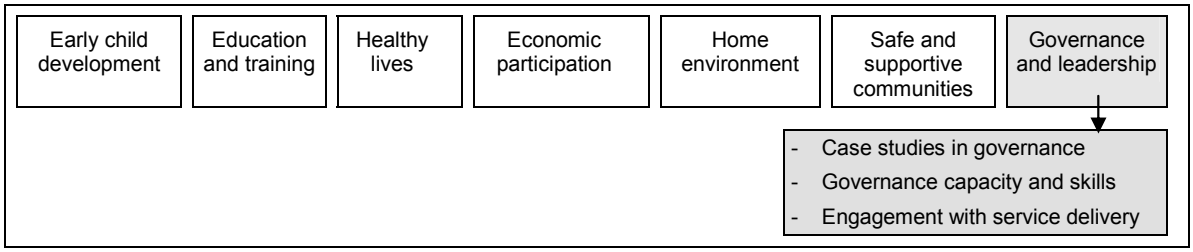
11 Governance and leadership

Strategic areas for action



Governance generally refers to the way the members of a group or community organise themselves to make decisions that affect them as a group. Governance therefore includes the structures and institutions that guide individual and group behaviour, and describes who has the authority to make decisions in a community, how those decisions are to be carried out and how different members of the community are included in the making, implementation and communication of those decisions. Leadership is critical to the development of a strong governance culture, and there can be specific cultural aspects to Indigenous leadership.

This report emphasises both Indigenous governance (the ways Indigenous people come together to undertake social, economic and cultural activities) and government governance (the way governments engage with Indigenous organisations and communities). Effective governance and leadership play an essential part in the social life and economic development of Indigenous people, and influence virtually all the indicators in the report framework.

Although governance is an important element of the framework, it is difficult to establish numerical indicators of governance. The proxy indicators in this strategic area are complemented by a qualitative discussion of the characteristics of good governance:

- case studies in governance — drawing on international and Australian research, the case studies in governance focus on six key determinants of good governance. These determinants have general application to Indigenous governance structures, while allowing for the unique cultures of different organisations and communities: governing institutions; self-determination; leadership; capacity building; cultural match; and resources (section 11.1)

- governance capacity and skills — there is little quantitative data available on governance capacity and skills, but formal and informal governance training is one means for individuals, groups and organisations to build on their strengths and address their weaknesses in organisational management and community governance. This section reports data on participation in leadership, finance or management training, represented by the fields of management and commerce, business law, and economics and econometrics at the university and VET levels (section 11.2)
- engagement with service delivery — service engagement is a broad concept that encompasses accessibility (including barriers to access) and appropriate delivery (including Indigenous cultural perspectives in designing and delivering programs). This section reports data on Indigenous people's access to services and perceived barriers to access (section 11.3).

Attachment tables

Attachment tables for this chapter are identified in references throughout this chapter by an 'A' suffix (for example, table 11A.2.1). These tables can be found on the Review web page (www.pc.gov.au/gsp), or users can contact the Secretariat directly.

11.1 Case studies in governance

Box 11.1.1 **Key messages**

- Six determinants have general application to good Indigenous governance, while allowing for the unique cultures of different organisations and communities:
  - governing institutions
  - leadership
  - self-determination
  - capacity building
  - cultural match
  - resources.
- These determinants also play a role in good government governance — the way governments engage with Indigenous people.

Hunt et al. (2008) and the NTER Review Board (2008) argued that resolving the difference between western and Indigenous approaches to governance is a critical first step in improving social and economic outcomes for Indigenous people. Consultations with both Indigenous people and governments for this report emphasised that good governance arrangements have a positive impact on Indigenous outcomes (SCRGSP 2007).

What does 'governance' mean? A five year (2004–08) Indigenous Community Governance Project (ICGP) defined governance as:

> …the evolving processes, relationships, institutions and structures by which a group of people, community or society organise themselves collectively to achieve the things that matter to them. To do this they need to make decisions about:
>
> - their group membership and identity (who is the 'self' in their governance);
> - who has authority within the group, and over what;
> - their agreed rules to ensure authority is exercised properly and decision-makers are held accountable;
> - how decisions are enforced;
> - how they negotiate their rights and interests with others; and
> - what arrangements will best enable them to achieve their goals. (Hunt et al. 2008, p. 9)

Identifying common principles or determinants that underpin governance and encouraging the application of these determinants is the key to strengthening Indigenous governance.

Drawing on the Harvard Project On American Indian Economic Development in the USA (the Harvard Project 2003-04), the ICGP and broad consultations with Indigenous communities and organisations, this report addresses the following six determinants of good Indigenous governance:

- governing institutions
- self-determination
- leadership
- capacity building
- cultural match
- resources.

The determinants are inter-dependent. No one principle in isolation will lead to good governance — all determinants are necessary for sustained success. Each determinant is discussed and supported by examples that demonstrate the depth of good governance in Indigenous communities and organisations. Many of the example of good practice have come from the biennial Indigenous Governance Awards, are a partnership project between Reconciliation Australia and BHP Billiton to encourage, reward and promote best practice in Indigenous governance. (Gary Banks, Chairman of the Productivity Commission and of the Steering Committee for the Review of Government Service Provision, was a judge for the 2006 and 2008 Awards.) Other examples are drawn from an intensive Centre for Aboriginal Economic Policy Research (CAEPR) study into Indigenous governance (Hunt et al. 2008).

Any discussion on Indigenous governance also needs to look at *government governance*. That is, governments' engagement with Indigenous organisations and communities. The latter part of this section explores the relationship between government and Indigenous groups, organisations and communities.

Indigenous governance

This section discusses the six agreed determinants of good Indigenous governance. The discussion draws on the ICGP and the Reconciliation Australia/BHP Billiton Indigenous Governance Awards. The Awards are open to all Indigenous community organisations incorporated under legislation and applications are assessed against a set of criteria (see www.reconciliation.org.au/igawards for the assessment criteria). The 2008 Indigenous Governance Awards winners were:

Organisations established for less than 10 years	Organisations established for more than 10 years
• *Winner* — Warakurna Artists Aboriginal Corporation (Warakurna Community, Ngaanyatjarra Lands, WA)	• *Winner* — Traditional Credit Union (Darwin, NT)
• *Highly commended* — Yawoorroong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation (Kununurra, WA)	• *Highly commended* — South West Aboriginal Medical Service (Bunbury, WA)
• Murriajabree Aboriginal and Torres Strait Islander Association Inc (Deception Bay, Queensland)	• Yirra Yaakin Aboriginal Corporation (Perth, WA)
• Tirkandi Inaburra Cultural and Development Centre Inc (Coleambally, NSW)	• Waltja Tjutangku Palyapayi (Aboriginal Corporation) (Alice Springs, NT)

Governing institutions

Governing institutions establish the framework within which Indigenous bodies function. These 'institutions' are made up of both formal mechanisms (such as policies, rules, constitutions, legal and judicial systems) and informal ways of doing things (such as taboos, gender norms, religious beliefs, values, kinship and marriage systems) (Hunt and Smith 2006, p. 3).

The West Central Arnhem Regional Authority (Interim Council) call it governing 'two-ways' (Hunt et al. 2008). Good corporate governance is coupled with Indigenous cultural values, relationships and systems of authority to produce governing order and good outcomes (Hunt et al. 2008; Hunt and Smith 2007).

Lack of recognition and support from the formal statutory and regulatory arrangements can undermine Indigenous governance structures. At the same time, formal arrangements can be ineffective without community support (see 'self determination' below).

Good governance requires both:

> capable institutions with clear ground rules (constitutions, rules for decision making etc.) which are informed by culturally-endorsed standards of what constitutes right and wrong behaviour, of who has legitimate knowledge, and who has the 'right' or authority to represent community residents and regional interests (IGA 2006, p. 4)

and:

> effective financial management and administrative systems so that organisations are managed in a professional way with integrity and consistency. (IGA 2006, p. 4)

Many of these features are illustrated in the approaches to decision making of the 2008 Indigenous Governance Awards applicants (box 11.1.2).

Box 11.1.2 **Decision making**

The role of the **Gannambarra Limited** Board is clearly defined. The Board is responsible for four clearly defined areas — legal, policy and planning, financial function, and staffing, while the General Manager makes day to day decisions regarding operational issues. Decisions at the Board level are made by consensus or through a democratic process.

Election for the **Anangu Pitjantjatjara Yankunytjatjara** (APY) Executive Board are supervised by the SA Electoral Commission. All decisions relating to development, use and management of the lands are made by the APY General Meetings in conjunction with the APY Executive Board. APY is required to consult with traditional owners having a particular interest in that portion of the lands, or otherwise affected by any development proposal. Decisions are generally made in a consensus manner based on extensive discussions and negotiations. However, in some cases, the majority make the decisions.

Jarlmadanagah Burru Aboriginal Corporation has a 12 member governing body, supported by a committee of elders who act as special advisors. Decisions are generally made by consensus and with the support of the committee of elders, who ensure that decisions are culturally appropriate.

(Continued next page)

Box 11.1.2 (continued)

Traditional Credit Union won the Indigenous Governance Award for an organisation that had been established for more than 10 years. The governing body is the Board of Directors. The Board are responsible for managing consistent, cohesive policies and processes. The Executive Officer is chosen by the Board. The Traditional Credit Union has a comprehensive delegations policy which sets the authorisation limits for decisions that can be made by Traditional Credit Union staff.

The **South West Aboriginal Medical Service (SWAMS)** Governing Committee holds regular meetings. Committee meeting papers are prepared for each meeting and the papers include recommendations for Governing Committee approval. Decisions made by the Governing Committee are done as a body corporate and individual Governing Committee members cannot make decisions or bind SWAMS unless otherwise approved by the governing committee.

