CORRECTED

REPORT OF PROCEEDINGS BEFORE

STANDING COMMITTEE ON SOCIAL ISSUES

INQUIRY INTO OVERCOMING INDIGENOUS DISADVANTAGE

At Sydney on Wednesday 17 September 2008

The Committee met at 9.00 a.m.

PRESENT

The Hon. I. W. West (Chair)

The Hon. G. J. Donnelly
The Hon. M. A. Ficarra
Dr J. Kaye
The Hon. M. S. Veitch

CHAIR: Welcome to the twelfth hearing of the Standing Committee on Social Issues inquiring into overcoming indigenous disadvantage in New South Wales. On behalf of the Committee I would like to acknowledge that we are conducting our business today on the traditional country of the Gadigal people of the Eora nation. I pay our respects to elders past and present and thank them for their custodianship of the land. In June the Committee produced an interim report in which it identified 45 issues for further consideration. These issues can be grouped into five themes: The measurement of outcomes, coordination of service delivery, the development of effective partnerships with Aboriginal communities, the inconsistency and uncertainty of funding, and the employment monitoring and training of Aboriginal people.

Today, and in the final report, we will be examining these key themes and other issues, which include the Federal Government's intervention in the Northern Territory, cultural resilience within indigenous communities, the outcomes of the Council of Australian Governments trial in Murdi Paaki, and progress on the implementation of previous Social Issues Committee recommendations relevant to Aboriginal people. Before we commence I will make some comments on procedural matters. The guidelines for the broadcast of proceedings are available on the table at the door. Any messages from attendees in the public gallery should be delivered through the Chamber and support staff or the Committee Clerks. Finally, I ask everyone to please turn off their mobile phones.

I would like to formally welcome the Director General, Jody Broun. Thank you for appearing before the Committee again.

JODY BROUN, Director General, Department of Aboriginal Affairs, on former oath:

CHAIR: Would you like to make some opening comments?

Ms BROUN: Thank you, Chairman. Firstly, I would like to acknowledge the traditional owners of the land we are on, the Gadigal people of the Eora nation, and pay my respects to them and particularly the elders, past and present. I would like to take the opportunity in my opening statements to update the Committee on a number of developments that have occurred since I last appeared before the Committee, which was some time ago, and which are really pertinent to your discussion. There have been significant changes as a result of some budget enhancements that the department was able to secure. As a result of the 2008-09 budget, total expenses for the Department of Aboriginal Affairs increased from $29.2 million in 2007-08 to $35.2 million in 2008-09.

That increase in funding is largely to support the implementation of the Government's State Plan, Priority F1, that is, improved health, education and social outcomes for Aboriginal people. A large part of that, and a key element of that priority, is community cultural resilience. I will talk more about that during the inquiry. That relates to recognition of the entrenched levels of disadvantage faced by Aboriginal communities and is tied directly to dispossession, suppression of cultural knowledge and breakdown of community governance. That is why we are recognising community resilience as a key platform for F1.

In order to support the strong functioning of Aboriginal communities, $1.9 million was announced for 2008-09 with a recurrent $2.4 million subsequently to provide project officers for 40 partnership communities across New South Wales. Those project officers will work with each partnership community to establish and support local community engagement or governance groups and to develop community action plans. I have advertised those positions and expect I will have people in those positions by the end of November.

CHAIR: Two positions, is it?

Ms BROUN: No, there are 40 partnership communities. The way I have advertised it is that some will be part-time and some will be full-time. They are structured in such a way that there is a part-time position for each community, but it might be one person covering two communities. That is an overall enhancement of my regional network, which currently has 18 staff. It is an enhancement of 20 additional full-time positions. Their role is just to work with the partnership communities. The local community governance structures that they will be working with and facilitating where they are not in place are really to enable communities to engage with government in planning the sorts of services that can break the cycles of disadvantage and support communities to build resilience. What we do not want to do—I am probably a bit cautious about this—is build up a real dependence on community, but we want to build their capacity to deal with government. Equally, it is about

building the capacity of government to work effectively with community. I think I have probably covered that in sufficient detail.

The community engagement groups out there currently—there are a lot of governance groups out there and a lot of community working parties already in place; in some places they are called community working parties and you may have met some of them on your regional trips. In other places they might be called something else. We do not want to transplant something there or diminish their roles; it is about enhancing, strengthening and supporting their roles. Where local groups are already in place they will be reviewed against what we have developed as a framework. I will talk more about that in terms of how they meet the requirements of a local governance group. We will also be producing some tools related to community resilience to help support the work, and those tools will be trialled in partnership communities as well. We also want to have some tool kits for communities to do this work themselves.

In some places that I go to communities know that they are not one of the partnership communities but they want advice on how to set up a community governance structure like one they have seen in another location. Yass was one place that asked for that. It is all about "How can we help you? Here is a tool kit that gives you some of the ways you can work through this process at a community level". It is not all about us going in and having to do that work for them. That is important to remember. We are doing some work on those sorts of tool kits and they will be available broadly but they will also be tested in the partnership communities.

During July this year we conducted consultation around the state on the community engagement framework, which is about what the model will look like and how it meets the needs of the local community. It is actually a very generic model rather than trying to say, "This is how it will be. It will have 10 people from this age group and there will be three men and four women", and those sorts of things. We are not being that prescriptive. It is a very generic and broad framework and it recognises what is already on the ground but also tries to bring them together in a model that can work with the community's strengths. We are not trying to diminish the role of Local Aboriginal Land Councils [LALCs], for instance. If you go to any community you will find there are lots of different organisations in the town. One might be a land council, but equally there might be an elders' group, a youth group, a women's group, the Aboriginal Medical Service [AMS] or the Aboriginal Education Consultative Group [AECG]. There will be a range of groups. How do we get them all engaged in the process of a body that can work with government?

We did the consultations and that was an interesting process. The framework itself is being reworked on the basis of that consultation. About 300 people came to the consultations. They were facilitated by Jack Beetson, who I see is appearing before you tomorrow afternoon. Those 300 people represented 61 communities from around the State. I think it was a reasonable sample. We also sought input from community through written submissions.

CHAIR: Can I cheat now and ask: 61 out of how many?

Ms BROUN: Community-wise? I think if you base it on the LALC network, there are 121 of them around the State and you could say they represent different communities or are based in different communities.

CHAIR: Roughly.

Ms BROUN: That would be a fairly good number. It is probably half the communities of New South Wales. One of your later questions is about the partnership communities and the percentage of communities that we are dealing with through that structure. It would be 40 out of 120 on that basis, but about 45 percent of the Aboriginal population is in those communities. Some issues emerged from that consultation. We made it very clear that it was a genuine consultation process and we wanted people's views. Some quite strong views were put at a number of those consultations, which was very good. One of them related to be Regional Engagement Groups [REGs]. There is a lot of confusion about the role of the Regional Engagement Groups. That was quite clear and I have to do some work on that. It may mean that the role needs to be defined more clearly and also that the name itself needs to change because REGs are actually more of a coordinating body at the regional level. That was a lesson.

Communities clearly wanted a model that responded to their local needs in terms of our not prescribing something or coming along and delivering something to them. They wanted us to recognise that they already have strengths in the bodies in their towns. They also want some guarantee that if they do this work and engage with government it will make a difference and that government has a commitment to them as a group as well as

to service delivery. I think that was fair enough. One of the principles that we had in the engagement framework was the accountability of that group to report back to their communities. Equally, they wanted government to have accountability as a principle within the framework. That is quite similar to the next point, which is that they want genuine and equal partnership with the principle of mutual accountability between the Government and the community.

I think I have probably covered most of the points around that. The point is that, rightfully, communities want the framework to be flexible and meet their local needs. Anything we can do that enhances that level of support and recognition is probably worthwhile. The second element of those partnership community programs is to have some guidelines that will assist agencies in doing that work. We are now developing those up. They are not quite developed. I could get you a copy of the framework, if you like, once it is amended. It is probably in a process at the moment of being reworded. Once that is finished I can send that over. If I can go back to the budget, we have some money to help us better work with the partnership communities. That enhances my regional network and will free up my current regional people to work in other parts of the business and also with other communities that are not partnership communities.

The other part of the budget enhancement was to support some significant work that is already around the interagency plan to tackle child sexual assault in Aboriginal communities. The Government announced total funding of $22.9 million over four years to assist us with that. That primarily is to do more focus with communities in the west of the State. I think I mentioned last time that we try not to mention what the communities are. I will leave it at that in terms of naming them. We do want to do some more work in a number of communities. So that enhances that program. It is not all funds for the DAA. It is for a number of other agencies and there is some funding for us to work with the community more intensely in those places. New South Wales Health, the Police Force and Corrective Services have all been enhanced to be able to provide that service at the community level. It is not merely designed to help Aboriginal children and families once they become victims but also to break the cycle and enhance community understanding and awareness of the crime and how they might want to respond to it.

As a result of that funding there will be an additional 10 child protection caseworkers across those locations. They are not all in one place. Also those caseworkers will get necessary administrative and professional support that they need to be effective. There will also be some additional Aboriginal family health workers and in terms of the response to allegations and reports there will be a new joint investigative response team set up in Bourke so that they can respond more. I think at the moment there is one in Broken Hill. As you could imagine, that is quite a big area to cover. So there will be a new one in Bourke. As I said, the DAA's component of these is community engagement officers to go in, in the first instance, and start talking to the community about the issue and building that level of trust at the community level. That can take some time, as we have learnt in a couple of other places, just building the trust, working with them and coming up with a prevention plan and those sorts of things. We also had some additional funds as part of that to enhance our monitoring and evaluation role, not just around the interagency plan for child sexual assault but also more broadly on F1 and being able to have some better capacity in that area.

Another big component that was announced was water and sewerage. Environment and health continues to be a high priority. There was just over $6 million in capital works to upgrade water and sewerage in communities that still needed some work on the back of the funds that we have already spent on water and sewerage under the Aboriginal Communities Development Program. So we had spent a whole lot, but there were still some gaps. So there were some additional funds allocated there. That was capital. What was really important was complementing that investment with recurrent funding with a commitment for the long term. So it is a 25-year commitment to doing operation and maintenance of those systems once they are out there. That has been a real gap in service delivery.

We have been able to deliver the capital and put a new system in place at lots of communities, but we are making sure that it is going to function longer term, that it gets cyclical maintenance, that an operator goes out and checks it, those sorts of things. Also, we are training community people to be a part of that and also paying them. Often community people have been trained in some of the maintenance work and keeping the systems running but (a) they often leave the community so there is not that continuation of the service and (b) they have not always been paid for it. This allows for that as well. This program has been done in partnership with the State Land Council. It has been quite a unique model and it will be delivered through the Department of Water and Energy. So it is quite a significant investment, but it is one that makes sure that the capital investment we are putting in continues to work and have those benefits.

I probably do not need to talk too much more about those enhancements. They are all part, I suppose, of a much broader plan around a whole-of-government activity to strengthen Aboriginal communities and achieve those better outcomes in service delivery. It builds very strongly on the Two Ways Together approach, which has got several elements—cultural recognition and strengthening culture and community resilience, working in partnership with communities which was always a key element, and a holistic approach to service delivery. It is no use building the houses unless you also deal with some of the other issues at the community level.

Also, it is recognising that this is actually called business for agencies, not just the Department of Aboriginal Affairs. That has been a promotion that we have had for the whole life of Two Ways Together. The improvement of service delivery or getting better results, say, in education is the education department's core business. We can assist in terms of policy setting and advice as required, but really it has to be seen as a core business of those other agencies. That is a really important point and one of the reasons why we have the DWE [Department of Water and Energy] as the program manager on the water and sewerage maintenance and operation, rather than ourselves. Sorry for taking so long, but I think it is important.

CHAIR: I understand there is a memorandum of understanding relating to jobs compacts. It is referred to on page 29 of the annual report of the Department of Aboriginal Affairs. After some effort I got a copy of it. I understand it was signed back in November-December last year by the Business Chamber, the Local Government Association, the Shires Association, the Land Council, Unions New South Wales and the Minister.

Ms BROUN: Yes.

CHAIR: Can you give us some feedback as to how that is rolling out?

Ms BROUN: Yes, I can. It was signed some time ago and that is not the end of it. The MOU itself establishes the foundation for signatories to work together on jobs compacts and recognises, more importantly, that we want to have more Aboriginal people participating in the private sector and non-government sectors through the development of jobs compacts. It did establish the guiding principles of the development and implementation of other jobs compacts right across New South Wales. That was an acknowledgement of the disadvantage and recognition of the fact that improving employment outcomes will make a significant difference. I will refer to your question later around poverty because that is a key point. Getting Aboriginal people jobs is relevant to that point. Collaboration on the Aboriginal employment policy is important and that we recognise there are a whole range of players. From the perspective of being able to share information, building on existing arrangements, avoiding duplications and being solution focused, having people at the table is really important. What that allowed us to do, having that overarching jobs compact, was to go into a number of other sites and build on that.

We have now signed up a whole range of other jobs compacts in other parts of the State. So this was the overarching MOU that allowed us to do that because it brought in those key players. So the State Land Council and chambers of commerce locally now are more engaged with us, as well as local government in a number of places. We have now had 12 jobs compacts signed up right across the State, which includes that overarching one. We are also doing a couple of industry-specific ones—one in Cobar with the mining industry. The others are more generalistic in their nature. At Tamworth, for instance, there are a number of signatories—government agencies but also employers, training and service providers and non-government agencies. At a lot of these places the first port of call is to say we have an overarching MOU, we need to put that in place at the local level. So we have done jobs compacts in Tamworth, Wagga Wagga, Campbelltown, Macarthur, Tweed Heads, Illawarra, Murdi Paaki, Dubbo, Mount Druitt, Eastern Sydney, Newcastle, Hunter and Redfern with a number of signatories at each of those places.

In order for them to have achievements, obviously they cannot just be something that you sign on the day and walk away from. They have to be something that lives and breathes and gets implemented. That will be a role for my regional staff to make sure that is happening. We also are working with the Federal Government through the Department of Employment, Education and Workplace Relations. They have changed their name again. Working with them we can do a partnership model of having someone on the ground doing more of that brokerage work as well. What was really heartening, in some locations we had a lot of employers come to the table wanting to be a part of it. This is about breaking down some of those stereotypes and getting Aboriginal people into private employment. In Dubbo, for instance, there were 18 employers who signed up to that. Each of them might employ only one Aboriginal person, but it will go a long way towards breaking down some of those barriers at the local level. Equally, these things grow a bit as well. It will not be a stagnant piece of paper that if

you did not sign up then you cannot be part of it now. We would be continuing to encourage other employers to come to the table. That is the way we have been implementing since the MOU.

CHAIR: I understand the memorandum of understanding has a review process every 12 months?

Ms BROUN: Yes.

CHAIR: There are also targets on how success is measured. Are you the driver of the steering committee?

Ms BROUN: Yes, I chair that and the signatories to the MOU come to the meeting and report back on how we approach the rest of the rollout.

CHAIR: Is there any consistency with the people involved?

Ms BROUN: In terms of the people coming to the steering committee?

CHAIR: For example, do the same people attend from the business chamber, Unions New South Wales and the Local Shires Association?

Ms BROUN: It varies, to tell you the truth. It does vary.

CHAIR: I am mindful of the fact that you have the daunting task of driving it. It has so much potential. I may be wrong, but I think it is symptomatic of the rollout of all the good intent that has been put forward in so many areas. To my mind, its success would be a real indication as to how successful most programs are going to be, particularly when we look at the signatories involved.

Ms BROUN: Yes.

CHAIR: Is the first review due in November?

Ms BROUN: I am not sure about that. I can check for you when that is being done.

CHAIR: Are you personally chairing the steering committee?

Ms BROUN: I chair the steering committee, yes. I have been involved with a lot of the local ones as well, just from the perspective of going out when they were first initiated.

CHAIR: One of the targets of success in the memorandum of understanding is the number of placements. Can you give us any indication as to the number of placements? You can take the question on notice, if you like.

Ms BROUN: I can, but I will have to take it on notice. I do not have that at the moment.

CHAIR: If you could take on notice also the outcomes because the measurements set out in the document seem fairly spot-on in terms of how you measure the outcome and the success of that particular document.

Ms BROUN: Yes.

CHAIR: Correct me if I am wrong but if that particular document cannot succeed, one would have some trepidation as to the success in many other areas?

Ms BROUN: Yes, although as an overarching memorandum of understanding, it sets the base, I suppose, for us to do the others, so we have been able to do the other site-specific memorandums of understanding and signing up people at that level is probably where you are really going to hit the road because that is where the jobs are. I think the Port Kembla Port Authority was a signatory, so it is actually getting them jobs at that local level.

CHAIR: Have you done a local job compact at Redfern?

Ms BROUN: Yes, we have and also Eastern Sydney, Mount Druitt and also Campbelltown-Macarthur, so there are a number. From the perspective of where the jobs, we do need to put that effort into the urban area. There are four in that urban area. I think in terms of how many jobs though, it is going to be a little while before we see how much of a difference that makes on the ground. You are right, it will need to be driven quite strongly at the ground level and be implemented well at that ground level as well.

CHAIR: By those regional people you are talking about?

Ms BROUN: Yes, that is right.

The Hon. MICHAEL VEITCH: During your opening comments you spoke about the concept of mutual accountability. Can you define that? I would like to explore what you actually mean by "mutual accountability"?

Ms BROUN: That came up as part of the consultation process where the community themselves are saying, "If you want us to be part of this and come to the table and be part of the community engagement group, we actually want government to be accountable and come to the table as well, and to listen to us and we want them accountable for the outcomes at a local level". So when a plan is developed it actually gets implemented rather than we have sat down all, we have done the planning and nothing happens; we all go away. It goes back to the other point that it is fine to have those discussions but it is actually the implementation that is significant as well. The community's part in that obligation process is actually to be at the table and to engage and the Government's is to deliver those services.

The Hon. MICHAEL VEITCH: You would have read the transcripts and noted our travels. One of the things raised a number of times is the competing complexity between the Government's to provide a service and have a set of benchmarks or outcomes that they decide and then the Aboriginal community's understanding of what those are. They do not quite gel. Do you have any suggestions on how government could overcome competing complexity about providing money with an expectation of outcome but then the community's expectation of what it thinks the outcomes should be?

Ms BROUN: Are you talking more around when there is a high level of priority set in, say education, and how the community might translate that?

The Hon. MICHAEL VEITCH: It is general at all levels. It has been raised on a number of occasions about the delivery of funding and the then outcomes do not meet the needs of the community?

Ms BROUN: Yes. I notice there are a lot of questions about the evaluation of programs that are meant to deliver one thing but actually might deliver something else as well and so the funding is there to run a parents group, for instance, but there are a whole range of offshoots of that process that might take a lot longer to get in place because you are trying to do more and also some of the things you would be measuring are less tangible and more difficult to measure and there might be other consequences of that program that you did not actually think were going to happen either or it might morph into something that you did not think it was going to be in the first place.

I think we have to be more flexible about how we approach setting outcomes but letting the community decide how to meet the outcomes. Yes, you might want more kids to go to the preschool, but what is the community solution to doing that. They might have their own ideas of doing that. You do want to have some high-level outcomes but at the same time you do not want to be too prescriptive about how you achieve that at the local level.

The Hon. MICHAEL VEITCH: Other things raised a lot are the continuous pilot programs, short-term funding and the uncertainty that creates particularly around employing people to run a program. From the perspective of the Department of Aboriginal Affairs, do you have any suggestion on a possible recommendation that the Committee could make to overcome that?

Ms BROUN: Yes, I think we spoke about the short-term nature of funding last time and it has always been an issue. Even if you give a group what you might consider a long-term funding commitment of say three years, three years in the term of program delivery can be quite short to see the outcomes you want to expect, so you might have to actually commit for longer than that. There has been that history of a drip feed or a small

program delivery, such as "Here is something just to get you started" and then people are in this cycle of having to continue to submit for new funds to keep that program going and it does affect the momentum of the program. I think the only answer is to have much longer commitments to programs. That is probably the only way you are going to do that. At the same time, what that might prevent are some of those innovative little things getting started as well.

The Hon. MICHAEL VEITCH: With long-term funding sometimes you negate innovation?

Ms BROUN: Yes, you need a mix of both.

The Hon. MICHAEL VEITCH: That is right. We have heard a lot of evidence about the importance of Aboriginal communities making their own decisions about what needs to be done in their own community. What needs to change to make that happen? Aboriginal communities are telling us this is not happening at the moment? What has to change?

Ms BROUN: That is a key element of the community engagement framework that we are putting up and supporting communities to be part of that process through these partnership community project officers who we will have on the ground who will be doing a lot more of that work with the community to say, "How do you want to deal with this issue and how do you want government to respond better", so that the decision is made very close to the ground. Yes, there is some tension between what might be a State level objective about getting more kids to preschool or increasing year 3 and year 5 numeracy and literacy, but generally I do not find that they conflict with what people want to do on the ground so much; it is more how they want to achieve that outcome.

I do not think there are many people who would argue that it is important to have better outcomes in education for Aboriginal kids, but there might be different ways of achieving that at the local level, by having more Aboriginal people involved in the school, for instance, and having more Aboriginal teachers at the school. In order to have good education outcomes you also have to have good housing outcomes, to make sure that they can get to school, so transport issues and a whole range of issues come into play, so just putting one issue on the table such as the improving year 3 and 5 numeracy and literacy brings to that a whole range of actions that need to be put in place, and it is up to the community to decide how that might occur.

The Hon. MICHAEL VEITCH: This question relates to the Chair's question about consistency of personnel in the mechanisms you put in place. Governments have a tendency for personnel to change a lot so this continuum of knowledge and consistency is not there for Aboriginal communities. How can we overcome that so Aboriginal communities have some faith in the process?

Ms BROUN: And equally the communities are generally the same faces and they are the same people who keep seeing the change of government officers. You are always going to get a level of turnover. This is closely linked to community engagement and community resilience. You need to make them be the ones leading the charge and responsible for that, so that they are the ones with the community engagement group, keeping the minutes and keeping government in check, so that it does not matter too much who comes from government because that is where they got up to last time; "You are still in that role, we still expect you to deliver this."

Equally, the other part is the communication within agencies and making sure that those officers know what has occurred previously. I do not think you can avoid a level of turnover but the way that is managed is probably the issue; to make sure that the new person is not going in completely cold. There is a strong push to improve cultural awareness training for government officers right around the State. I think that will help because it will cover some of those points as well, so you are not getting someone completely cold who does not understand the way a community might work.

CHAIR: But in driving the State Plan, "Two Ways Together", the Department of Aboriginal Affairs has a fundamental role in facilitating and making sure that happens?

Ms BROUN: Yes.

CHAIR: With the regional rollout?

Ms BROUN: That is right.

CHAIR: Those people will be the ones who will have that vital role?

Ms BROUN: That is right, but even I cannot guarantee someone will stay in one place the whole time that you would like them to be there and you will have turnover.

The Hon. MICHAEL VEITCH: That is the nature of the beast?

Ms BROUN: That is right, but it is around how well we build the community capacity to deal with whoever comes through the door.

CHAIR: In the last annual report you indicated that the rollout of the regional local structures will have that vital role of informing the local community and empowering the local community. You indicated that there was a big challenge in terms of finances. As director general, are you able to give us an indication as to whether or not that challenge is increasing or diminishing in terms of the rollout of the regional structure and its longevity?

Ms BROUN: There are probably a couple of points in that. One, as I mentioned in the opening statement, was the amount of additional funds we have been able to secure to do just those things to meet that extra demand to embed better and support better those local government structures to do that work, so that was important. The sort of demand that might generate at a local level better service delivery—there are different ways you might meet that demand at a local level as well. Not only were we able to secure extra funds to meet what we see as a high level of need, but there are other ways we might do that That might be a redistribution either at a local level or within agencies to meet that need.

Equally, we need to link really closely with Commonwealth government programs. I find Aboriginal people generally not accessing the sorts of grants programs that are available, particularly through Commonwealth agencies. There are a whole range of programs that are advertised a lot yet Aboriginal people are not well resourced, do not know they are there, do not know where the funding can come from or they need support to help actually do the submissions. I also think you get to do things by doing better coordination. You may well see an increase in demand but you also might see that there is some duplication of service delivery that if you address that will free up some additional resource into that community as well.

I think it is incredibly important to look at how resources are being used on the ground, is there a duplication of the way that is being done, whether it is within or across State agencies or whether it is across State and Federal agencies and so the coordination, locally, regionally and at a State level is really important to try to address that sort of increasing demand. It is not always about, "We need another bucket of money". Let us use what we have now in a more effective way.

CHAIR: The challenge, you believe, is not insurmountable?

Ms BROUN: No, I do not think it is insurmountable. There are different ways you can deal with it. I think we can be better with the way we deal with those resourcing issues.

The Hon. MARIE FICARRA: When we are talking about community frustration at the ever-changing officer level, the consultative process, they tell us that when we talk to interest groups and stakeholders, "This is another committee report, another inquiry, it has gone on for years". When your project officers or caseworkers are working in communities, I compare it to service delivery in private enterprise, who actually makes sure that they record good relationships, with key stakeholders, those people in local communities, be they indigenous or non-indigenous, that they are actually having good success in the rollout? Who actually records that so that it is there for the next person who comes along? Who actually monitors that? Is that a key performance indicator that is put as part of their job contract or position, because I give it the same sort of significance as running a sales department or a service delivery department in private enterprise?

Ms BROUN: Yes, that is an important point. One of the things these community partnership officers are doing is local action plans, so there will be a plan that is agreed with the community about what is going to be delivered. That will be a formal document that agencies know they will be delivering and that they are accountable against. The other part of it is that these structures run formally, in terms of minutes being set, kept and recorded, and those sorts of things. These officers will be able to support them on those good governance practices as well. That is really important.

Currently, my regional officers do a regional action plan with a whole range of different agencies at the table. That is what the role of the REGs has been, and also they record a number of actions at each regional level and there is a regional engagement group meeting every quarter to look back at where those things are at. There is a strong reporting framework around that. They then report through to one of the regional management groups that DPC operates. So there is already strong reporting of those actions and making sure things do happen so, regardless if that person goes on leave or that person leaves the job, there is a file for X community—here is where we got up to, here are the actions that have been agreed, these are the agencies responsible to deliver—because most of those actions will have a lead agency around them. It will not be a nice motherhood statement; it will be quite a concrete action. An important point is that we have to make sure that they are concrete actions rather than just nice words on the page. We are going to make sure the preschool gets a new roof or make sure the bus for the preschool gets organised, those sorts of things. Then it is a process of who is the responsible agency and how do they make sure that happens.

The Hon. MARIE FICARRA: The key stakeholders—I am thinking about the indigenous people or particular persons within that community or region who are working very successfully with other individuals in helping your department or other government agencies roll out things, where we have some very good people doing a fine job—are you confident the information on those persons is being recorded so that the new person who comes in gets a good briefing from the outgoing person and knows immediately that these are the people to work through to make sure they get everything they need to get done in an effective time frame? I am thinking more of the individuals who are good people and who are giving their utmost?

