# Submission to Productivity Commission Inquiry into the Contribution of the Not-for-Profit Sector:

## Issues Relevant to Indigenous Organisations

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*Summary*

AIATSIS is undertaking research on the Indigenous not-for-profit sector, including the development of a database of Indigenous community-controlled organisations. The research has a particular emphasis on service delivery. Indigenous community-controlled organisations are the hidden ingredient for the success of government Indigenous development objectives. . In rural and remote Aboriginal and Torres Strait Islander communities in particular, few services are delivered directly by government.  Rather, services are largely delivered through community-controlled not-for-profit organisations. The strategic importance of the sector as a whole is unrecognised in the government policy process, and the individual services that comprise the sector are under-valued. This submission urges the Productivity Commission to take a step to redress this gap in understanding of the Australian not-for-profit sector as a whole, and to recommend improved efficiency in local and regional planning, grant application and reporting procedures, regulation, and employment and training opportunities throughout the Indigenous community-controlled service sector.

There are about 2700 organisations currently incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act). Recent estimates suggest that at least as many organisations are incorporated under various state regimes, or the Corporations Act (2001) (Corrs–Chambers–Westgarth 2002:24). Current AIATSIS research tends to confirm this. The vast majority of these are non-commercial organisations. A conservative estimate of 5000 organisations in the Indigenous not-for-profit sector is not unreasonable. There are three main types of activities:

- direct  service delivery (eg primary health care)
- communal governance, including representation and municipal-type services
- land holding/administration.

Each of these categories hosts a range of organisations with a variety of forms of incorporation, sources of funding, and powers both statutory and self-elected. The Indigenous sector is complex. Organisations may overlap these categories and sometimes take on other functions. This submission suggests that there are several areas for improvement in increasing the effectiveness of Indigenous not-for-profit sector:

- Indigenous NFPs are largely neglected in both academic and policy reviews of the sector. Since they share in many of the constraints on the not-for-profit sector as a whole they could benefit from better inclusion in government approaches to the sector, notwithstanding their clearly distinct characteristics.
- The size and importance of the Indigenous sector as a whole is neglected in programs for redressing disadvantage. Government programs tend to deal with Indigenous not-for-profit organisations individually, or, at best, in defined sub-sectors such as health or the arts.
- Indigenous NFPs are subject to over regulation. This takes two forms. Regulations imposed by their form of incorporation, whether under the CATSI Act or the various state acts, often fail to recognise their local characteristics, and can fail to protect the interests of their members and clients. Secondly, in contrast to the non-Indigenous not-for-profit sector, Indigenous NFPs are more often funded by government grants, and therefore come under intense regulation through multiple grant contract requirements.

The Indigenous not-for-profit sector is hampered by red-tape, struggles to make its voice heard in governmental policy forums, is under-funded in relation to need and in comparison with other service sectors, and requires support for skills development and secure employment.

***Origins, dimensions and importance of the Indigenous Not-for-Profit sector***

Some Aboriginal not–for–profit organisations can trace their origins to the early years of the twentieth century, when they formed in response to discriminatory legislation (for example, the Australian Aborigines' League was formalised in 1936). But it was only after the

referendum of 1967, and the ability of the Commonwealth to directly intervene in Aboriginal welfare, that the sector as a whole developed.  During the 1970s the Commonwealth, through its Council for Aboriginal Affairs, encouraged Aboriginal groups to incorporate to directly fund the delivery of community development programs (Coombs 1984:25-28). At the same time, and as part of the same generally progressive trend, the Woodward Aboriginal Land Rights Commission (1974) recommended the Commonwealth create a statute for simple incorporation of Aboriginal groups to hold land in trust. This indirectly gave rise to the *Aboriginal Councils and Associations Act (ACA) 1976*, though by the time it found legislative form it was far from simple.  The late 1970s and 1980s saw a rapid expansion of Aboriginal self-help organisations, many of which incorporated under the ACA.  The ACA Act was recently superseded by the *Councils (Aboriginal and Torres Strait Islander) Act 2006*.