More information on these and other successful Indigenous organisations can be found on the Reconciliation Australia website at: www.reconciliation.org.au/igawards

Source: Reconciliation Australia 2008 (unpublished).

Good governing institutions do not just spontaneously arise. They are the result of often lengthy processes of developing capacity and leadership (each discussed below) and ongoing training and development. Good governing institutions support 'board and staff training and development … [and] compulsory governance training for board members' (IGA 2006, p. 44). The institutions of governance can be actively built, and building these institutions creates a strong internal 'governance culture', providing a strong foundation for sustained good governance (Hunt and Smith 2006, p. 3). Examples of governance training by the 2008 Indigenous Governance Award applicants' are summarised in box 11.1.3.

Box 11.1.3 **Governance training**

Yawoorroong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation Governing Committees and Trustee Company Boards have undergone a Company Directors Training Course and two governance workshops since the organisation commenced operations in 2006.

Ungooroo Aboriginal Corporation insists that all Board members undertake governance training, and additional programs have been implemented to ensure the ongoing development of members of the governing body (for example, succession training). External consultants have assisted with the development of business plans and other capacity building strategies.

(Continued next page)

Box 11.1.3 (continued)

Winnunga Nimmityjah Aboriginal Health Service Inc has a business plan that includes governance issues (such as skills, education and training).

Kura Yerlo Incorporated provides governance workshops and training to all Board members.

Victorian Aboriginal Child Care Agency Co-Op Ltd has a governance training manual and requires board members to undertake governance training.

Gannambarra Limited has an induction/resource kit for new Directors. The kit includes the constitution, committee roles and responsibilities, information regarding funding agreements, organisational chart, staff positions and descriptions, purpose, philosophy and objectives, business plan and management reports.

Waltja Tjutangku Palyapayi (Aboriginal Corporation) Management Committee has undertaken Anangu Accounting, AAA Accounting training and governance training (such as the Introduction to Governance training for Aboriginal Board of Management members from the Office of the Registrar of Aboriginal Corporations). Executive members also receive professional development in governance and financial management.

More information on these and other successful Indigenous organisations can be found on the Reconciliation Australia website at: www.reconciliation.org.au/igawards

Source: Reconciliation Australia 2008 (unpublished).

Drawing on the Indigenous Governance Awards examples and research by the ICGP, some common characteristics of successful Indigenous governing institutions can be identified, many of which have close links with other determinants of good governance:

- clearly articulated vision, values, and goals, and the structures, processes and programs to achieve them
- legitimacy and authority of those with decision-making power (also see discussion of 'leadership' below)
- accountability of those in positions of responsibility
- stable institutional arrangements and effective administrative systems
- sound dispute resolution processes that provide fair and effective means of resolving disputes
- adequate capacity (including resources) to deliver core business (also see discussions of 'capacity building' and 'resources' below).

Leadership

Leadership has been described as 'the process through which an individual influences group members to attain group or organisational goals' (Smillie and Hailey 2001). Leadership is closely related to other determinants of good governance. Effective leadership depends on governing institutions that provide leaders with legitimacy and authority. In turn, effective leaders contribute to communities' and organisations' scope for self-determination. Sustained leadership also requires capacity building to build leadership skills, and is reliant on adequate resources for implementing decisions.

Indigenous leaders are critical to the development of a strong governance culture within organisations and communities. There is a specific cultural aspect to Indigenous leadership and, 'visible' Indigenous leaders of organisations are part of wider networks of community and regional leaders. These networks affect decision making processes and outcomes within organisations (Hunt et al. 2008). In his 1998 Williamson Community Leadership Program lecture, Patrick Dodson said:

> For Aboriginal leaders, the social and moral obligation that comes with community leadership is life-long. Those who lead, who have authority, must care for and look after those who come behind. (Dodson 1998)

Different leadership models or styles are appropriate for different situations, and different attributes might be required for leadership in different governance contexts. Formal education is not necessarily a requirement for 'people who contribute to the community, gain respect and act as role models'. It is most appropriate for Indigenous communities themselves to recognise, foster, promote and nurture this type of leadership (HOR 2004, p. 141).

Many Indigenous people who demonstrate this sort of leadership also take on formal roles leading Indigenous community organisations. At this level, more formal capacity building is required to build up leadership attributes such as:

- accountability and administration
- communication, consultation and representation
- negotiation, mediation and conflict resolution
- interacting with authorities at all levels of government
- integrity
- strategic policy and evaluation skills

- cross cultural awareness.[1]

Leadership needs to be nurtured and leaders require training and support to help them fulfil their responsibilities. Box 11.1.4 provides examples of the 2008 Indigenous Governance Awards applicants' approaches to developing leaders' skills.

Box 11.1.4 **Leadership development**

Aboriginal Rainforest Council provides development and training for the governing body. Three members of the governing body have been supported in Indigenous leadership courses run by the Department Families, Housing, Community Services and Indigenous Affairs. Other development and training opportunities are provided through events such as the World Heritage Areas Indigenous Managers Network, conferences and workshops.

The **Aboriginal Employment Strategy** has a mentoring program. Staff are mentored by members of the executive leadership team.

Gannambarra Limited provides training and development programs for the governing body. Staff develop their skills through training, workshops or courses, to improve and build self esteem, confidence and their knowledge base.

The Ngaanyatjarra Arts Governance Training is a multi-year activity run by a collective of art centre organisations including **Papulankutja Artists Aboriginal Corporation**. Training is provided to each art centre's Executive Committee. The training program is conducted three and four times annually, drawing art centres together from across a huge area of the central and western desert. The 4-day program is a major element of each art centres' development program.

Central Queensland Indigenous Development Ltd provides all staff with opportunities for development and training. With the support of the organisation, all managers have recently completed certificate level training, with additional staff working towards graduate and post graduate qualifications.

Laynhapuy Homelands Association Incorporated has a membership and leadership structure that conforms on paper to the norms of good governance as laid out in the relevant legislative framework. Yet it actually operates in a way that is heavily imbued with Yolngu principles of governance (Hunt et al. 2008).

Yarnteen Aboriginal and Torres Strait Islanders Corporation Executive Director and Chair have an extremely sophisticated understanding of governance best practice and strategies. Governance is frequently discussed in board meetings. Governance training has been provided in-house; senior managers have participated in external leadership workshops; several board members and senior managers have presented

(Continued next page)

[1] These characteristics were derived from the content of the Certificate in Leadership program conducted by the Australian Indigenous Leadership Centre.

Box 11.1.4 (continued)

conference and workshop papers on the topic; and the Executive Director has undertaken the Australian Company Directors' Course (Hunt et al. 2008).

More information on these and other successful Indigenous organisations can be found on the Reconciliation Australia website at: www.reconciliation.org.au

Source: Reconciliation Australia 2008 (unpublished).

Sustained leadership requires succession planning, so new people can take over from current leaders over time. One of the key messages from the ICGP was that issues of leadership and succession are often neglected, to the detriment of communities and their organisations (Hunt et al. 2008, Hunt and Smith 2006). This is a particular issue for some Indigenous communities, where a small pool of current leaders face growing demands on their time and resources.

Box 11.1.5 provides examples of the 2008 Indigenous Governance Awards applicants' approaches to succession planning.

Box 11.1.5 **Succession planning**

Yirra Yaakin Aboriginal Corporation has three-year, two-year and one-year succession plans. No Board member can sit for more than two three-year terms, which ensures a healthy turn over and succession of the Board, whilst retaining valuable corporate memory.

Tirkandi Inaburra Cultural and Development Centre Inc has a designated position for a youth representative on the Management Committee. The young person is mentored and supported by other Management Committee members.

Traditional Credit Union identifies and prepares suitable employees through mentoring, training and job rotation, to replace key players — such as the general manager, senior management and other key positions. The organisation acknowledges that it often takes years of grooming to develop effective senior managers.

Waltja Tjutangku Palyapayi (Aboriginal Corporation) mentors Aboriginal trainees towards higher level positions within Waltja or in other organisations.

The Koorie Heritage Trust Board's Human Resources Governance Committee has a program for succession planning that involves developing people's skills to take on senior roles within the organisation.

More information on these and other successful Indigenous organisations can be found on the Reconciliation Australia website at: www.reconciliation.org.au/igawards

Source: IGA 2006; Reconciliation Australia 2008 (unpublished).

Developing the next generation of leaders is a specific aspect of succession planning. Several 2008 Indigenous Governance Awards applicants have specific programs to develop youth leaders (box 11.1.6). Drawing on the Indigenous Governance Awards examples and research by the ICGP, some lessons for developing leadership and succession planning can be identified:

- training, leadership and personal and professional development builds competent and highly skilled staff (IGA 2006, p. 7)
- staggering elections, mentoring new board members, developing potential board members and board succession planning assists in board continuity and skill retention (IGA 2006, p. 44)
- developing the communication skills and self-confidence of young people by providing role models, mentoring and experience nurtures future leaders.

Box 11.1.6 **Developing youth leaders**

Central Queensland Indigenous Development Ltd employs young Indigenous people and mentors them through work progression. The organisation encourages these people to take part in leadership programs and youth development programs.

Dharriwaa Elders Group regularly invites younger members of the community to attend meetings and events and conducts an elders school program. Many elders are mentors in the community. The organisation convenes the Youth Subcommittee of the Walgett Interagency to improve youth services, and has had some success in encouraging new youth programs in Walgett in the past 2 years.

Tirkandi Inaburra Cultural and Development Centre Inc Management Committee has a designated position for a youth representative.

Yirra Yaakin Aboriginal Corporation is proactive in identifying future leaders not only for Yirra Yaakin but for the Aboriginal Arts sector. The organisation acts as an arts agency to support and nurture new and established talent and is working with Austrade to look at formalising a role for product ready acts that are poised for international opportunities. An example of this is the mentoring of the Bardi Dancer troupe from North West of WA to self-manage international touring opportunities as they arise. Yirra Yaakin supported and facilitated a tour by the Bardi Dancers to Stonehenge as part of the Salisbury festival in the UK.