Ms BROUN: Yes, I think the handover and induction from one person to another is an area that could be improved, definitely, and we could have much more of a structure around that. All agencies would have inductions and managers would make sure there is some level of handover, but I think it is an area that could be improved.

The Hon. MARIE FICARRA: Recording of key stakeholders and their interrelationships with workers?

Ms BROUN: Yes.

The Hon. MARIE FICARRA: The role of DAA—question No. 8—outlining how that strategic policy unit provides advice to ensure that the Government's policies, programs, activities for indigenous people are responsive, relative and timely. Who is in charge of that unit and to whom do they provide advice? How does that system work?

Ms BROUN: It is a division of the department rather than a unit. It is run by Kerry Pearse. I think she came with me last time. She is the Executive Director, Policy and Regulation Division. That unit provides strategic policy advice, so it covers a whole range of things around whole-of-government activities. Also, for instance, the COAG working group on indigenous reform comes under that group at the moment. Equally, administration of parts of the Aboriginal Land Rights Act come under that person as well. So, a whole range of advice comes through that division. It all comes through me. That may well be something that then goes to other places but it all comes through me.

The Hon. MARIE FICARRA: That is monitored to ensure everyone is on track? That is really monitored?

Ms BROUN: Yes. We have very strong business plans and deliverables that are reported on in performance agreements not only with my executive directors but also with levels of management and work plans for each staff member as well.

The Hon. MARIE FICARRA: Question 10, the role of the CEO group on Aboriginal affairs, how does it fit with the group of CEOs overseeing performance in the State Plan indicators? If you could outline for us how that process works?

Ms BROUN: There was a CEO group on Aboriginal affairs up until about May last year. Some of the thinking and reshaping around the State Plan was to rationalise CEO groups and a strong move was made to make F1 as the State Plan priority on Aboriginal affairs, at the higher-level monitoring, if you like, through the higher-level group. Most of my members on the CEO group of Aboriginal affairs were on the other group so,

rather than have two groups monitoring, we do it through the CEC now. So they monitor F1 and specifically the interagency plan and child sexual assault as well. The monitoring is done very tightly through that process.

While I do not have a CEO group on Aboriginal affairs, I have a Two Ways Together coordinating committee, which is government agencies but also all the peak bodies—the State land council, the Aboriginal education consultative group chairpersons. There is an Aboriginal child care secretariat that attends and the Aboriginal Health and Medical Research Council and the Aboriginal Housing Board all attend at that group as well. So, we monitor not only at that level of F1 actions but we also monitor a number of other State plan priorities that we think have a significant relevance to Aboriginal people, and there are another 13 of those. So, there is a whole range of monitoring of not only the outcomes but also the actions that have been committed to.

The Hon. MARIE FICARRA: Do you chair that committee?

Ms BROUN: Yes, generally.

The Hon. MARIE FICARRA: A question on how your department ensures that the other agencies comply with their agreements to implement and monitor programs in the indigenous communities. How do you ensure that that happens? What is assessed or reported?

Ms BROUN: Generally, as I said, there will be local level action plans. In most places they still have to be developed up but at the moment there are regional action plans that the regional engagement groups have developed which are very action-oriented about what we see as priorities in each of those. They have been done with the Aboriginal peak bodies on those groups as well. Primarily DAA and the Commonwealth Government, through FaHCSIA, attend those groups, and a number of other key agencies. So, in some regions you might have Housing as one of the members but in another region you might have Attorney General's, depending on what the priorities are. There is generally a core group of agencies and they are a subcommittee to the regional coordination management group.

The Hon. MARIE FICARRA: Have there been instances where you believe in the processes you are going through things are not happening in a particular agency at the rate you would expect? What would you do in that case?

Ms BROUN: I probably did not mention, on top of some of those more formal groups I have regular meetings with a number of CEOs on a personal, one-to-one basis, so I would talk to them about particular actions they are responsible for. Particularly, we have a number of lead agencies under F1 delivering some of the key activities there. So the Department of Environment and Climate Change is responsible for a couple of key actions under F1. It is monitoring them as well and having those regular meetings with the CEOs as well. It is all very well to have a committee-type meeting but it is also important to have those one-on-one meetings and making sure agencies are keeping on track.

The Hon. MARIE FICARRA: So that would be a verbal interaction between you and the CEO of that particular agency?

Ms BROUN: Yes, generally. But quite often you would follow that through with a letter that raises particular issues that puts it on notice that there are issues that need to be followed through, as there would be from other agencies to me.

The Hon. MARIE FICARRA: Say for instance—this may or may not have occurred—that six months goes by and your agreed outcomes have not occurred, what would you then do as CEO of your department?

Ms BROUN: Firstly it would have to be highlighted as part of the normal reporting process and it would be dealt with initially through the Two Ways Together coordinating committee. That would not be at a CEO level but if it was still behind, I would either ring a CEO or go and visit a CEO.

The Hon. MARIE FICARRA: I am still curious as to where that process finally leads. If the CEO has still not followed up and has still not done the job, does anyone get to find that out at a higher level or do something about it?

Ms BROUN: There are two things. The F1 itself is reported at CEC as well, so it can be done at that level as well, which is a committee-type approach. It probably should have been fixed by the time it gets to that level, one would have thought.

The Hon. MARIE FICARRA: Continuing on to question 9, your annual report says that the partnership community engagement process will probably lead to an increase in demand in resourcing, and you mention securing agency support for this work will be a challenge for the department in the coming year because of that process. Could you further elaborate on that? How much increased demand and how are you going to cope with that? What sort of increased demand and what sort of format it might take?

Ms BROUN: I think that is what I was referring to previously. Yes, there might be demand that increases, particularly at a local level where the community identifies other things they need done. There were two parts to that response. One was that the department was successful in securing a whole range of new resources, not just for us but for a number of other agencies as well. Then it is more about analysing what that demand is and how you are using your resources either locally or regionally and being able to redistribute those or to apply for the Commonwealth Government grants and those sorts of things. As I said, reducing duplication is obviously an avenue when you are looking at either local or regional level, to say a number of us are doing this, I think we could use our resource better.

The Hon. GREG DONNELLY: I wonder if I could just deal with the issue of child sexual abuse. In the interim report that has been produced we dealt with the matter in a bit of detail. Have you had a chance to read the report that dealt with that?

Ms BROUN: Yes, I have but it was a while ago when it first came out.

The Hon. GREG DONNELLY: A couple of things arise from our investigation. It starts on page 103 and goes over to a couple of recommendations on page 106—the issue of the level of incidents of child sexual abuse being higher, at the bottom of page 103 and over to page 104. During the inquiry we have had a number of witnesses testify about the issue of underreporting of child sexual abuse. Is that a position that the department would generally agree with, that there is in fact a high level of underreporting of the incidence of child sexual abuse?

Ms BROUN: Yes.

The Hon. GREG DONNELLY: In terms of that, and it was picked up in some of your response earlier, the issue becomes one then surely of how do we change that almost culture of silence or culture of not facing up to and acknowledging the issue? Could you explain to us how this can be broken down and changed, because a number of witnesses just expressed a real frustration that it is there, it is the worst kept secret, but there is still this reluctance to break the silence down? Can you give us an overview of the way to go?

Ms BROUN: There are probably a couple of ways. Part of the new funding was for us to work intensely in a number of communities. The role of those engagement officers, who will be DAA officers, is to actually go in prior to other agencies and to do some of that work about getting the community engaged in the subject and opening up about that subject and talking about it and being willing to work with government on it. Communities will say to you, "We would like to work with you". They want to understand the process and what does that mean—particularly what does that mean for the offender, what does that mean for the victim. A lot of people actually do not want to put people through it. The systems response is quite scary and they need to understand that; they need to have faith in the systems as well. So they need to know that there is going to be some victim's support. They need to know what will happen to the offender, those sorts of things, particularly in smaller communities. I think that can be fairly confronting for people to deal with.

So the role of these officers that I will have out there will be to do some of that work on the ground with the community before the service delivery agency, say DOCS and the police and health, come in. But equally, as I said, it is important that they have faith that the system is going to respond to them in a certain way. I think one of your other questions was around DOCS having said they would expect to see an increase in reporting, and we would also suggest that if we are doing this properly we would see an increase in reporting of child sexual assault and that while obviously there is a lot of negativity around that it would be a positive move. If we saw more reporting it would mean the community are dealing with it and people are willing to come forward and have faith in the system dealing with it.

The Hon. GREG DONNELLY: It struck me, just on the top of page 105, 5.23, that was a point that Ms Bev Manton made—she is the chairperson of the Aboriginal Land Council—about this need to get that out there, to get people more open to actually report. In fact, she goes on in her quote there to argue that the fact that there has not been the reporting has created this sort of downward spiral of "it is not being reported and no-one is listening, therefore we will not speak up about it". In terms of getting communities to open up, are there are any particular models that you are looking at to try and get that to happen? You talked about the preparatory work to try and go in there but do you think there are any models—

Ms BROUN: There are a few. But in terms of people not reporting, it is worth noting that there is a community in Western Australia where they recently arrested about 13 people, or something like that, and that was after five years of building a relationship and a trust at that community level. So it does take time to build that as well. It is not a quick fix where you walk in and say, "I'm a police officer, tell me your problems"; it takes a lot of time to build that level of trust in the system and trust in those, particularly when it is police officers and things like that—and there is historically a level of distrust, particularly with the police in Aboriginal communities, but also DOCS. So that is one of the issues.

But there are some models. There are various models both overseas and I think in parts of Queensland where they are doing some of this work at the community level and it is more of a community healing and those sorts of things. So they are some of those models that are important to look at because I think it is about it not just being a justice response. There are a lot of trauma and other issues in communities that need to be dealt with, and equally a lot of perpetrators have also been victims themselves. There are other issues that apply, such as drug and alcohol use and those sorts of things, so you need to fix that sort of environment as well. There are issues around the physical environment, the safety of the physical environment, including housing. If you have got a lot of overcrowded houses that does exacerbate the problem as well. You have to look at the whole model and the whole system.

There is a particular Canadian example, which is this hollow water model, which is a bit of the community healing circle type thing that you might know about. I think we have referred to it in our submission previously. But it is around the community owning the problem and owning some of those solutions and owning the process that you go through as well. But I know that with the hollow water one the perpetrator has to accept that that is an offensive behaviour and they have to accept that before they can be taken into that sort of healing circle and dealt with in that process, and some of it is confronting the victim and their family with the perpetrator as well, but they need to accept the responsibility for that offending behaviour as well. So there are some models out there and I think they have been used in different parts of Australia as well; I think the one in Queensland—I think it was in Cherbourg, from memory—is based loosely on the hollow water.

But I would probably caution against just implanting something from an overseas model into Australia; I think there are a lot of differences culturally and also historically and we have got to be very careful of doing that. That is not to say you do not learn from those other models, but I think you have got to be very careful of just transplanting them in and saying, "We've got something for you. You do it". But it does have to have those principles of the community owning the problem and being able to work with you and having faith in the system to deal with it.

The Hon. GREG DONNELLY: Just on the bottom of 105 we have noted the Government's five-year interagency plan to deal with the issue of child sexual abuse in Aboriginal communities. Could you give us an update on that in terms of where we are? I am pretty keen to find out if the amount of money you described earlier that is now going to be committed to dealing with the issue is going to be incorporated into this plan, or parts of the money committed to the plan.

Ms BROUN: The interagency plan itself has an estimate of about $30 million in delivering on the plan, and the new money was to enhance the capacity of that to deliver to communities. So a lot of it was those new communities I was talking to you about and how we are going to do more intensive work on that. There are 10 more caseworkers across those communities and the new JIRT at Bourke, that was all part of that new funding. For DAA it will be those engagement officers that go in prior to the rest of the agencies and also we got a couple of positions centrally to do more of the monitoring and evaluation of the interagency plan itself. So there is a quite tight reporting framework around it, and there were actions that were going to the ongoing and long-term type actions; there were also some quite concrete actions, and I can talk about some of the things that have occurred in terms of achievements against that plan.

The Hon. GREG DONNELLY: That would be useful.

Ms BROUN: If you look at the Little Children are Sacred report in the Northern Territory and some of the recommendations in that, they covered the whole gamut of agency service delivery, not just the justice type responses. So they did recognise that education, health, and a whole range of other agencies, including having access to those communities via a reliable road, all help in the delivery of a better service. Some of these might sound like they are not part of the actual solution but they are all very integrated. The Schools in Partnership Program has been delivered to 30 schools. The Department of Education and police are implementing truancy reduction strategies as part of a schools attendance action plan. The first one was around action 59; the second one is around action 61 on the plan.

The number of Aboriginal teachers scholarships doubled to 60 scholarships in 2007-08—that is action 70. The Federal Government is providing some funds over five years for universal access to early learning for four-year-olds, and that will improve access for Aboriginal children in the year before school—that is action 71. The Rural New Street Program, which was running, I think, in one location, has now been expanded—it is a community-based treatment program to treat children and adolescents who display sexually abusive behaviours—and has been established in another part of the State in the north-west, I think in Tamworth. That is action 56.

More than 100 children participate in services or receive support from one of the DOCS Aboriginal intensive family-based services during the year, and I know DOCS have been doing some intensive work and workshopping their service delivery with the Murdi Paaki regional assembly. So they have done some work and done some workshops with that group up there. I think that has been really good. And not just around child sexual assault but just understanding the system and how it works. I think that will translate into some more work around child sexual assault as well. But it is about building a relationship with DOCS as an agency as well. That is all sort of prevention activity.

On the law enforcement side, Aboriginal police numbers have been increasing—action 75. There is still some work to be done there, and I think that goes to another point about how do we as an agency try and improve that. I have been doing a lot of work with Commissioner Scipione on recruitment practices for Aboriginal people. One of my sort-of very regular meetings is with Commissioner Scipione and trying to work with the police on how they can get more Aboriginal police. A new child sexual assault training package for Department of Juvenile Justice staff has been implemented, and that is to improve the training for screening and detecting and responding to victims. I think there have been some studies done through Don Weatherburn that show that the percentage of children in juvenile justice who are victims of child sexual assault is very high. So, that is important when they are entering the juvenile justice system. That is action 54.

There has been legislation around sexual procurement for grooming of children, to make that a crime, and that has been enacted. The model for monitoring sexual offenders on release, which is around corrective services staff being on call more regularly, is action 24. Sixty-two per cent of courts in priority locations now have the technology for remote witness type facilities. I can keep going, but it just gives you a flavour of where those actions are at, and there is a whole range of actions, obviously. There were 88 actions in the interagency plan and they are getting monitored, but, as I said, some of them will have quite concrete actions like these, others will have more longer term outcomes: some are statewide actions; some are very local level actions as well. They vary in how tangible some of those outcomes are at one point or another.

The Hon. GREG DONNELLY: Just one final question that goes to our observations on page 106, the issue of consideration of 15 about the concern about the methodology that was being used in terms of recording the incidence of child sexual abuse in Aboriginal communities. There was some level of concern that we were not sure that there was integrity in the data collection that was going on and did that agitate a need to somehow refine it so there was a better collection of information that could be looked at, examined and considered, and strategies obviously developed from it? Did you have a view about the issue of the maintenance of the information associated with the incidence of child sexual abuse in Aboriginal communities?

Ms BROUN: In terms of the data collection side of it—and this would not be the only area—I think in data collection generally there could be some improvement in the way that is done, particularly in the reporting. Where we get into some issues is if you are looking at the data at a local small community then you have got to be very careful from a privacy point of view about identifying how many people have reported and things like that. We have to be a little bit sensitive to some of that stuff because if there are only 300 people in the community and you start identifying these many, people can often work out who they are. We have to be

careful. Sometimes you will aggregate up to a bigger area or a region so some of that is not done but I think there are some issues around the data collection processes.

Generally people get a choice and are asked the question of whether or not they are Aboriginal. It is voluntary to actually answer that question and, for whatever reasons, there are Aboriginal people that will decline to identify that they are Aboriginal when they receive the service. That is fine, and it is within their rights to do that, but there are probably areas for improvement in the data collection at the agency level and the way that data is used.

On that point, the agencies are reporting to us but we will have an enhanced monitoring evaluation team working on this as well—particularly in putting together the Two Ways Together Indicators report. I have had an officer on secondment from the Australian Bureau of Statistics working with us for about a year that obviously understands data and statistics much better than I do. They are quite good at doing work around: Is this data relevant? Is the sample size relevant? Can you rely on the data? All of those sorts of issues, but I think there is room improvement as well.

The Hon. GREG DONNELLY: As to the example you have given of a smaller community and concern over privacy issues, obviously there must never be injustices such as people being wrongly accused, for example, but how do you balance that against the need to try and break down the almost taboo on the issue?

Ms BROUN: Yes.

The Hon. GREG DONNELLY: What has struck me at our different Committee hearings is the preparedness by the women to speak up. In fact the women appeared in a number of examples to be agitating quite strongly against what appeared to be indifference at the community level to deal with it and to be fighting the fight. But they did not seem to have—and I say this respectfully—the support of some of the male elders in the community and even some of the younger males in the community to confront and deal with this. In other words it was acknowledged that it was going on but there seemed to be a reluctance to take it on. It seems to me whilst ever that continues to be the case there is almost a sense of people being able to hide behind the shadow of it all.

Ms BROUN: Yes, except I think that comes down to a couple of things. You do have to build trust with the community to deal with the issue. We have got engagement officers out there doing that work and they might be doing something differently with men and women separately at a community level for some of that work. There is a bit of a perception, which has been enhanced by lot of the Northern Territory intervention work, that every Aboriginal male is a perpetrator. I think there is a bit of push back from the Aboriginal men that that is not the case. I know Murdi Paaki have come out very strongly with statements from the regional assembly about child sexual assault.

I met with a men's group in Orange that had been set up in response to some of this—a really impressive group of men of different ages from very young to elders—that really wanted to take a stand on this at the community level. So it is about how can we support them to do that? They work very strongly with not only the LALC—in fact I meet with them at the Land Council office—but also with the community working party in that location. They really want to take it on even though it may or may not be a huge issue in that town.

The Hon. GREG DONNELLY: They are setting the example in speaking out?

Ms BROUN: Yes, standing up and taking a point on it. Recently there was a large gathering of men in Alice Springs equally taking a strong stand against violence against women and children. I think we need to start that process and have that discussion but you do need to open the door and you might need to do different things with men and women. One of the actions in the inter-agency plan is around healing and culture camps and doing that with the community. Where a community is being involved in this work if they want to have healing and cultural camps—we are not going to force it on people—there is a model to roll out. In some cases you would take the men, women and children off separately into different culture camps to do some of that work. You need to have the support around that though for what might be disclosed after or during that sort of work.

The Hon. GREG DONNELLY: The other interesting thing is that certainly in the traditional Aboriginal environment and lifestyle it does not feature as something that the men traditionally do?

Ms BROUN: Yes.

The Hon. GREG DONNELLY: It is sort of abhorrent? In some sense it is trying to call back those traditions and the respect for women is something to try and work on I would have thought?

Ms BROUN: That is right and what can we do to support them through that process? As I said, a lot of the perpetrators are also victims themselves but it is also tied up with a lot of other social disadvantage issues.

Dr JOHN KAYE: I want to take you to question three—which I think is locally a very important question—to do with the Redfern community: one of the 40 partnership communities. In the Department of Aboriginal Affairs [DAA] 2007 annual report it suggests that the consultation with the Redfern community is happening through the Redfern-Waterloo Authority [RWA]. Individually and collectively we have heard a lot of evidence about people's attitudes towards the RWA and one would have to say it is actually not all that great. What is your opinion of the regard that the local Aboriginal community in Redfern holds for the RWA? How can you justify that being used as a consultation body?

Ms BROUN: There has obviously been some discussions, particularly through our consultations, that have highlighted there are some issues with the way the RWA is engaging with the Aboriginal community and that some of the processes they use cannot be used as legitimate consultations—a newsletter, for instance, is not really a consultation. There are a few points and one is that I think that they have done some good work.

Dr JOHN KAYE: Are you saying the RWA has done some good work?

Ms BROUN: Yes, they have done some good work in working with Aboriginal communities. They have got Aboriginal people on staff, on their committees and also on the board of the RWA itself. There are people employed through Yaama Dhiyaan—they use that group a lot. They have done some very positive work, including the construction industry, but in terms of their engagement with the community at the grass roots sort of level, of having people in the process, that is some work I will need to be doing once I get this partnership community person out there to see what would that model be like. Do we need a community engagement group or is it some other model for that location?

Dr JOHN KAYE: So you are actually going to have a Department of Aboriginal Affairs person on the ground?

Ms BROUN: Yes.

Dr JOHN KAYE: Once that happens, what role will the Redfern-Waterloo Authority play in the consultations? Will it effectively be sidelined?

Ms BROUN: No, still play a big part of it. I would expect we would be working in partnership with the RWA but having somebody on the ground to enhance that consultation, and I think engagement of the community might help the RWA through that process.

Dr JOHN KAYE: It might help the Redfern-Waterloo Authority through the process but there is the other side of that, which is that the community has a high level of distrust in the Redfern-Waterloo Authority. Do you think that having one Department of Aboriginal Affairs person there will actually overcome the degree of community distrust in the Redfern-Waterloo Authority?

Ms BROUN: When I say I have got a partnership community project officer, their role is the specific community but a whole network of people, including managers and the whole department, supports them. It is not just left up to one person to be there. Their role would be to actually work with the community about what is the model that they want on the ground and how can they work and get what they want through the RWA as well as other agencies. So there might well be some more work that we need to do with other departments in that area as well.

Dr JOHN KAYE: The second question I wish to ask is around question four. It has been put to us that the Aboriginal people of New South Wales are the most consulted and studied people on the surface of the planet and yet nothing ever really happens—which is an exaggeration but that is what has been put to us. With respect to a partnership community engagement strategy, how are you going to cope with the consultation fatigue that seems to be inevitable in all of this? That is to say, how are you going to overcome the inevitable cynicism that people feel of yet another consultation process, yet another study and consultation? How can you

be sure that when you are establishing these Aboriginal community representation structures that they will actually genuinely represent the community and those who work with them?

Ms BROUN: I think some of the consultation fatigue and the cynicism comes as much from the process not being responsive to community but also that not always is there feedback to the community. So in the consultations we have just done there was a commitment to send out the revised framework as well as the consultant's report very early on. So every single person that came will get a copy of that consultant's report. But also I think people often get consulted and do not see anything as a result of that and so they do not feel it was a genuine consultation in the first instance—that is the first point.

The second point around the community partnership engagement groups, or governance groups, or whatever you want to call them, is actually that they will assist in that consultation fatigue I would have thought because they are engaged on an ongoing basis. So not only can Government use them as that source, they will not have to go in and set up a separate consultation mechanism or have a different meeting. People will know that is where you do that sort of business. I encourage agencies to utilise those and they generally may meet the third Monday of every month, or something like that, and that will be the point at which the Government can come and do that consultation as well.

Dr JOHN KAYE: So you are hoping to some extent to try to centralise the consultation?

Ms BROUN: Yes, to channel it.

CHAIR: At a regional level?

Ms BROUN: No, at a local level.

Dr JOHN KAYE: At a community level?

Ms BROUN: Yes.

Dr JOHN KAYE: I take you to the Murdi Paaki trial to which we have had a lot of reference to and mention of. I specifically refer you to question 17. When the trial ended in December 2007 there was a change in the Government departments, both Commonwealth and State, which were signatories to the SRA's. Do you think that that change has destabilised the benefits of the Murdi Paaki process? Do you think it has undermined the possibilities of ongoing relationships? That is to say, when you change an agency you change personnel and you change all the key relationships that have been developed. Did we make a mistake in allowing that change to happen? Is there anything we can do to recapture some of the benefits of Murdi Paaki that might have been lost or diminished by that change?

Ms BROUN: The first point is that the lead agencies for the life of the trial were the Department of Education, Science and Training [DEST] and the Department of Education and Training [DET] who did some really good work but at the same time DAA was involved throughout that process and so was the Indigenous Coordination Centres [ICC]. So in saying that the lead has changed it has not actually meant a difference necessarily in the personnel who are going out there because I was going out there are a lot, as were my other staff—my Bourke office is still there. Whilst we would now be seen as the lead agency we were actually there anyway as a partner with DET, and equally with DEST, and with the Federal Government the ICC was involved with that whole process as well. I think more destabilising has been the lack of commitment to a regional partnership agreement that has occurred with the winding down, if you like, of the COAG trial. While we have been negotiating on a regional partnership agreement since last year, we are still in the process. It has recently been reinvigorated and there is some real work being done on that around a couple of things.

One is that the Commonwealth Government now wants to insert the COAG Working Group on Indigenous Reform and the targets that have been set nationally, around employment and a few other things, into the regional partnership agreement. Likewise we probably want some of the things more related to the State Plan in F1. We would be reworking on that basis. I have just been reading the redrafted version, which is up to version 28 or something like that.

Dr JOHN KAYE: The redrafting of the regional partnership agreement?

Ms BROUN: The regional partnership agreement, yes. There are some insertions in there now around the COAG targets for indigenous people.

Dr JOHN KAYE: What is the time span of that agreement? How long does it last?

Ms BROUN: I think we would be aiming at a three-year agreement, or even a five-year agreement would be more appropriate, I would have thought.

Dr JOHN KAYE: What is your vision for where this will be at in 10 years time?

Ms BROUN: Murdi Paaki?

Dr JOHN KAYE: Yes.

Ms BROUN: You would probably have to talk to the Regional Assembly to find out what their vision is, but the vision is more that Government is working with the Regional Assembly in delivering better services out there. That can be through the local level work. I will have a half-time person for each of those partnership communities out there. There are 16 communities and that translates to about eight new people on top of my original staff. I am making a long-term commitment to the region. Over the last several years we have supported the community working party structures with some dollars and with various workings of the Regional Assembly. I go to a lot of the Regional Assembly meetings. What we need to maintain is the real strength of governance that has been built up there and the relationship that has been built with government. We have to maintain that.

Dr JOHN KAYE: You see this as an ongoing exercise that at some stage will go from three to five year agreements, or something more permanent.

Ms BROUN: Really I think it will be caught up with some other things going on nationally about representative bodies and things like that. It is a bit hard to say what that might look like in five or 10 years. But from my perspective, what we would not want to see is a diminishing of the governance structures that are out there now and their relationship with government. We actually want to strengthen those relationships with government. As much as possible we are getting them involved in the business. They have very strong governance arrangements are there and we just want to continue to support that. We also want to continue to support a youth leadership group out there. That would be one thing we would be wanting to continue to support and work with as well as some of the other issues they have out there. We have done a lot of work, not only with the Regional Assembly but at every local level. We have done a lot of work through the Aboriginal Communities Development Program in the construction of housing and those sorts of things as well. It has been a very long-term relationship. We hope to see that continuing and strengthened.

CHAIR: However, there seems to be a very patchy understanding among local communities as to the role of the Department of Aboriginal Affairs [DAA]. If one reads some of the submissions we have received, you would be able to highlight some fairly stark language and thoughts on what the DAA is.

Ms BROUN: Yes.