Mainstream literature about the not-for-profit sector assumes that the majority of Indigenous groups incorporate under Federal legislation through the CATSI Act (Lyons 2001:18). This is possibly because of the historical intention of the ACA to provide a 'culturally appropriate' and simplified legislative framework. Early findings from current research undertaken by AIATSIS suggests that this is not necessarily the case, with a significant number of groups found to incorporate under state associations acts or as cooperatives—particularly in NSW and Victoria where cooperatives legislation allows for "community advancement" (Lyons 2001:87). While many Indigenous organisations are incorporated under the CATSI Act, possibly an equal number have chosen to incorporate under existing state associations acts or as cooperatives. This is difficult to gauge due to the opacity of state registers, and the research in this area is ongoing. Other Indigenous-controlled corporations have been created by statute. The now defunct Aboriginal and Torres Strait Islander Commission (ATSIC) is possibly the most prominent example. The Land Councils of the Northern Territory and New South Wales, were created by statute, as are the Native Title Representative Bodies. Some communal governance organisations have statutory functions in the Northern Territory and in Queensland.

Over time distinct service domains for Indigenous not-for-profit organisations have developed. Some of these are:

- Community Controlled Aboriginal Health Services

- Aboriginal Legal Services

- Multi-purpose 'resource agencies' and outreach services targeting dispossessed town fringe groups and homeland communities

- Arts and media centres, radio and television broadcasting stations, musician's cooperatives and dance companies.

- Community controlled schools and education lobby groups

- Communal councils, holding and administering Aboriginal land, providing municipal type services, usually through CDEP.

- Land councils, sometimes as statutory bodies, in other cases as voluntary advocacy organisations.

- Language research and maintenance centres.

- Sports associations.

- Environmental 'caring for country' collectives, such as ranger programs.

- Communally owned pastoral and farm industry organisations.

These sub-categories of the Indigenous not-for-profit sector themselves harbour considerable diversity. They are largely established on the model of a voluntary membership that elects a governing council to administer benefits for members and wider constituents. Some organisations cross-fund their social aims with commercial activities. For example, an Aboriginal Medical Service may pay for its doctors by bulk-billing Medicare (though most rely instead on direct grants). Some, such as the Ngaanyatjarra Council operate fee-for-service building, transport, accountancy and security services. Fees, in this case, are normally paid from grants by government agencies to the member communities that employ the Council's services. In common with many larger Aboriginal organisations Ngaanyatjarra Council is also a trustee, sometimes through a subsidiary, for trusts that have commercial operations. Several organisations use this model to invest in commercial enterprises on behalf of members, to whom they distribute benefits. Many community organisations also operate Community Development Employment Projects (CDEP) registers

and subsidise their service functions by using CDEP workers. This may include low-level fee-for-service activities such as housing maintenance. Winding down the CDEP programme, which begins in July 2009, threatens the viability of many of these organisations.

Some Indigenous organisations avoid the voluntary association model to retain tighter control over an organisation, yet still with a strong social purpose. The Yarntee ATSI Corporation in Newcastle (NSW) is a successful example of this (Smith 2008). In contrast to the mainstream not-for-profit sector (Lyons 2001:18) a much lower proportion of Indigenous voluntary associations remain unincorporated. .There are, however, examples of influential organisations that have deliberately chosen not to incorporate to avoid political intervention in their activities, such as Murdi Paaki in NSW (Jeffries 2008).

Following the introduction of the Native Title Act (1993) some existing organisations were transformed, and others brought into existence, as statutory Native Title Representative Bodies (NTRBs) to advance members' recognition of common law title. Uniquely, the Regulations to the Act prescribe that groups recognised as holding native title must incorporate under the CATSI Act. This is arguably a discriminatory requirement (Calma 2007). These Registered Native Title Bodies Corporate (RNTBCs) are an increasing feature of the Aboriginal corporate landscape. Their statutory functions under the Act are limited, but their responsibilities as land holders are vast. Currently there is no stable funding provision to ensure that they can carry out either their statutory functions or their landholder responsibilities.

