scholarships were offered for the 2009 academic year. Within the scholarship program, Aboriginal mentors support the teacher education students to further develop their capacity to understand the issues facing Aboriginal communities and to support their engagement with these communities. Evaluation of the outcomes of this enhanced training during the participants' early years of teaching has commenced.

With the release of the Department of Education and Training *Aboriginal Education and Training Policy* in November 2008, *Aboriginal cultural education* is mandatory for all staff through professional development using *Building Competencies in Aboriginal Cultures*.

Recommendation 18

That comparative studies of Australian history and culture be included as a mandatory core subject within all NSW educational institutions and that sufficient teachers are trained to ensure that it is taught effectively.

SUPPORTED

This recommendation is addressed in current NSW syllabuses. The Human Society and Its Environment K-6 syllabus is a mandatory core subject for all students in primary schools. Comparative studies of Australian history and culture are included in this syllabus. For example, students compare different versions of local history, beginning with the Aboriginal community that lives/lived in the area, and Aboriginal democratic practices before British colonisation. They explore cultural, linguistic and religious

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diversity of communities in Australia and how families express their cultures through customs, celebrations, practices, symbols and traditions.

Stages 4 and 5 history and geography are both mandatory syllabuses which incorporate extensive studies of Aboriginal history and culture.

In history, students explore Aboriginal and Indigenous Peoples, Colonisation and Contact History about Australia from 1788-1900. They explore the nature and impact of colonisation and contact. In Stage 5, Aboriginal history is incorporated into topics including studies of Freedom Rides, Charles Perkins, the 1967 Referendum, Land Rights and Native Title.

In geography, students learn about Indigenous people and self determination, actions of individuals, groups and governments, and the types of communities in Australia including Indigenous communities. There is a particular focus area on Australia in its Regional and Global Context which includes a section on Human Rights and Reconciliation.

Negotiations have begun between the Department and the Board of Studies regarding the development of a Stage 3 Syllabus in Aboriginal Studies which will be mandatory for all students. It is proposed that this initiative will reflect the current developments emerging within the National Curriculum.

Information on the training of teachers is provided under Recommendation 17, above.

Recommendation 19

That the NSW Department of Education and Training, in collaboration with the Aboriginal Education Consultative Group, review, and amend as required, the current school curriculum and associated materials to ensure that the teaching of the history of colonisation in Australia includes a recognition of prior occupation and a rejection of terra nullius.

SUPPORTED

The NSW Government considers that the current school curriculum adequately covers the history of colonisation in Australia.

Stage 4 history explores Aboriginal and Indigenous Peoples, Colonisation and Contact History. This includes "Aboriginal and non-Aboriginal perspectives of the relationship to land and country".

In Stage 5 history, students explore Changing Rights and Freedom. Section A: Aboriginal Peoples includes changing government policies towards Aboriginal Peoples over time, including protection, assimilation, integration and self determination.

The syllabus includes specific recognition of prior occupation. It does not include specific reference to the recognition of terra nullius but it is integral to the teaching about changing government policies towards Aboriginal peoples over time.

The Government recognises the value of continuing consultation processes with the Aboriginal Education Consultative Group, as NSW's peak advisory group on Aboriginal education. The Department of Education and Training will continue to work with the

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Group to ensure that Aboriginal people are partners in the development, implementation and evaluation of Aboriginal education programs and resources.

Recommendation 20

That the NSW Government provide ongoing support and resources for continuing Indigenous language programs, recording of oral histories and the compilation of Indigenous dictionaries. The Premier should take ownership of this opportunity to raise the profile of Indigenous issues and emphasise the importance placed on Indigenous languages and culture by the NSW Government.

SUPPORTED

The NSW Government will continue to provide ongoing support for Aboriginal language programs.

In 2003, the Aboriginal Languages Research and Resource Centre (ALRRC) was established under the NSW Aboriginal Languages Policy (2003). The ALRRC's role was to support Aboriginal communities to revitalise and record Aboriginal languages and to assist communities to develop language resources.

The Aboriginal Language Policy Strategic Plan 2006-2010, developed in conjunction with stakeholders and the *Two Ways Together* Coordinating Committee, focuses on four key areas:

- Languages in Aboriginal communities
- Aboriginal Languages in the educational sector
- Language programs in gaols and detention centres, and
- Language appreciation in the broader community

The ALRRC administers the Aboriginal Community Language Assistance Program, which provides grant funding to support Aboriginal communities to record languages, revitalise language use through the development of teaching materials and training of community members in language use.

Since 2000, the NSW Government has provided over \$1.6 million for community-based Aboriginal language projects, including funding 45 Projects worth \$824,000 through the Department of Aboriginal Affairs' Aboriginal Community Languages Assistance Program. The Program commenced in 2005 and has funded the production of linguistic materials, multimedia dictionaries and teaching resources, and training in language teaching and language speaking across a number of NSW languages.