CHAIR: Is work being done in terms of selling the DAA's role, whatever it is, to the local communities as to whether or not you are a service provider, an advocate, or an amalgam of the two? Is work being done, or is the level of understanding by local communities of the role of the DAA an issue that you see as a problem on the ground?

Ms BROUN: Yes, and I think that some of the confusion has been that our relationship with them has been primarily in the past around the Aboriginal Communities Development Program, which is around housing delivery. That has changed over the last couple of years to be more of community development and, more broadly, community action plans and those sorts of things. But, yes, we do need to do some more work on communication. Having those new partnership community project officers out there would assist with that, I would hope, because they will see very clearly that that is a DAA officer there who will be working with them and supporting the governance structure as well as working between them and government to get the service delivery improved at those local levels. That will enhance communication and the strategies we might put in place there. There is more work we could do there as well.

CHAIR: Can I obtain a copy of the action plan for the memorandum of understanding [MOU]?

Ms BROUN: For the job compact MOU?

CHAIR: Yes.

Ms BROUN: Yes.

CHAIR: How do you see the department? Is it a service provider or an advocate? What is it?

Ms BROUN: It is probably more around significant policy and coordination and it is around service delivery. It is around getting in touch with agencies. Government agencies generally work better with the community. Some of that entails advocacy work where it is promotion and some support for community and those sorts of things. You may well get instances where you get involved with a particular community member's issues. I would hope that we are not. I would hope that what we are doing is building up the capacity for the community to deal with those issues and with the agency directly. If someone came to me with a housing issue, I may well be able to assist, but I do not think it helps in the longer term. You are better off actually dealing with Housing and saying, "This is a consistent issue that is coming up in the community and you need to look at your policy around that."

CHAIR: In terms of your job description for the original staff, those eight full-time equivalent officers—

Ms BROUN: The partnership community officers?

CHAIR: Yes. They have a job description, but obviously when they go out there, they are going to be hit with a lot of advocacy work and supporting people in their struggles that they have with all sorts of against-the-odds problems. What will be their job description?

Ms BROUN: They have two primary roles: one is helping to support in establishing a community governance model on the ground, so it is building that framework; and then it would be supporting that group to work more closely with government, so getting the government to the table to work with them. Rather than us being the place where a person comes and says they have an issue with a particular agency, it would be knowing who to link them to so that they can deal with that themselves. But the other part of the role is to do the community action planning around broader community issues. Advocacy to me is just as valid to do at a community level as it is when it is done at an individual level. I would hope that we are not getting involved in individual advocacy.

CHAIR: You are a referral agency?

Ms BROUN: Yes, but at more of a community level to say, for instance, "The school is not delivering as well as it could in this area, and the community has some ideas. We would like to see the principal come to the working party meetings every month while we establish that relationship and solve some of those issues." I have seen that occur at a number of places where the principals turn up to the community working party meetings. In other places a local area commander turns up to every meeting and deals with some of those issues at the community level. Rather than us being the one that fixes the problem, it goes back to the issue about the core business of agencies. It is up to them to come to the table and deal with the community to solve some of those things themselves.

CHAIR: When an individual person comes to them, they would be able to explain to that individual the role of the DAA and that it is not necessarily to fix the problem but to refer them to the appropriate agency.

Ms BROUN: Yes.

CHAIR: And act as an advocate for the DAA in promoting its role.

Ms BROUN: At a policy level as well. If you hear often enough that there is an issue with a policy, whether it is a policy to do with the way the police are dealing with someone or whether it is something around schools or something around a hospital, there are obviously some things we have to do with that service provider to change the policy and the way that is being implemented. It might just be the interpretation of

policy. We deal with that at the policy setting, rather than on a case-by-case basis which I do not think solves a lot of problems. You actually want to deal with the capacity of the community to do some of that work as well.

CHAIR: I would say that the roll-out of that directions document from the police department, at best, is very patchy.

Ms BROUN: Yes, that is right, and the through communication as well. My community project officers and the function of them and the support for their role has been across a lot of government agencies that have come to the table and said, "We will support this role, and it is well needed. It can help us deliver on their business objectives because we want to have a stronger connection into the community, and we can see that a DAA officer will help to provide that connection to the community so that we can work more effectively with the community."

CHAIR: Going back to that issue of the boxing gloves and whip, hopefully you have not come across that problem.

Ms BROUN: Generally not.

CHAIR: I hope most of the agencies have been extremely cooperative with everything that you have done, but when it does occur, what is your script?

Ms BROUN: When there is an issue that cannot be resolved?

CHAIR: Yes.

Ms BROUN: You are probably right: it does not usually occur. There are ways of negotiating solutions about getting to that point, I would have thought. I have a strong relationship with most of the key CEOs I have to deal with.

CHAIR: Hypothetically, what would you do?

Ms BROUN: Often I can defer. I can do it at CEC, which is a committee.

Dr JOHN KAYE: The CEC?

Ms BROUN: The Chief Executives Committee, which is quite a high level committee of officers.

CHAIR: Which would involve the Director General of the Department Premier and Cabinet?

Ms BROUN: Yes. Often, if there is an ongoing issue, I would utilise the Director General of the DPC to help to negotiate a solution with that agency. That has not had to happen.

The Hon. MARIE FICARRA: That usually works!

Ms BROUN: I have not had to do that very often.

CHAIR: You expect to have your boxing gloves locked up in the cupboard?

Ms BROUN: Yes. I think there are other ways of solving problems.

The Hon. MICHAEL VEITCH: First of all, I will just make comment. I think a lot of the things you are talking about regarding advocacy suggest that you would support systemic advocacy as opposed to individual advocacy.

Ms BROUN: Yes. I think individual advocacy is better done outside of government by advocacy groups. If you look at the broader role of advocacy, which is around supporting, encouraging, promoting or working with people, our role is to want to enhance their own skills in doing that. You want to build their own capacity to do that well, as individuals and as communities, rather than being reliant on an external body to do some of that work for them.

The Hon. MICHAEL VEITCH: I am not sure whether you have had a chance to read the transcript of Monday's hearing.

Ms BROUN: Yes, most of it.

The Hon. MICHAEL VEITCH: We heard from the New South Wales Aboriginal Land Council on Monday. In response to one of the questions from the Chair around the DAA setting up some regionalised and local structures, he posed a question to the New South Wales Aboriginal Land Council on whether the DAA had liaised or discussed or engaged in that process. He received a very short answer of no. Would you like to respond to that? Have you had much interaction?

Ms BROUN: I was very surprised about that because we have done a lot of work with the land council on the community engagement work. They are members of the community engagement working group that developed the framework document that we went consulting on. I have met with the state land council on several occasions to present, develop and change that document prior to its going out to the land council members at the table. They mostly attended all of the consultations as well. It was either that their zone office people attended or the councillors themselves attended. I was surprised by that. That is my response.

The Hon. MICHAEL VEITCH: Is that reflective of the type of liaising you do with the New South Wales Aboriginal Land Council on a regular basis?

Ms BROUN: Yes. I would attend every meeting of the council and present something. More recently it has been around the community engagement framework. Earlier in the year we were talking about the water and sewerage package and the work around that that we want to do in partnership with them. Depending on what their agenda is, I would meet with them on a very regular basis.

The Hon. MICHAEL VEITCH: My last question relates to a completely different matter. In your opening statement you spoke about the poverty impact. We have been asking a lot of people questions about poverty. On Monday it was highlighted to us that there is entrenched generational poverty in Aboriginal communities and that a lot of the issues affecting Aboriginal communities are not so much based on race or culture but are more to do with genuine poverty. Do you have any comments on that?

Ms BROUN: I think poverty obviously is a huge factor, but that is compounded for the Aboriginal community by a whole range of historical and cultural factors that are brought to play. There are high levels of intergenerational disadvantage, which means that in terms of employment and economic outcomes Aboriginal people are way behind the rest of the Australian community. Poverty is entrenched in a lot of Aboriginal communities and that is why the job compact and getting people jobs is one of the biggest priorities for us, because we need to have people participating fully in the economy to try to close off the cycle of disadvantage and poverty. That is the first thing. There are also very clear linkages between economic disadvantage and other social indicators, not just for Aboriginal people but right across the board. Lower socioeconomic groups generally have a whole range of other areas of disadvantage and the statistics are generally fairly poor.

The Hon. MICHAEL VEITCH: It is one of the social determinants of health.

Ms BROUN: Yes. That is right. There are clear linkages, so employment and building economic independence, which are some of the words that are used, are really important and are part of the job compacts. Equally, that has to be put in context. It is not as easy as saying it is a poverty issue because of some of the other issues that come into play for Aboriginals as a colonised people who have suffered trauma and dispossession, with children being taken away and the trauma involved with that and the healing that needs to occur. So there are a whole range of other things, but obviously poverty is a key factor. The principles and underlying strategies around F1 and previously around Two Ways Together, of building community resilience and working much more strongly on building cultural aspects, are really important.

It is important that people are valued by the society in which they live—valued for their differences and as individuals, but also as a key and strong part of Australia culture so that their culture is recognised. The work we have done with revitalising Aboriginal languages is a key to that. The work around co-management of national parks, the Land Rights Act itself and people having ownership of land are obviously significant. All of those things have a role to play in building the strength of Aboriginal people and their place in society. Equally, if you are talking about the area of child sexual assault, work needs to occur with counselling and healing and those sorts of things. The waters are fairly muddy. There are lots of bits of the jigsaw that need to be in place.

Interestingly, things as symbolic as the apology by the Prime Minister do shift the ground; things as symbolic as having welcomes to country at the beginning of school assemblies and at most other significant events, and teaching Aboriginal languages in schools. The department supports a whole range of cultural activity throughout the year and a number of other government agencies contribute to that support. The Yamma Festival at Bourke gets a fair degree of government support; the Yabun concert on Australia Day at Victoria Park, and previously at Redfern, also gets a lot of government support. There is also the march on Sorry Day. All of those sorts of things are really important to building the value of Aboriginal people and their sense of identity and strength as a people. The economic side is an area in which we need to do a lot better by building the economic base.

CHAIR: We heard yesterday from Associate Professor Green of the University of New South Wales who gave us some very good examples of preparatory work that was being done for students coming through the universities. We have not yet had the opportunity to ask the Education Department about the compulsory part of the history curriculum in primary and secondary schools in relation to Aboriginal history from colonisation to resistance and the ongoing major contribution to the history of Australia against the odds. There does not appear to be any compulsory curriculum. Is that right?

Ms BROUN: I think you would probably have to ask the Education Department about the compulsory part of the curriculum. I know there are courses but I do not know whether they are compulsory. There are obviously elements in the curriculum that are compulsory. As I understand it, in primary school elements of Aboriginal history and culture are integrated into the overall curriculum. The question as to which parts of the curriculum are compulsory is an important one. What is in the curriculum is only one part of the matter; there are also the values that are integrated into schools relating to Aboriginal culture and diversity and things like that. That is why the welcomes to country are important and having language on the curriculum, even if it is not compulsory, is really important as well.

The Hon. MARIE FICARRA: We have heard a lot of good things about Canada and I know that we cannot just pick up overseas programs and schemes and plant them into local indigenous communities and think, "Wow, that is terrific, it is going to be accepted and be effective." However, Canada comes up continually, particularly with social issues. If you know about or are aware of something positive that is happening in a Canadian province, or in Queensland—you mentioned the modification of a program there—can you then propose that it be implemented in New South Wales? Can we learn from interstate and internationally?

Ms BROUN: Yes, definitely, with the proviso that you are learning some of the ways of doing it and not imposing it. We might modify it to the circumstances of the community we are working with and its history. I think you are right. We can learn a lot from other countries, Canada specifically, but equally New Zealand has various programs that we could learn from. I have had a bit to do with people coming here from Canada to look at what we are doing—more so than our going there to see what they are doing—because they are struggling as well. One of the areas they are struggling with is how to deal with urban populations, which we also are struggling with but we are probably a bit further progressed than some of the Canadian models in that area.

The Hon. MARIE FICARRA: How much interaction is there with your counterparts in New Zealand?

Ms BROUN: Probably not that much, although I think the Minister comes to be Ministerial Council on Aboriginal and Torres Strait Islander Affairs, so the Maori equivalent would come to that meeting.

The Hon. MARIE FICARRA: Is that interrelationship, learning from each other and working together, something we can foster much more in the future?

Ms BROUN: I think more can be done with New Zealand particularly, although again I would be a bit cautious because they have an entirely different history. Even the population base is different. I think Maoris are 25 percent of the population and they also have one language, so there are some extreme differences and comparisons are not that easy to make.

The Hon. MARIE FICARRA: Perhaps we can learn from the way they roll out service programs. We can always learn from developments as well as share information to improve their outcomes as well.

Ms BROUN: I think the more we share, the better.

CHAIR: We have run out of time. We are mindful of the good work the department does and we appreciate the candid nature of your evidence today, which is a special day as it is your birthday.

Ms BROUN: It is a good way to spend your birthday!

CHAIR: I will not have you suffer us singing happy birthday, but we can give you a cup of tea. Finally, we ask that you return questions on notice by 10 October.

(The witness withdrew)

(Short adjournment)

ROBYN KRUK, Director General, Department of Premier and Cabinet, 1 Farrer Place, Sydney, and

VICKI D'ADAM, Assistant Director General (Policy), Department of Premier and Cabinet, Level 39, Government Macquarie Tower, 1 Farrer Place, Sydney, on former oath:

CHAIR: I thank the Director General and Assistant Director General (Policy) for attending this Committee hearing. Do you have an opening statement?

Ms KRUK: I am conscious of your time, so I am quite happy not to take the time of the Committee in terms of making a formal address. Hopefully you will have received the response that we have provided both to the questions I took on notice and specifically to give the Committee a flavour in terms of some of the initiatives that we think are more merit worthy and manageable than others. I note you are receiving evidence from the individual agencies during your next couple of days of hearing, particularly Health and Education as well. Jody, I would presume, has run you through very openly and candidly about some of the programs that are yielding results. No doubt those agencies will as well. While I was wishing her a happy birthday I did not take the opportunity to ask her about any of the detail. Presumably she has run you through the more recent Government announcements since my last appearance.

I was obviously constrained in terms of being able to foreshadow what directions the Government was taking on a number of the programs. Hopefully they have addressed your issues. I have also picked up your questions in relation to the governance structure. I am quite happy, if it is useful for the Committee, to talk today about some of the Commonwealth-State issues, which probably are more clearly in my remit or the broad spectrum is more clearly in my remit. Vicki D'Adam, my deputy, has also been very active in those discussions. It may be useful to touch on the questions that you have picked up in your interim report. So I waive my opportunity for an opening statement.

The Hon. MICHAEL VEITCH: In the submission to the inquiry that was provided to us on Monday by the New South Wales Aboriginal Land Council, it was stated that the transfer of $1 billion of validly granted Crown lands by the Department of Lands to Aboriginal owners has been very slow. What is your department's role in facilitating the transfer of that validly granted Crown land to Aboriginal owners?

Ms KRUK: I must admit I was not aware of their concerns about the pace of it. I think there has been a great welcoming by the Aboriginal community about the decision to transfer the lands. I was not aware that there were delays in it. I think there have been legitimate frustrations in the Aboriginal community for a number of years about various assessment and conversion processes in the Crown land area. Certainly the Cabinet Office has been involved in facilitating some of those discussions previously. I am quite happy to look at whether there are things that I can do to actually assist in facilitating the movement. Did they give you any details, just out of interest?

The Hon. MICHAEL VEITCH: No, it was in their submission, which we received only on Monday.

Ms KRUK: Can I say, if you want to send that submission to me I will endeavour to see if there are things that we can assist with.

The Hon. MICHAEL VEITCH: If you have a chance—

Ms KRUK: I am happy to do so.

The Hon. MICHAEL VEITCH: Robyn, over the last few days a number of participants have been asked a question about poverty. Just prior to your coming in the room you may have heard Jody answer in detail the last question around poverty.

Ms KRUK: No, I missed that.

The Hon. MICHAEL VEITCH: The issue that has been put to us is that a lot of the matters affecting Aboriginal communities relate more to poverty then to race or culture. Does the Department of Premier and Cabinet have a view about that and do you have any suggestions as to how we might be able to build something into our report?

Ms KRUK: What I have learnt in my own career, having worked in a number of areas and being a direct service provider to Aboriginal communities, I do not think there is any one single issue that is causal. Focusing on poverty gives a very clear message that it is not just about ensuring the provision of adequate justice services, adequate educational services and adequate health services, in addition to the obvious community resilience issues, which I think Jody would have picked up. You do need to look at the income issues as well. That is why this is not an area in which the Commonwealth and the State can continue on the path that they have for a number of years where there have been almost parallel universes in operation. The Murdi Paaki trial and other trials that have taken place in other States, I think one of their major benefits is that they have brought together Commonwealth-State considerations. You cannot look at the wellbeing of the community without looking at a whole range of the broad socioeconomic measures. That would be my very clear answer.

I had a meeting yesterday with my counterparts from each of the States and Territories and also the head of Prime Minister and Cabinet. This is obviously an issue that is a high order issue between governments—that clearly income, whether it is from some form of government assistance or income generated by employment is pivotal to the wellbeing of those communities. So it is a matter of what the Commonwealth can do in that regard and aligning that with the States. It is a frightful inefficient use of resources if we are embarking on one aspect in relation to job compacts and those initiatives that are beginning to yield fruit, as you would have seen in our submission, without having regard to the initiatives that the Commonwealth can or is already offering. There has to be coherence. The common ground in some instances is to look straight at a single community. I picked up the last of Jody's commentary.

The risk is you cannot just pick up a model that may work effectively in Alberta and move it into Toomalah. You cannot effectively move a model that is working in the Territory into Mount Druitt keeping in mind, as the Committee knows, that a good percentage of our Aboriginal population inhabit that area. But there are common factors that need to be dealt with at the macro-governmental level that can be dealt with. I think income protection or income certainty is one of those. What is a reasonable amount of assistance for a family to live on is a question that needs to be addressed at a Commonwealth level, but then the service levels need to be dealt with at a State level. So I do not think poverty is the only thing. I think poverty is a significant factor, I really do.

The Hon. MICHAEL VEITCH: It is quite complex.

Ms KRUK: It is.

The Hon. MICHAEL VEITCH: You mentioned the Northern Territory. Are there lessons for the New South Wales Government to learn arising out of the Northern Territory intervention?

Ms KRUK: I do not want to in any way pre-empt the outcomes of that review. It was interesting talking to my counterpart from the Territory yesterday that there would be very few citizens that were not in some way relieved that this issue was clearly on the table and being dealt with at the highest level of government. The positive aspect was the mobilising of resources, both government and non-government, State and Federal, profit and non-profit, and all those aspects to deal with that. I was encouraged to see the likes of Roger Corbett and a range of people involved in that initiative at that time. It is very much a community response.

Some of the concerns that have come through—and these are anecdotal issues so I premise my comment with that proviso—are the sustainability of some of those initiatives because I know that a number of the service providers from my own health system at that time put themselves forward to become involved in that effort. I think the focus particularly for young Aboriginal children for a health check is a very good move but there is very little benefit if you just undertake a health check and there is not follow-through treatment and the provision of support services.

The risk is that you can often make a situation worse by doing that. You need to have a plan that deals with the wellbeing, health and resilience, to use the terminology that the Committee has picked up, of the community as a whole. One of the things that frightened me about the Territory was seeing absolutely superb new health facilities, built at some expense, that had no staff. There were new facilities being built for renal dialysis—probably you might have seen that—where basically the staff are not there.

Carrying out health checks and getting a better diagnosis of the problem is useful but you need a sustainable service delivery model. I hope the review is a comprehensive and candid review that actually says, "Push on these angles but in some instances to modify the approach". I think that would probably be Jody's view. I note that the response gendered probably mixed views within the Aboriginal community, from both my friends and contacts. Some were heartened that something was happening. On the other hand, they felt that it was inappropriately targeted, but that is not an unusual response from any community about a government intervention.

There will be lessons learned. I know from my discussions with the Federal Government, housing has come up as a major issue. There are obvious disparities in terms of literacy and health. The Committee would have heard those. I have concerns—and this is a risk for the State—that a focus on remote Aboriginal communities alone will not actually deliver the target that our Prime Minister has identified in his Government's platform because the bulk of the Aboriginal community lives in urban areas, so you need an approach that deals with both Aboriginals in remote communities as well as urbanised settings.

There will be clear lessons. At the end of the day, it is a response that will require the Commonwealth looking at the supply side of the equation; whether it is in relation to the sort of support that they can provide through educational places—I have had incredibly encouraging experience in relation to Aboriginal health service workers. We probably have some of our most significant improvements in health outcomes actually totally modifying some of our service models. We rely obviously on the interaction between the Commonwealth and the State in relation to educational places but there will have to be changes. I look at the Medicare Benefits Schedule and some of the services that can be provided and whether you need a medico to actually go to those communities or whether you can train up an Aboriginal health worker, you will get far greater reach and engagement from Aboriginal communities and you actually have a sustainable service. To succeed in this area we will have to totally throw the existing service model in the air. That is my very clear view.

The Hon. MICHAEL VEITCH: Are Aboriginal communities in New South Wales being disadvantaged by the intervention in the Northern Territory?

Ms KRUK: There were real concerns, which we picked up, and I might rely on Vicki's far deeper knowledge than mine, that the way the funding was being provided was at the expense of moneys coming from existing New South Wales programs. I think Jodi might have touched on the Community Housing and Infrastructure Program [CHIP].

Ms D'ADAM: Where it affects us most is that the Commonwealth Government became so distracted by the Northern Territory that if it was not an indigenous issue that related to the Northern Territory, they just did not have the people left to talk to us. Areas that we did want to take forward, we have a bilateral agreement with the Commonwealth that we were beginning to get off the ground and meeting regularly, identifying priority communities or partner communities; that basically ground to a halt because all the effort was diverted to the Northern Territory and all the people who could talk to us about those issues, even in a more specialised way as well.

That was the biggest effect; it meant that we could not take some things forward in New South Wales that we wanted to in partnership with the Commonwealth. Secondly, it meant that they began to look at all their funding models even more through that prism of remoteness and, unfortunately, that still lingers. Even through our discussions with the Council of Australian Governments [COAG] process, even though we begin by talking about urban, regional and remote Aboriginal communities, the Commonwealth seems to swing back to remote and that is where their most recent experience is. That then plays into the policy aspects of it. That has been our greatest concern and it is still a hard task to keep saying, as the director general said, that the majority of Aboriginal people live in urban communities and the targets that the Prime Minister put forward and our leaders have also signed up through the Council of Australian Governments process, can be very difficult to achieve if there is not greater effort applied to Aboriginal people living in urban communities.

The Hon. MARIE FICARRA: As a follow-up to that, everyone has great intentions and, yes, the situation in the Northern Territory was so shocking that there was a response and the response now hopefully has been finetuned. We have this anomaly where 70 per cent approximately of the indigenous population live in the coastal areas. Either through the Council of Australian Governments process or up the bilateral agreements, how can we get the message through to the current Federal Government that this will lead to very bad outcomes in one, two or five years time if it continues along this track? What can we do to try to rectify this because coastal communities are suffering?

Ms KRUK: For a start, I do not think this is finished business in any way. The reality is that what happened in the Northern Territory brought the issue to a very high media profile and the response was provided as Vicky said. The encouraging thing is to get governments around Australia, irrespective of their persuasion, to say these are the targets that we publicly hold ourselves accountable for. That again is the strength of the targets in the State Plan as well too. It is a public accountability.

In terms of our communities in New South Wales, that is something that needs to be progressed through bilateral agreements. If you look at not just communities in the metropolitan area but along the coast, the South Coast, they have quite different sets of needs. We are quite well placed because we have now got some quite strong data to show what programs are working in those communities. The issue is to enter into some matching agreements where we actually get the Commonwealth and State to work together on those programs as opposed to having competing programs.

Aboriginal communities deserve that. We, as administrators of public money, should be doing that anyway, but I think that is our strongest aim. I think the Committee would have heard some of the data in relation to movements in country areas. It is a real concern. We have a situation in New South Wales where population numbers of Aboriginal members are rising quite significantly. There will be some country towns in western New South Wales that will be predominantly Aboriginal with young children. Our greatest challenge—and this is why I look at the Territory with some fear—is having communities with high and not unexpected need and not having the service providers that can actually go out there.

Unless we take action at this stage, both in relation to our service provision models but also our work with the Commonwealth, we will end up in the same position as the Territory in terms of remote communities with high needs with an inability to actually provide services. That means there has to be a creative relationship with the Commonwealth in terms of what incentives you can offer by way of uptake of new vocational or tertiary positions, whether it is taxation benefits. There have to be smarter ways of being able to provide services across all areas, not just in metropolitan New South Wales. That is probably our biggest challenge.

The Hon. MARIE FICARRA: That is really interesting, that growth in indigenous populations in some rural communities is that high. You have monitored that; that has come to your attention. What do you put that down to and how do you provide for the resources in health and education that will follow?

Ms KRUK: It will be helpful to ask this question of New South Wales Health when it appears before you. What we have started to do as well, and this is on a cross-government basis and work through the regional coordination management groups—and this has happened for some time—is to look at the movement in terms of regional communities, how the makeup of those regional communities changes over time, what the health and other service needs of those communities are. There is a clear pattern. Obviously as the population ages we are seeing quite a significant shift in the demographic of communities but we are also seeing an increase in terms of birth rate in a number of communities, so it is a matter of already starting to get our service models geared to that.

Some of the work that Jodi has been a very active proponent in is the cross-agency work in the West Orana region, picking a couple of centres and looking quite specifically at what we need to do with our service needs today but also to look at, Well, if you have 10 per cent of your population that is under the age of two at the moment, that is clearly going to have a roll-on effect in the next 10 to 15 years. That is our major challenge. Our workforce issues are our major challenge on the service delivery front and that is probably a consistent message that you would have heard from most of the service delivery agencies.

The Hon. MARIE FICARRA: Perhaps it is a positive thing that you have so many people being born into those communities. Does that mean that maternal health and post-natal is now improving for indigenous women; that health outcomes are improving and therefore there are more pregnancies, births and more survivals?

Ms KRUK: There was an article in the paper on it a few weeks ago, which made public some of the data we actually commissioned when I was still with New South Wales Health that looked at the impact of birth rates generally post-baby bonus, which was a fascinating piece of research. People may have their various views on that, which is probably not an issue for this Committee. It was quite a clear peak in relation to birth rate, which is probably likely to continue. I am not technically competent—Dr Richard Matthews is probably the one to ask—it was very clear because we were already moving a significant amount of resource into the Aboriginal

maternal and infant health strategy anyway because we were getting encouraging results in that area and at that time the head of the Department of Community Services and I moved additional resources in to actually push that out to other areas because we were getting some of the most encouraging results from that program in terms of birth weight.

Also with respect to the health status of young mothers; any work you can do with young mothers in relation to reducing smoking rates has a flow-on effect obviously to the child and the child's birth weight. Any interventions in that, particular in the first 12 to 24 months have a significant benefit. Those results were encouraging and what is encouraging is that the Commonwealth will pick up some of those programs on a macro scale. An evidentiary basis assisted us in that regard but we have no reason to be comfortable in our current status. The issue is to have a look at what other programs are currently making a mark and to look at how you extend that.