### *Addressing Indigenous Disadvantage Effectively*

The scope of the Indigenous not-for-profit sector, in terms of the functions it undertakes for members and clients, encompasses most aspects of community life. There is roughly one not-for-profit organisation for every 90 Indigenous citizens. This is a crude calculation, but serves to illustrate in raw terms the prominence of communal organisations in Indigenous life. The importance of these organisations goes beyond their sheer ubiquity. While non-Indigenous people tend to have choice about whether they will use a not-for-profit

organisation, for many Indigenous people it is the only service choice, and practical representative voice, available. Aboriginal and Torres Strait Islander peoples, particularly in rural and remote areas, depend upon their organisations for essential services such as primary health care and public housing. Basic services such as these are normally delivered to the mainstream population by government, or through government-sponsored private enterprise (see Dwyer et al. 2009).

The importance of Indigenous not-for-profits goes beyond their service function to the core of social rights in a liberal democracy (Clemens 2006). As Professor Rowse has pointed out (2005:210) Indigenous not-for-profits are the primary means for most Indigenous people to make themselves visible as citizens within the polity of which they form a small minority. While most non-Indigenous people can feel comfortable that they are recognised as contributors to social and political life simply through going about their normal business, Aboriginal and Torres Strait Islander peoples have no such confidence, and require corporate expression of their identity, their needs and their interests (Martin 2003). This leads to a particular form of vulnerability, which is not usually shared by non-Indigenous people, because of the Indigenous not-for-profit sector's reliance on government funding, and consequently remotely-conceived policies, and remotely-administered regimes of regulation and accountability (Sullivan 2009).

The importance of the advocacy and community development functions of Indigenous not-for-profit organisations is a point of difference from the mainstream. The Indigenous sector's emphasis on empowerment, coupled with material progress is rarely found in the not-for-profit sector as a whole (Lyons 2001:38). The emphasis on advocacy also suggests a role in the formation of policy to address Indigenous disadvantage: as service providers implementing policy, and as consumers evaluating the effectiveness of policy in practice (Melville 2008:108).

***Situating the Indigenous Sector Within the Not-for-Profit Sector, and Australian Society***

The Indigenous not-for-profit sector, though it has distinct characteristics, has shared many of the pressures and constraints of the mainstream sector as a whole in recent decades. These arise from fundamental ambiguities in the approach to public administration now shared by most Anglophone countries. This approach, often called New Public Management and sometimes labelled Neo-liberalism, introduced many necessary efficiencies in the Public Service itself, but it has struggled to adequately deal with the relationship between government, the public sector, and not-for-profit sector. The advantage of not-for-profits in relation to government lies in their proximity to areas of social need, and thus their ability to articulate the views of the disadvantaged while offering local insights into appropriate measures to address this. More broadly, they can be conceptualised as an expression of local democratic participation, self-help, and devolved decision-making. New Public Management has added to this traditional view of the sector a role as a contracted service provider, competing for government funding on an open market. Inevitably, these two approaches have come into conflict and many participants, in Australia and overseas, now question the wisdom of becoming captive to government through contracted service delivery ((Hancock 2006:55-9); Keen 2006; Hamilton and Madison 2007:78-100; O'Shea, Leonard & Darcy 2007). In this respect, the Indigenous sector shares in concerns of the not-for-profit sector as whole with heightened significance. Their community-based mission is arguably stronger and more credible, their dependence on government more pronounced, and the consequences for their members of non-delivery more severe.

AIATSIS suggests that the Indigenous not-for-profit sector shares many of the concerns of the mainstream sector. It should be better integrated into prominent advocacy forums, such as the Australian Council for Social Services. AIATSIS also argues that, despite similarities, the Indigenous sector as a whole must be regarded distinct. Two of the reasons for this have already been alluded to. The sector delivers services that normally are the province of government agencies or commercial organisations. Partly because of this, and partly despite it, the sector is the principal form of engagement between mainstream Australia and Indigenous people. It has no direct counterpart since it is a service provider, frequently a

form of communal or local level governance, and the major expression of Indigenous civil society.