Waltja Tjutangku Palyapayi (Aboriginal Corporation) Senior management committee women mentor younger committee members. The organisation has nominated and supported staff for awards and leadership opportunities: New Apprenticeship Sponsorship Program, Alice Springs NAIDOC Apprentice of the Year, National Indigenous Youth Leadership Group, Charles Darwin University Indigenous Student of the Year and NT Training Awards.

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Box 11.1.6 (continued)

Murdi Paaki Regional Assembly and Community Working Parties has established a Murdi Paaki Aboriginal Young Leaders Project. Through the program, young people have access to formal and informal training on leadership and governance, mentors and opportunities to meet with a variety of different leaders.

Brisbane Indigenous Media Association oversees the operations of 4 Triple A Training. This training empowers young people (many of whom are unemployed or at risk) by giving them communication skills, self-confidence and experience working in a professional team environment. The training includes face-to-face and on-line training for people in regional and remote areas. Senior staff are shadowed by junior staff members and skills transfer is strongly encouraged for all staff.

More information on these and other successful Indigenous organisations can be found on the Reconciliation Australia website at: www.reconciliation.org.au/

Source: Reconciliation Australia 2008 (unpublished).

Self-determination

Self-determination is a complex concept, with its roots in human rights. Wehmeyer (2002) states that 'self-determined people are actors in their own lives instead of being acted upon by others'.

For many Indigenous people, self-determination has close links with issues of customary law, land rights and economic development. In this report, the focus is on Indigenous communities or organisations having the right and ability to determine their own priorities and design their own instruments of governance, within broad 'external' governing institutions. There is also a distinction between 'self-determination' and 'selfishness'. The Indigenous Governance Awards have noted that the features of good governance include:

> Limitation and separation of powers so that self-determination does not mean 'selfish' determination, by ensuring a separation between the powers and responsibilities of leaders and Boards, and the daily management of community businesses and services. (IGA 2006, p. 4)

Self-determination has significant practical, as well as philosophical and symbolic importance. The Harvard Project found that self-determination led to improved outcomes for North American Indigenous people:

> When [Indigenous people] make their own decisions about what approaches to take and what resources to develop, they consistently out-perform [non-Indigenous] decision-makers. (Harvard Project 2003-04)

The Aboriginal and Torres Strait Islander Social Justice Commissioner, Tom Calma, considered that much of the failure of service delivery to Indigenous people and communities was a direct result of the failure to engage with Indigenous people and to support and build the capacity of Indigenous communities:

> Put simply, governments risk failure if they develop and implement policies about Indigenous issues without engaging with the intended recipients of those services. Bureaucrats and governments can have the best intentions in the world, but if their ideas have not been subject to the 'reality test' of the life experience of the local Indigenous peoples who are intended to benefit from this, then government efforts will fail. (Calma 2006)

The Human Rights and Equal Opportunity Commission strongly endorses the principle of free, prior and informed consent, which supports the full and effective participation of Indigenous peoples in decisions that directly or indirectly affect them (Calma 2006).

The ICGP found that the extent of self-determination in Indigenous organisations was dependent upon the external governing institutions:

> The system under which Indigenous organisations and communities operate largely determines the extent to which Indigenous people can exert control over decision-making. (ICGP 2006, p. 5)

The Indigenous governance environment is as complex as the government environment, with 'complex systems of representation and leadership, overlapping constituencies, networks of families and groups associated with organisations, and complex systems of mandate, accountability and authority' (Hunt et al. 2008, Hunt and Smith 2006). Despite (or perhaps because of) this complexity, the ICGP found that successful governance structures should be based on locally relevant Indigenous relationships and forms of representation:

> Working through Indigenous relationships and systems of representation thus becomes the basis for working out organisational structures, institutions and procedures. (Hunt and Smith 2006, p. 1)

The Indigenous Governance Awards made similar findings:

> The relationship between the formal governance body and the wider community, and traditional decision-making arrangements must be clear for that body to have the legitimacy it needs to function. (IGA 2006, p. 44)

Box 11.1.7 illustrates some of the 2008 Indigenous Governance Awards applicants' approaches to ensuring cultural legitimacy. The examples illustrate the potential for the following governance characteristics to contribute to self-determination:

- culturally legitimate participation and control of decision-making

- community participation in community governance institutions
- specific programs to meet the needs of specific communities, for example, community courts, community policing and Indigenous schools
- flexible funding arrangements that facilitate (and not hinder) the development of appropriate programs at the community level.

Box 11.1.7 **Cultural legitimacy**

Jarlmadanagah Burru Aboriginal Corporation governing board are supported by a committee of elders who act as special advisors to the governing body. The committee of elders ensure that cultural values are married into the organisation's decision making.

Members of **Magabala Books Aboriginal Corporation** are all Indigenous. The Board is made up of local Indigenous people who represent the members and the community.

Brambuk National Park and Cultural Centre (Gariwerd Enterprises Pty Ltd) is vested with great responsibility to ensure that the local culture is protected and preserved. The board of directors are all active Elders and Traditional Owners. Through their cultural and community knowledge Brambuk maintains cultural respect and sensitivity. Brambuk is also ROC (Respecting our Culture) accredited.

The **Aboriginal Rainforest Council** Board represents the 18 tribal groups of the Wet Tropics World Heritage Areas. Rather than have a board of 18 members which could be unwieldy, an arrangement has been made with the Girringun Aboriginal Corporation to provide 3 members to represent 9 of the southern tribal groups, and the remaining 9 northern tribal groups each elect one member. This makes for a total of 12 delegates representing the Wet Tropics region.

Warakurna Artists Aboriginal Corporation won the Indigenous Governance Award for an organisation that had been established for fewer than 10 years. It is an Aboriginal corporation with a constitution that reflects the priorities and aspirations of its members. Warakurna Artists is constitutionally and operationally obliged to return maximum benefits to its members, financially and organisationally. To achieve this, Warakurna Artists has built its business model on the cultural and creative energies of Warakurna residents.

More information on these and other successful Indigenous organisations can be found on the Reconciliation Australia website at: www.reconciliation.org.au/igawards

Source: Reconciliation Australia 2008 (unpublished).

Capacity building

Governance capacity is having the capabilities that are needed to 'get things done'. Section 11.2 examines in greater detail some specific aspects of formal training in areas relevant to governance capacity.

There are two important aspects to capacity building. The 'public management' approach emphasises the need to develop a community's ability to meet accountability requirements, and has strong links with the 'governing institutions' and 'leadership' determinants of good governance. The 'community development' approach emphasises empowering communities to take responsibility and control over their own futures, and is closely linked with the 'self-determination' aspect of good governance (Gerritson 2001, Hunt and Smith 2007).

'Capacity building' also has close links to the 'resources' determinant of good governance. In this report, 'capacity building' focuses on the social factors that contribute to the knowledge, ability and commitment essential to good governance, while 'resources' focuses on the economic factors necessary to underpin successful governance arrangements.

The OIPC (Office of Indigenous Policy Coordination) red tape evaluation (OIPC 2006, pp. 45-46) examined the capacity of Indigenous organisations included in the study. The results might present an overly positive picture, as the majority of the organisations included were considered 'more capable than average'. The evaluation found that only half the organisations indicated they were satisfied with the skills and staff they had available. Others noted a lack of resources for local skills training, poor recruitment outcomes, and inadequate succession planning, particularly in the replacement of key personnel (OIPC 2006). Inadequate financial management skills or processes were cited as a major risk for organisations. Less than 30 per cent of organisations employed Indigenous managers or senior staff, so that Indigenous capacity was not being developed (OIPC 2006).

The OIPC evaluation confirmed anecdotal evidence that, for many Indigenous organisations, 'human capital' is much more of an issue than basic administrative equipment. Box 11.1.8 provides some examples of capacity building by Indigenous organisations from the 2008 Indigenous Governance Awards.

The Registrar of Indigenous Corporations is an independent statutory office holder who administers the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*. The Office of the Registrar of Indigenous Corporations (ORIC) supports and regulates the corporations that are incorporated under the Act. It does this in a variety of ways, for example, by advising them on how to incorporate, by training directors and key staff in good corporate governance, and by making sure they comply with the law and intervening when needed. An example of ORIC's contribution to capacity building is provided in section 11.2.

Box 11.1.8 **Building capacity**

Traditional Credit Union won the Indigenous Governance Award for an organisation that had been established for more than 10 years. Traditional Credit Union supports opportunities for Aboriginal and Torres Strait Islander peoples in the remote communities. It provides services and education so that Aboriginal and Torres Strait Islander peoples in remote communities can have control over their financial security.

Traditional Credit Union provides training initiatives and support to Indigenous young people in work readiness and financial awareness and offers financial literacy counselling to all community members. The organisation is a member of the Corporate Leaders for Indigenous Employment Project which is part of the Indigenous Economic Development Strategy, and encourages a partnership between individual companies and the Australian government aimed at generating more jobs for Indigenous Australians. In remote Indigenous locations Traditional Credit union is 100 per cent staffed by people from the community who speak the local language.

More information on these and other successful Indigenous organisations can be found on the Reconciliation Australia website at: www.reconciliation.org.au/igawards

Source: Reconciliation Australia 2008 (unpublished).

Cultural match

Cultural match, as noted by the ICGP, refers to the degree of 'common ground' that can be achieved between the types of governing structures and procedures a group want to develop, and the culturally-based standards and values of its members' (CAEPR and RA 2004, p. 5). There are close links between the 'cultural match' and 'governing institutions' determinants of good governance.