A number of the initiatives coming up through the COAG process in relation to interventions in the nought to four bracket are based on very solid data in terms of return on investment in an economic sense, but I am talking in a social sense. So, you will see a far greater focus on that. The Queensland Government, because it had a very serious service gap in relation to services for the nought to four years, has just announced quite a significant policy in that regard. It was probably lagging behind most other States. That is now based on a solid bit of data.

The tension, as we were talking during the break, is always between wanting your focus on acute service delivery issues, but child sexual assault is a classic example, you will not yield long-term results by throwing a huge amount of money at police efforts at the expense of going into the communities, as Jody would have outlined, and having a range of interventions that are done with that community, in partnership with the community and led by that community. So, it is a balance between acute spending and early intervention spending that will yield results.

The Hon. MARIE FICARRA: That is an excellent public health story. I am heartened. CEO performance agreements, including the targets on Aboriginal affairs, do you feel the targets are being monitored effectively? Do you believe they are being met effectively, and how much room for improvement do we have?

Ms KRUK: This was the first year that I sat down with all of the lead CEOs and went through all of their performance agreements and what they were doing in relation to the State Plan priorities. Obviously the Aboriginal service components of that and the Aboriginal employment components are significant. CEOs must have those in their agreements. I have them in my agreement. My senior staff have components of them in their agreements. If it is in the boss's agreement it tends to go in, in the pecking order, to everyone else's agreement as well. That tends to be a flow on effect; you do not have to look at every agreement to know that it flows on.

What was significant, and I talk about this more in my role, was to sit down with the CEOs and talk with them about what was working. I recall meeting with Commissioner Scipione, because he obviously worked very closely with Jody in relation to a number of the justice aspects. What he had done under his leadership and previously under Ken Moroney's, in terms of increasing employment opportunities for Aboriginal liaison officers within the force, but he has taken it to the next step now and basically said, "I want Aboriginal police officers." He is now working with Michael Coutts-Trotter to get that linkage at the academy, getting it with TAFE, getting a TAFE person based at the academy, and going out into the communities and looking at the pathways that are necessary for not just young kids but also Aboriginal members who are involved in different areas and encouraging them to join the force.

People have different views about KPIs. KPIs focus. That is their single most significant benefit. We were having a discussion because that is why there are KPIs. He can say this is what is working. I need Education's assistance to do this, so that discussion was set up and work is under way. So, yes, I am a believer of having it in the performance agreement. The former Premier issued a memorandum saying that it was a must do, which also means that the Auditor-General at a certain point in time tends to look at those performance agreements on a statewide basis. I clearly only meet with the lead CEOs about their performance agreements. But having had the Auditor-General in various past positions look at my performance agreement, I know he does it to see that we comply with memoranda. Knowing this Auditor-General, I am sure he will do it again.

The Hon. MARIE FICARRA: How did the national indigenous health equality targets that arose from the summit held in Canberra earlier this year fit in with our State Plan in New South Wales?

Ms KRUK: There is an alignment of targets. They are frightening in their ambition. If they were any less there would be an adequate reason for criticism as well. The issue, as I see it, is to have it in the political accountability at the Federal level, to have it in the political accountability at the State level, as articulated through the State Plan, to have it in CEOs' accountability at the government level, in turn to have that translated through the work that we do with the not-for-profit sector. That line of sight is there. I have seen enough different targets over the years that have different endpoints. The issue is that they all line up quite clearly.

I was nervous in my health role about the targets we put forward in relation to some of the chronic conditions, the avoidable admissions, but the point is that was the only way to focus my effort on it, so I started my day worrying about it, as did a number of other people in the organisation, and in effect that is the same thing that a political target does as well. Why did the CEOs come together, as they did, I think, on Monday with Minister Lynch? Because he is running us through what we have done: Why have you not been able to move this? I want you to give this more of a push. The KPIs give that sort of focus but they do not just focus bureaucracy, they also focus government. I think that is significant.

Ms D'ADAM: Supplementary to what the director general said, yes, it does stop and start at the highest level and the Council of Australian Governments is committed to those outcomes as well. How that is going to be implemented is through the new major specific funding agreements we will be signing off on at the end of the year. Each of those agreements will have outcomes for indigenous people and targets, picking up particularly those health ones. What they mean, for some of them, which are out to 2020, there will need to be trajectories as well. So, we are not just leaving them and worry about those later, we will be putting in place stepping stones along the way. So, it will also be embedded in our commitment to the Commonwealth to those funding arrangements as well.

The Hon. MARIE FICARRA: It was interesting leading up to our previous report and some of the discussions we had with some of the elders in indigenous communities where programs were being rolled out successfully. It was clear that if you had indigenous people who took these preventative health programs to heart and got involved with their communities that you had very successful outcomes far sooner than others. Ideally it would be nice to identify those people and have them working with your government agencies to get the message through. It is an acute problem but you also want to deal with future generations and preventing us always having to patch up chronic diseases rather than address them preventatively beforehand. I just note that.

Ms KRUK: But you have hit the nail on the head. We are in an interesting position as bureaucrats. Jody would have mentioned this as well. There is a frustration about why can you not just go in there and do something sooner. We put the money on the table. Can you just go into the community and do it? Jody, in a very calm manner, has pointed out in every instance that there has been a history of failures in the just go in and do it approach. That is why the resilience stuff is not just window dressing; it is a matter of having a strong cohort in Aboriginal communities and, in effect, one, tell you what they believe needs to be done and then work with you to make sure it is done. It is so simple but the point is that different communities have different membership of the elders where the power politics lie—they are like any community. That is our hardest issue, and if you need to invest in that in the first instance, you should do it. That is a clear message.

The Hon. GREG DONNELLY: During our various hearings around the State taking evidence, there have been constant complaints about the nature of the cycle for programs, namely the short-term nature of what is often no more and no less than 12 months. Can you comment on that? Is that seen as an issue and what would be the best way of tackling that?

Ms KRUK: I wish I could tell you there is an easy fix. In some instances, those 12-month programs are because they are trials. The issue then is to translate them from being a small pot of money, which is normally set up to test something—and we have all done it. The issue then is to look at the extent to which you build that into your mainstream budget. The trap is not to build it into your mainstream budget and not question at a certain point whether it is still the best and smartest way of doing it. So there have to be proper milestones to say this program might have been effective in the year 2000 but life has moved on, the demographics of the community may have changed significantly. The program might have been geared at the five to 10 year cohort and there might have been a significant move in that community and there would be more or less, et cetera. So you need to have that flexibility anyway. The challenge has always been to stop it from going from a 12-month program into something that is statewide. I am a strong advocate of looking at it on a place basis.

The issue then is to translate it into a longer-term budget format. That does not always happen. It is an issue for electoral cycles as well. On the whole, our budgets are set on three to four year time horizons. That is

why it was encouraging in relation to the announcement that was made after my last appearance about looking at better provision of water and sewerage services. We are talking about a 20-year program. It was recognised that it needed to be over that time frame. It was a good program because it was done in partnership with the land council. That is what made it exceptional, but it was saying this is not just a two or three-year thing and then we will walk away from it until it gets bad again and then we will look at it again. It was a long-term commitment.

What Vicki has touched on in terms of the funding arrangements between the Commonwealth and State, the advantage of that is that it builds it into a longer-term funding stream. In the indigenous programs, one that has allowed us to translate some very good initiatives such as the Aboriginal Maternal and Infant Health strategy from being what was initially a pilot in a couple of areas to something that we started rolling out statewide and now will start to be rolled out over a number of States. That program is identified in the Commonwealth-State funding agreement. That gives it a certainty.

CHAIR: It is a separate thing from the health equality targets?

Ms KRUK: Yes.

Ms D'ADAM: They contribute to the outcomes of those health equality targets. One of them is around halving the mortality gap for children under five within a decade. One of the best things you can do, as the director general said, is improve maternal health, and that program is aimed at that. Through the program birth weight will increase, which means that the life outcomes for a child are probably going to be better. That sort of program is aimed specifically at meeting that target.

CHAIR: How does that fit in with the State Plan?

Ms D'ADAM: Again, within the State Plan one of the outcomes for children is the Best Start in Life, and having a program such as the Aboriginal Maternal and Infant Health Program, which ensures good birth weight, means that good interaction between the child and the mother can go on to leading to being school ready down the track. It also means there is another outcome a linked under the COAG work around Children Are Born Healthy. So, it helps that outcome as well. The biggest indicators for life outcomes for children, as I say, are healthy birth weight, if they are born healthy, if their relationship with their mother is a strong one. One of the other targets of the State Plan is school readiness. Under F1, if we look again at child health and outcomes for children by reducing abuse, that also contributes to that.

Ms KRUK: To go back to your question, most programs start out as a trial with a 12-month lifespan or a two-year lifespan, depending on when you are actually going to see results. The issue is at what point you make the decision that it is translatable to beyond a particular population group, to a region—if they are the same health needs, the same service needs—or make it on a statewide basis. Your data at the end of the day is probably your most significant factor in doing that. The Otitis Media program from health started out being trialled in a small community. What impact is that likely to yield? How quickly are we likely to see that impact? Is it a good investment to make it something that we were going to push on a statewide basis? Our indications were clearly yes. Funding was dedicated then to make that something that was a statewide program which would be carried through.

Money was dedicated in the budget for it and we rolled it out. The issue we struck was not having sufficient workers to actually undertake the test. The step to dealing with that was to, in effect, look at what modifications we could do in relation to TAFE courses to get Aboriginal health workers out there to undertake the test. That is a good example of a program that grew from a small start to something that is statewide. A whole range of other programs, whether they are perpetrator programs, whether they are programs with various youth groups or whether they are programs with young mothers, often start in a small community and you make a judgement in terms of their longevity and their roll-out on a broader basis. We get it wrong in some instances; that is the other call. There is always a nervousness about can you be confident that this will actually work on a broader scale? All you can do is base it on the knowledge you have got. I am a very strong evaluator and reviewer of programs, but you have to do that with the Aboriginal community as well; it is not just whether you have hit the hard stats in terms of data.

Jody in her submission may have looked at the fact that in their evaluation frameworks they are starting to look at a whole range of far more difficult measures to pick up, which is the empowerment of the community in those issues. But that is appropriate. It is not just a matter of ticking and saying, "Well, we have got all of our stats". We will not get all of our stats right unless you have actually got that growth of capacity in Aboriginal

communities. This is a tough area. There is not a single way of fixing it and I think it is a matter of admitting in some instances that some of the programs are not the best way of dealing with it and moving on.

CHAIR: When you are looking at targets, is not the overall target the satisfaction or the empowerment of the local community? What seems to be happening in a number of areas is that the cut-off of the programs in what would be seen by the local community as in the prime of their life is done on the basis of funding and assessing at a different level the longevity of the program and whether or not it should survive. A connection in a lot of cases does not seem to be there, and that creates animosity. Are there any thoughts or talk about when you come to a decision that, "Yes, okay, this is a fantastic program but not really very cost-effective, we are going to need to cut it back because we cannot justify the amount of money we are spending here"? It tends to happen without the knowledge and connection of the local community and therefore there is animosity. Is that in the radar anywhere?

Ms KRUK: I think it is totally in the radar, and I think that is probably something that needs to be done a lot better. Empowerment is one aspect. Clearly when you go in with a particular program you have to look at whether it is making any difference across a range of factors, and the reality is a government has to make decisions about whether that is a better use of those monies in that community versus those monies being used in another community. Redfern is a very good example in that a commitment was made to go into that community in recognition of the difficulties that community faced. A range of different government structures and service changes were put in place, et cetera, to deal with the Redfern-type problems.

So a deliberate decision was made: "We are going to spend both time and resources in that community". Your issue then is to assess at what point is it still necessary. Are we to a stage where the community itself has changed to such a level you do not need a special governance structure in place as you currently have at Redfern-Waterloo? Are the programs still necessary? Because as your community gains a resiliency, as your service models change, you can also change the way those structures are set up. Do we need to continue to offer in Redfern-Waterloo in 10 years time exactly what we are offering at the moment? That is a judgement you have to make.

You get a real disconnection if there is no communication about how some of those decisions are made, and I think all too often what happens is that a funding stream ends, bureaucrats are embarrassed about it, there is no funding in future years and it almost just fades off into the distance. The issue in our structure is that we have to build in place mechanisms so that the community as a whole knows that an evaluation is underway, government agencies know that an evaluation is underway and that information is transparent. That is challenging because no community is going to say, "Yes, thank you, we have had enough. Take our additional policing resources elsewhere", or, "Take our additional resources elsewhere", if they feel there is a risk that they slip back. That is the hard part of the equation.

CHAIR: And that is part of a vital challenge of communicating to the local communities the role of the DAA and the government departments and how funding is assessed. I take on board you are challenging your supplementary submission to make suggestions and recommendations on additional targets. That might be one area to look at.

The Hon. GREG DONNELLY: You commented earlier on the Commonwealth-State relationship and, at least in popular thinking about the issue—and not just Aboriginal affairs but more generally, but talking about Aboriginal affairs now—a sort of overlap and duplication. Could you take us through as extensively as you can the work that is being done now specifically to address this issue of trying to reduce the overlap and to bring about greater comity in terms of complementarity between the two levels of government?

Ms D'ADAM: In relation to indigenous issues?

Ms KRUK: Vicki has been involved in that working group so I will defer to Vicki's closer knowledge.

Ms D'ADAM: As the Director General said there is a working group on indigenous reform under the Council of Australian Governments framework that has been looking at a number of issues. One has been, as we have been talking about targets and indicators, what would be sensible targets and indicators to close the gap for indigenous people. Through that that work has also been provided to the other working groups, such as the health working group, what is called the productivity agenda working group—which is early childhood schooling and skills—as well as the housing working group. So there is sharing of that information to begin with. Again through our main funding agreements, we will have sensible indicators around what we are trying to

achieve, which is closing the gap. That is one area of trying to make sure there is a common message across the board.

In relation to the work within the working group itself, it has looked at particular areas where it feels it needs to give attention compared to some of the other working groups. One of the first pieces of work that had the imprimatur of the Council of Australian Governments is in relation to indigenous early childhood, and we have talked about that partly. There it was recognised that if we want to improve outcomes for children being born, the maternal health, as well as the educational outcomes, there needs to probably be a more intensive piece of work around that. So, what has been put forward, and COAG has agreed, and we are now looking at how we can implement that—and this is between the States and the Commonwealth—is a program that looks at how we can expand: programs such as the Aboriginal infant and maternal health. It is very clear that we will deliver those services, but the Commonwealth will help fund it so it can be spread further and quicker.

Another component is looking at what they are calling child and family centres, which is a more encompassing child care centre, and that, I have to say, does give us a glimmer of hope. The Commonwealth recognises that a proportion need to be in urban environments and so, indicatively, we will have four in New South Wales in an urban area under this program and five in a regional area. That is a really good start. That is an example of where we sat down together and said, "Here is our target, which is improving infant mortality rates. What are some of the key programs we know that work?" We put forward our Aboriginal maternal health service, and that has been evaluated as providing outcomes, and that is the sort of program we can expand.

It was also recognised that child care is an area where the Commonwealth provides child care benefits. It can put that funding stream on the table and look at areas of need within New South Wales for our indigenous community, at where those services are not currently provided. That is one example of where we are looking at best practice, looking at a target, and looking at sorting out roles and responsibilities. Other areas that are being considered are around protective securities in communities, which lines up well with the work we have been doing under our plan on attacking Aboriginal child sexual assault and under our State target, F1, about safer communities as well. So there, we were having another discussion about what are the components of that—not as developed, so far, as the indigenous early childhood, but there is another example where we recognise there is a common objective we want, so what will the roles be and what can we both contribute there?

We are also looking at other areas such as—unfortunately not remote service delivery—but we will be looking at a number of areas within New South Wales. Again, what will be the roles of each level of government and what are the services we can bring together? So, it is more on a case-by-case, issue-by-issue basis rather than more of a macro Commonwealth responsible for this block, States and Territories responsible for that block. But, again, where we are also showing that commonality, as I say, through these funding agreements where we agree on indicators, and part of that is recognising through those agreements clear statements of roles and responsibilities of each level of government as well.

Ms KRUK: Aboriginal communities were understandably annoyed when some government structure would be set up at State level associated with what they were trying to do in a community—it would be an advisory mechanism—and the Commonwealth Government would come in town and set up another one. The reality is that is time and effort, expectations. I would be absolutely annoyed as well, to put it politely. That is why Murdi Paaki was significant. Murdi Paaki took quite a bit of arm wrestling in terms of just getting one way of dealing with that community; one sort of funnel to deal with it so the community knew who was on the table, who could be involved in it, et cetera—to have a common set of objectives in what you are trying to do in a community and then look at what each level of government can sensibly do to assist, as opposed to almost dealing in parallel universes.

That has always been a challenge of Commonwealth and State. There have been endless bureaucratic meetings with this exercise. They are the potential benefits that come from that. It is only early days, and I am not naive enough to think that it is a silver bullet, but it actually has dealt with some issues that have been considerably annoying to Aboriginal communities and annoying in terms of service providers because of the frustrations of men on the ground. The big thing is the accountability at the end of the day; the fact that both levels of government sign off to something that we have to make a demonstrable difference in this community or we have both failed. That is your best way of getting both Commonwealth and State and not-for-profit service providers together at the same table and look at what is working. That avoids three different agencies, whether they be Commonwealth and State, working with the same family and not having any sense at all that the others are there on different days of the week.

CHAIR: The issue there is that there is no indigenous community at that table?

Ms KRUK: No, I am sorry—I am answering the question in relation to duplication of services. Your major challenge is to be actually focused on the right thing to do with the community. There is no package you can roll in to Menindee and say, "Here is the answer." That is why you will have a Menindee-based approach, which is done with that community.

Ms D'ADAM: Going back to the example of the indigenous early childhood, the original Aboriginal Infant Maternal Health Strategy was developed in consultation with Aboriginal people. Before we go forward with any child and family centre there will be very close discussion with the community about whether it is the right thing for them. If it is not the right thing for that community we will work with another community. So around the implementation there will be very close consultation. In relation to the work under way under the Council of Australian Governments [COAG] umbrella we use our Two Ways Together Coordinating Committee to talk to peaks around that, and again around particular elements we will be having broader discussions.

CHAIR: When those COAG discussions take place you come back and— whilst I appreciate the difficulty—try to disseminate the intricacies of that to local communities?

Ms D'ADAM: Yes.

CHAIR: That is a fairly large dilemma, especially when it comes to funding. How do you get the adequacy of funding and the important commitments we have made as a community in these areas to meet?

Ms KRUK: You have hit the conundrum well and truly on the head. I mean we are at State level. One of the first things we had to do was to have a proper audit in relation to what was happening out there and that picks up the member's comments about actually making sure you are using your money sensibly. It is not a surprise that Prime Minister Rudd also took the same approach of having a look at what people are doing and what is actually making a difference as opposed to just looking at how much money is going in to it. There is clearly money going into it but the question is whether it is actually achieving anything? That question should be asked of every program, not just indigenous programs—I am very clear on that.

The big challenge will be, and the process that Vicki has described is the bureaucratic process of it, to underpin the work that is done in communities. The bureaucratic process is literally to make sure that you are focusing on the right outcomes. There is a pretty strong agreement in relation to focusing on a whole range of measures for young children. I need not go through that because you have heard a lot of evidence to support why the measures are the right measures. The thing is then to look at where you put your money. That cannot be done without actively engaging with indigenous communities. The Commonwealth-State process will give us a certain amount of money to spend in this area but the vexed questions of where you do it and where you actually start will get further results.

CHAIR: Do you think Murdi Paaki has been a success in its overall aim?

Ms KRUK: From the data we have included in our previous submission I think the results are encouraging. Are we there yet? No! I think there were a number of lessons that were had in setting up their community structures. A lot of lessons were learnt as well, both within community and between Government agencies, about how not to do it again. That process I think has been one that has matured a lot of relationships within Government agencies and between Government agencies and the community. So that actually builds a stronger platform. I was encouraged. The view is that we can do a lot more and there are messages for individual Government agencies and there are messages for coordination between Government agencies.

CHAIR: As a part of the indicators for success for Murdi Paaki, has there been an incorporation of the feedback as to the views of the 16 communities as to whether they think it was a success?

Ms KRUK: I think that was picked up as part of the evaluation from memory.

Ms D'ADAM: I think that was but we will check.

Ms KRUK: We will check that out and give you the details.

CHAIR: I would appreciate that. Looking at some of the submissions that have come to the Committee that looks fairly patchy?

Ms KRUK: We will get back to you on that. There is no doubt—and I think Jody would have touched on it in her evidence—that employing the empowerment tool is something we are doing prospectively. It is not something that has been done in previous evaluations. That is recognising that is not just a matter of looking at crime rates, health rates and literacy rates but you need some measure of engagement because that is probably one of your most critical success factors. So it is the lessons from that.

CHAIR: Various levels of success too?

Ms KRUK: That is right. I would be surprised if the Murdi Paaki evaluation did not say that there were some things that were done badly and some things that were done well and there were some things we really need to take away from that. I have worked in various service models on the north coast, in Redfern-Waterloo and western New South Wales, and I have learnt things from each of those in terms of engagement with committees. The difference is that the south coast community is quite different to the western community too.

CHAIR: Is there an action plan as to where we go from here, having evaluated the assessments from the various communities and the evaluations of whether or not it has been a partial, total or whatever success?

Ms D'ADAM: My understanding is that there are action plans being developed for regions within New South Wales—

Ms KRUK: That is not your question?

CHAIR: No.

Ms KRUK: An action plan coming out of Murdi Paaki?

Ms D'ADAM: The elements that have come out of Murdi Paaki—we will get back to you on how that has been incorporated into the Murdi Paaki one. Yes, I understand your question.

Ms KRUK: Can I say that one of your earlier questions to me was how in effect you get your legacy learning from any one of those trials into your next trial? The last document I looked at before I came over here was the legacy-learning document from World Youth Day, which is a document that is very interesting to everyone: it is a classic. We have learned over time that you actually have to document it so as to take it into the memory and the knowledge of the person who takes over from you. That was a lesson from the Olympics and it is the same lesson—I think Jody has put it into place under her leadership and the Department of Aboriginal Affairs as well—to have a look at what has worked and how you actually get some of the lessons of your dealings with those communities into the framework you apply.

When Jody and the Minister argued for additional resources in the Department of Aboriginal Affairs they argued for additional resources that focused on establishing community contacts: the liaison positions, the community engagement positions, and gave those a primacy over other ones. That was based on experience in other communities that had said unless you do that it will be a failure. That was the rationale and that is the legacy learning that has gone on. Murdi Paaki will no doubt give us some other legacy learning's. At the moment Jody is working with staff in my agency on getting the exact roles and responsibilities for some of her new staff members to make sure that is actually reflected in their job statements et cetera. Given my knowledge over the years there were things with Murdi Paaki that could have been done better in terms of engagement.

CHAIR: Assessing failure is probably as important as assessing success?

Ms KRUK: That is my viewpoint as well. What you do not want in this area is risk adverseness, in terms of failures, stopping you controlling different models or we would not have got circle sentencing up or a whole range of initiatives up that would have been pretty out there when they started.

CHAIR: I know the Hon. Michael Veitch has been trying to make that point for a while.

Ms KRUK: Yes.

The Hon. GREG DONNELLY: I see you have got a copy of the interim report there. I want to specifically ask you a question in regard to a point on page 105 about the five-year interagency plan to tackle child sexual assault in communities. Can you give us an overview of where that is up to as far as you know and any developments associated with it?

Ms KRUK: That was actually the meeting I made reference to the other day, in terms of the Minister calling together the chief executive officers to track progress. I thought there had been a public report issued recently or is there one due?

Ms D'ADAM: There is one due. The first annual report will be coming out within about the next six weeks. So there will be a report on that plan.

Ms KRUK: What Minister Lynch does—which he does almost on a two-monthly basis—is to get all the chief executive officers around the table. Jody's unit is responsible for monitoring progress in relation to those milestones and then the Minister calls the chief executive officers together on a regular basis and actually looks at those that are slipping on their milestones and what can be done to actually improve them. It makes the Minister also a very strong advocate in Cabinet on the issue as well too. That is why that sort of thing is being focused on in this report but I am happy to confirm that in my response to your question as to when that report is due.

Ms D'ADAM: I would just add that some of the budget commitments that were announced after the last appearance of the Director General related to that as well. Part of that was the $22.9 million to extend the implementation. That is another way of demonstrating taking it forward as well.

The Hon. MICHAEL VEITCH: As you would be aware one of the terms of reference of this Committee relates to the implementation and progress of implementation of previous recommendations and reports by this and other committees. There are two or three reports I would like to ask you about. The first one I want to talk about is Disabilities services: Making It Happen, a report from 2002. In its response to that inquiry the Government acknowledged that indigenous people with a disability require support that is delivered in a culturally appropriate manner. I quote the response:

> Using its network of Aboriginal services and staff the Department (DADHC) will engage with Aboriginal people to develop the mix and spread of services required to meet local needs.

Given that this Committee has heard repeatedly about the lack of Aboriginal-specific services for Aboriginal people with a disability, how has this been done and what has been achieved to date?

Ms KRUK: I have got a very comprehensive answer on this one and it may be better that I actually tender it in evidence because they have done a lot. There have been specific reports released in terms of where they have ramped up their services to a considerably higher level. They have also got in place a very solid structure or a very improved structure with the not-for-profit centres. I think they are also about to release a publication called *It's Business*—from memory—which talks about providing that sort of mentoring and support which you have picked up in your interim report about Government agencies having a responsibility to work with not-for-profit service providers in this area. The agency has also encouraged the growth of a number of Aboriginal not-for-profit organisations in this area. I am happy to tender that into evidence rather than read it out to you because it is a very good response from the agency and I think you will be heartened to see the result.

The Hon. MICHAEL VEITCH: I am happy with that. Another report I want to refer to you is Enhancing Aboriginal Political Representation from November 1998. The New South Wales Government voiced its support for continued and informed debated with both Aboriginal and non-Aboriginal communities in achieving greater Aboriginal participation in our political system. What has been achieved in this regard since 1999?

Ms KRUK: I might get Vicki to run through that but I will make the opening comment that it is a difficult one because clearly some of our role has been in relation to putting forward a view in relation to the discussion at a Federal level, in terms of what is an adequate structure. We are clearly dependent on input from our own representational groups in that regard. I mean New South Wales is fortunate in terms of having in place the Aboriginal Lands Council structure, which is an established structure. I think it is the Government's intention to make some modifications to that structure by way of legislation in the coming session of Parliament. I do not think anyone has yet got the right representational structure.

I work in close association with most of the peak organisation in the Aboriginal community and I know the diversity of views that they have in this regard as well. It is not necessarily just the structure that generates significant views but it is also the membership structure that generates comment. But that is not any different from any community having a view about who would be the appropriate representational members on any body, whether it is a federation working party or attendees at the 2020 Summit. We all have our view about whether they were the right ones.