For the current year, 12 community-based Aboriginal languages projects have received \$200,000 in funding, including:

- Three projects were revitalising the Wiradjuri language, 20 students have just completed Certificate III studies in Wiradjuri: at Narrandera; elders at Wagga Wagga are being recorded for a documentary on Wiradjuri language and culture; and a book on the grammar of Wellington Valley Wiradjuri language is also being written.
- At Eden and Narooma, Elders from South Coast have been interviewed to record South Coast Aboriginal languages, including Dhurga. The recordings will

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be used in a CD ROM to share and teach the languages in communities and schools.

- Muurrbay Aboriginal Language and Culture Cooperative (Nambucca Heads, North Coast) has formed a dance troupe of seven students to help teach and promote Gumbaygiirr language. Elders are also assisting in the teaching of Gumbaygiirr language. Muurrbay has interviewed and recorded Bundajung speakers on high quality recording equipment.
- Muurrbay is also taking enrolments for their Ngaawa-Garay-Giramubang Ngyiambalgarra NSW Aboriginal Languages - Summer School. This year the Summer School will be given as a beginners and advanced level, and the languages expanded to include Gumbaygiirr, Gamilaraay and Wiradjuri.
- In Western Sydney, a partnership between the St Marys-based Chifley College Dunheved Campus and the Darug Custodian Aboriginal Corporation is establishing an Aboriginal Language Centre. The Centre will run adult language classes, assist school-based language classes, and be repository for the Darug language resources.
- South of Sydney, La Perouse-based Gujaga Aboriginal Corporation are developing storybooks in the Dharawal language, and Thirroul-based Northern Illawarra Reconciliation and Treaty Group recording a CD of songs in Dharawal and compiling Dharawal resources for people in the Illawarra area.
- Papagunya Aboriginal Corporation (Tinga, New England region) has digitally recorded local community members speaking in Gamilaraay.

In 2007, the Government launched an Aboriginal languages CD-ROM, *An Introduction to NSW Aboriginal Languages* to all schools in NSW, Aboriginal pre-schools, juvenile detention centres and to community organisations. The CD-ROM is frequently being used in classrooms and school libraries. Using resources developed under the Aboriginal Community Language Assistance Program, the CD-ROM will be updated in 2009-10.

The Government has supported the development and implementation of the NSW Aboriginal Languages Online Archive. In conjunction with the NSW Aboriginal Language Research and Resource Centre's website, the Online Archive will be a means for sharing Aboriginal languages resources and information.

In 2007, the ALRRC held a major Aboriginal Languages Forum in Sydney, where Community Language Assistance Program recipients could share their experiences with other Aboriginal language project workers, and Aboriginal language experts. The ALRRC also works closely with the Board of Studies and Department of Education and Training on promoting Aboriginal language education in schools.

Aboriginal Languages Programs are being delivered in 37 schools throughout NSW. The programs operate to enable Aboriginal communities to preserve, teach and utilise traditional language and to provide opportunities for Aboriginal, as well as non-Aboriginal, students from Kindergarten to Year 12 to learn an Aboriginal language.

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In 2008, the Government, through Department of Education and Training allocated \$300,000 to schools to support Aboriginal Languages Programs. Schools are able to use the funding to employ Aboriginal Language Teachers and develop resources.

The total number of students studying NSW Aboriginal languages in 2008 was 5,931. Under the program, 49 Aboriginal community members are employed as Aboriginal Language Tutors. Languages being taught include: Bundjalung, Wiradjuri, Dhurga/Djamanj, Dharug, Gambainggir, Yawaalaraay/Gamilaraay, Ngiyampaa, Thunghutti/Dunghutti, Paakantji, Wanghumarra and Ngamba.

Additionally the Land Alive program, administered by the Department of Environment and Climate Change has a component to record local environmental histories. However, it is too early to assess progress.

Recommendation 21

That the NSW Department of Education and Training provide a one-week, fully funded, induction program for all teachers, principals and other school leaders commencing in positions in schools with significant Aboriginal student populations. The induction program should be tailored to meet the circumstances of the particular school and community, and be arranged in partnership between the school principal and local Aboriginal community organisations.

PARTIALLY SUPPORTED

The Government is committed to ensuring that appropriate induction programs are provided for all teachers, principals and other school leaders commencing in schools with significant Aboriginal student populations. Since 2004, the NSW Government has committed \$36 million annually to schools for teacher professional learning, including induction programs for all new teachers.

Induction assists all teachers in understanding their school contexts and the professional responsibilities of being a teacher in NSW public schools. School based induction provides structured, collegial programs of professional learning and support centred on the new teacher's needs. Community engagement and partnerships are evident in schools/regions with significant numbers of Aboriginal students. For example, all beginning teachers appointed to schools within the Dubbo area for the 2009 school year are being supported by an Aboriginal Community mentor.

Additionally, mentoring and professional networks, available both within and external to the school, make important contributions to the induction experience.

Aboriginal teacher appointments are managed on a case by case basis to ensure that they are supported in the early stages of their career. Some Aboriginal teachers particularly request to be appointed to schools with significant numbers of Aboriginal students. Newly appointed Aboriginal teachers receive additional support including an orientation resource package, mentoring, networking opportunities and personalised support.