While cultural match is essential for achieving legitimacy with Indigenous people, it is also essential that the organisation is functional, and it is able to achieve its objectives (see 'governance institutions'). 'What matters is not that things be done in the old ways. It is that things are done in ways — old or new — that win the support, participation, and trust of the people, *and get things done*. Some will be old. Some will be new' (Cornell and Begay 2003). Approaches to cultural match by the applicants to the 2008 Indigenous Governance Awards are summarised in box 11.1.9.

Box 11.1.9 **Cultural norms**

Mingaletta Aboriginal and Torres Strait Islander Corporation follows protocols of acknowledging and welcome to country and give respect, support and distance to sorry

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Box 11.1.9 (continued)

business. There are times when protocols and cultural norms differ. If there is a serious cultural breech the community have the right to exclude the person/s from the organisation.

Brisbane Indigenous Media Association will incorporate a traditional 'Talking Circle' into their new building.

Waltja Tjutangku Palyapayi (Aboriginal Corporation) was established and is governed by senior traditional Aboriginal women. All organisational policies, programs, projects and activities follow the values and priorities of senior traditional Aboriginal women from across the Central Australian region. Waltja Management Committee meetings and other Waltja activities such as workshops are delivered in a place separate from the community. This allows for an evening program, driven by members, to take place which includes cultural activities (such as dancing and painting).

Ungooroo Aboriginal Corporation board members are local Wonnarua people with close ties to the community and their culture. Local elders are consulted when making decisions for the future development of Ungooroo and in the development of appropriate programs that will benefit the whole community.

Indigenous Harvest Australia Cooperative Ltd. has an enforceable code of conduct for harvesting that requires that members maintain appropriate cultural and environmental protocols, including requiring harvesters to have the permission of traditional owners. The Board has a voluntary royalty payment to traditional owners on the basis of the origin of harvested fruit.

The **West Arnhem Shire Transitional Committee (WASTC)** developed a number of formal and informal governance rules. This 'rule innovation' allowed members to create workable solutions to some of the problems caused by the disjunctions between the two cultures of governance. For example, a new rule was created which addressed a widely recognised kin-based behaviour that required certain kinds of avoidance and deferential behaviour to be observed between two classes of relatives. Failure to observe the avoidance rule would incur family and public censure, and perhaps, retribution. The new rule enabled the WASTC members who stood in such a kin relationship to each other to effectively suspend the accepted customary rule of kin avoidance and so behave differently in the meeting (Hunt et al. 2008)[2].

More information on these and other successful Indigenous organisations can be found on the Reconciliation Australia website at: www.reconciliation.org.au/igawards

Source: Reconciliation Australia 2008 (unpublished).

[2] The West Arnhem Shire Transition Committee (WASTC) represented each new shire council area during the early stages of local government reform in the NT. The WASTC and advised the government on issues related to the reform process. The reforms to NT local government were implemented on 1 July 2008. The West Arnhem Shire Council is now established, and is responsible for local government service provision for the West Arnhem region.

Cultural match is more than symbolic — it can have a significant impact on a range of outcomes for Indigenous people. The Harvard Project on American Indian Economic Development found that 'successful [Indigenous] economies stand on the shoulders of culturally appropriate institutions of self-government that enjoy legitimacy among tribal citizens' (Harvard Project 2003-04).

The following successful approaches to address cultural match can be identified from the applicants to the Indigenous Governance Awards:

- ensuring specific sectors of their community (for example, language, skin or clan groups), especially elders, were represented on their board or were able to offer guidance/supervision
- using broad community consultation methods, and in particular consulting with elders about key issues
- consulting with the appropriate traditional owners where land, cultural heritage or cultural practices are concerned
- reflecting cultural norms in the design and operation of programs and projects, including the separation of men's and women's business where this is culturally required (IGA 2006).

Resources

Resources, which encompass financial, physical and human resources, are major factors in successful governance arrangements (SCRGSP 2007). The 'resources' determinant has close links to capacity building (discussed earlier) but each of the determinants has a different focus — 'resources' focuses on the economic factors necessary to underpin successful governance arrangements; while 'capacity building' focuses on the social factors that contribute to the 'knowledge, ability and commitment' essential to good governance.

Indigenous organisations may gather resources from a range of sources, including self-generated funds (from Indigenous-owned businesses or royalties), donations from private corporations, charities or individuals (including their own members), and different levels of government. Many of these sources, including government funding, can be unpredictable or uncertain, making future planning and long term investment difficult. The OIPC red tape evaluation found that 66 per cent of grants from government programs continue year after year, with little change in the circumstances or risk profile of the funded organisations. However, annual applications were still required (OIPC 2006, p. 6).

'Resources' also has close links to the 'self-determination' aspect of good governance. Access to alternative sources of resources can give Indigenous

organisations a degree of independence from government, and enable Indigenous organisations to run programs as Indigenous people want them to be run (IGA 2006, p. 41). The Indigenous Governance Awards noted that financial diversity and greater self-reliance were goals for many organisations. Box 11.1.10 provides examples of some 2008 Indigenous Governance Awards applicants pursuing financial independence.

Box 11.1.10 **Resources**

Yirra Yaakin Aboriginal Corporation is in the process of building an acceptable reserve ratio of between 1 and 5 per cent. The organisation has an earned income versus grants ratio of 60:40 per cent. It is one of the few arts organisations within Australia to have achieved a higher earned income than grants income.

Ungooroo Aboriginal Corporation aims to be financially self-sufficient and not reliant on funding bodies. The organisation is looking at creating different income streams such as hiring out a training and conference facility, hiring out vehicles, site work for the mines and facilitating training packages for different companies.

Indigenous Harvest Australia Cooperative Ltd. has a business loan from a commercial bank. In 2008-09 the organisation made a profit which was distributed to shareholders with a portion retained to expand the business, with a focus on further value adding and new product development.

Winnunga Nimmityjah Aboriginal Health Service Inc will increase its self funding from 10 per cent to 20 per cent over the next five years.

Yarnteen Aboriginal and Torres Strait Islanders Corporation has created a property investment vehicle (Yarnteen Pty Ltd) that enables the corporation to build an asset base for future investments. It currently owns land and warehouses at the Newcastle Port, 100 acres at Wollombi that it operates as a cultural and conference camp accessible to all Newcastle's Indigenous residents, and major residential property and buildings in town and interstate (Hunt et al. 2008).

More information on these and other successful Indigenous organisations can be found on the Reconciliation Australia website at: www.reconciliation.org.au/igawards

Source: Reconciliation Australia 2008 (unpublished).

The Larakia Development Corporation was included in the 2007 report as an example of an Indigenous organisation has been particularly successful at generating its own resources. Unable to rely on mining royalties, the Larakia people have established business ventures which provide the twin benefits of sustainable revenue streams into the future, and employment and skills transfer opportunities for the local Indigenous community (box 11.1.11).

Box 11.1.11 **Larrakia Development Corporation**

The Larrakia Development Corporation (LDC) was established in 2002. The LDC's first commercial operation (totalling over $10 million and funded through commercial banks) was a residential housing development of 375 lots.

The LDC is debt free and LDC projects have paid financial dividends to the Larrakia people. Income is divided evenly between the Larrakia Development Trust (established to coordinate community projects for the Larrakia people) and the LDC. In addition, the LDC has generated employment and training opportunities for local Aboriginal people through its own development activities and its own employment placement agency.

In addition to Larrakia Homes and Larrakia Environmental Services, three new businesses have been established:

- Saltwater Constructions, a fully owned subsidiary that focuses on steel fabrication, construction and property maintenance
- Larrakia Turf Farm, which has around 10 hectares of turf farm and provides an opportunity for Larrakia people to undertake Certificates I and II in Horticulture
- Cox Peninsula Enterprises, which provides reliable and safe transportation to the people of Waigait and Belyuen.

The LDC has won numerous business and management awards and is recognised by many organisations, including Defence Housing, as being a well run and efficient partner.

The LDC demonstrates the power of establishing a commercial corporate body with profit motives to support the charitable objectives of an Indigenous Community Trust. It also highlights that good governance practices are attractive to commercial lending institutions.

Source: Larrakia Development Corporation (unpublished).

Government governance

The 'governance of governments' matters to the governance of Indigenous communities and organisations (Hunt and Smith 2006, Hunt et al. 2008). The effectiveness of both Indigenous governance and the 'governance of governments' are linked. Indigenous organisations and communities are affected by their relationships with Australian, State, Territory and local government institutions, policies, legislation and procedures. To a lesser extent, governments are influenced by the governance arrangements of Indigenous communities and organisations.

Australian governments have made a number of collective commitments to improve government governance, including commissioning this report (COAG 2002), agreeing to the 'National Framework of Principles for Government Service

Delivery to Indigenous Australians' (COAG 2004), establishing a national framework for reporting expenditure on Indigenous services (MCFFR 2008) and supporting the development of a national Indigenous representative body (Macklin 2008).

The outcomes of the COAG Indigenous community coordination trials (Morgan Disney et al 2007), the commencement of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*, and the Office of Indigenous Policy Coordination (2006) 'red tape' evaluation were all discussed in detail in the 2007 report. Such evaluations are crucial to inform the new arrangements in government governance in Indigenous affairs.

The Australian Government Office of Evaluation and Audit (Indigenous Programs) (OEA) conducts evaluation and performance audit reports of Indigenous programs. (The OEA only evaluates Indigenous specific programs and is not resourced to evaluate every Indigenous program delivered by the Australian Government. It does not evaluate mainstream programs serving both Indigenous and non-Indigenous people.) The OEA evaluations and audits are an important part of the Australian Government's accountability framework for Indigenous program delivery. The OEA has evaluated justice, family violence, small business, Community Development Employment Projects (CDEP), and homeownership programs (see http://www.finance.gov.au/oea/publications-and-reports.html). Many of these audited and evaluated programs have been included as 'things that work' case studies in this report (for example, see section 4.11).