The Hon. MICHAEL VEITCH: It is even reflected in the way people cast their votes on Saturday to determine local government representation.

Ms KRUK: That is true. I will let Vicki touch on this, but what I would say is that we have been active in relation to proffering views in terms of the post-ATSI environment as well, as to what is appropriate. We have been very much guided by our own peak organisations. I have sat in with Jody in relation to the current COAG process where we have met with leaders of various groups to make sure that we get their input into the Commonwealth-State discussions, and this is only at the macro level. This is only to make sure that we are batting in the right field. But I do not think we can claim that there is yet representational structure that is the be-all and end-all.

The State Government has ensured or tried to ensure that there is appropriate representation and input in a whole range of statutory decision-making processes. If you look at the report that your colleagues just referred to in relation to Aboriginal child sexual assault, that is the advisory group that the Minister has put in place to keep agencies in place. In that regard, it is a very strong representational group. There probably is not one model that can give confidence to Aboriginal communities that they are the be-all and end-all representational group. I think you need a peak structure. You need it encapsulated in the decision-making structures, whether you do that by statute or not.

When I was head of National Parks, we certainly made sure that the issue of indigenous representation was a matter that was included in statute. In Health, that is also an issue that we have ensured is built into the hard wiring of the organisation by the various structures that they have in place. Some of those are advisory and some of those are stronger. It depends very much what the governance structures are. Your big thing, and the Chair of the Committee has touched on this, is ultimately that a community will judge it by the structure that is at the local level. That is why with the Murdi Paaki staff and the representational structure that is in place there, they are saying: Was that the right one? Did we get the right people? Were the community leaders speaking on our behalf, or on behalf of the community?

A representational structure very often depends on the assistance that members are given in terms of taking on the roles, understanding their roles and representing the community—or are they representing a particular interest group? It is those things that count. But what I would say, and there is not one answer to your question, that you have to go into all of those levels to get a representational structure that in any way comes near to satisfying a community. Vicki might be able to answer, but that is how I would target it. That is quite a complex piece of work, so it is better that I just leave it at the macro level.

Ms D'ADAM: I will just add a few comments. At a national or broader level, yes, this is a question that is under discussion quite actively. There has been work under way by the Aboriginal and Torres Strait Islander Commissioner, Mr Calma, who has put out a discussion paper entitled Building a Sustainable and National Representative Body. Next month DAA will be facilitating discussions around that for people in Aboriginal communities within New South Wales. That is one way of gauging what would be a good national representative structure, for example.

Going back to the director general's point, it needs to be at various levels here. That is at the national level. Within the communities themselves, one of the things that came out of Murdi Paaki, which has taken us forward in how to work with the communities, is the community working parties. We are looking at that and there are a number of other communities and different partnership communities. That is a structure that brings the community together to look at what priorities are within those communities. That has been one model that New South Wales has taken forward, and had put forward as a way in which the Commonwealth may want to join with us in working with communities as well.

For us the other issue is the land council structure in New South Wales. That is another layer again. As you said: With voting, that is how it is done. Again there is a State body as well as regional and local bodies, and that is working on the needs of Aboriginal people in conjunction with the Government. We gave the

example of the infrastructure program that has been coming out of that very fruitful relationship. It needs to be at a number of levels. They are examples of what we have in place and how we are supporting the national discussion as well.

The Hon. MICHAEL VEITCH: I know that Hon. Marie Ficarra would like to ask this question, so I will ask it for her.

The Hon. MARIE FICARRA: Thank you very much.

Ms KRUK: You have been together that long?

The Hon. MICHAEL VEITCH: Have you looked at Canadian models of national representation in relation to building engagement, or at New Zealand?

Ms D'ADAM: I understand that the work that Commissioner Calma has undertaken has taken most models into consideration. That would be part of the discussion. Again, when we are looking at particular areas, circle sentencing came out of work that was undertaken in Canada, for example. Having structures within the community, such as community working parties or some sort of decision-making body, has helped those models going forward as well. So, yes, we have been looking at those models elsewhere but, again, when we heard the last of the presentation of the Director General of the Department of Aboriginal Affairs, we were always mindful of taking the best elements and seeing the principles behind those, but have not necessarily plonked them down in New South Wales. Yes, consideration has been given to those models.

The Hon. MICHAEL VEITCH: I cannot recall who made the comment, but on Monday we heard that there are so many structures being put in place now for representation within the Aboriginal community that there is the potential for the Government to go advice shopping or to go from for to forum. Do you think that is a fair statement?

Ms KRUK: It would be interesting to know whether that is the perception of the Aboriginal community, a bureaucratic perception, or what. The frustration I mentioned earlier of Aboriginal communities is that they do not want to have a whole raft of structures set up out there because it does dissipate their authority, understandably. That is what the game is all about. There has to be a sensible discussion about what the purpose of the body is and how it provides input. They are some of the legacy issues that Jody is picking up in some of the framework documents she is putting out on engagement with communities.

There has always been a bit of advice shopping going on anyway. That is not necessarily a bad thing if it encourages dialogue in dispute over the right matters. But if you are going seriously to have a structure that becomes a major advisory structure on a significant matter of policy and service delivery, it has to be quite clear what its role is and you then have to make use of that body. That is what it is set up for. That is clearly not going to stop other parties from having a view on part of that representational body as well. It is just the substance of democracy.

The Hon. MICHAEL VEITCH: My last question relates to the Northern Territory intervention. Has there been any migration from the Northern Territory to New South Wales? Have there been people fleeing that intervention and coming to New South Wales?

Ms D'ADAM: I think it has been more to Queensland and perhaps Western Australia, but definitely towards Queensland. There will be normal familial movement, but it has been more to Queensland.

The Hon. MARIE FICARRA: I pre-empt this by saying that I know that this is not your direct portfolio service delivery responsibility, but I am keen to hear what you have to say.

Ms KRUK: I will try.

The Hon. MARIE FICARRA: For education and training, empowerment of indigenous people down the track to take on a trial, to get into employment or to be teachers, let us start with our teachers that we are training. We heard from an incredible lady on Monday who has been mentioned before, Associate Professor Sue Green from the Nura Gili Indigenous Programs Centre at the University of New South Wales. Associate Professor Green told us that there are a few disappointments in our training and education regime in New South

Wales in that teachers are not being adequately trained in Aboriginal studies. It is not compulsory to have them trained in Aboriginal studies.

A lot of us found this hard to believe, given that police officers and everybody else has to be trained to be culturally sensitive and aware of indigenous history and contribution to our society. It seemed incredible. I am sure we will be addressing this to Mr Coutts-Trotter this afternoon, but just keep in mind that that is the case. Associate Professor Green seemed to have a good understanding of what is happening at all the different levels. That was one criticism, and the other criticism is that apparently New South Wales has had an Aboriginal educational policy from 1988 that makes it compulsory to teach Aboriginal history and culture as part of a curriculum. However, we seem to have a lack of teachers who are able to teach it. It seems to go back to: Where did we start from originally? How do we implement it in schools? In particular, I would be very interested to know how much of that teaching of Aboriginal history and culture is done at primary school level to begin with, and then at secondary school level. I ask you to make inquiries into that.

Ms KRUK: I will make inquiries. I have to profess my ignorance in this regard. All I am very conscious of, as you have spoken to the Commissioner of Police, is that it is certainly in the police curricula and is a very active component. I would be surprised at that, given the encouraging results that are coming out of the education system. These are the improvements in literacy, which did not happen by misadventure but by very targeted initiatives. I would bow to Michael Coutts-Trotter's answer on that. I am happy to have a look at it on that basis anyway. I know the academic of whom you speak, and she is certainly a very credible commentator.

Ms D'ADAM: I would just add a footnote to that. I do not want this to appear to be a buck pass, but education and training is largely a Commonwealth responsibility because it has a relationship with the universities. We meet with vice-chancellors, but in the end the direct relationship is with the Commonwealth because the Commonwealth is the funder. I think that is an important point.

Ms KRUK: You should ask anyway.

The Hon. MARIE FICARRA: That is interesting.

CHAIR: We are talking about the New South Wales compulsory curriculum for primary and secondary schools.

Ms D'ADAM: In schools, yes; but if you are saying that it is not part of teacher training, that happens within universities and colleges. If they are not coming into our system with that training, that is an interesting point that you can take forward.

CHAIR: That is an idea.

The Hon. MARIE FICARRA: We can take that forward to the Federal Government. Perhaps if we are not getting a quick enough response—

Ms KRUK: You can come back to us again.

The Hon. MARIE FICARRA: We can start picking up the slack. The other thing is that it seems that so many good things are happening in the University of New South Wales to encourage indigenous students to go into tertiary education. We were told that there was no State or Federal funding. Again, I imagine it is more Federal funding. However, could that be another area that you can look at in terms of good programs that are being conducted at of the University of New South Wales?

Ms KRUK: Sure.

The Hon. MARIE FICARRA: It would be truly wonderful to get those indigenous students into the tertiary level as well. They are good, but they have limited resources because they depend on private enterprise.

Ms KRUK: The Committee may have already met an academic from the University Western Sydney whose name escapes me. The university has taken a very proactive stand by going out into the community and creating pathways to their facility that did not exist naturally. Obviously a number of the universities are very active in seeking to get a far greater representation of indigenous people into their programs. I will see if I can

find the detail. She was on a delegation that I was involved with and was very impressive in terms of some of the work. There is a strong academic base in this area as well.

The Hon. MARIE FICARRA: I believe that the Wollongong University has now expressed an interest. If we can get some coordination at the tertiary educational level, that would be good. I know it is not our direct responsibility.

Ms KRUK: That does not matter because I know that Michael Coutts-Trotter has been very active in trying to get stronger engagement between both the numbers that are coming through the university system and the numbers for primary school teachers versus secondary teachers as well as the curricula. He no doubt has spoken to you about this. He is far better placed than I am to give you a detailed answer.

CHAIR: If there were more priority areas specific to the Aboriginal community contained in the State Plan, would that make other departments directly accountable to the Government rather than accountable to the DAA through the Two Ways Together coordinating committee?

Ms KRUK: I have worked in enough situations where there have been 200 or 300 key performance indicators and seen confusion and dissipation of effort. That is not the right approach either. The Two Ways Together document, as I think you are aware, focuses on seven key priority areas. In the State Plan, from memory, FI obviously is the specific indigenous focus but I think you also know there are health-related targets that are specific to the indigenous community, there are justice-related targets that are specific to the indigenous community and there are literacy-related targets that are specific to the indigenous community. The State Plan picks up targets that are very definitely focused on indigenous communities in a number of areas. The question will be, and this will no doubt come up in the review of those targets, whether we need to expand them. That is something that has to be done with the community because the targets that are identified in Two Ways Together were done in concert with the Aboriginal community in the first instance. The State Plan targets were also the result of quite a lengthy consultation process around the State.

The risk is there is never a shortage of additional targets. I have sat in the Commonwealth-State discussions as well, as recently as the last two weeks, where in the health area, which is the group that I am specifically working on, there is every push to continually put more and more key performance measures in the Commonwealth-State funding agreement. The more significant and meaningful discussion is whether you are actually including the measures that will drive the sort of change that you are seeking to get. I think all of us have a memory long enough to recall a commitment made that no child will live in poverty by whatever year was given.

CHAIR: That has happened, hasn't it!

Ms KRUK: Yes. The issue is a far more comprehensive one. It is actually making sure you have got the right measures and that you are rewarding the right behaviour change. To give health as an example, if you want to have a greater focus on prevention and early intervention because that is what your data is telling you is sensible, you have to have a measure that makes sure people are focused on it. If you have only acute measures, whether in policing it is the number of people that are arrested or jailed, or the number of people that are hospitalised, you immediately start to skew your performance to the wrong part of your service system. So it is actually whether the measure is the right measure.

I have always been a strong advocate of having fewer measures but making sure that they really focus on the right areas. In relation to the State Plan a number of people have said to me there is a very strong argument to have some targets on homelessness and that sort of thing, so that discussion is already starting in terms of the major groups. No doubt in the indigenous area people will have a look at what has been agreed to at the Commonwealth-State level. They will look at, firstly, whether the ducks are lined up and, secondly, whether there are any gaps. The other thing is that you will want to change them over time.

CHAIR: But once you have the ducks lined up can you then not count the feathers? If you have an overall target of Aboriginal communities being happy and then there is a whole host of sub-targets to enable that to be achieved—the interim short-term targets that lead you up to that successful outcome—there might be that F1 priority but is it possible to have a number of sub-targets underneath?

Ms KRUK: Easily. In effect you have a number of sub-targets anyway. The State Plan has the dashboard; it has the big ones. There are a number that relate to police—I think four, from memory—but if I

look at what Commissioner Scipione has as his own operational targets for his agency there is a comprehensive suite. He sits down with his local area commanders, I think on a monthly basis, and works through every one of those. From memory there are about 40 operational targets. They are there anyway.

CHAIR: He has a strategic directions document.

Ms KRUK: Yes. In other words, that is really when they start to go into it on a local area basis—"What is different in this community?" It is in the same in Health. While I think I had five targets in the State Plan that related to health, in my own State health plan there were about 35, which had to do with the running of the business. The issue is in some instances whether you want to take those up to the top. The targets in the State Plan on the whole cannot be delivered by one agency. That is why they are up the top. Obesity is a classic example I think I touched on. Health cannot fix obesity, it has to be done across a range of different interventions. It is the same with the ones we focused on in the indigenous area. No one agency has the silver bullet for those and that is why they are actually dashboard targets. No-one can fix them on their own. By definition they imply coordination between Commonwealth and State, coordination between government agencies and coordination with not-for-profits, but at their heart is actually working with communities.

CHAIR: Finally, DAA is the lead agency, but as the Director General of the Department of Premier and Cabinet you obviously have a fairly important role in assisting the DAA to ensure that the other agencies deliver on their commitments. How is that proceeding? Is that happening?

Ms KRUK: I think as I mentioned to you last time the chief executives of the lead agencies get together on a monthly basis in a group that I chair. Jody is a member of that group. Our focus is on the areas that are the most problematic. Jody bats above her weight. I am sure you would have got that impression. She has made significant change. Her dealings with Commissioner Scipione have made some discernible differences in the response of the Police Force, whether it is in the uptake of new officers, the work that the new officers undertake, or their dealings with community members. That has to be done at that level anyway. The reality is I am prepared to assist and have assisted where there are issues that require a broader focus. Jody has worked and is working very closely with Health in some areas where she clearly needs the involvement of Health to achieve her targets. That is my role.

The areas in which it is difficult to achieve are the ones I become involved in. If it is going fine, if it is tracking fine, it is not something that requires my intervention. Again, it is not just about bureaucratic cooperation, it is also about cooperation across ministerial portfolios. That is significant in terms of getting political support, which at the end of the day translates into funding support too. It is a matter of lining up that support at all levels. I did not hear the bulk of Jody's testimony, but I think that structure is working. She has access at the CEO level to all agencies, as she should. Her remit is one of the most difficult.

CHAIR: We were rather crude in our questioning and asked her where she had the boxing gloves and whip and she suggested that she has not needed that and she has some good friends that can help her.

Ms KRUK: That has been significant. I do not think anyone comes to work with the intention of not trying to improve this area. I was talking with Minister Lynch not that long ago and I can remember Jody coming to me when I was in Health and saying, "Look, you spend $3 billion on infrastructure on a regular basis. Can we look at using that as a device to assist employment for Aboriginal communities?" The answer is clearly yes. The issue is to have that discussion at the right point in time with someone who has the ability to ensure that some of those decisions are given a good hearing. That has been influential. When Michael Coutts-Trotter was formerly head of Commerce he was massively significant in assisting her to get employment opportunities factored into a whole range of government contracts, because we are such a major purchaser. So it also uses our purchasing power to assist with employment opportunities. They are now established initiatives. I am not surprised to hear her say that because I feel that if she had frustrations she would talk to me about it anyway.

CHAIR: Thank you very much for being here. You have been of great assistance.

Ms KRUK: My pleasure. Thank you, members.

CHAIR: We would like to have answers to questions on notice by 10 October, please.

(The witnesses withdrew)

(Luncheon adjournment)

STEPHEN McINTYRE, Executive Director, Policy, Strategy and Finance, New South Wales Department of Housing, affirmed and examined:

DEBORAH BRILL, Acting Manager, Housing, Assistance Policy, New South Wales Department of Housing, and

RUSSELL TAYLOR, Chief Executive Officer, New South Wales Aboriginal Housing Office, on former oath:

CHAIR: Mr McIntyre, I invite you and Mr Taylor to make opening comments.

Mr McINTYRE: Thank you, Mr Chair. Before I begin I would like to acknowledge the traditional owners of the land on which we are meeting today. I would like to begin by restating the importance of housing to closing the gap in outcomes between Aboriginal people and the broader population. Housing New South Wales has already provided the Committee with information on the role of housing in promoting better outcomes in health, education and employment and in reducing crime and family violence. In a sense we see housing as a foundation and platform for a lot of the other outcomes that need to be secured. I would also like to welcome the focus on the significant gap in housing outcomes between Aboriginal people and the broader population. This gap is particularly evident in the low rates of home ownership for Aboriginal people. In New South Wales around about 36 per cent of Aboriginal households are purchasing or own a home, compared to 63 per cent of the total population.

As you would appreciate, home ownership is an indicator of economic participation and economic outcomes. At the same time, the security and stability of owning a home can provide a stable base from which households can participate in education, training and employment. We should therefore aim for a profile of housing tenure for the Aboriginal population that is similar to the broader population. Of course, the current circumstances of many Aboriginal households means that social housing will continue to play a very significant role for them. Social housing should be viewed as a base from which we need to move to improve the circumstances of Aboriginal households.

Nearly a third of the Aboriginal households in New South Wales live in social housing, compared to 6 per cent for the non-Aboriginal population. The majority of these households, about 9,800, live in mainstream public housing. Ensuring affordable private rental opportunities are available to Aboriginal households is also important, both to minimise the hardships of affordability stress and to provide opportunities for Aboriginal households to save for home ownership. The New South Wales Government's response to the interim report highlights the relevance of the National Rental Affordability Scheme to the Committee's Issue 36 on housing affordability.

Dr JOHN KAYE: Do you mean Issue 36 in the interim report?

Mr McINTYRE: Yes. The New South Wales Government is currently negotiating with the Australian Government on the new National Affordable Housing Agreement. It is intended that the new agreement will include specific housing objectives and outcomes for Aboriginal people. That, of course, is subject to ratification by COAG [Council of Australian Governments], but certainly that is a very strong intention that has come through from that process. The final shape the agreement takes will be of significance to a number of the issues identified by the Committee, in particular, Issue 32 in the interim report on the equitable distribution of funds and coordination of housing programs between urban, regional and rural areas.

The Committee is already aware of the significant focus at the national level on funding of programs for Aboriginal people living in remote communities. New South Wales continues to argue that this should not be at the expense of meeting the housing needs of Aboriginal people living in urban and regional areas. It is also intended that the agreement will have a specific focus on addressing overcrowding in Aboriginal households, which is the focus of Issue 35 in the interim report. Housing New South Wales is in the final stages of developing an Aboriginal service delivery strategy to put further into practice the commitment of Housing New South Wales to improve service delivery to Aboriginal people. The strategy includes a focus on improving Aboriginal people's access to a range of housing options, as well as sustainable tenancies for Aboriginal people living in public housing.

There are a number of actions aimed at further establishing Housing New South Wales as a culturally competent organisation and strengthening the relationship between Housing New South Wales and Aboriginal people. As such, the strategy, when released some time in the coming months, may be of interest to the Committee in relation to Issue 34 on community participation. As mentioned in the New South Wales Government's response to the interim report, Housing New South Wales also has an Aboriginal Access Strategy for community housing, which is of relevance to Issue 33 on the provision of community housing to Aboriginal people. The Housing and Human Services Accord aims to improve and better coordinate service delivery to assist social housing tenants to sustain their tenancies. A number of accord partnerships focus on Aboriginal people. For example, the Orana Far West Safe Houses Project, led by the Department of Community Services, will improve the operations of five existing safe houses located in western New South Wales. Under the accord, operating agreements will be developed to assist eligible clients to sustain a social housing tenancy when they exit a safe house.

Aboriginal people are also a priority for an accord trial that supports at risk young female detainees exiting the Juniperina Juvenile Justice Centre at Lidcombe. A number of Aboriginal women have also been assisted through a housing and support trial for women with complex needs exiting the Dillwynia Correctional Centre in outer Western Sydney. Projects such as these may be of interest to the Committee in its further consideration of Issue 40 on support services for Aboriginal offenders. The former New South Wales Minister for Housing recently announced the successful tenderers for Housing New South Wales's new maintenance contracts, which is relevant to Issue 37 on funding of maintenance. The contracts will deliver a number of cost efficiencies and Housing New South Wales plans to eliminate the backlog of maintenance in public housing and the Aboriginal Housing Office's properties from within existing resources well within the next decade. I would like to finish by noting that the issues identified in the interim report accurately reflect the markedly inferior housing circumstances of Aboriginal people. The Committee's recognition that access to good quality affordable and appropriate housing is important to overcoming indigenous disadvantage is welcomed.

CHAIR: Would you like to make an opening statement, Russell?

Mr TAYLOR: Thank you, very briefly. First of all, I acknowledge that we come together today on the ancestral lands of the Gadigal people and I pay my respects to their elders, past and present. I also tender an apology from my chairperson, Tom Slockee, who happens to be on leave and interstate today. So I offer Tom's apology. Because we have provided previous submissions and we have also contributed to evidence, both formally as well as giving testimony before the Committee, I do not wish to make an opening statement other than to reinforce the issue that we try to highlight, which really needs no reinforcement with the Committee membership here. That is, if we are to overcome indigenous disadvantage, there is absolutely no doubt that there needs to be a robust housing response as a platform for all the other elements of disadvantage to do with employment, education, health and so on. In terms of the work of this Committee and the overall outcome of this Committee, the Aboriginal Housing Office is absolutely supportive of the aims and objectives of this process today and the completion of the Committee's work.

The Hon. MARIE FICARRA: As to the Aboriginal Housing Office's funding revenue, some land councils have made submissions in which they say they are very concerned to hear that the funding has been adequate and in line with increasing needs. Is this now established and can it be communicated to the Aboriginal Land Council?

Mr TAYLOR: In terms of our funding?

The Hon. MARIE FICARRA: Yes. They had not heard that funding had been guaranteed.

Mr TAYLOR: As my colleague has already indicated, the future funding arrangements and the actual quantum of funding that will be available to the Aboriginal Housing Office will be determined by the outcomes of the current negotiations for the new National Affordable Housing Agreement. So for that reason, yes, there is a deal of uncertainty. Whilst we might be reasonably confident that at least we are going to be able to retain historical levels of funding, the question about the absolute and the details of those are still unknown. As to current arrangements both in terms of the broader Commonwealth State Housing Agreement as well as the specific New South Wales Indigenous Housing and Infrastructure Agreement, both have been extended and they expire on 8 December. My response to the question is we will know absolute details around our future funding by 8 December, if not beforehand, as a result of the successful, hopefully, and effective conclusion of those multilateral negotiations.

The Hon. MARIE FICARRA: In terms of reform, we heard some criticisms also from people within local communities that there were too many splinter providers of social housing; there is a myriad of small providers of what I believe to be the benefits of having a smaller number of providers. What are your views where this may be going, the pros and cons?

Mr TAYLOR: We absolutely agree with your premise that there are too many providers managing too few houses—to give you an idea of that, something in the order of 4,600 houses in the Aboriginal community sector managed by something like 230 providers. The majority of those providers manage fewer than 20 houses. That means viability simply is not there, nor could it be achieved, given the income levels of those tenants and the ability to raise rents with an eye to affordability.

For the last couple of years the Aboriginal Housing Office [AHO], in concert with other agencies, particularly Housing New South Wales, has developed a specific and deliberate sector reform strategy that in part goes towards the rationalisation of those provider numbers but also largely goes to the sustainability and viability of this sector. There are two aspects to that reform agenda. One of them is simply setting standards and developing an accreditation framework and service improvement framework that goes towards lifting the bar in terms of the operational performance of those providers that you are referring to that enables even best practice to raise revenues, contain costs and manage their affairs, both assets and tenancies, in ways that we would expect them to, mainly so that the lives of the people who live in those houses are at least what we would expect of all of us, our families and our communities.

One aspect of our reform agenda is the performance measure issue. The other one is trying to achieve economies of scope and scale. We are setting up what we refer to as Regional Aboriginal Housing Management Services, between six and eight of those organisations across the State. They will manage the assets and tenancies on behalf of those smaller community-based organisations of which you speak, to the point where those assets and those tenancies will be managed along lines that we would all expect would be acceptable standards. It is a two-pronged approach.

Where the individual providers have the capacity to perform and stand-alone, the AHO will support them in doing that. Where there is not that capacity, where the viability is not there, we expect those community-based organisations to fully established a relationship with the regional service that we established and hand over the management of their assets and tenancies to that organisation and the role of the Aboriginal Housing Office is to support, monitor and, where appropriate, intervene in terms of the performance at the regional level. That is a snapshot of the response. There is more detail in this but that is the response to the viability issue.

The Hon. MARIE FICARRA: From the point of view of indigenous families living in those social housing structures, what do you think will be the benefits of this reform process?

Mr TAYLOR: The benefits will be clear. One of those would be that, first of all, the houses will be maintained, repaired and renewed to an acceptable level. That is the first thing. The second thing is that if something goes wrong, if they have a maintenance issue, they can have an expectation that that will be addressed within a reasonable period of time. That is a strong element of the services that our regional bodies will provide. Thirdly, it means that their opportunity for employment, education, health, et cetera, all of the issues that this Committee is interested in, may have some chance of overcoming those issues if we can fix the housing component.

The Hon. MARIE FICARRA: Absolutely. When you take over some of this stock, what is the process involved because just to do an audit on what you have got, the condition it is in, and what you want to bring it up to, do you have the funding to provide for that because I imagine you will find it a bit of a challenge?

Mr TAYLOR: Absolutely, and the funding is an important element of it. I think I have already answered the fact that we have an element of uncertainty at the moment, but assuming that we are going to be able to fund the reforms that I have just spoken about, the service accreditation framework as well as the regional service element—sorry, I just lost your question for a moment?

The Hon. MARIE FICARRA: When you do your stock control when you take over this housing stock, what will be your next step?

Mr TAYLOR: That is the $64 question. The challenge in terms of driving reform from the Aboriginal Housing Office perspective is we need to do it in a persuasive rather than a coercive way because of their tenure in the community housing sector, that is, that those providers, notwithstanding there are too many of them, the irrefutable fact is that legally they own their own houses. We cannot necessarily achieve reform in a coercive way. We have quite a comprehensive communication consultation strategy that convinces those providers that it does offer a better life and we are having some success in that area. Hopefully once we sit down formally and arrange for them to sign up by way of an agreement making—I can tell you that the main agreement for that will be head leasing.