**The Indigenous Sector Can Meet Government Priorities for Employment**

There is another practical reason that the sector must be recognised as a whole. The Indigenous not-for-profit sector has great potential for meeting priority development goals through the personal development, training and employment of Indigenous individuals. Over the last thirty years many individuals, most with only rudimentary formal educational achievements, have come up through the ranks of community sector organisations. This has been an organic development, but it requires greater formal recognition and encouragement. The contribution of the community sector to Indigenous skills has two broad dimensions: increasing understanding of governance issues through participation as members and on Directors' Boards, and fundamental job skills through employment at all levels from field workers to management.

Indigenous people, by and large, do not achieve their understanding of civic engagement with the wider society from schools or through the media, but through engagement with their local organisations. They have developed sophisticated practical understandings of the benefits of participatory engagement through the election of office holders, and through holding office, in community service organisations, and have also acquired specific skills in governance. This is increasingly recognised through research projects such as AIATSIS/The Australian Collaboration's *Successful Indigenous Communities and Organisations* project (AIATSIS 2007a; AIATSIS 2007b), ANU/Reconciliation Australia's *Indigenous Community Governance Project* (Hunt et al. 2008), and in Reconciliation Australia's annual governance awards (Reconciliation Australia 2006). Skills in governance have broad applicability: embracing issues of probity in the conduct of directors and their organisations. Balanced against this is the need for representation of constituencies and the need for adaptation to cultural protocols. Wider still, participation in community sector organisations has enabled an understanding of governments and their bureaucracies and the development and implementation of policy. At the local and regional level Indigenous community sector organisations have developed valuable relationships with other citizens as well as with

service agencies such as the police, the judiciary, health workers and educationalists. Governing board members also commonly develop expertise in the particular sub-sector that their organisation services, such as health, education or native title. These positive developments are continually threatened by the fragile nature of government grant funding cycles, consequent employment insecurity and low levels of remuneration. Typically, community organisations operate on a yearly funding cycle involving a multitude of small grants, many of which have discrete timeframes and deadlines. This is not a secure foundation for Indigenous employment. It also has the effect of subjecting the Indigenous community sector to tighter regulation, and red-tape inefficiencies, than its mainstream counterpart.

Indigenous community sector organisations are major employers of Indigenous people. In some cases this is supplemented by CDEP positions, but in many instances community organisations provide standard forms of employment. This is a strength that could be built upon with the present government's policy commitment to Indigenous employment and training. The situation varies widely among Indigenous community sector organisations. Some in specialist areas, such as native title or health, typically have Indigenous employment mainly at the top and bottom of the organisation – the Executive and the clerical staff. Others are much more inclusive across all levels of the organisation. While already at significant levels, there is considerable room for improvement in employment and training opportunities in the Indigenous not-for-profit sector. This is dependent both on levels of government funding and on employment conditions. Delivering government programs through Indigenous not-for-profits increases employment opportunities, and should be coupled with encouragement of Indigenous employment and training strategies across the sector.

The Indigenous community sector offers career paths for people of ability who have little formal training who may transition to employment, often through CDEP, and work their way to managerial levels and then influence in national forums. This contributes to the self-esteem and prestige of Indigenous people and has intangible role-model benefits for youth, while contributing to the social health of the nation as a whole. It is also an important

source of income for Indigenous families (Rowse 2005:207). The sector needs greater support and recognition for this role. Salaries and service conditions in Indigenous sector organisations are lower than the Public Service, commercial organisations, and probably the not-for-profit sector generally. Employees also do not enjoy comparable opportunities for off-the-job training and skills development because of the lack of funds, and the day-to-day urgency of the problems they deal with.