At the Indigenous program level, across all governments, many 'pilots' and 'trials' are commissioned, implemented, run their course and then cease, with no formal, public evaluation. Opportunities to learn from experience are lost. Often, monitoring and evaluation are hampered by inadequate data collections and poor performance information systems. For example, there is limited information on the use of mainstream services by Indigenous peoples (see the Indigenous Compendium of the Report on Government Services for available data (SCRGSP 2009)) and very little information on the barriers to access and use of services that Indigenous people face (see section 11.3 on Indigenous engagement with service delivery).

The determinants of good Indigenous governance are relevant to the way government engages with Indigenous people, organisations and communities:

- *Governing institutions* are the rules and regulation within which government agencies and individual officers have to operate.
- *Shared leadership* at the Ministerial, senior executive and planning levels, and at the level of service delivery, assists in achieving both process and impact outcomes (Morgan Disney et al 2007).

- *Self-determination* refers both to Indigenous people as '…actors in their own lives instead of being acted upon by others' (Wehmeyer 2002) and government officials having appropriate authority to act.
- *Governance capacity* is having the capabilities that are needed to 'get things done' — staff engaged in whole of government initiatives need skills and knowledge about on how to do whole of government work (Morgan Disney et al 2007).
- *Cultural match* refers to government staff who respect the protocols and processes in Indigenous communities (Morgan Disney et al 2007).
- *Resources* are the economic factors necessary to underpin successful governance and program implementation.

The ICGP recommendations and key lessons from the COAG Indigenous community coordination trials both broadly reflect this report's key determinants.

The Northern Territory Emergency Response[3] (NTER) (box 11.1.12), the Cape York Welfare Reform (CYWR) trial (box 11.1.13), the representative arrangements for Indigenous people in the ACT (box 11.1.14) and the governing arrangements established in the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands (box 11.1.15) are examples of government governance in Indigenous affairs.

[3] The NTER Review Board conducted an independent review of the first 12 months of the NTER and made recommendations on the future of the NTER. The recommendations included that quarantining of welfare payments should only apply on the basis of certain 'triggers' (such as child abuse, and school attendance), CDEP should be reformed, alcohol restrictions should remain in place but greater support should be given to people through supply, demand and harm reduction strategies, and ongoing treatment be provided to children with health issues identified in the child health checks (NTER Review Board 2008).

Box 11.1.12 **Northern Territory Emergency Response (NTER)**

The NTER was announced by the former Australian Government on 21 June 2007 in response to the *Ampe Akelyernemane Meke Mekarle: 'Little Children are Sacred'* report (Anderson and Wild 2007). Key elements of the NTER include quarantining of 50 per cent of welfare payments, changes to the CDEP program, alcohol, drug and pornography restrictions, increased policing, enforced school attendance, implementing programs aimed at supporting child development, health checks for all children, improving housing arrangements, and appointing managers of all government business in communities.

A review by the NTER Review Board (2008) reported a range of views on the NTER and its impact on Indigenous people. The NTER Review Board recommendations echo many of the lessons learnt from the COAG Indigenous community coordination trials (Morgan Disney et al. 2007). Some of the findings of the NTER Review Board correspond closely to the key determinants:

- *Governing institutions* — one of the more challenging factors in implementing the NTER was contending with the 'silo' mentality of departments involved with the implementation of the NTER. (The 'silo' mentality refers to the arbitrary boundaries created between mainstream government departments.)
- *Leadership* — there was a lack of coordination and communication within and between agencies in delivering their services to the communities.
- *Self determination* — the positive potential of the NTER had been diminished because of the manner in which it was imposed (that is, top down rapid imposition of the NTER). Genuine community engagement in designing, developing and implementing policies going forward is necessary to provide the basis for long term and sustainable change in the communities. Local Indigenous community members have been employed to provide community input into Government decision-making.
- *Capacity building* — governments must be willing to support Indigenous governance with equitable negotiation in agreement making for determining the delivery of services, housing and essential infrastructure to remote communities
- *Cultural match* — government business managers who took time to properly engage with the Indigenous people in whose community they were living (for example, including local people, even in small ways, in the ongoing planning) were considered by community members to be adding value to the life of the community. Ongoing implementation of the NTER involves government business managers and locally employed community members working together to maximise cultural match.
- *Resources* — significant government resources have been devoted to the NTER. Sustainability of resourcing into the future has been raised as an issue.

The NTER Review Board also recommended that quantitative and qualitative data should be collected in order to assess the impact and progress of the NTER upon communities.

Source: NTER Review Board 2008; FaHCSIA unpublished.

Box 11.1.13 **Cape York Welfare Reform (CYWR)**

The CYWR trial is a partnership between four communities (Aurukun, Coen, Hope Vale and Mossman Gorge), the Australian Government, the Queensland Government and Cape York regional organisations. Fifteen programs covering housing, education, social responsibility and economic opportunity are being implemented as part of the CYWR trial.[4] The development and implementation process for the CYWR trial exemplifies many of the key determinants.

- *Governing institutions* — during the development phase a Welfare Reform Steering Committee was established. The Steering Committee had representatives from each of the communities (Mayors), Cape York regional organisations, and Australian and Queensland governments. In the trial phase, in early 2008, a CYWR Board was established. The Board comprises one representative from each of the partners. The Board meets regularly to discuss implementation and progress of the trial and the Board members have equal and collective responsibility for the delivery of the trial.
- *Leadership* — the Cape York leaders and Elders in partnership with government ministers provide legitimacy and authority.
- *Self determination* — the CYWR project included a design and a community engagement process, which meant that communities were engaged in the designing and developing of the proposed reforms. In late 2007, the four communities involved in the design process (Aurukun, Coen, Hope Vale and Mossman Gorge) each gave their final agreement to participate in the CYWR trial.
- *Capacity building* — as part of the design phase, two engagement staff were based in each community (and one staff member had to be a local community person).
- *Cultural match* — restoring Indigenous authority is a key element of the CYWR trial. The Family Responsibilities Commission consists of a legally qualified Commissioner and six Local Commissioners for each of the four CYWR communities.
- *Resources* — the Australian and Queensland governments have committed substantial resources to the four year trial.

The CYWR trial commenced 1 July 2008 and will conclude on 31 December 2011.

Source: CYI 2007.

[4] There are some similarities between the NTER and CYWR trial. The main difference is that the CYWR trial does not have automatic quarantining of 50 per cent welfare payments. Income management may apply if it is a recommendation by the Family Responsibilities Commission. (As an independent statutory body established to help rebuild social norms in the four CYWR communities.)

Box 11.1.14 **New representative arrangements for Indigenous people, ACT**

In 2004, the ACT Minister for Indigenous Affairs announced an opportunity for an Indigenous elected body to provide a broad representative voice for the ACT Indigenous community.

Between 2005 and 2007, the ACT Government worked with the local Indigenous communities to develop an appropriate model to reflect the expectations of the local Indigenous community and address outcomes expected by the ACT Government. Following comprehensive community consultations, the *Aboriginal and Torres Strait Islander Elected Body Act 2008* was passed by the ACT Legislative Assembly on 6 May 2008. The process undertaken to develop the representative arrangement reflect the key determinants outlined above:

- *Governing institutions* — seven members are elected to the Indigenous Elected Body every three years. The Elected Body is required to consult with and consider the views of the United Ngunnawal Elders Council. The United Ngunnawal Elders Council comprises representatives from the local traditional family groups.
- *Leadership* — the inaugural election for the Elected Body occurred in June 2008 with 13 local Indigenous people nominating. Seven successful candidates were officially declared on 2 July 2008. The Elected Body met on many occasions in the latter part of 2008 to set its agenda, plan a program of community consultations, develop protocols and a governance model.
- *Self determination* — the Indigenous Elected Body provides Indigenous people living in the ACT an opportunity to participate in the formulation, coordination and implementation of Indigenous government policies.
- *Cultural match* — the Elected Body is operating successfully both from the community perspective as well as from the point of view of ACT Government agencies.

Source: ACT Government (unpublished).

11.2 Governance capacity and skills

Box 11.2.1 **Key message**

- Indigenous students were less likely than non-Indigenous students to enrol in university and VET courses relevant to governance in 2007:
  - 9.7 per cent of Indigenous university students compared with 29.2 per cent of non-Indigenous university students
  - 15.5 per cent of Indigenous VET students compared with 21.2 per cent of non-Indigenous VET students (table 11.2.1).

Broadly, governance refers to the way that a society formally structures decision making, distributes authority and rights, and organises individual and collective behaviours (governance is further defined in section 11.1). Governance capacity is having the capabilities that are needed to 'get things done', and relates to both the social factors that contribute to the knowledge, ability and commitment essential to good governance and resourcing (see key determinants of good governance — see section 11.1).

Many studies have emphasised the importance of governance capacity to the social and economic development of Indigenous people (Hunt and Smith 2006, Hunt et al. 2008, Reconciliation Australia 2002, 2006). The Indigenous Community Governance Project (ICGP) found that governance capacity development is a major issue in Indigenous governance (Hunt and Smith 2007, p. 1). Hunt and Smith (2007) noted that governance capacity development requires a community development approach. In particular:

> … investment in building governance capacity works most effectively when it is:
>
> - part of the place-based work of building governance, so that governance practice and mentoring are ongoing
> - when it focuses on building effective and legitimate local institutions, and
> - when it is based on self-assessed governance priorities. (Hunt and Smith 2007, p. 6)

A House of Representatives (2004) inquiry into capacity building and service delivery in Indigenous communities and Gerritson (2001) have also supported the community development approach to building governance capacity.

Box 11.2.2 gives examples of accredited training programs in strengthening governance capacity and skills of Indigenous communities and organisations.