My board has already decided that will be the main instrument that reflects a relationship either between the Aboriginal Housing Office and those performing providers that we talked about or the Aboriginal Housing Office and the regional service that I talked about; the main instrument of that relationship is going to be head leasing. That then enables either the AHO or the regional service to deal with that asset and that tenancy in the ways we want, that is, by being able to set what are reasonable rents, to bring those housing assets up to an acceptable standard and then manage those tenancies in ways that we would all expect proper housing and proper tenancy relationships to occur.

Within the last three months we have had nine meetings around the State with all providers. Last week we had what we refer to as a summit, which was attended by 220 representatives from each of our provider organisations where we tried to articulate what our reforms are about as the means of trying to convince people that this is the way to go. The challenge is that because they own them we do not necessarily have a measure to come in with a big stick. We have to convince them and get them to support the reforms and then engage in those reforms.

We have had some success. One of the questions was how our reforms are going. The answer is, as you would expect, at this stage we have a lot of support for those reforms but we also have some pockets of resistance, not necessarily because they do not agree with them but simply because they are seeking further information. We are trying to do it in a holistic way in that we are trying to embrace the State as a whole. I know that the New South Wales Aboriginal Land Council appeared before the Committee, I think yesterday, but because the land council network is an important component of the community housing sector—roughly 60 per cent of the Aboriginal Housing sector is land council housing so we need to do it in concert with the State land council.

The main reforms under the Aboriginal Land Rights Act go to trying to come to grips and better deal with the housing responsibilities of local land councils. Under the new amendments that came through, the State land council has to approve the members benefits schemes for all land councils. That includes their social housing. What we are saying to both the State land council and individual land councils is, "In order for you to manage your houses, if you have a relationship with our regional body, that will solve your problems and we will manage your houses, along acceptable lines so that the houses and tenancies are properly dealt with in the long term". I think we are having success. I believe we have the support of the State land council in that, however we do need to convince the practitioners in the sectors that this is the way to go.

Mr McINTYRE: Purely to correct the record, I think my colleague Mr Taylor might have referred earlier in his response to the current Commonwealth-State Housing Agreement expiring on 8 December. It in fact expires on 31 December with the new agreement to commence in the New Year.

Mr TAYLOR: Thank you, Stephen.

The Hon. MARIE FICARRA: Leading on from the process, which seems to have been done very well, in terms of the tenants, at some stage in that process is there a time when you and the current providers communicate to the tenants what the process and benefits will be so that people living within the houses are not alarmed or fearful as to what is to come?

Mr TAYLOR: Absolutely. There are two issues there. There is an onus on the Aboriginal Housing Office to make sure that the tenants are aware of it and we are doing that through the communications strategy as well as there is an onus on individual providers to do that. They have a responsibility, obviously a landlord and tenant responsibility, under the appropriate legislation to make sure the tenants are aware if there is a change in those management arrangements.

The Hon. MICHAEL VEITCH: My question relates to the Northern Territory intervention. This morning we had testimonial from the Director General of the Department of Premier and Cabinet, Robyn Kruk, that the focusing of resources and funds towards the Northern Territory as part of that intervention has actually been at the expense of some programs in New South Wales and specifically she mentioned CHIP. Can you comment on that and indicate how much of an impact that has been?

Mr TAYLOR: I think both Stephen and I have a take on this. It is difficult to say that the funds that are being applied to the Northern Territory emergency response are directly at the cost of New South Wales. However, one could make certain assumptions, such as the fact that in the 2007-08 Federal budget the CHIP was discontinued and the new Australian remote indigenous accommodation [ARIA] model was developed. There were no funds, that I am aware of, that were applied, made available or offered to New South Wales, so one could make the assumption that our funds have been redirected under that model. Of course, since that time the Northern Territory emergency response has been announced and we know that further funds have been made available to resource that initiative.

The loss of CHIP is a threat to whatever effort we are going to have in New South Wales that addresses indigenous housing—no question about that. It needs to be replaced—and I would probably argue that it needs to be increased—but if those funds are not available, the aspirations of our Government, the aspirations of the Aboriginal Housing Office and the aspirations of this Committee will be difficult to address. I have already mentioned the fact that other moneys that we rely on from the Australian Government are also in doubt because the Commonwealth State housing arrangements have not yet been signed off. So the loss of CHIP for some considerable time now has been a major issue, a major threat, to our future operations, including the reforms I talked about. All I can say is we are nearly there, we are about to know the outcomes of that.

Mr McINTYRE: If I can just pick up on what Russell has said. Through the COAG housing working group process New South Wales has been acutely aware of the risk of us being disadvantaged. We have advocated very strongly and consistently for recognition of indigenous housing need in New South Wales. We fully appreciate and accept the fact that there needs to be a substantial funding boost into remote areas of Australia because of its very substantial problems, but if we are going to close the gap, then clearly we need to deal with the housing need and other issues in New South Wales. For us that is primarily about urban and regional areas.

We are pursuing a number of strategies. I indicated earlier that the framework for the new national affordable housing agreement will have some particular emphasis on outcomes for Aboriginal people, both in remote and also non-remote areas, and that has been particularly important for us to pursue. We are also pursuing business cases for increased funding for consideration by COAG, not only in the sense of indigenous-specific cases but also through pursuing increases in base funding for social housing, which will give us more flexibility within the State about how we apply those funds and better position us to address indigenous housing needs. All of these are going to be before COAG in October, so it is premature to suggest that we have secured the sort of outcomes we are after, but I can advise the Committee that we have been persistent in arguing the New South Wales case.

The Hon. MICHAEL VEITCH: My other question relates to home ownership and also poverty. One of the things that has been discussed with us a fair bit is the impact poverty has on improving or closing the gap in the community as opposed to racial culture. On Monday Commissioner Calma spoke about the fact that since 1967 there has not been the ability to transfer economic wealth to the indigenous community. One of those things relates to home ownership. What is Housing New South Wales doing to encourage home ownership and do you think homeownership is the only way to lift indigenous communities out of poverty?

Mr McINTYRE: Let me start with the homeownership question, if I may. Housing New South Wales is currently leading the project looking at Aboriginal homeownership. A working group has been established comprising both New South Wales and Australian government agencies. As part of the project market research has been undertaken of the barriers to homeownership that confront Aboriginal households in New South Wales and is starting to look at some of the ways we might be able to address those. We are in the process currently of considering those recommendations so it is a bit early to say we have the answers. This is a thorny problem. In a sense, without being able to deal with the economic circumstances, employment, or whatever, people are not going to have the means.

What I can indicate today is there are some broad outcomes from the research that are pointers for us. There are three of those that I can mention. First is the availability of targeted information, and advisory and

support services, including financial education and literacy programs. The second is improved access to affordable home finance, and third is the development of specific home purchase programs that will help to overcome the affordability issues. Of course, those affordability issues, whilst they are particularly acute for Aboriginal people, at the moment in New South Wales and in the high-cost markets of Sydney, it is a big issue more generally for the community, and the Aboriginal experience, whether it is in private rental or home ownership, is a particular example of that, a particular aspect. Did you want to comment, Russell?

Mr TAYLOR: Only that Aboriginal Housing in a small way has always had an eye to homeownership to try to encourage our tenants and our community organisations to provide information and whatever pathways are available to home ownership. One of the facts about housing is that we have not been able to encourage private sector investment in any substantial way. Using housing assets you may be able to encourage economic development, et cetera. The capacity of the Aboriginal Housing Office is quite constrained.

Coming back to the fundamental part of your question, there is no doubt that poverty as a component of our disadvantage is entrenched. It is an issue not only from a cultural and historical point of view. Obviously one of the aims of this Committee is to try to find strategies that will get to the stage where Aboriginal people are no longer at the lower socioeconomic scale of our society. There are a whole range of strategies, and Stephen mentioned a couple, that would go to achieving that. Both the Australian and State governments are trying. In the Aboriginal Housing Office programs we try to make sure there is an Aboriginal element in the delivery of our programs. As one example, in our repairs and maintenance program—which is quite a modest program, we do not have huge funds available, although this year it will be something like $12 million—60 per cent of the program is delivered by Aboriginal building firms from New South Wales. For a small agency we do okay. If the State and Federal government agencies could achieve the same levels of participation, maybe the economic development issue would not be such a challenge.

Mr McINTYRE: Did you want me to go back to the second part of your question?

The Hon. MICHAEL VEITCH: Yes.

Mr McINTYRE: I do not think there is an easy answer about alternative ways of wealth creation for Aboriginal people. In my opening comments I observed that what we want to do is try to have the same kind of tenure profile for Aboriginal people as we have for the rest of the population. Home ownership is a key component of that but I think private rental is the other bit. That is probably an area where we can start making some inroads. I commented before it is the same for the general community, but things like the Commonwealth Government's national rental affordability scheme, which is now underway and the first round of tenders for that have recently closed, provides an opportunity in the first five years to generate something like 50,000 affordable dwellings nationally. It is a competitive thing but, hopefully, New South Wales will get about one-third of that, with the possibility of that scheme expanding.

So, if we take the general point that we start responding to the affordability needs of the broader community, I would be hopeful that will not only enable some Aboriginal households to be able to take advantage of that but it will, by the more generally increasing supply, address the incredibly tight situation we have at the moment. That is one of the big issues we are trying to deal with. In a sense, while specific responses for Aboriginal people are critically important, the way we deal with the wider housing market, social housing, private rental, et cetera, is also part of the solution. Hopefully that mainstream response will also assist in addressing the issues.

Dr JOHN KAYE: I would like to go back in the first instance to Mr Taylor and secondly to Mr McIntyre. This morning we heard from Jody Broun, the head of the Department of Aboriginal Affairs about her plans for six or eight regions to reorganise and deliver representation across six or eight regions. You have a plan for six or eight regions. I suspect Health probably does and I think everybody does. In your design of that are you talking to each other? We talk about whole of government. Are we doing whole of government or is it just each goes its own way and hopes somehow we do not confuse the hell out of each other?

Mr TAYLOR: First of all, we certainly do talk to each other. Jody Broun; as director general, and me, both personally and on an agency basis, as well as our senior staff and certainly our regional staff, work very closely together. The same interaction happens with Housing New South Wales from the planning point of view as well as from the representational advocacy aspect as well. Certainly in the health domain, in the education domain and housing demand there are structures, and probably one could argue too many, but the dilemma is each of us is reluctant to compromise or offer up our own structures as the one that should go. Our structure has

a particular focus, which is housing, and I do not know of any other structures that have that particular focus. There is room, I think, for different structures depending on what their roles and responsibilities are.

Dr JOHN KAYE: My point is that right now regional engagement groups are being set up at the same time you are setting up your regional groups. While I accept there may be an argument for different bodies, can you not also see an argument that the boundaries at least between the different regions ought to be aligned in some fashion?

Mr TAYLOR: Yes. I think through Two Ways Together and through the regional engagement process that is happening. Our boundaries and our coverage of each of our regional services that I talked about are being driven by an affordability issue. That is, how many organisations we can fund across the State. They are not being driven necessarily by representational issues. The boundaries of the six or seven regional services I talked about are governed by a number of factors, including coverage and what could be an effective regional coverage based on the number of houses, the number of communities, distance from the hub, operational costs like staffing, travel, motor vehicles, resources. Ours are developed not necessarily based on others but on our own thinking, but heavily predicated on the previous ATSIC boundaries. The reason for that is that data is already gathered, so if we want some information it is more easily accessible because it is already aggregated in those regional areas, whereas in the other 10 or 11 regions you are talking about data is not easy to access because it is not been gathered within those boundaries previously for planning and other purposes.

My regional staff, me and all of our board members are all involved in the regional engagement process. Our board members are all members of those groups and our regional managers and senior staff go along and attend all of those meetings. For some regional managers, in the case of the Aboriginal Housing Office, that means they have to look at, oversight and engage in various meetings. That is an operational challenge but we get around that by planning and making sure that whatever we do is not crisis management, that we plan for those issues and resources. Yes, sometimes there is some confusion about those boundaries but I think we are all conscious of that and are trying to overcome what that might mean.

In the context of the Aboriginal Housing Office, our legislation provides that not only our Aboriginal board but also our regional committees, and those committees are also members of the same communities that we are referring to. That is why at the Aboriginal Housing Office we always like to think we are driven by community concerns and community needs. The reason for that is simply that our governance model allows us to do that. That legislation could always be changed and we can change our boundaries to suit other agencies but at this stage we have not found that that has been needed. That is my answer. The dilemma for all of us from a bureaucratic point of view is, are we confusing community members or not? Are we adding to their confusion?

Dr JOHN KAYE: By having so many different organisations across so many different fields?

Mr TAYLOR: Exactly. I agree with you that the processes that support these governance arrangements can be complex, and if this committee can help us work through some of those complexities and eliminate them that would be a good thing to do.

Dr JOHN KAYE: I wanted to drill down in something you said about people being able to purchase their own homes. At the specific level is there financial planning assistance or are there are other kinds of assistance available to housing tenants—AHO housing tenants and other Aboriginal community housing tenants—to prepare them and assist them and facilitate their transition to home ownership? If so, where is the funding for that coming from and how much assistance is available?

Mr TAYLOR: First of all, from an Aboriginal Housing Office point of view, the answer to that is we provide limited information, and I will let Stephen talk for the NSW Department of Housing. Our focus is tailored to our own tenants and we have a joint scheme with Indigenous Business Australia [IBA], who deliver the National Indigenous Housing Scheme, and we have a partnering arrangement with Indigenous Business Australia where any of our tenants who wish to buy their houses we encourage them to do so. They have to pass the loan service test; in other words, meet IBA's criteria—it is not our scheme that is being delivered. IBA, if you like, is the bank in this case and they have to assess. But to encourage that we also provide an incentive grant of up to $2,500 to offset legal costs, valuation costs, et cetera. All I can is that we provide information to our tenants about that at every opportunity. In fact, at the summit that I referred to that happened last Tuesday we had IBA there as well as our own staff handing out information.

Whether we do it effectively or not I will let others judge, but we certainly try to do it and it is focused on our own tenants. In terms of our reform agenda of the regional service organisations that I talked about, we have already got four going, five now—one just opened up the other day—we have got one ready to go. So we have got them all in place with one exception across the State, and they will expand their coverage over the next year or two. But our vision for those organisations is that they become a one-stop shop for any Aboriginal person who has a housing need, whether it is a homeless person, someone who wants assistance to rent in the private sector, someone who might want to enter the public housing system or have an AHO house or buy their own house. Those regional services will provide a brokerage arrangement and refer them to the appropriate people to help them do that. It is not in place at the moment but it will be. It is part of our long-term planning for what these regional services will be. Their core business certainly will be management of houses and tenancies, but the other focus is what other information and support and referral services do our mob need, and they will make sure that happens.

Mr McINTYRE: Just picking up on that point. It is probably worth reiterating I mentioned earlier as part of the research we are doing into home ownership for Aboriginal people that this issue of information, advice and financial education has come through as one of the key areas now. We are still working on how we might respond to that but it is quite clear that that is something we are going to need to address. As a more general point and not specific to indigenous people, you may be interested to know that Housing NSW operates a home purchase advisory service, which provides free, impartial information to anyone looking at purchasing a home. I do not know what the breakdown might be between Aboriginal people and others who seek to use that service but it is one of the things that we offer.

The Hon. GREG DONNELLY: In terms of a general lack of interest of private sector involvement in working in this area of indigenous housing—obviously it has been an issue that has been exercising your mind—are there any examples perhaps outside this State, elsewhere in Australia, where there have been examples of greater involvement by the private sector in the provision of or participation in Aboriginal housing as opposed to the weight of the public sector providing it? There could be arrangements where big construction companies—and there are a lot of big, well-known ones we are all aware of—could provide some assistance in establishing some houses in a particular community. In other words, part of their social responsibility could be participating in and helping what is clearly a disadvantaged sector.

Mr TAYLOR: I do not believe there are many, sadly. But I think in New South Wales—and you had the Aboriginal Land Council appearing on Monday, I believe—there is no doubt in my mind there are clear opportunities because land councils are land rich in assets. There is no doubt that there will be opportunity for private sector involvement in developing housing developments or commercial developments of land council land that could bring economic development opportunities as well as affordable housing for the members of those land councils. Excuse my ignorance here: there certainly have been such developments attempted in the past in New South Wales; some of them I believe, for whatever reason, have not achieved what was originally intended. My view is that in New South Wales that is where the major opportunity might be. From a member of the Aboriginal Housing Office's point of view, we are not a land bank: we do not have land that we could offer up. Maybe in the future if we get stronger funding support from the Australian Government we might be able to sit down and talk about that, but we certainly have not been able to explore it to the degree that we would wish.

I am also aware in Western Australia there have certainly been developments involving levels of government, that is a partisan arrangement between State, Federal and local government where they have developed housing estates, and there is no question that Aboriginal people are being housed within those housing estates and there is no question that there have been affordable housing arrangements. It is not private sector investment I know, but my view is that certainly the opportunity exists and hopefully you will see more of that in the future.

Mr McINTYRE: Could I just comment, and it is perhaps not completely on point but I think it is a related point, I mentioned earlier the National Rental Affordability Scheme, and whilst that is not designed specifically for Aboriginal people, what the Commonwealth Government is doing in concert with the States and Territories is trying to improve the quantity of affordable housing that is available in the private rental market. That scheme has been clearly designed to attract institutional investors and developers, et cetera; so to really get the private sector involved in the scheme. There is also provision for involvement of the not-for-profit sector as well, but really the genesis behind that is to draw in private investment and to use that to increase the supply. So as part of an overall strategy, I guess, to address issues around affordability in the community, which will ultimately benefit some Aboriginal households. I think that is certainly one way that governments are responding.

The Hon. GREG DONNELLY: Just on the issue the Hon. Mick Veitch raised, which was raised in some testimony earlier this week about wealth transmission from generation to generation, I suppose, looking through our western eyes, we assume intergenerational transmission—we do not even think about it twice—through property, land, houses and what have you. With respect to indigenous people and indigenous communities is it fair to say, and I do not want to dismiss the reality that in many cases they do not have the means to do this, but is this something they place as significantly and highly as we do in the west in terms of something to do? In other words, it is important to build up wealth over a lifetime and pass it on? In other words, are we looking at a very different mindset when we are trying to deal with this issue of thinking about the provision of housing and how that is best done over time for indigenous communities?

Mr TAYLOR: I think that is a difficult question. I have said this in other fora that whilst we all assume that home ownership in the indigenous community is at a similar rate as the rest of the community, we use as an aspirational target the indigenous community but the fact is nobody has ever asked us whether that is what we actually aspire to. But you are getting the Russell Taylor version of this. There has certainly been no research that I am aware of that gives a solid answer to that. All I can say is as one Aboriginal person that was born and bred on the waterfront of Sydney there is no doubt that I aspire to home ownership and I certainly do that for my children—fortunately, they are in the home ownership sector. Why? Simply because of that issue. It is one where I can maybe create some wealth that my children and my grandchildren might share in.

What I am saying is that whilst you are getting the Russell Taylor version of this I believe that the majority of Aboriginal people would agree with that. The dilemma that we have there is that in settings in remote Australia, et cetera, in my view it is still problematic as to whether we can replicate the conditions of supply and demand that would guarantee intergenerational wealth transfer. In terms of the Australian Government's aspirations for homeownership, whether it is the Tiwi Islands or wherever, it is a question of whether those economic circumstances will guarantee that the people who take out a home loan now in the Tiwi Islands will have an asset that is worth anything in terms of transfer of wealth. In my view that question is still not quite clear. But I would think the majority of Aboriginal people would want a better life for their own kids, and if that means homeownership so be it.

The Hon. GREG DONNELLY: I think you have gone towards answering my question because I was just trying to discern whether that aspiration is there and if the aspiration is not there are there are other ways and means, in addition to the examples of indigenous people starting to own their own homes, that can be put before indigenous people to give them that encouragement to see that this is something worthwhile doing—not just for their own wellbeing and their own immediate family in this generation but going forward for future generations?

Mr TAYLOR: The Aboriginal Housing Office in terms of testing that, it is only a concept at the moment and I need to say it does not have ministerial approval, but one of the issues that our board has developed, and we are keen to test it, is in terms of our own tenancies, to have what we call long-term tenure as a means of a next step of knowing what it means, what are the responsibilities, and particularly what are the financial responsibilities of homeownership. Because many of my brothers and sisters and colleagues do not really understand what that means. In an environment where there is this expectation that the Government or AHO look after your houses and fix them if they break down or whatever, a long-term tenure arrangement would be that in return for us providing you with certainty of tenure over the next 10, 15 years you have to assume the financial obligations of ownership, which is no rent but you pay rates, insurance and reasonable upkeep.

We have explored that; we have done a lot of work around it. We have not put it to Government yet, but we have two issues: one is it might save us some money because those asset management responsibilities are transferred to the tenant on the basis that they honour those obligations, but, secondly, as a means of testing for those Aboriginal tenants to really find out what the experience is of home ownership: that you get a rates bill every quarter, that you have to pay your insurance, and if your window breaks the Government is not going to come and fix it, you have to fix it. We think it is a very good stepping-stone and maybe a pathway to homeownership and maybe it will encourage some people to say, "This is for me. This is what we want to do", particularly for some of our elders: it also gives them a bit of wellbeing if they know they do not have to qualify their eligibility every 12 months, two years, three years, whatever. It gives them certainty of tenure. It is only a concept but I think it is a very worthwhile one; we should test it. Maybe with my new Minister I might put something to him very shortly to see how amenable he is to allowing us to test it in the field.

CHAIR: Have you got any pearls of wisdom for us as to the recommendations we should make or any closing comments?

Mr McINTYRE: I think we have canvassed some of the key issues carefully. This is an issue that requires a multi-pronged response—I think that is clear to all of us. One of the messages that we wanted to leave you with today is that we need a combination of programs and responses that are specific to indigenous people but also it is really important not to underestimate the importance of the response through the mainstream housing system, whether that is in social housing or increased affordable rental accommodation et cetera. In terms of meeting the housing needs of indigenous people we need to have a strategy and an approach that is very broad and has quite a number of aspects.

I think clearly the work that the New South Wales Government is doing on its New South Wales Homelessness Strategic Framework—which we are hoping will be completed later this year—will help us to address some particular issues around homelessness, which is a particular issue for Aboriginal people. I guess we are hopeful that we might be able to extract some extra funds through the COAG negotiations to give us the capacity to enhance our responses but we cannot be overly confident about that. We remained very focused on trying to apply the funds that we have got as judiciously as we can, with a strong and ongoing focus on evaluation of the success of our current and new products and services that we introduce—and I am sure that is a sentiment that my colleague Russ would share—to make sure we are getting the best value out of the resources that we do have available.

We are also increasingly putting emphasis on the use of the Housing and Human Services Accord, an arrangement between Housing NSW and our partner agencies, including AHO, Health, DOCS, DADHC and the like, to make sure we are able to link up support services with housing for those people that need to be accommodated—indigenous or non-indigenous people—in the social housing system to make sure that we are helping them to sustain their tenancies. I think that is really critical.

Clearly you have heard from us, and you have received our submissions, but I just wanted to reinforce the fact that we really need a response that has a number of facets to it. I think through both the mainstream and specific programs there is hope that we can address these critical issues. I do need to reiterate that we have got to get some traction around the focus on urban and regional New South Wales rather than it being seen, as it is nationally, as a remote issue—that remains a very important focus for us. Thank you for the opportunity to provide some input here today.

Mr TAYLOR: The Aboriginal Housing Office is now the only such agency in the country—the last bastion if you like of self-determining principles articulated and supported by Government. In terms of the reforms that I spoke about previously, there is no doubt that the reason we are able to interact with the sector and get traction with the sector is because we are the Aboriginal Housing Office, not because we are Housing NSW or the Office of Community Housing. We are not seen as Government: we are seen as something separate to Government. Those self-determining principles, whether they be at the local level, at the regional level or as in our case at the State level, in terms of the Aboriginal community have considerable resonance, traction and importance.

The point I would like to make to the Committee is that we recognise that our similar agencies in other States and Territories no longer exist—they have been mainstreamed. I wish to emphasis to the Committee that I believe that is a detrimental step. So I am appealing, if you like, for the continual operation of the Aboriginal Housing Office as a separate, stand-alone statutory arm of State Government.

(The witnesses withdrew)

(Short adjournment)

MICHAEL PAUL COUTTS-TROTTER, Director General, Department of Education and Training, 35 Bridge Street, Sydney,

MICHELE HALL, Director—Aboriginal Education and Training Directorate, Department of Education and Training, 14th Floor, 1 Oxford Street, Darlinghurst, and

ELIZABETH ELLEN McGREGOR, Institute Director, TAFE NSW North Coast Institute, P. O. Box 528, Port Macquarie, on former oaths

DEONNE SMITH, General Manager—Access and Equity, Department of Education and Training, 35 Bridge Street, Sydney, sworn and examined:

CHAIR: I thank the witnesses for being here. I invite you to make some opening comments, if you wish.

Mr COUTTS-TROTTER: We would be very happy just to take questions, if that is all right with the Committee.

Dr JOHN KAYE: I probably address my first question to Mr Coutts-Trotter. We understand it is now a quite recent Institute of Teacher requirement for Aboriginal cultural education to be included in preservice training.

Mr COUTTS-TROTTER: Yes.

Dr JOHN KAYE: The issue was raised with us by an earlier witness about the availability of providers of that preservice education in the context simply of there not being enough people in Australian universities and in other teacher training institutions with sufficient knowledge of Aboriginal cultural issues to provide that training. Is your department over viewing that? Do you have a view on whether there are enough people? If so, and if there are not, are you taking steps to address that?

Mr COUTTS-TROTTER: I will start by observing that TAFE provides Aboriginal cultural education. What we have found through TAFE is that we have now reached a point at which there are at present insufficient trained Aboriginal people within the department, both within TAFE and the rest of the department, to meet the demand, from government agencies particularly but also private sector organisations, for the training we offer. What we are doing is trying to rapidly train other Aboriginal members of staff who occupy appropriate positions within the place to be available to undertake that training locally.

I hazard a guess that if we are running into those constraints and that problem, it could well be that universities also have, or will. To be honest, I might ask my colleagues to comment on if they know anything specific about that. But that is something I am very happy to take up with the vice-chancellors to see how we could work together.

Ms McGREGOR: An indication of that demand is that in 2006 we had 720 people who wanted to have that training whereas it is 4,000 in 2007. The demand for the program, which is really positive, is growing. Therefore that brings with it the challenge of ensuring they are adequately trained.

Dr JOHN KAYE: I wish to ask a supplementary question on that, Ms McGregor. Are you actively recruiting Aboriginal people into TAFE and giving them training in order that they can provide that sort of training?

Ms McGREGOR: Yes. Specifically, for instance, in North Coast TAFE we employed two full-time Aboriginal culture and education program teachers in the past 12 months. We have casual teachers as well, but those two full-time people are involved in delivering those programs every week.

Dr JOHN KAYE: I suspect this question should be directed to either Ms Hall or Mr Coutts-Trotter. In respect of the Aboriginal language policy, which I understand has been rolled out in schools, you might tell us a little bit about how that is going. Specifically what we want to know is: How many qualified teachers are there in New South Wales schools to deliver Aboriginal languages, or who are capable of delivering Aboriginal languages? How many schools and how many students are currently getting access to that?