Not surprisingly, the Public Service at both State and Commonwealth levels finds a fertile recruiting ground among those who have gained their skills either as directors or as employees (and often both at different times, or in different organisations). Australian governments siphon off valuable individuals seeking greater security and remuneration, often because of their obligations to their families. Tertiary institutions, and the Indigenous public they wish to serve, suffer here also. The poverty associated with long periods in tertiary education, and the low salaries available to junior academics and research staff, combine to trap highly competent individuals in either their community sector organisations or their public service positions. For the benefit of their communities, they need greater support. Governments should commit themselves to funding community-sector positions at comparable levels to their own personnel. They should provide greater support for training within organisations and salary continuity during tertiary studies. Flexible arrangements for secondment in both directions, from public service positions to community organisations and the reverse, should be increased. Legislation to ensure the portability of employment entitlements, such as superannuation, leave and salary increments should be explored.

### A Distinct Regulatory Environment

The emphasis on government service delivery creates tensions for many Indigenous organisations. While corporate goals may include advocacy and 'community–control', the regulatory framework for receiving government funding often results in an assumption that the Indigenous sector is an extension of government to be 'harnessed'—a problem also identified in the mainstream not-for-profit sector (Lyons 2001:37). This is reflected in the emphasis placed on coordinated 'partnering' (Melville 2008) to deliver essential services. Such partnerships between not-for-profits and government are distinguished by an

emphasis on contractual obligations within funding agreements (McGregor–Lowndes 2008:46), which then serve to shape the relationships between government officials and service providers.

There are two important and related issues here. Firstly, Indigenous not-for-profits inevitably come under the scrutiny of corporate regulatory schemes, particularly the Office of the Registrar of Indigenous Corporations (ORIC). Secondly, as they are dependent on grant funding, the organisations within the sector, having jumped the hurdles of grant application procedures, and weathered the insecurity associated with these, are subject to multiple intrusive reporting requirements under the terms of their service contracts. Each of these can have different requirements according to the jurisdiction, agency and program which delivers the funding (for the impact of this in the health sector see Dwyer et al 2009).

Given the importance of incorporation to the Indigenous not-for-profit sector it is crucial to note how a form of 'diagnostic' scrutiny—emergent after the Neate Review (1989)—also distinguishes the Indigenous sector. Although the later Fingleton Review (1996) highlighted how government emphasis on financial and procedural accountability neglected to recognise community development outcomes, the Registrar of Indigenous Corporations continues to prioritise demonstrated measures of 'good governance' through organisational 'health checks'. Although ORIC has moved away from imposing penalties and now places more emphasis on supporting governance capacity within organisations, the Indigenous not-for-profit sector continues to operate within an environment that subjects its understanding of community aspirations to remotely-conceived corporate governance objectives. Managing grants acquittals and measuring outcomes places additional pressure on organisations to meet with compliance audits undertaken by ORIC. If Indigenous organisations are found to be non-compliant with administrative requirements,  the Registrar has powers to appoint 'special administration'. Recent case studies show that regulatory frameworks for incorporation and maintaining government funding remain focused on meeting 'special' standards of governance reporting by Indigenous organisations in order to prove themselves innocent from corruption or maladministration rather than

concentrating on their core interests of caring for country, community and culture (Muller 2008).

Many Indigenous NFPs  access information and engage in transactions with government through an electronic Indigenous portal. A significant feature of this portal is the submission process known as 'eSub' (www.indigenous.gov.au/esub/), which features generic risk-assessment and performance measures. While the logic behind a standardised procedure suggests a smooth flow of information and transparent practices of grant brokerage, research from the London School of Economics (Cordella, 2007) suggests that the underlying drivers of efficiency and marketisation for e-bureaucracy do not serve to effectively recognise democratic values of equality and impartiality (values which such strategies often claim to achieve). Despite this centralised interface with government and standardisation of contracts, Indigenous NFPs must still respond to the complexity of reporting requirements that the not-for-profit sector as a whole remains burdened with (Flack and Ryan 2005).