Box 11.2.2 **'Things that work' — Office of the Registrar of Indigenous Corporations (ORIC)**

The Office of the Registrar of Indigenous Corporations (ORIC) provides a range of corporate governance training programs for Indigenous corporations and their governing committees/boards:

- **Combining dispute assistance and governance training** — the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* includes a new function for the Registrar to assist with disputes. ORIC has found that poorly managed disputes can directly contribute to the failure of Indigenous corporations. ORIC is focusing on early regulatory intervention work. Members of ORIC's newly formed Mediation and Dispute Resolution section work together with ORIC's corporate governance

(Continued next page)

Box 11.2.2 (continued)

trainers to combine dispute assistance with governance training. Follow-up support is provided to ensure the sustainability of the outcomes and improve organisations' dispute management practices.

- The **'Managing in Two Worlds' program** was reported in the 2007 report. The program is managed and funded by Aboriginal Affairs Victoria in partnership with ORIC, Consumer Affairs Victoria and Swinburne University. The program aims to strengthen the management capacity of Victorian Aboriginal community organisations and improve service delivery in the community sector.

  Until recently, the 'Managing in Two Worlds' program was limited to Introductory Workshops and a Certificate IV in Business (Governance). In 2007-08, The program was expanded to include a Diploma of Business (Governance). The Diploma is an accredited package of specifically tailored training for board members and staff of Indigenous community organisations.

  Since March 2006, the program has delivered 16 three-day Introduction to Corporate Governance workshops with 388 participants from 116 organisations completing the workshop, including participants from other jurisdictions. Six Certificate IV in Business (Governance) courses have been delivered. Ninety students have undertaken certificate training and 86 have graduated (a 96 per cent completion rate). One national Diploma of Business (Governance) course has been delivered to 15 students, with 13 graduating (an 86 per cent completion rate). A second Diploma course has been delivered and 19 students were expected to graduate in April 2009.

  The partnership model between ORIC and the Victorian Government has been used as a template for delivering the 'Managing in Two Worlds' program in other states. In 2007, ORIC partnered with the SA Government's Department of Premier and Cabinet and the Office of Consumer and Business Affairs to deliver the training (Victorian Government unpublished).

  Building Strong Corporations (BSC) is a remote equivalent of the *Introduction to Corporate Governance* program produced by ORIC, in collaboration with the executive and staff of Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council. BSC is delivered in remote settlements or centres servicing remote settlements, targeting participants for whom English is a second language and where access to mainstream services may be limited. A BSC training workshop was held in Alice Springs in May 2007 with 27 participants.

Source: Registrar, ORIC, pers. comm., 22 December 2008.

This indicator complements the case studies in governance arrangements (section 11.1).

As there are few quantitative data available on governance capacity and skills, this section reports data on participation in particular types of training courses. Formal

and informal governance training is one useful means for individuals, groups and organisations to build on their strengths and address their weaknesses in organisational management and community governance. Information on participation in relevant training can also provide an indication of the available governance resources — people who have the motivation to seek knowledge in organisation and community governance.

While other forms of training are equally valuable, training in the areas of leadership, finance or management is potentially relevant to management, governance and the Australian business and government environment. Such training may also assist Indigenous people to function successfully in both Indigenous and non-Indigenous environments. For the purpose of this indicator, this type of training is represented by the fields of management and commerce, law, and economics and econometrics at the university and Vocational Education and Training (VET) levels.

Section 4.7 shows that Indigenous people are much less likely than non-Indigenous people to be studying at universities but more likely than non-Indigenous people to be studying at other types of colleges (including colleges of Technical and Further Education (TAFE)).

Table 11.2.1 **Students of governance-related courses: management, commerce, business law, economics and econometrics, 2007** [a]

	Indigenous students			*Non-Indigenous students*		
	Governance-related courses	*All courses*		*Governance-related courses*	*All courses*	
	no.	no.	%	no.	no.	%
University	906	9 370	9.7	288 035	985 896	29.2
Technical or Further Educational Institution (including TAFE Colleges)	10 983	70 902	15.5	299 766	1 416 524	21.2
Total[b]	11 889	80 272	14.8	587 801	2 402 420	24.5

[a] Management, commerce, business, law, economics and econometrics defined as field of education codes, 08, 0909, and 0919, from the ABS Australian Standard Classification of Education (ASCED). [b] Totals do not include students whose genders are not known.

Source: DEST; NCVER (unpublished); table 11A.2.8.

- In 2007, 9.7 per cent of Indigenous university students studied courses relevant to governance compared with 29.2 per cent of non-Indigenous university students. At VET levels, 15.5 per cent of Indigenous students studied courses

relevant to governance compared with 21.2 per cent of non-Indigenous students (table 11.2.1).

- From 2004 to 2007, participation rates for governance training at university and VET levels, for both Indigenous and non-Indigenous students did not change significantly (table 11A.2.8).
- In 2007, for both Indigenous and non-Indigenous students at university and VET levels, those whose home addresses were in major cities were more likely than those in regional and remote areas to enrol in governance training. However, data for Indigenous students in remote areas need to be interpreted with caution as there are only small numbers of university students from remote areas.
  - At the university level, 11.6 per cent of Indigenous students from major cities and 4.1 per cent from very remote areas were enrolled in governance training, compared to 31.2 per cent and 16.9 per cent for Indigenous students, respectively (tables 11A.2.2 and 11A.2.5).
  - At the VET level, 19.2 per cent of non-Indigenous students from major cities and 12.4 per cent from very remote areas were enrolled in governance training, compared to 22.6 per cent and 17.7 per cent for non-Indigenous students, respectively (tables 11A.2.2 and 11A.2.5).

Data on governance training at university and VET levels by remoteness, sex and age groups can found in tables 11A.2.2 and 11A.2.3.

Table 11.2.2 Number of students in selected courses (governance), by Indigenous status, Australia, 2007

	Indigenous	*Non-Indigenous*	*Unknown*	*Total*
Training package				
Certificate III in Local Government (Governance and Administration)	–	4	1	5
Certificate IV in Business (Governance)	296	77	12	385
Certificate IV in Local Governance (Governance and Administration)	–	2	3	5
Diploma of Business (Governance)	36	2	1	39
Courses				
Certificate II in Introduction to Community	13	–	4	17
Governance				
Certificate III in Community Governance Support	–	–	–	–

– Nil or rounded to zero.

Source: NCVER (unpublished); table 11A.2.7.

Training in local government is particularly relevant for people from discrete Indigenous communities, where Indigenous people and organisations perform many

or all of the functions of local government (either as formal local government entities or more informally).

- In 2007, the participation of Indigenous students in Certificate IV in Business (Governance) was higher than that of non-Indigenous students (296 Indigenous participants compared to 77 non-Indigenous participants) (table 11.2.7).
- From 2003 to 2007, the number of Indigenous participants in Certificate IV in Business has fluctuated from 122 in 2003; 337 in 2004; 550 in 2005; 509 in 2006 and 296 in 2007 (table 11A.2.7).

Indigenous people may also undertake non-accredited training in leadership, finance or management, from which they may learn useful skills. A number of government programs, universities, colleges and other organisations run courses for Indigenous people on Indigenous leadership.

11.3 Engagement with service delivery

Box 11.3.1 **Key messages**

- A key lesson from the COAG Indigenous community coordination trials and the Northern Territory Emergency Response is that engagement with Indigenous communities is essential to achieve measurable improvements in economic, health, and social indicators. (Morgan Disney et al. 2007, NTER Review Board 2008).
- Rates of discharge from hospital against medical advice for Indigenous people were between 12.5 and 13.5 times as high as the rates for non-Indigenous people, in 2003–05, 2004–06 and 2005–07, in those jurisdictions for which data were available (figure 11.3.1).

Service engagement is a broad concept that encompasses accessibility (including barriers to access) and appropriate delivery (including Indigenous cultural perspectives in designing and delivering programs). In remote areas, there are additional barriers to access arising from the lack of services and long distances necessary to access those that do exist.

A review of the Northern Territory Emergency Response (NTER) echoed findings from the COAG Indigenous community coordination trials about community engagement. One of the lessons learnt from the COAG Indigenous community coordination trials was that it was essential to take time to engage the Indigenous community and that '…quick wins are not always possible when you are dealing with complex issues' (Morgan Disney et al. 2007, p. 16). The NTER Review Board (2008) found that government initiatives were viewed more positively by

community members when government officers took time to engage with the Indigenous people in whose community they were living (for example, including local people, even in small ways, in the ongoing planning). See box 11.1.12 for more information on the NTER.

A 2001 Report (CGC 2001) found that barriers to accessing mainstream programs included the way programs were designed, how they were presented and the cost to users. In remote areas, these barriers were exacerbated by the lack of services and difficulties caused by the physical distance to services. Cultural barriers can lead to reduced access to resources such as education, housing, medical care and social support.

Ineffective service delivery and low levels of access to mainstream programs (because of barriers to access) compound the levels of disadvantage experienced by Indigenous people (CGC 2001). For example:

- patients with chronic and life-threatening conditions are unable to make informed choices because they do not understand health professionals' explanations of what is making them ill, or how it can be treated (Coulehan et al. 2005; Lowell et al. 2005; Trudgen 2000).
- not understanding legal proceedings affects access to justice (Byrne 2003; Cooke 2002; Eades 1997; Koch 1985; Siegel 2002)
- miscommunication in the classroom hinders education (Lowell and Devlin 1998; Malcolm 1982).
- in 2005, there were 9867 births to Indigenous mothers but only 8555 registered births (ABS 2006, Laws et al. 2007). If births are not registered it can be difficult to obtain other forms of identification such as a driver's licence or passport later in life, which creates further barriers to accessing services.

The next part of this section presents survey data on perceived treatment when seeking health care, difficulty communicating with service providers, services located in discrete Indigenous communities and the use of mental health services by Aboriginal children. A more detailed presentation of these data was included in the 2007 report (see tables 11A.3.1 to 11A.3.7).