Ms HALL: Can I have that qualified? Are you saying how many students and how many schools have qualified teachers teaching them, or how many students overall are getting Aboriginal languages taught? There is a difference.

Mr COUTTS-TROTTER: Yes, there is.

Dr JOHN KAYE: I would like answers to both questions because the difference usually is more interesting than are the questions themselves.

Ms HALL: That is why I needed clarification.

Dr JOHN KAYE: That is right.

Ms HALL: Currently the Aboriginal Education and Training Directorate funds approximately 264 students and 36 schools across the State that engage in Aboriginal language programs. We have two teachers who are currently engaged in the Masters of Indigenous Language Program through the University of Sydney. They are qualified teachers and, in their respective schools, are teaching that as part of the school curriculum. The other schools are employing Aboriginal community people who have a lifetime history of qualifications in Aboriginal languages and cultures. The total number of both Aboriginal and non-Aboriginal students accessing Aboriginal languages is 5,810.

Dr JOHN KAYE: But they are not qualified teachers?

Ms HALL: They are qualified within a cultural and language context. In an academic higher education context that we may be speaking about, they do not hold that academic qualification.

Mr COUTTS-TROTTER: No, indeed. But given the history of Aboriginal languages and the extent to which they have been threatened by the patterns of settlement in modern Australia, it is no surprise to be in a position where there are very few people who are both tertiary trained teachers and speakers of language or who are qualified in language. This is a profoundly important program for us in our schools. It is a very important part of supporting a positive, proud Aboriginal identity in schools.

It is something I have seen firsthand in a couple of schools. The teachers and leaders in those schools and the students themselves will tell you how important it has been in making school relevant for Aboriginal people and also for engaging non-Aboriginal students. It is early days. It is an important program. The point you make is a valid one, but it will take quite some time to develop a significant work force of people who are both tertiary trained teachers and culturally capable of delivering language.

Dr JOHN KAYE: Can I ask a question for which the answer is almost certainly yes? Are you monitoring the performance of students who have access to Aboriginal language and cultural training, as Aboriginal students have access to that? Are you noticing in early data, which would be the case at this stage I would imagine, improvements in their performance in other subjects? Is that uniform across all other subjects, or is it only in some subjects?

Ms HALL: There is the capacity to align a student's Aboriginal language with their acquisition of literacy, if that is what your question pertains to. The interesting pattern with that is that because of dislocation and dispossession of our people, there is a tendency for a lot of our Aboriginal students, for example, not to have grown up in language, or to have grown up in language, depending on the circumstance. A lot of the funds that come through DAA, for example—where the language policy emanated—support Aboriginal communities to rejuvenate their language.

The importance of this is saying to Aboriginal people, "We value your language and we value the position." With reclaiming that language, there is a pattern of time within which those students will be able to become competent in that language and to be competent in another language. If the student's competence is in their first language, it has been researched that they will be competent in a second language. In some circumstances there will be a differentiation of some students who are competent in literacy that will also be competent in the Aboriginal language that is being taught. Some will be competent in their Aboriginal language because of their community and culture, and that will improve the Aboriginal literacy. We have not quite got to the stage of filtering that down yet.

Mr COUTTS-TROTTER: No. That is certainly something that we need to evaluate as effectively as we can. Obviously in those schools there is a whole range of other interventions, but I think it is an important thing to evaluate to an academic standard. I think it is a very important policy initiative. We need to be able to communicate it to policymakers elsewhere.

The Hon. MARIE FICARRA: This question should be addressed to Mr Coutts-Trotter or perhaps to Michele Hall. On Monday we listened to evidence from a very informative person, Associate Professor Sue Green from the Nura Gili Indigenous Programs Centre at the University of New South Wales. She made some comments on where she thought some weaknesses were in our educational system. Given that a lot of this may be Federal, you can enlighten me if I am on Federal territory. What is your knowledge of teachers' training, and in particular the importance given to Aboriginal studies in the training of teachers, in the context of where this should come from and whether it is being addressed?

Mr COUTTS-TROTTER: This is subject of live policy debate at the moment. New South Wales fairly can claim to have led in this area with the creation of the Institute of Teachers. It is responsible for accrediting pre-service teacher education courses as well as accrediting individuals or at least the new generations of teachers. The debate with the Federal Government at the moment is that it wants to establish its own national system of accreditation for teachers as individuals so that people can move readily between States, and also through that process accredit pre-service education courses. We tend to be real conservatives from New South Wales because we put a great deal of store in the institutions, practices and people that have generated the environment in New South Wales, which I think is world class.

On one model you could see that whole function taken over by a national institution; on another you could see mutual recognition happening within a federation in the way it does in all sorts of other areas of policy. In other words, the New South Wales Institute is accredited to do these things within a federal framework. That is being worked out at the moment. Our preference, of course, is for the Institute to be accredited within a federal framework, but it is either through the State Institute of Teachers or, as this national body develops a national institute, that judgements are made about the adequacy of the content and delivery of teacher pre-service education around this and around literacy and numeracy and all sorts of things.

The Hon. MARIE FICARRA: Do you believe it is being addressed properly because we got the impression that teachers were coming through the system with inadequate training in the importance of indigenous studies, indigenous history and indigenous identities? It is very hard to get to the students if teachers do not have proper training.

Mr COUTTS-TROTTER: I might let Michele start on that one.

Ms HALL: I would suggest that the content and the rigor of the content they are providing to their students is the universities' responsibility. If they are of the understanding that it is going to be a prerequisite as part of registration, then there must be mutual agreement on who delivers what program and to what level.

The Hon. MARIE FICARRA: Do you have any knowledge of the current situation in teacher training? You are the Manager of Aboriginal Education and Training in the New South Wales Department of Education and Training. Are you aware of what knowledge teachers are graduating with in relation to Aboriginal studies?

Ms HALL: The directorate of Aboriginal Education and Training is Aboriginal education in schools, P-12, and training in TAFE. We have relationships with the universities but they have the autonomy to address the content and rigor of their programs. We do work with them on invitation, however we are not in a position—we can validate if we are requested to do that, but they are autonomous organisations.

Mr COUTTS-TROTTER: As an employer we take a view about the quality of the graduates emerging from faculties of education in New South Wales. We interview around 4,500 new teaching graduates each year. It is not an exact science but we form a view about people who are red hot through to lukewarm and we target those who are judged to be excellent graduates. Part of that assessment is how ready they are to come into a public school and teach. Part of that assessment should be their capacity and competency to work with Aboriginal communities and Aboriginal students. I think what we should do is talk to the people who run that process to give you a view based on the results of those interviews and what we think the standard of that element of pre-service education is at present.

The Hon. MARIE FICARRA: We would like to think there is communication between Federal provision and State delivery. Our Police Commissioner, Andrew Scipione, is doing such a good job in implementing training for his police officers and one would hope that would be the case with teachers coming out of universities. It is so important that they come out with the correct information, studies and attitude. It is good if that is going to occur.

Dr JOHN KAYE: You do employ 65 percent or more of all graduates in education in New South Wales universities so you would have a fair say about what they do or do not do.

Mr COUTTS-TROTTER: Actually we do not employ 65 percent because New South Wales universities are overproducing primary teachers. We have 14,500 primary trained teachers on a waiting list to come and get a permanent job with us. We are hiring about 1,700 a year and universities in New South Wales alone are producing about 2,700 a year. The population of students in New South Wales has remained static for five years and the number of graduates coming out of universities has risen by 30 percent. There is a fundamental problem there.

Dr JOHN KAYE: Which teacher retirement will take care of in the next five years?

Mr COUTTS-TROTTER: No.

CHAIR: I suggest that that is not really within our terms of reference. In terms of cultural resilience, which is an important part of our terms of reference, we are trying to come to grips with the issue of how well the compulsory curriculum in our primary schools and high schools deals with the important aspects of the first Australians and the whole gamut of colonisation and struggle and the ongoing major contribution made by the first Australians against the odds. We are looking at how that is taught in schools in the context of cultural resilience, dignity and respect. As part of giving us the information about teachers and what they are taught can you also give us a copy of the compulsory curriculum so that we know what is being taught in regard to the culture of the first Australians?

Mr COUTTS-TROTTER: Of course we will, absolutely.

The Hon. MARIE FICARRA: Are there are any programs to encourage indigenous students who are doing well at high school to go on to tertiary education? I know the University of New South Wales is conducting programs and Wollongong University is being encouraged to get involved.

Ms HALL: There are tertiary education scholarships for Aboriginal students to enter universities of their choice. During the transition years 10, 11 and 12, schools will focus on building those relationships through the university in schools program, the Vocational Education and Training [VET] in Schools program, the uni and TAFE links systems that we have in Schools in Partnership [SiP], and consequently that opens the door for our students to become more aware of what is available for them as a choice of career.

Mr COUTTS-TROTTER: Of course in the longer term the most important thing is to have appropriately high expectations for all Aboriginal children. Happily in the last couple of years we have seen significant lifts in the proportion of Aboriginal children achieving at top levels in year 3 and year 5. I think we all accept that. That is very encouraging because obviously early success begets later success and early failure begets later failure without some extreme intervention. Getting that right early is profoundly important.

The Hon. MARIE FICARRA: Can you provide us with those statistics? That would be interesting.

Mr COUTTS-TROTTER: Yes, absolutely.

Ms McGREGOR: I just want to add to that that each TAFE institute as well has targets to grow our enrolments at qualifications beyond certificate level III, certificate IV, diploma and advanced diploma. That is built into the performance agreement with every institute.

The Hon. MARIE FICARRA: Has that also seen an upward trend?

Ms McGREGOR: Yes. For instance in North Coast last year we had 180 additional enrolments for higher qualifications compared to the year before.

The Hon. MARIE FICARRA: Are they staying in the courses and achieving? I am interested in enrolments versus graduation.

Ms McGREGOR: Completions? I could not tell you the data off the top of my head. Sometimes people do not necessarily want the full qualifications. It depends a little on what they come for. We can provide you with some module completions as well as course completions.

The Hon. MARIE FICARRA: That would be excellent. Thank you.

The Hon. GREG DONNELLY: I direct my question to the Director General. We have provided you with some questions on notice. I refer specifically to number three on the issue of performance agreements. Would you be good enough to give us an overview of the performance agreement arrangements in place with respect to the senior staff and how they operate?

Mr COUTTS-TROTTER: Sure. I would be happy to. Starting with the State Plan targets, it is a performance agreement made by the Government with the community to some extent. Those State Plan targets appear in my performance agreement. In turn, elements of them appear within the agreements I have with my deputy directors-general. For example, in the schools area obviously that is the academic results as measured by external assessments. We will also be looking at things such as rates of attendance in school and rates of suspension. They are cascaded back from the centre of the department and cascaded forward from schools, so each individual school will set explicit targets for improvement in three-year time horizons for Aboriginal students around their results in the external assessments, now the national assessment.

There may be other measures they would use including attendance and retention. They will be negotiated at a school level by the principal and the school education director. The job here, of course, is to make sure the targets are achievable but ambitious. That is negotiated with the school; the school owns that. They feel they are able to deliver on them and they have credible plans to do that, rather than simply imposing them from Bridge Street, because that is not going to work. Taken as a whole, you roll up the targets embedded in school plans to an aggregate set of numbers that will have us trying to keep pace with the trajectory to get from where we are to where we want to be, which is Aboriginal children on average performing as well as or better than the general school population. You can track it down performance agreement by performance agreement to a school level.

Within the department, for example in the human resources area, there are very explicit targets embedded in the performance agreements of senior executive service staff around lifting the proportion of Aboriginal staff in the organisation and there will be plans to do that, usually two-year plans—2009-2011 in this case—with results expected at the end and actions that we have committed to that will hopefully deliver that along the way so you can look at what people are doing as well as what they are achieving. The framework is a pretty good one. The next element in this is, after a long period of consultation, to release an update on our Aboriginal education and training policy, which I guess in very simple terms says this is everyone's responsibility in every part of the place.

It is not the responsibility of Aboriginal staff in schools, it is not the responsibility of Michele and her team. It is collectively our responsibility, whether you have one Aboriginal child in your school or whether you are at Woodenbong Central and 75 per cent of the children are Aboriginal. It is a consistent message that we are dead-set about this. We know the targets are ambitious, but it is better to have ambitious targets than to have weak targets. It is a priority. Yes, there are resources for it but obviously in any agency day by day you have to make decisions about what the really important things are that you direct your time, attention and resources towards. Performance for Aboriginal students with Aboriginal students is priority number one, certainly for me, just because the gaps are so large.

The Hon. GREG DONNELLY: Earlier we asked a question about an initiative we had seen in some private schools, which gained some media attention six months or so ago, about providing opportunities, particularly in the context of indigenous students. There are different views about those types of programs, as you might imagine. In the context of public education, is there any equivalent type of program, initiative or idea, not necessarily modelled on the same idea, whereby perhaps in selective schools indigenous students that are seen to be high performing, so to speak, are provided with opportunities?

Mr COUTTS-TROTTER: That is a wonderful introduction to some happy news. We have managed to have some success with the Commonwealth Government. There are a range of things we do already. Michelle will describe something we are about to do.

Ms HALL: Initially the western region, which is the Dubbo area, trialled a program called the Coolabah Dynamic Assessment Program. What that program is about, very briefly, is translating potential into performance. It is identifying students' performance in a context of do we do an actual, which is a point in time test, as opposed to let us map out where this child's potential is and where we can go with it. It was started only this year and the results will be forthcoming next year or the year thereafter because it is a very lengthy process of engaging teachers to give them training in the program. It is interactive. What happens is there is an interactive assessment that is conducted and that allows the student through a personal productive relationship with the teacher build scaffolding, mentoring and other personal relationships to move the child along in learning, rather than a point in time test like NAPLAN or IQ, which gives a very limited view.

We were successful in getting a Commonwealth submission a couple of months ago for low socioeconomic communities in literacy and numeracy working with south-western Sydney urban students, their families and the schools. We will be rolling that out in 2009. It is a two-year project and it will go across a number of schools in the area. It will target the primary area of middle years, so students in year 3 and year 4. It will have to go across a number of schools because we will have to have at least 200 students to be able to do an intervention. It is a matrix. It is called the Ravens matrix. That is in train. The Catholic Archdiocese in New South Wales has been doing this program for about three years. It has been proven to be very successful and lot of those students are the students you are talking about who have been redirected apparently. Some of those young people have been picked up by the private school system as a result of this. We certainly did not base ours on that. It is a philosophy, it is a practice, it is a program that works regardless of the system.

Dr JOHN KAYE: What is the name?

Ms HALL: It is the Coolabah, as in tree, Dynamic Assessment Program.

Mr COUTTS-TROTTER: We would be happy to forward a brief summary of it.

Ms HALL: Dr Graham Chaffey is the Ph.D. author of it. It is currently being rolled out in the New South Wales DET western region and will be in the south-western region.

Ms SMITH: Building on that, we also have quite a strong program to support and build the leadership of Aboriginal students throughout the State. We have, for example, a State SRC that has 10 spots specifically set aside for Aboriginal students. As well, other Aboriginal students are part of the general group. The State SRC meets for a couple of days in Sydney and takes forward a student leadership agenda that comes from each of the regions. They have quite a powerful influence over the sorts of things that happen in our schools across New South Wales. They also have quite a strong relationship with senior people in the State office, including our Director General.

The role of those students is very highly valued by us and by regions, as well as the students themselves. As well, each school has a student leadership program and each region has a student leadership program. As part of that they particularly target Aboriginal students to build their leadership capacity. One of the things we have noticed over time, for example, is an increase in the number of Aboriginal students who are school captains and have other leadership positions in the school where they have been voted in by the student body. More importantly, the feedback and advice that they provide is highly valued and very important.

Mr COUTTS-TROTTER: At Mooree Secondary College the school captains there are a girl of Anglo Celtic descent called Tegan Rogers, whose family settled in the district for generations before, and the male captain is a wonderful young fellow called Wally Towney, a Kamilaroi man, from East Moree whose family association with the area is literally timeless. Cast your mind back to Moree 40 years ago—a crowd of 500 people throwing rotten fruit at Jim Spigelman in the middle of the street. Extraordinary things are happening in communities around New South Wales. At Kingscliff High School Tom Kelly is the captain. They are seriously impressive young people who do get in the public system particularly opportunities to lead. Those boarding school programs, terrific as they are, are just a very small part of a very big picture.

Dr JOHN KAYE: Do you have data on the number of Aboriginal kids who are taking leadership positions in schools, both elected and appointed?

Ms HALL: We can get that.

Dr JOHN KAYE: That would be very useful.

Ms SMITH: The other thing that is happening more and more is that students including Aboriginal students are an integral part of regional decision-making processes. For example, in northern Sydney there are students on the Regional Equity Committee. They are involved in making decisions with other stakeholders about equity programs across the region, not only the spending of money but in identifying areas that require more work or a change to happen. They have been very influential in ensuring that the student voice actually influences the work of regional and school staff.

Ms HALL: In addition, from a community aspect as well, there are a lot of Aboriginal students who are part of the Junior AECG. So that then links to the capacity of the community within which they live and also that reputable organisation.

Dr JOHN KAYE: Would you provide written information on the Junior AECG to the Committee as well?

Ms HALL: Yes.

CHAIR: For the benefit of Hansard, what does AECG stand for?

Mr COUTTS-TROTTER: The Aboriginal Education Consultative Group Inc.

CHAIR: Your promotion of these success stories within communities and schools obviously has to be done in a positive way, not in the wrong way. Have you looked at how you promote the success stories?

Mr COUTTS-TROTTER: Absolutely, certainly within the means available to the department both on the intranet and Internet—our own *Pravda*, Side by Side.

Dr JOHN KAYE: "Pravda" means truth.

Mr COUTTS-TROTTER: It is a lot more independent than *Pravda* ever was. Quite properly we have a role to hold a mirror up to public education and to the public education community and say this is what it really looks like rather than what people seem to think it looks like. So there is a lot of work that happens there. Increasingly, and I think happily, schools are being given a lot more discretion to work with their local media. I think that is an important thing and it is an important part of school leadership, describing the ethos of the school and standing up in the local community on issues good and bad. It is an important point you make that we promote these individual successes without loading them up with a huge weight of expectation that this is an extraordinary exception.

CHAIR: We do not want too much spin or freak show stuff.

Mr COUTTS-TROTTER: No.

Ms HALL: From a systemic view, regions also have their own awards ceremonies and celebrations for the students in their community. Systemically we have what is called the Nanga Mai awards. That is in recognition and celebration of student achievement, teacher achievement in Aboriginal Studies and performance, community and elders.

Mr COUTTS-TROTTER: The TAFE has the Gili awards. That does a very similar job. The training awards, which are open to the whole training industry, acknowledge the achievements of the Aboriginal and Torres Strait Islander students.

Ms McGREGOR: Particularly apprentices and trainees.

CHAIR: A very important area.

Mr COUTTS-TROTTER: A very important area.

The Hon. MICHAEL VEITCH: A lot of the information the Department of Education and Training puts out relies on SAN [storage area network] data, evidence-based data. We have heard in our deliberations about the transient nature of some indigenous populations. What is the Department of Education and Training doing to ensure faith in the data collection processes to pick up the transient children?

Mr COUTTS-TROTTER: It is a good point you raise. It is only now that we are introducing a unique identification number for every student. In the past we have had good but limited data. We talk about retention, but we are talking about apparent retention. In other words, we are not tracking individuals through years of schooling, we are just looking at the size of the student cohort in each year. Of course, what happens, particularly in the final two years of secondary schooling, is we have often lost a loss of students but we are gaining students from the non-governments who come across because there is a broader curriculum offering. So it looks as if the retention numbers are high, but actually people have left and been replaced by other people.

We have understood the problems in that data for a long time and have been very open about it. From next year we will have a unique student identifier attached to every student, including Aboriginal students. That will allow us to track individuals and get much better information, particularly among very mobile student populations in committee populations. I think there has been work ahead of this at a regional level, for example in the Riverina, to try to keep track of the movements of individual Aboriginal students between communities and public schools. We can and we will get better at what we do.

The Hon. MICHAEL VEITCH: Will the unique identifier be taken up into the TAFE system?

Mr COUTTS-TROTTER: It should do. As well, students move between systems. So we would like to have a common basis of identification between us and the non-government schools as well.

Ms McGREGOR: A step at a time.

Mr COUTTS-TROTTER: A step at a time. TAFE yes and non-government schools. We have had some initial discussions with the Catholic systemics and the AIS. We would like to do it with them as well.

Ms McGREGOR: The TAFE system is equipped to check when any student enrols a second time to reconcile that information and override. So they do not really need a unique identifier. That is already in place in the TAFE system. It is a matter of making the connection.

Ms SMITH: Also from next year we will be able to attach students' national action plan [NAP] results to the earn identifier so from 2009 on, once you have had two or three years to build up a pattern, there will be the propensity to look at outcomes for Aboriginal students who are very mobile compared to other Aboriginal students because you can use the data in that way. It will take some time to build up a pattern so that it can be properly analysed.

The Hon. MICHAEL VEITCH: I turn now to the Northern Territory intervention. Are there any lessons for your department that emanate from that exercise?

Mr COUTTS-TROTTER: I will offer a comment but I will invite Michelle to offer a comment as well. Obviously an observation to make about the Northern Territory intervention is where there are communities that lack adequate police and health workers, an intervention that provides police and health workers is a very important and useful thing to do. One observation though: we have learnt from experience that the only way to make sustainable change in education and training for Aboriginal students and Aboriginal communities is to do that in genuine partnership with Aboriginal people and Aboriginal communities and that takes time; it takes negotiation, it takes hard work, it takes compromise, it takes disappointment. But from that you get things that are genuinely jointly planned and jointly committed to and it becomes something that we are doing together rather than something that has been done to a student.

I think those elements of the Northern Territory intervention that completely bypassed, for a whole range of reasons, attempts to actually negotiate elements of that with communities, we would draw a lesson from that and that lesson is keep on doing what we are doing because it makes change sustainable, but Michelle might want to go further.

Ms HALL: The only thing I could add to that is ensuring that the process is developed with and owned with the Aboriginal community in which that intervention occurs; that it is not imposed upon without true partnership and relationships being established and developed to establish what needs to be progressed and how. We do that through the Schools in Partnerships [SIP] Program.

The Hon. MICHAEL VEITCH: It has also been raised with us on a number of occasions that there is a competing complexity between the Government providing money and having government-imposed outcomes that actually do not match the outcome expectation of the communities?

Mr COUTTS-TROTTER: Yes.

The Hon. MICHAEL VEITCH: Do you have any solutions for us on how to fix that or are you aware of any innovative processes that we might want to look at?

CHAIR: What came first, partnership or funding?

Mr COUTTS-TROTTER: That is a good point.

Ms HALL: I believe that partnerships must be equal. For them to be successful they must be equal. For that to occur, both parties have to be valued in the decision making and the implementation of what they are doing. I will go back again to the process. Should it take longer to work with Aboriginal communities in developing those programs, then the community has to be given the ownership of working with the governments in doing so because they will be the ones there when the government departments have to move on or choose to move on elsewhere, so it is building the capacity, capabilities and the ownership. Aboriginal people know what they need to do in their own community, so it is building on that strength. It is a strengths base. Building on that strength and developing that partnership and listening to work towards gaining the solutions, I would suggest, would be the most appropriate process.

CHAIR: Taking on board all that, we have the dilemma when it comes to funding, that we operate on the basis of doing the funding first and then corralling you into having limited choices as to outcomes. We have to try to deal with that dilemma.

Mr COUTTS-TROTTER: The Schools in Partnership Program, which does involve a bit more money, most importantly involves joint planning and a degree of flexibility in what schools do and how they do it. It does not move away from the curriculum but it gives schools the capacity to configure their staff differently to bring people with different skills into the school to muster wrap-around services. I note from your draft report that you have heard directly from Annemarie Vine, other people and Aboriginal people from the community, but it is that capacity to hold people tightly to account, resource them well but give them some agency, in joint planning with Aboriginal communities, to determine within the context of the needs and aspirations of that community what they will do within that school to meet the needs and expectations of that community. The public education system in New South Wales is international class but it is not as good as it can be about providing that flexibility for individual schools in partnership with local communities to make use of the resources that are available to them in ways that best serve the needs of that community. It is a challenge for us.

Dr JOHN KAYE: How old is the SIP program? How long has it been running?

Mr COUTTS-TROTTER: This is its fourth year.

Dr JOHN KAYE: You would say it is hugely successful where it is applied to those schools that receive SIP funding, and usually they have PSFP funding at the same time.

Mr COUTTS-TROTTER: Right.

Dr JOHN KAYE: The flexibility to integrate with the community is enormously successful?

Mr COUTTS-TROTTER: Yes.

Dr JOHN KAYE: I presume you have data to show that?

Mr COUTTS-TROTTER: Yes, we do, and we can give you the results of this year's evaluation of the Schools in Partnership program within six to eight weeks.

Dr JOHN KAYE: The problem raised in other evidence is that only one in 10 Aboriginal children in the public education system are in a school that has SIP funding. Is the SIP program going to be an ongoing program and are you working to expand the number of Aboriginal children in New South Wales public schools who have access to SIP funding?

Mr COUTTS-TROTTER: It will be an ongoing program. As director general I will be making it an ongoing program to the extent that I can. I do not want to suggest that there is any threat to it; there is not. There is the SIP program and there are related programs. Aboriginal children in schools outside SIP schools, TAS schools and TSI schools also get the benefit of additional resources because they happen to be in a country community or it is a low socioeconomic school or for whatever reason. It is partly about the resourcing but it is also partly about learning the lessons of flexibility and local response; how you do it within the resources available to you is often as important, within reason, as the resources that are available to you.

It is lessons about flexibility as much as it is lessons about resourcing. We have about 37,500 Aboriginal students in public schools and, you are right, I think SIP schools accommodate 3,500. We have in place now over 15,500 personal learning plans, which we have found to be, when they are done well, an extraordinarily effective way of making this partnership of involving parents, caregivers, family, involving the student, teachers in the school, actually working out what is it that interests this young person, how can we accommodate ourselves to a degree with that within the bounds of the curriculum and what are the expectations on everybody in that arrangement, in that partnership, to support that young person's learning. It is not rocket science, it is just genuinely personalising learning so you really recognise the individual; you recognise where they come from, what they bring with them and build on that, and build on the assets that that young person brings and tried to muster the assets of the school community to help them with their learning.

Given the state of the State budget, I am not anticipating buckets of money arriving any time soon and we will continue to advocate, as we properly do within budget processes, for the needs of the students we serve, but I make the point that a lot of this is about the "how" as much as the "how much".

Dr JOHN KAYE: Part of my question was designed to put pressure on you to expand it?

Mr COUTTS-TROTTER: Sure.

Dr JOHN KAYE: The other part of the question was focused on the practicality of that was what I do not know is how many Aboriginal children are relatively isolated in mostly Anglo Celtic or non-Aboriginal schools and how many are in schools where we could meaningfully apply the SIP program if we had the money? If you had an unlimited budget for the SIP program, how many more Aboriginal kids would be in a SIP school? Does that question make sense?