Having passed through this homogenising filter, any advantage in this process is lost as grant applications then come under the scrutiny of separate Commonwealth agencies and become matched to a wide range of programmes each with different aims. While standard contracts may result, each has particular schedules attached which produce multiple ill-matched reporting requirements and timelines. While the Commonwealth government has made some progess is standardising grant application procedures, it has been slower to develop standard planning and reporting mechanisms, particularly when these also involve the state governments. Some headway has been made in the area of primary health care through OATSIH's Strategic Development and Reporting Framework, though this is still incompletely implemented. The recent intergovernmental National Partnership Agreement on Remote Service Delivery is also a step in the right direction, though it has yet to be implemented and general applicability is a long way off.

This corporate and bureaucratic regulatory environment has several serious effects on the sector. Firstly, it is inefficient. Multiple parallel strands of long command lines each with many desks to traverse, in both directions from the local area to the centre of management,

is inherently wasteful. It is also frustrating for all parties. It is arguable whether it increases accountability, and any apparent benefit here must be weighed against the cost. A secondary effect is that many organisations rely on staff with professional skills in grant writing to broker large grants to ensure financial sustainability for organisations. Other staff who may offer skills in grass roots communication can feel marginalised by the managerial language and corporate practices of the sector unless they have adequate support and training. Sometimes the organisation as a whole can become alienated from its client/member base because increased numbers of professional employees do not adequately recognise the existing community-oriented skills of Indigenous staff, the membership and the board.

### Conclusion

The Indigenous community sector does a magnificent job in relation to the challenging needs of its member/client base and its relative lack of material resources. Its development in the last three decades is testimony to the resilience and capacity of Indigenous people in their communities. Nevertheless, AIATSIS argues, it requires recognition and support in several key areas.

It requires recognition as a distinct and important sector among Australian not-for-profit organisations. It has acquired a unique position as both a provider of governmental services and an expression of Indigenous cultural identity within Australian society. Both of these aspects require support. Government approaches to the sector must go beyond its treatment as simply a sub-contractor for the implementation of policy, recognising that one of its important 'services' is its representative function, particularly at the local and regional levels. Because of its importance in providing fundamental life-sustaining services it requires greater levels of funding than it presently receives, and higher levels of support for professional employment and training in order to meet its heavy responsibilities. Apart from material support, one way that the effectiveness of the sector can be increased with little cost is by more appropriate approaches to regulation, greater devolution of policy implementation to the sector (which would cut out some of the supply line barriers) and streamlined standardised reporting procedures. This requires an intangible change in

relations between the sector and government, the nurturing of an environment of trust between them. AIATSIS hopes that this submission to the Commission will contribute in this endeavour.

*References:*

Australian Collaboration & Australian Institute of Aboriginal and Torres Strait Islander Studies (2007a) Organising for Success: Successful strategies in Indigenous organisations. Policy Report (Vol. 1). Canberra: Australian Institute of Aboriginal and Torres Strait Islander Studies.

Australian Collaboration & Australian Institute of Aboriginal and Torres Strait Islander Studies (2007b) Maps to Success: Successful strategies in Indigenous organisations. A Handbook (Vol. 2). Canberra: Australian Institute of Aboriginal and Torres Strait Islander Studies.

Calma, T. (2007) Chapter 6: The CATSI Act 2006. *Native Title Report 2007 of the Aboriginal and Torres Strait Islander Social Justice Commissioner* (pp.113-137). Sydney: Human Rights and Equal Opportunity Commission.

Clemens, E.S. (2006) The constitution of citizens: Political theories of nonprofit organizations. In W.W. Powell & R. Steinberg (Eds.) *The nonprofit sector: a research handbook* (pp.207-220). New Haven: Yale University Press.

Coombs, H.C. (1984) *The Role of National Aboriginal Conference*. Canberra: Australian Government Publishing Service.

Cordella, A. (2007) E-government: towards the e-bureaucratic form? *Journal of Information Technology, 22*: 265-27.

Corrs–Chambers–Westgarth (2002) Review of the *Aboriginal Councils and Associations Act 1976* consultation paper. Sydney: Corrs–Chambers–Westgarth.