- The ABS 2004-05 National Aboriginal and Torres Strait Islander Health Survey found that the majority of Indigenous adults (76.8 per cent) believed that the quality of health care treatment they had received in the last 12 months was the same as that received by non-Indigenous people (table 11A.3.2).
- The ABS 2002 National Aboriginal and Torres Strait Islander Social Survey (NATSISS) found that Indigenous people living in remote areas were more

likely to report difficulty communicating with service providers (18.1 per cent) than Indigenous people living in non-remote areas (7.4 per cent) (table 11A.3.5).

- The 2002 NATSISS also found that Indigenous people living in remote areas were approximately five times more likely than Indigenous people in non-remote areas to have difficulty both understanding and being understood by service providers (table 11A.3.5).
- The 2000-01 Western Australian Aboriginal Child Health Survey (WAACHS) found that, even though there was a high proportion of Aboriginal children at high risk of clinically significant emotional and behavioural difficulties, very few children had had contact with mental health services (Zubrick et al. 2005).

The ABS 2006 Community Housing and Infrastructure Needs Survey (CHINS) collected data from 1187 discrete Indigenous communities. Data show that:

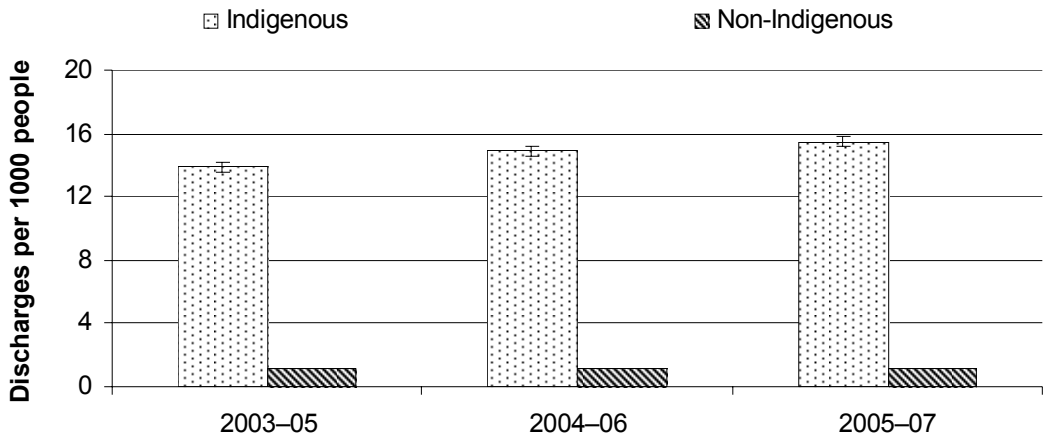
- 245 out of 1187 communities reported that a primary school was located within the community. Of the 245 communities with primary schools, 212 were located in very remote Australia (ABS 2007)
- 755 discrete Indigenous communities were located 100 kilometres or more from the nearest hospital. Ten of the 1187 discrete Indigenous communities reported that a hospital was located within the community (ABS 2007).
- 894 communities reported roads as the main mode of transport to get into towns that provided major services (ABS 2007). The ABS 2006 Census found that 30.7 per cent of Indigenous households living in remote areas had no motor vehicle compared with 5.9 per cent of non-Indigenous households living in remote areas. In very remote areas, 52.7 per cent of Indigenous households had no motor vehicle compared with 8.1 per cent of non-Indigenous households (table 11A.3.11).

Data on access to clean water and functional sewerage and electricity services in discrete Indigenous communities can be found in section 9.2. Information about Aboriginal primary health care centres and state-funded community health centres located in discrete Indigenous communities and whether any Indigenous health workers had visited or worked within these communities is reported in section 7.1. Information on Indigenous people working in education can be found in section 6.3.

The National Hospital Morbidity Database provides information on the rate at which Indigenous people discharge themselves from hospital against medical advice. These data do not provide the reasons why some Indigenous and non-Indigenous people choose to discharge themselves against medical advice and if there were differences between Indigenous and non-Indigenous people's reasons. These data do not provide information on the nature of the person's medical

condition. In the absence of research to the contrary, it may be possible that the Indigenous and non-Indigenous differences in discharge against medical advice may be a reflection of socioeconomic differences such as Indigenous people's lower average incomes, employment status, education levels, and greater remoteness. Cost and access to private health insurance and private hospitals may also be a factor.

Figure 11.3.1 **Rates of discharge from hospital against medical advice, per 1000 people, NSW, Victoria, Queensland, WA, SA and public hospitals in the NT[a, b, c, d, e]**



[a] Data are based on State/Territory of usual residence. [b] Data are presented in two-year groupings due to small numbers each year. [c] Rates are directly age standardised using the Australian 2001 Standard population. [d] Rates are presented with error bars showing 95 per cent confidence limits. [e] Non-Indigenous includes Indigenous status not stated.

Source: AIHW National Hospital Morbidity Database (unpublished); table 11A.3.8.

Figure 11.3.1 compares the rates of discharge from hospital for Indigenous and non-Indigenous people for NSW, Victoria, Queensland, WA, SA and public hospitals in the NT. For Indigenous people, rates of discharge from hospital against medical advice were 12.6, 13.5 and 12.9 times as high as the rates for non-Indigenous people, in 2003–05, 2004–06 and 2005–07.

Case studies on service engagement

The following case studies (boxes 11.3.2 to 11.3.3) provide examples of initiatives to improve service engagement. These include acknowledging Indigenous cultural perspectives in designing and delivering programs, and improving communication between Indigenous people and health services. Information on culturally appropriate justice practices for Indigenous people can be found in chapter 4, section 4.12.

Box 11.3.2 **'Things that work' — improving service delivery**

The **Aboriginal Birth Certificate Registration project** was initiated because the absence of a birth certificate was preventing young Aboriginal people from participating in organised sporting activities. The Western Region of NSW Sport and Recreation worked with the Registry of Births, Deaths and Marriages, and members of the Indigenous community in Dubbo to identify practical solutions to the problem. The success of this program was recognised in the awarding of a Gold Medal in the 2008 NSW Premier's Public Sector Awards (NSW Government unpublished).

Local Indigenous Community Partnership Projects (Victoria) are place based projects led by a Departmental Secretary in partnership with local Indigenous communities. The aim of the partnership is to find locally based solutions to community concerns or issues:

- In Mildura, the local partnership project arranged for the bus service to pick students up from the public housing estate rather than the main highway (addressing safety concerns) and changed the bus timetable so students could arrive before school and participate in the Book and Breakfast Program.
- In Whittlesea, community members identified the need for early childhood services that were culturally appropriate for the growing Aboriginal community. The local partnership project worked to establish an interim kindergarten (launched in December 2008) (Victorian Government unpublished).

The **Improving Care for Aboriginal and Torres Strait Islander Patients** program (ICAP) (Victoria) aims to improve identification of, and quality care for, Indigenous patients in Victoria. A number of results have flowed from ICAP including improved relationships between health services and Indigenous organisations, and increasing numbers of formal and informal partnerships between health services and Indigenous organisations.

- The Royal Children's Hospital has developed a new model of care to improve accessibility and cultural appropriateness of services for Aboriginal children and their families. Formal partnerships between the Royal Children's Hospital and the relevant Aboriginal organisations is a component of the strategy. The strategy enables seamless movement from hospital to community and ongoing linkage to services for families with difficulties accessing hospital services.
- Ballarat Health Services (BHS) and the Ballarat and District Aboriginal Co-operative have a strong working relationship. BHS ICAP plan is integrated into hospital strategic planning structures. The plan is also underpinned by an Aboriginal Health Taskforce Committee comprising representation from the hospital and the co-operative (Victorian Government unpublished).

The **'Keeping Our Mob Safe'** national emergency management strategy for remote Indigenous communities was implemented by the Queensland Department of Community Safety. The strategy has improved emergency response service delivery for Indigenous communities in Queensland.

(Continued next page)

Box 11.3.2 (continued)

Ambulance stations are located in six Queensland Indigenous communities, which service their own and surrounding communities. Field Offices staffed by permanent Queensland Ambulance Service (QAS) paramedics operate in a further four communities. The Field Officers serve the local community, surrounding communities and related homelands/outstations, enhancing the capacity to respond to healthcare emergencies. Field Officers also provide training in pre-hospital care to health centre and clinic staff, security officers, Indigenous health workers, and other nominated members of the community, and injury prevention and first aid training to community members in homelands/outstations. Over 500 residents and community workers across Indigenous communities participated in QAS sponsored First Aid Training in 2007-08.

State Emergency Service (SES) units and Rural Fire Brigades are community-driven volunteer organisations operating in Torres Strait Islander and Aboriginal communities to provide emergency response capacity for their community and surrounding areas in case of flood, cyclone or fire. In 2007-08, SES and Rural Fire Brigade training was provided to over 150 volunteers in Indigenous communities. Improving emergency response services has also provided employment opportunities for local Indigenous people. In Yarrabah, Mornington Island and Palm Island, local Indigenous people are employed to provide ambulance services. Two Indigenous trainers work with communities in Cape York and the Torres Strait on emergency management issues and the Queensland Fire and Rescue Service employs two local permanent Indigenous Liaison Officers who are also Auxiliary Fire-fighters, to work with Woorabinda and Cherbourg Aboriginal Shire Councils (Queensland Government unpublished).

Box 11.3.3 **'Things that work' — acknowledging Indigenous cultural perspectives in programs**

The **Northern Territory Aboriginal Interpreter Service** has been operating for approximately seven years and currently employs 180 interpreters. The NTER Review Board (2008) recommended that a local employment strategy be developed to increase the number of Indigenous people employed as interpreters. One hospital eye theatre clinic, has regularly used the interpreter service, enabling patients to understand the procedure and give informed consent before surgery. This practice has assisted 80 Indigenous patients who have had surgery and approximately 1200 patients who have attended outpatient eye clinics since 2003 (NTER Review Board 2008; NT Government unpublished).