Mr COUTTS-TROTTER: We do have data for those students who choose to identify as Aboriginal people, so we have that data by schools. We could give you a sense of the allocation of Aboriginal students across schools. I understand the thrust of the question and in a sense it is a welcome thrust. There would not be an agency head that would not like more money for what they do, but you have to be practical about it. So part of it is about the money but part of it is about identifying those flexibilities, those freedoms that are sometimes contentious, as we know, about the construction of school executives, about the allocation of staff, about the use of people who are not teachers within the school to support the work of teachers and the work of students in their learning and the extent to which we can spread that success into schools for the benefit of all students, particularly, for the benefit of Aboriginal students.

Dr JOHN KAYE: We have had a lot of evidence about the importance of having indigenous doctors, teachers and health workers. I do not think there is much contention in that proposition. We are also aware that there are a number of scholarships and supported work placements available to indigenous students but we are hearing that sometimes there are just not enough qualified students to take up those positions. Are you aware of that and what steps are you taking to address that shortfall? That also relates to TAFE?

Mr COUTTS-TROTTER: I make a couple of observations. The starting point is yes, we want more Aboriginal teachers but we want to make sure that people are properly prepared, adequately supported and have the aptitude and capacity to do the job. It would be a dreadful thing to push people into occupations that they are

going to fail at. That is just a general observation. Yes, it is really important to increase the proportion of Aboriginal people working in and around schools and TAFE in teaching and non-teaching roles, and we are trying to do that.

One of the opportunities for us is to create a larger pool of people who are able to undertake teacher training. We have a range of positions for Aboriginal people in schools that are great entry point jobs into the public sector generally but also into public education and training. What we have seen, though, is that people tend to occupy those jobs for a very long time. In other words, I think in time it would be better to design career pathways in a way that encourage people who want to, to move through and free up those opportunities for other people because it is a great entry point into our workforce and then into higher level vocational or tertiary study. Those are just a couple of general comments but maybe Michelle and Elizabeth would like to take that up a bit further.

Ms McGREGOR: Our director of Aboriginal partnerships, which is now part of our institute—he is a member of the executive—made a comment to me last week that he is in the process of doing some recruitment for four new positions that we created around this partnership approach. He said the quality of the applications was fantastic. It is a new experience for us. In the past couple of years attracting talent has been a bit of an issue, but we have taken a particular approach to how those positions are advertised. That is coincidental, but he mentioned that to me about two weeks ago. My sense is that there are lots of highly skilled and qualified Aboriginal people in the community. Our job is to excite them about working in education.

Ms HALL: There are two other factors I would suggest, one being supporting our Aboriginal students to stay on at school. Through the Youth Excel Program we offer 160 scholarships. We also have external agencies that have contacted the department and provided scholarships for Aboriginal students to then work into tertiary. For example, Aboriginal Legal Aid has just allocated two scholarships over two years at a value of $10,000 for two Aboriginal students. We have been approached by other corporate bodies and we are in negotiation with them at the moment, progressing how we can work with them to provide support for those students to stay at school.

As a teacher by trade now, it is starting here at preschool, in the early years, that will develop up here. Through the department's strategy of Best Start, through the Accelerated Literacy Program that we implement in stages three and four, the Reading to Learn Program that we implement in stages five and six will build and scaffold on the work and classroom practices, the quality teaching programs, and that in turn will start seeing results. We are already seeing results now through the Accelerated Literacy Program. So, that will then build up the retention of many of our students.

Mr COUTTS-TROTTER: I am sure if the police commissioner was here he would have bragged about it, but we have done a couple of really successful prevocational training exercises through TAFE, one with the police out of Dubbo, the Western Institute, to enable Aboriginal people to be ready to take up police training through Goulburn. In partnership with EnergyAustralia, and I think also with Country Energy, we do prevocational work; in other words, basic literacy and numeracy, to enable Aboriginal people to take up apprenticeships with those organisations. I have met a number of the people who have done that and they are fantastic programs. That is really opening up opportunities for a whole lot of young Aboriginal men and women.

Ms McGREGOR: Certainly the requirements of some of the large contracts that, say Abigroup, Theiss and so forth, have around highway construction and so forth, they employ a number of Aboriginal trainees or apprentices as part of that contract. It has been a real door opener for getting some people started in some of those areas that have been traditionally closed.

Ms SMITH: Just to cover a couple of other things quickly, building on that, there is a process called Our Community Yarn Up, which is basically aimed at a less formal, more informal, context, giving opportunity for Aboriginal community members to get a sense of school administrative jobs and other sorts of employment you might be able to do as an entry point into school, and have the chance as a group just to talk about the nature of the work, what it would take to write an application or to be interviewed, if that is the process, and at the same time build a relationship with school principals or other members of the community. So, not only do people within the community have a better sense of what their role might be and what they could contribute to it, they have already built some bridges and some relationships and we have had a head start in the way one would go about achieving that sort of employment.

The other thing that I think has been particularly useful and successful has been a mentoring program around Aboriginal teachers as they go through university, but also keeping close contact with them during their first years of teaching, which would include an individual mentor as well as all the work that happens at school and within the region generally; somebody who just keeps an eye on them and rings them to see how they are going and what is happening with them.

Dr JOHN KAYE: Is Yarn Up a Department of Education and Training project?

Mr COUTTS-TROTTER: Yes.

(The witnesses withdrew)

SANDRA BAILEY, Chief Executive Officer, Aboriginal Health and Medical Research Council, and

RODGER JAMES WILLIAMS, Chief Operations Officer, Aboriginal Health and Medical Research Council, sworn and examined:

CHAIR: Would you like to make some opening remarks before we go to questions?

Ms BAILEY: I will. First, I acknowledge the traditional owners of this country, the Gadigal people of the Eora nation. I thank the Legislative Council standing committee for conducting this inquiry to address ways of overcoming indigenous disadvantage and for giving Aboriginal people the opportunity to have a voice in these matters and all stakeholders the opportunity to have input and to do something about this glaring and unacceptable inequality.

Whilst addressing the social determinants of indigenous disadvantage, it is critical that measures are taken to overcome this disadvantage in all the areas that contribute to poor health. That is a longer-term strategy. As you are aware, the Aboriginal Health and Medical Research Council is the peak body of the Aboriginal community controlled health services. We adopt a very holistic approach on a broad definition of what constitutes Aboriginal health. That includes addressing those social determinants. In essence, medical services are about providing comprehensive primary health care are culturally appropriate and accessible to Aboriginal communities. We have many Aboriginal community controlled health services, health-related services and committees as our constituents. The perspective we bring to this inquiry is that of those services and the unique position they hold in the overall health system and, indeed, the role of Aboriginal people in the decision-making process, which is crucial to moving forward to address this disadvantage that we are talking about.

From the AHMRC's point of view there is much that can and must be done immediately to address the inequality in health outcomes for Aboriginal people. We maintain that the need for provision of health services in proportion to the burden of illness is immediate and essential on equity grounds over and above all the things that need to be done to deal with the underlying causes of ill health that may eventually reduce that burden over future generations. Too often this has been presented as an either-or argument between health services versus services to address underlying causes as if there is no evidence that health care actually alleviates illness.

Adequate health services are needed now simply to save and extend life and reduce disability. There needs to be an explicit commitment by governments to capacity building in primary health care especially, but not only, by supporting the Aboriginal community controlled health services sector in areas such as infrastructure and workforce through increased and realistic resourcing. Another point that is extremely important is despite the fact that the majority of Aboriginal people reside in New South Wales and that a large proportion of our population resides in urban locations, governments have for many years directed resources to rural and remote areas based on the ARIA standards, which do not apply very well to New South Wales, ignoring that reality. If governments continue to ignore that fact they will fail to address the disadvantage around half of Australia's indigenous population.

The supplementary submission that I have tabled, and I apologise it was not in earlier, is very lengthy, which is part of the reason we got held up, and it addresses some of the issues from the interim report; it addresses comments raised during the evidence of Dr Sophie Couzos from the National Aboriginal Community Control Health Organisation and it gives some estimated figures for closing the gap in life expectancy of Aboriginal people by area health service region based on avoidable death data and it also identifies a number of key reports and recommendations that support the arguments we put forward. It also gives the table on the levels of funding per head of Aboriginal population, which show that New South Wales, as I have just mentioned, continues to be underfunded in relation to its Aboriginal population in relation to Aboriginal health. I will leave it at that. The whole question of cultural resilience has been raised as well and I am happy to talk about that, but that is just by way of opening comment.

The Hon. MICHAEL VEITCH: Sandra, the Committee has heard a lot of evidence about the importance of Aboriginal communities making their own decisions about what needs to be done in their own communities. In your submission you suggested that funding should be long-term—25 years or more—with organisation implementation of Aboriginal services in Aboriginal hands. What needs to change to make that happen and what changes need to happen in the way the government works and what would need to change in Aboriginal communities themselves to make that work?

Ms BAILEY: That raises a whole lot of issues. A community controlled health service is, by definition, controlled by the community. So based on the recognition that Aboriginal people need to be involved in their own decision-making processes and design of programs that meet the needs of Aboriginal communities. That is the government structure for an Aboriginal community controlled health service. In relation to a lot of other issues I am sure there have been attempts—you have probably talked with land councils, and they are another form of governance in another area—by government to recognise that community involvement. In health we have Aboriginal medical services as community controlled working in partnership with the New South Wales Government by the Department of Health, and that has been a very successful partnership over the years. Of course we have got plans for what it needs to do, but basically I think it is important that governments learn the importance of Aboriginal community involvement and being involved and also learn how to do it—how to participate in an effective partnership with community.

So it is not about Aboriginal communities being advisory, having an advisory capacity, or just being consulted after something has been designed or after a decision or strategic direction has already been determined. They are important. At the local level we often hear about very small communities being required to attend lots and lots of meetings in order to have that input, and I suppose that is an unintended burden or a burden that local communities often carry in relation to the need to be involved in their own affairs.

The Hon. MICHAEL VEITCH: It has been raised with us before that there are a number of structures in place, advisory or otherwise, elected, such as the land councils. It has been raised with us a few times that this is to bring things in place by communities themselves. We heard testimony on Monday that there was an opportunity for advice shopping from government where you could actually go to the structure and that would give you the advice or direction you are after.

Ms BAILEY: Absolutely, yes. When I talk about effective partnership it has always been important for us with our health services to have an equal partnership with the Department of Health, and that is the case. The partnership between the AHMRC and the Department of Health, or the Government via the Department of Health. We see that equality as being essential to an equal partnership because there are examples over many years, and even some continuing ones, where, like you say—we just call it the old term, which is divide and rule, basically—if a Government does not like the advice of one organised Aboriginal community structure quite often or in the past they have gone off to another structure or designed ways of bypassing any obligation to go to that structure, or perceived obligation. So, yes, that is important.

The multiplicity of meetings involved in those structures, the number of structures, the potential for governments to sidestep one structure for another, is important, which is why we have insisted in our partnership that the partnership be between us and the department, as well as we advocate that at the area health service level that partnership should be between the Aboriginal medical service and the area health service and that the other parties, such as housing, education and justice and so on, are able to attend those meetings but are not necessarily partners to it, because it is essentially between service deliverers. Otherwise, the health service, for example, their view could get diluted by every other organisation at the table. So that is something we have been aware of for a long time.

The Hon. MICHAEL VEITCH: When we were at Broken Hill we were availed of the opportunity to witness the great arrangement out there between the Aboriginal medical service and the area health service; they have got a really fantastic arrangement. Do you have some comments around how that has come to be and the future for that arrangement?

Ms BAILEY: I cannot speak on behalf of Maari Ma, but I know it is a first in that the area health service, as you know, has contracted Maari Ma to deliver services in the lower sector of that region. I think the geography and so forth of the whole area, the population, location and everything, probably lends itself to that more than any other region. It does not change the fact that there are Aboriginal community controlled health services in Balranald and Coomealla. There was a small committee in Ivanhoe and a few other places, and we still see it as important that those local communities are involved in the decision-making process. So it is a breakthrough, but those medical services are still extremely important: it is not a replacement.

The Hon. GREG DONNELLY: It was put to the Committee members when we were out at Broken Hill that what you have just put is not the case and that in fact some of those services down south are dysfunctional and in a state of collapse. Is that news to you?

Ms BAILEY: I have heard there was one particular service that was wound up at the start of last year—it was a small service based in a broader general cooperative. I have read what was written in the paper by the chief executive officer of Maari Ma. I thought it was a bit disappointing actually. Those services at Balranald and Coomealla are smaller services but they are still very successful. People sometimes tend to look at governance. Our organisation assists those medical services with building capacity and governance. From time to time those medical services might need our assistance to get their governance on track but still and all I think those services are very successful in the utilisation by local Aboriginal communities.

The Hon. GREG DONNELLY: What is your view about the service at Armidale?

Ms BAILEY: That is a good question. It has been having difficulty and we have been working with that service. At the end of the day we have a policy that we are there to support services naturally and we have that relationship—we are not there to tell them what to do. It is up to the community to sort out their governance structures and I think they will do that eventually.

The Hon. GREG DONNELLY: Do you hold the view that there are problems with the governance of particular services around the State?

Ms BAILEY: Yes, there are from time to time. I do not think it is anything that cannot be fixed in most instances. We provide governance and management training for boards and for medical services as well as financial management training and information technology, human resources and legal issues around constitutions and processes at meetings and so on.

The Hon. GREG DONNELLY: It was put to us when we were at Broken Hill that one of the strengths of the Broken Hill model was it really ran quietly with the area health service in terms of having the rigours of that bigger service being applied in meeting the sorts of things it is trying to do. In other words, it was almost required to meet a number of rigours that were applied by the bigger service for the whole thing to work—it could work by being out here and running along side. It was tied in quite tightly with the Greater Western Area Health Service. The argument was put that this appeared to be raising the general rigour and standards that were being required in terms of provision of services in the health areas of indigenous communities. Would you like to comment on that?

Ms BAILEY: I would like to say that may be true but that is not the only way. We do not have to do that to make medical services successful. The majority of the medical services around the State, and around the country, are running quite effectively and efficiently and are extremely accountable considering the level of reporting that our services do on the ratio of how much money they get. But there are a lot of good news stories, if you like, and success stories from around the State. If that is working out there for Maari Ma then that is good. Like I said, there are a lot of medical services that work very well in terms of rigour. We assist our members in that regard and for a long time the medical services have been a success.

The Hon. GREG DONNELLY: But the reality is that the health issues facing the indigenous population in New South Wales are manifestly problematic. If these services were that successful surely we would not have the problems we have with indigenous health issues in New South Wales at the moment?

Ms BAILEY: I think that is a bit of an assumption. Can I just say in this submission we have outlined the level of funding which is around—I have made a note here—Aboriginal health receives about 5 per cent of the funding that comes in to New South Wales.

Dr JOHN KAYE: That is 5 per cent of all health funding in New South Wales?

Ms BAILEY: Yes. It is in the submission and I will not start flicking through it. A very small proportion of funding that comes into New South Wales for health goes to Aboriginal health and most of that goes to mainstream services. You can look at those figures and ask why is the mainstream health service failing Aboriginal people?

The Hon. GREG DONNELLY: That is what we are trying to find out.

Ms BAILEY: But you are relating this to governance and I refute that.

The Hon. GREG DONNELLY: No. The Committee has travelled around now for many months looking at issues relating to health problems with respect to the indigenous community and we are trying to put together the pieces of the puzzle as to what the causes are. In terms of some of the indigenous health services people have said to me, both off the record and on the record in some of the evidence that has been given, that there seems to be some real issues associated with the way in which they are operating. I am not sure of the extent of the problem or the depth and width of the problem. I am just trying to find out what your assessment is as to whether or not that is something anecdotal or there is something more systemic with the problem?

Ms BAILEY: I guess that reflects the views of some people but if you look in the submission where it talks about the funding levels and where that actually goes I think it has been identified in numerous reports that adequate resources need to be forthcoming to fix Aboriginal health and that Aboriginal medical type health services are the preferred model. Where they are not working well they are not beyond repair. I should also say the other side of that is the Department of Health and Ageing or the Office for Aboriginal and Torres Strait Islander Health [OATSI] within the Department looked at the brokerage model. They based that on one model that was working very well in the whole country and they have sought to take that model and apply it around the country. That is one that is working successfully but you are not looking at medical services and saying, "There is one that is very successful, let's try and make the others a success. Let's give them the resources they need and build that capacity."

The Hon. GREG DONNELLY: As far as best practice goes in New South Wales, are there any particular Aboriginal health services that you would put out there has being shining examples of ones that are working well and providing the sort of results that you are hoping for?

Ms BAILEY: There are a number but I will not go into naming them right now. Some of the older and more established ones have been functioning and providing a very good service.

The Hon. GREG DONNELLY: There are no particular ones that you would direct us to have a look at?

Ms BAILEY: No. I would like to go away and think about which ones I would direct you to but there are some very well run medical services.

The Hon. GREG DONNELLY: No, that is okay. Thank you.

The Hon. MARIE FICARRA: The emphasis is on having indigenous communities involved very much with preventative health-care programs and we have had such good success with maternal health care programs and so forth. You are involved in research and providing the Department of Health with a viewpoint on where resources should be directed in the future. How successful has the gaining of momentum for preventative health care programs to reap benefits in the long term been or how much more work needs to be done in your experience from your involvement in the indigenous community?

Ms BAILEY: I think a lot more work needs to be done. We need to make sure that programs are developed in partnership from the design stage, from the drawing board, with Aboriginal communities. There is health promotion, preventive health care and early intervention, which are all extremely important—we see that with the mothers and babies and new directions in health care. The only caveat on all of that is—and I have just mentioned one—it needs to be designed in partnership with Aboriginal communities. While they are focused on specific issues they need to be implemented in a holistic way and accessible to Aboriginal people and culturally sensitive.

The Hon. MARIE FICARRA: We would all like to get more indigenous healthcare workers but how do we go about that? Have you seen any movements or indicators of a drive towards nurse practitioners in rural areas where you might have a shortage of doctors? How do we get more indigenous people involved in rolling out the health care services?

Ms BAILEY: Workforce issues have long been on our agenda. You will see a reference in our submission to an Aboriginal health college that is opening its doors—there is a new building that is being opened out in Little Bay in February. The college is actually up and running. The Aboriginal Health and Medical Research Council [AHMRC] is a registered training organisation that provides health education to Aboriginal health workers and health professionals in the area of Aboriginal health. We shape those courses around the need for distance learning and recognition of prior learning because a number of the health workers

who already are working in Aboriginal health have usually got families and jobs already and so on and we have tried to tailor that education around those needs. I think we have been very successful in addressing those health workforce needs. We had a number of health workers graduate last year and there will be some next year as well, but in relation to the recruitment of doctors and other professional and specialist staff there is a big need for some action to take place to increase the recruitment and retention rates of doctors and to lower the costs of doctors.

The Hon. MARIE FICARRA: How do you think we can get that going? Is it by a cooperation of good dialogue and program funding from the Department of Education at all levels, starting from primary to secondary, tertiary, university, hospitals, and the whole lot of them having to talk to one another?

Ms BAILEY: We are looking at that through the college, through getting information out to young Aboriginal people and non-aboriginal people as well in high school. I am not sure how early we are going but we have certainly discussed about making people aware of potential career pathways in Aboriginal health.

The Hon. MARIE FICARRA: Any particular university that may be especially leading the charge? I remember when I was at the University of New England they were talking about getting indigenous people into the medical school there. Are there any universities that are doing it better or dialoguing better than others?

Ms BAILEY: The University of Newcastle has a very strong and successful program for the recruitment of Aboriginal medical students and has produced quite a few. There is the Australian Indigenous Doctors Association as well that could probably tell you a bit more about that but in terms of recruiting doctors to medical services that is a big issue in terms of salaries and being able to attract doctors with competitive salaries.

The Hon. MARIE FICARRA: My last question relates to Aboriginal men and health programs to address the status because we hear so much about women's health, even in the mainstream non-indigenous area, but what about men's health? From speaking to a lot of the interest groups a criticism from indigenous men and women has been that there is a need for more to be done.

Ms BAILEY: Can I just say that there are a number of very good Aboriginal men's health projects around the State addressing the needs of Aboriginal men, including accessing health services and parenting and promoting very positive role models and messages about those issues. At the AHMRC we had an Aboriginal men's health project officer position up until recently. It expired in June. We will be probably talking with New South Wales Health about that because it was such a success in developing a registry of all those services and basically just coordinating those services.

The Hon. MARIE FICARRA: You see that is one of the priorities?

Ms BAILEY: It is very important.

CHAIR: You mentioned the word "successful" and your concern about its not being the best word to use. Can you elaborate on that? I think it is important for us to understand that.

Ms BAILEY: I guess I just do not like using the same word over and over again. I thought it was successful.

CHAIR: I thought there might have been more to it. The word "successful" can mean—

The Hon. MARIE FICARRA: Different things to different people?

CHAIR: Yes. Success has a thousand fathers, as they say. It may well be that the word is misused on many occasions. How do you measure success?

Ms BAILEY: I guess success is measured by whether that program is achieving what it set out to achieve, whether the uptake and acceptance by the community is apparent, and whether there are some outcomes.

The Hon. MARIE FICARRA: With Close the Gap, we have heard a lot about whether it has a realistic time frame. Everyone gets very excited and emotional. It has emotional connotations because everyone

wants to do as much as they can. Do you think that is a realistic or achievable time frame that we are talking about?

Ms BAILEY: Can I just say a few things about Close the Gap? I think the whole campaign to close the gap, whether it is COAG or HREOC, is so encouraging and inspiring, especially seeing people talking about that, now that it has gained the momentum it has. What is important, riding on the wave of the Apology in February, also the Statement of Intent in March and the goals and targets which have now been released is to make sure that it is not just a statistical exercise where we want to see that figure at the end reduced so that we can tick the box. I do not think anybody thinks that for a minute, but there are many things that need to be done to achieve that gap-closing, and they relate to a concern that everything else does not slip down a different gap, or through the net.

There are issues about health services—health, quality of life and so on—that all need to be addressed, not just getting people to live longer in the interim. It highlights the need for everybody to work out what it is they are doing, who needs to do what and by when, and what it is going to cost. We have referred to this in our submission. They are the important things, if we are going to move forward. This is not going to happen just by saying that now and waking up in 25 years to see what has happened. There will be interim measures and they essentially need to be determined in partnership with the Aboriginal community. That is what the Statement of Intent is about, and that is what has not happened in the past.

In our submission we talk about a 25-year gap in the need for some sort of change management. I mean, if we are just going to hope that we will do the same things or that governments or whoever will just do the same things and it will magically fix itself, that is not going to happen. That is why we have spoken about something different. We have to move forward and we have to work that out together. In relation to Close the Gap, there will be data issues, such as the database on births and deaths essentially, and data in between. Also, which outcomes do you measure, and how do you measure them?

I will just mention that the Queensland Aboriginal and Islander Health Council, which is our equivalent in Queensland, has been working on setting its own goals and performance indicators. They are setting about a dozen performance indicators aimed at closing the gap through the Aboriginal community-controlled health sector.

The Hon. MARIE FICARRA: I am curious about something relating to the Department of Housing area. We have a problem with overcrowding. Would the Department of Housing necessarily seek your input into the negative health issues in relation to overcrowding? I am sure that Housing and Health are often intertwined. Would you have communication with them over quality settings and designs of houses that they are recommending?

Ms BAILEY: We do not directly, and the medical services do not because it is not their core business. But over the years, New South Wales Health, through its environmental health program and so on, has worked on the Housing for Health Program. I am not quite sure what is happening with that at this point in time but basically it is looking at housing and the impact that has on health and environmental health. Basically it is looking at environmental health issues. Yes, they are important.

In our research capacity we have a project called SEARCH, which is Study of the Environment, Aboriginal Resilience and Child Health. We are looking at those very factors, such as the impact of housing, the impact of otitis media in children and placing health brokers in medical services that are participating. There are six urban Aboriginal medical services. We will be recruiting up to 800 families for that study and it will be a longitudinal study with some interventions along the way to see what works in terms of breaking down that disadvantage. So it is very pertinent to what we are talking about here.

The Hon. MICHAEL VEITCH: My question relates to page 35 of your supplementary submission where you state:

> There are better and more respectable and sustainable ways of assembling useful knowledge than the current processes of treating the cultural and other knowledge of Aboriginal people as an ore body of intellectual property that can be freely quarried and converted into products that government wants to buy.

You go on to say that the current processes are very offensive. Can you tell us the better and sustainable ways of assembling that knowledge? It is a really important thing for the Committee to know.

Ms BAILEY: I will just check the context. I will not focus on those words essentially, but basically on what the message is about. In our research capacity, we work with the Sax Institute in New South Wales, which is a research body. Through that process we have a committee called the Coalition for Research and Improved Aboriginal Health, and we address proper ways of doing research. Rather than responding to the use of words, I will just say that it is about working in partnership with regional communities in the design of research—not looking at descriptive research but, rather, once again working with communities and looking at interventions that work as opposed to just selecting areas of interest and doing descriptive research. We actually know about what the problems are already.

The Hon. MICHAEL VEITCH: Yes. We have also been told that Aboriginal people feel they have been over-researched and over-consulted, and they just want action.

Ms BAILEY: That is it, yes. That is right.

The Hon. MICHAEL VEITCH: I am wondering whether there are better ways of assembling the knowledge. For this Committee, that is a really important thing. We need to know if we can make that better by one simple change.

Ms BAILEY: We had a research conference at the end of April through the Coalition for Research to Improve Aboriginal Health [CRIAH], and it really showcased the importance of those partnerships and doing research that will make a difference. That is why we named ourselves the Coalition for Research to Improve Aboriginal Health. We also have developed *Tools for Collaboration*, which is a document that researchers can look at to help them chart a passage through ethical waters and other Aboriginal community values in research. It states what is important for them to know, what they need to do to comply with ethical standards, how they engage with communities, how they make the research relevant, and so on. You are right: that is a very old criticism of research that has been done in the past.

CHAIR: Thank you very much for coming here today. It is greatly appreciated. We have run out of time.

Ms BAILEY: Thank you very much.

CHAIR: Are there any final pearls of wisdom in the form of recommendations that you would like to give us before we depart?

Ms BAILEY: I have would just like to say one thing in relation to resilience and Aboriginal people. We work very hard throughout services, and every Aboriginal community has some burden of improving the lot of their people. Resilience is a big issue. I think while we focus more and more on services and so on, resilience is so important to closing the gap and improving health. It relates to social and emotional wellbeing. It relates to the importance of Aboriginal culture and official recognition of that culture. Somewhere along the line I think the unique relationship of Aboriginal people to this country and within Australian society needs to be recognised officially.

CHAIR: If you do not mind, we would like you to take any questions that we have not asked to date on notice. With your indulgence, if you are able to answer by 10 October, it would be appreciated. We will get them out to you as soon as we can.

Ms BAILEY: Thank you for that opportunity.

(The witnesses withdrew)

The Committee adjourned at 4.41 p.m.