Dwyer, J., O'Donnell, K., Lavoie, J., Marlina, U., & Sullivan, P. (2009) *Overburdened: Current Funding and Accountability Arrangements for Aboriginal and Torres Strait Islander Health Services*, unpublished report, Cooperative Research Centre for Aboriginal Health, Darwin.

Flack, T. & Ryan, C., (2005) Financial reporting by Australian nonprofit organisations: Dilemmas posed by government funders*. Australian Journal of Public Administration, 64*(3), 69-77.

Hamilton, C. and Maddison, S. 2007 Non-government Organisations in Hamilton, C. and Maddison, S. (eds) *Silencing Dissent: How the Australian Government is Controlling Public Opinion and Stifling Debate*, Allen and Unwin, Crows Nest (NSW)

Hancock, H. 2006 Bringing in the Community Sector: Partnerships and Advocacy, in Colebatch H.K. (ed) *Beyond the Policy Cycle: the Policy Process in Australia*, Allen and Unwin, Crows Nest (NSW).

Hunt, J., Smith, D., Garling, S. & Sanders, W. (Eds.) (2008) *Contested governance: Culture, power and institutions in Indigenous Australia*. Research Monograph No.29. Canberra: Centre for Aboriginal Economic Policy Research, Australian National University.

Jeffries, S. (2008) 'Good Governance in a Traditional Sense' or 'Traditional Governance in a Good Sense'. Governance Lecture 18 September 2008. Canberra: University of Canberra.

Keen, S. 2006 Non-Government Organisations in Policy, in Colebatch H.K. (ed) *Beyond the Policy Cycle: the Policy Process in Australia*, Allen and Unwin Crows Nest (NSW).

Lyons, M. (2001) *Third Sector: The contribution of nonprofit and cooperative enterprises in Australia*. Sydney: Allen and Unwin.

Martin, D. (2003) *Rethinking the design of Indigenous organisations: The need for strategic engagement*. Discussion Paper No. 248. Canberra: Centre for Aboriginal Economic Policy Research, Australian National University.

McGregor-Lowndes, M. (2008) Is there something better than partnership? In J. Barraket (Ed.) *Strategic issues for the not-for-profit sector* (pp.45–73). Sydney: UNSW Press

Melville, R. (2008) 'Token participation' to 'engaged partnerships': Lessons learnt and challenges ahead for Australian not-for-profits. In J. Barraket (Ed.) *Strategic issues for the not-for-profit sector* (pp.103–124). Sydney: UNSW Press

Moran, M. (2008) Demand responsive services: Towards an analytical framework for administrative practice in Indigenous settlements. *Australian Journal of Public Administration, 67*(2): 186-199.

Muller, S. (2008) Accountability constructions, contestations and implications: Insights from working in a Yolngu cross-cultural institution. Australia. *Geography Compass 2(*2): 395-413.

O'Shea, P., Leonard, R., & Darcy, M., (2007) Does 'competition' kill social capital? *Third Sector Review, 13*(2): 49-69.

Reconciliation Australia (2006) *Celebrating Indigenous Governance: Success Stories of the Indigenous Governance Awards*, Reconciliation Australia, Canberra.

Reddel, T. (2002) Beyond participation, hierarchies, management and markets: 'New' governance and place policies. *Australian Journal of Public Administration, 61*(1): 50-63.

Rowse, T. (2005) The Indigenous sector. In D. Austin-Broos & G. Macdonald (Eds.) *Culture, economy and governance in Aboriginal Australia* (pp.207–223). Sydney: Academy of the Social Sciences and the Department of Anthropology, University of Sydney Press.

Smith, D. (2008) The Business of Governing: Building Institutional Capital in an Urban Enterprise, in J. Hunt, D. Smith, S. Garling and W. Sanders (Eds.) Contested governance: Culture, power and institutions in Indigenous Australia (pp. 205-232), CAEPR Monograph No. 29, Australian National University, ANU E Press..

Sullivan, P. (2009) Reciprocal Accountability: Assessing the Accountability Environment in Australian Aboriginal Affairs Policy, *International Journal of Public Sector Management*, 22 (1): 57-71