Under the Department of Education and Training's recently released *Aboriginal Human Resource Development Plan 2009-2011*, an important initiative will be supporting regions to embed Aboriginal cultural education into induction programs.

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Recommendation 22

That the NSW Government work with the Australian Government and the Murdi Paaki Regional Assembly to finalise the Murdi Paaki Regional Partnership Agreement before the end of December 2008.

SUPPORTED

The Murdi Paaki Regional Partnership Agreement has been finalised and signed by the Murdi Paaki Regional Assembly and the NSW and Commonwealth Governments.

Included in the Agreement is the NSW Government commitment to a range of initiatives and programs. Annual funding include \$10,000 for engagement with Local Government, \$16,000 for the Murdi Paaki Aboriginal Leaders Program, \$48,000 for Community Working Parties and \$480,000 towards Partnership Communities and associated community engagement work.

Recommendation 23

That the NSW Government work collaboratively to develop and support policies and programs with the Australian Government which address Indigenous disadvantage in urban, regional and remote areas that are long-term, sustainable, and outlast the political cycle.

SUPPORTED

The NSW Government is committed to working with the Commonwealth Government and Aboriginal communities to implement sustainable initiatives to improve the wellbeing of Aboriginal people. The Intergovernmental Aboriginal Affairs Group has been established to oversee the bilateral Aboriginal affairs relationship. The Group has representation from senior Commonwealth and NSW Government officials.

The NSW Government's State Plan released in November 2006, sets out the priorities for Government action over the next 10 years. The Plan clearly outlines the Government's commitment to working with Aboriginal communities to improve outcomes through Priority F1, *Improved health, education and social outcomes for Aboriginal people*. Key initiatives demonstrate a long term vision to address Aboriginal disadvantage. Last year the NSW Government announced funding of \$190 million over 25 years as part of a partnership with the NSW Aboriginal Land Council as part of a package to meet the water and sewerage needs of Aboriginal communities across the State.

Two Ways Together

The State Plan priorities are being implemented through *Two Ways Together*, the NSW Government's 10 year Aboriginal Affairs Plan. *Two Ways Together* is focussed across the seven areas identified by Aboriginal communities as being of greatest significance to them.

At the State level, the implementation of *Two Ways Together* is being overseen by the *Two Ways Together* Coordinating Committee of Senior Officers including a representative of the Commonwealth Government.

At a regional level, Regional Engagement Groups with representation from the NSW Government, Commonwealth Government and peak Aboriginal organisations identify regional priorities and responses to meet these. Copies of the Regional Action Plans

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developed by these groups can be accessed through the Department of Aboriginal Affairs website (www.daa.nsw.gov.au).

The *Two Ways Together* Partnership Community Program provides an opportunity for partnership with the Commonwealth Government at a local level. Opportunities to maximise this potential are currently being explored.

Other collaborative opportunities

Additionally, the NSW Government works with both the Commonwealth and local government outside *Two Ways Together* structures. In partnership with the Commonwealth Government, NSW government agencies are working to increase NSW participation in Commonwealth programs such as the Indigenous Ranger Program and Indigenous Protected Area Program. These programs provide economic development opportunities and outcomes in relation to land and natural resource management and build capacity within Aboriginal communities to manage country for conservation and cultural values.

NSW has the greatest level of collaboration occurring between State and Commonwealth offices responsible for funding Aboriginal Community Controlled Health Services. The benefits of Aboriginal participation in the planning and delivery of services is highlighted in the Government's response to Recommendation 7. The level of cooperation between the State and Commonwealth is expected to increase with the implementation of the *National Partnership Agreement on Closing the Gap in Indigenous Health Outcomes*. The National Partnership Agreement will see the investment of over \$180 million by NSW, as well as significant own-purpose expenditure by the Commonwealth, in Aboriginal health in NSW, between 2009/10 to 2012/13.

More broadly the Council of Australian Governments (COAG) Indigenous reform agenda provides additional opportunities to work with the Commonwealth Government. The NSW Government is currently working with the Commonwealth Government to implement the Remote Service Delivery National Partnership Agreement and the Indigenous Economic Participation National Partnership Agreement. Additionally, NSW is contributing to COAG driven work to develop a COAG Urban and Regional Strategy. The Strategy will be used to guide future joint initiatives aimed at meeting the needs of Aboriginal people in urban and regional settings.

Additionally, the NSW Government continues work towards ensuring the needs of Aboriginal people are met through a range of Ministerial Councils including the Ministerial Council for Aboriginal and Torres Strait Islander Affairs.

The Standing Committee of Attorneys General has recently initiated the development of the National Indigenous Law and Justice Framework. The framework was recently released for targeted consultation with the aim of having it finalised in November 2009. The framework will provide an opportunity for states and territories to share information about good practice policy and programs. The framework will also be a useful tool of reference for states and territories to refer to when developing their own strategic plans.