(Continued next page)

Box 11.3.3 (continued)

The **Let's Start** project (NT) promotes resilience. Part of the project is targeted at Indigenous preschool and early primary school-aged children and their parents. The project promotes positive parent–child interaction, improves children's social and emotional skills and helps build their capacity to negotiate the transition to school. About 40 schools in the Darwin, Darwin rural regions, at Jabiru and on the Tiwi Islands participate in the project.

Parents have reported satisfaction with the project, and improvements in children's behaviour. The project has also led to the training of Indigenous personnel and the provision of effective news and information for communities and practitioners, Indigenous parents, teachers and health providers.

The project was successful because it used a differentiated strategy of engagement in the diverse social settings of remote communities, fringe communities and suburbs in large towns and major centres. The project highlighted the need to train Indigenous people in strategies for early intervention (CRCAH 2008).

11.4 Future directions in data

Case studies in governance arrangements

There has been significant progress in examining good Indigenous governance since the first report in 2003. The introduction of the Indigenous Governance Awards has helped identify and highlight the many examples of good practice. The ICGP by CAEPR and Reconciliation Australia has provided academic rigour to the examination of current governance practices. Among governments, the OEA and the OIPC Indigenous Red Tape evaluation help identify aspects of government governance that can assist or impede Indigenous governance. The report by the NTER Review Board and the COAG community coordination trial evaluations have identified some significant lessons for government governance. That said, there is still more to be done before future reports can include an objective measure of 'governance'.

Engagement with service delivery

There are few data on barriers to accessing services, particularly for Indigenous children and youth. The key challenges are to improve existing collections, such as Indigenous specific surveys and longitudinal studies of Indigenous children to collect information on service engagement for young people. The Australian Survey

of Social Attitudes (AuSSA) is a biennial survey which began in 2003. AuSSA is managed by the Australian Demographic and Social Research Institute at the Australian National University. The AuSSA could be expanded to include questions on difficulties experienced by Indigenous people in communicating with police and legal services.

11.5 References

11.1 Case studies in governance arrangements

Aboriginal and Torres Strait Islander Commissioner 2006, *Social Justice Report 2005*, HREOC, http://www.humanrights.gov.au/social_justice/sjreport05/index

Anderson, P. and Wild, R. 2007, *Ampe Akelyernemane Meke Mekarle Little Children are Sacred Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin.

CAEPR (Centre for Aboriginal Economic Policy Research) and RA (Reconciliation Australia) 2004, *Annual Report 2004*, Australian National University, Canberra.

Calma, T. 2006, Evaluating the external forces which exert an influence on government policy direction, Collaborative Indigenous Policy Development Conference, 27 & 28 June 2006, http://www.humanrights.gov.au/ speeches/social_justice/collaborative20060628.html

COAG (Council of Australian Governments) 2004, *Communiqué, 24 June 2004*, http://www.coag.gov.au/coag_meeting_outcomes/2004-06-25/index.cfm# indigenous

COAG (Council of Australian Governments) 2002, *Communiqué, 5 April 2002*, http://www.coag.gov.au/coag_meeting_outcomes/2002-04-05/index.cfm

Cornell, S. 2008, A North American Perspective Lecture, Closing the gaps, Reconciliation Australia, Canberra, 11 September.

Cornell, S. and Begay, M. 2003, quoted by CAEPR and RA, *2004 Annual Report*, Australian National University, Canberra, p. 5.

CYI (Cape York Institute for Policy and Leadership) 2007, *From Hand Out to Hand Up: Cape York Welfare Reform Project Design Recommendations*, http://www.cyi.org.au (accessed 3 October 2008).

Dodson, P. 1998, On Leadership, Williamson Community Leadership Program Lecture, 11 May 1998, Victoria, http://www.leadershipvictoria.org/ speeches speech_ dodson.html.

Gerritson, R. 2001, *Community Capacity Building: An ATSIC Discussion Paper*, cited in House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, June 2004, *Many Ways Forward*, Canberra, pp.12–13.

Harvard Project on American Indian Economic Development 2003-04, *Overview of the Harvard Project*, John F. Kennedy School of Government, Harvard university, USA, http://www.ksg.harvard.edu/hpaied/overview.htm

HOR (House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs) 2004, *Many Ways Forward*, June 2004, Canberra, pp.14–15.

Hunt, J. and Smith, D.E. 2007, *Further Key Insights from the Indigenous Community Governance Project 2006*, Centre for Aboriginal Economic Policy Research, http://www.anu.edu.au/caepr/Projects/Key_Insights_ICGP_2006.pdf

Hunt, J. and Smith, D.E. 2006, *Ten Key Messages from the Preliminary Findings of the Indigenous Community Governance Project 2005*, Centre for Aboriginal Economic Policy Research, http://www.anu.edu.au/caepr/Projects/10 keymessages.pdf

Hunt, J., Smith, D., Garling, S. and Sanders, W. (eds) 2008, *Contested Governance: Culture, Power and Institutions in Indigenous Australia*, Centre for Aboriginal Economic Policy Research, Canberra.

ICGP (Indigenous Community Governance Project) 2006, Community governance Research Update no. 1, March 2006, ANU, Canberra.

IGA (Indigenous Governance Awards) 2006, *Celebrating Indigenous Governance: Success stories of the Indigenous Governance Awards*, Reconciliation Australia and BHP Billiton, Canberra.

Macklin, M. (Minister for Families, Housing, Community Services and Indigenous Affairs) 2008, *Next steps for Indigenous body*, Media release, 16 December.

MCFFR (Ministerial Council for Federal Financial Relations) 2008, *Communiqué of the 14 January Meeting*, MCFFR.

Morgan Disney & Associates Pty. Ltd, Tracey Whetnall Consulting and Wis-Wei Consulting Pty Ltd 2007, *Synopsis Review of the COAG Trial Evaluations, Report to the Office of Indigenous Policy Coordination (OIPC) November 2006*, Canberra, http://oipc.gov.au/publications/default.asp.

NTER (Northern Territory Emergency Response) Review Board 2008, *Northern Territory Emergency Response: Report of the NTER Review Board*, Department of Families, Housing, Community Services and Indigenous Affairs, http://www.nterreview.gov.au/ (accessed 13 October 2008).

OIPC (Office of Indigenous Policy Coordination) 2006, *A Red Tape Evaluation in Selected Indigenous Communities* (a report by Morgan Disney and Associates), OIPC, Canberra.

Pearson, N. 2000, *Our Right to Take Responsibility*, Noel Pearson and Associates, Cairns.

SCRGSP (Steering Committee for the Review of Government Service Provision) 2007, *Report on Consultations*, Productivity Commission, Canberra.

—— 2009, *Report on Government Services 2009, Indigenous Compendium*, Productivity Commission, Canberra.

Smillie, I. and Hailey, J. 2001, *Managing for Change: Leadership, Strategy and Management in Asian NGOs*, Earthscan, London.

Wehmeyer, M. L. 2002, *Self-determination and the Education of Students with Disabilities*, Digest No. E632, ERIC Clearinghouse on Disabilities and Gifted Education, ERIC Document Reproduction Service No. ED470036, Virginia.

11.2 Governance capacity and skills

Gerritson, R. 2001, *Community Capacity Building: An ATSIC Discussion Paper*, cited in House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, June 2004, *Many Ways Forward*, Canberra, pp.12–13.

HOR (House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs) 2004, *Many Ways Forward*, June 2004, Canberra, p.14–15.

Hunt, J. and Smith, D. E. 2006, *Building Indigenous Community Governance in Australia: Preliminary Research Findings*, Working Paper, no. 31/2006, Governance Project at the CAEPR, ANU, Canberra.

—— 2007, *Further key insights from the Indigenous Community Governance Project 2006*, Centre for Aboriginal Economic Policy Research, http://www.anu.edu.au/caepr/Projects/Key_Insights_ICGP_2006.pdf

Hunt, J., Smith, D., Garling, S. and Sanders, W. (eds) 2008, *Contested Governance: Culture, Power and Institutions in Indigenous Australia*, Centre for Aboriginal Economic Policy Research, Canberra.

Reconciliation Australia 2002, *The Importance of Indigenous Governance to Social and Economic Development*, Background Paper, Indigenous Governance Conference, Canberra, 2–5 April 2002.

Reconciliation Australia 2006, *Summary of Preliminary Research Findings, Indigenous Community Governance Research Project*, Reconciliation Australia, June 2006.

11.3 Engagement with service delivery

ABS (Australian Bureau of Statistics) 2006, *Births Australia*, Cat. no. 3301.0, Canberra.

—— 2007, *Housing and Infrastructure in Aboriginal and Torres Strait Islander Communities, Australia 2001*, Cat. no. 4710.0, Canberra.

AIFS (Australian Institute of Family Studies) 2003, *Building Strong and Healthy Families in Derby*, Stronger Families Fund Learning Exchange Bulletin, no. 3, Winter, pp. 24–28.

Byrne, J. 2003*, Indigenous Witnesses and the Native Title Act 1993 (Cth)*, National Native Title Tribunal Occasional Papers Series no. 2/2003, National Native Title Tribunal, Perth.

Cass, A., Lowell, A., Christie, M., Snelling, P.L., Flack, M., Marrnganyin, B. and Brown, I. 2002, 'Sharing the True Stories: Improving communication between Aboriginal patients and healthcare workers', *Medical Journal of Australia*, vol. 176, pp. 466–470.

CGC (Commonwealth Grants Commission) 2001, *Report on Indigenous Funding 2001*, Canberra.

Cooke, M. 2002, *Indigenous Interpreting Issues for Courts*, Australian Institute of Judicial Administration Incorporated, Melbourne.

Cooperative Research Centre for Aboriginal Health (CRCAH) 2008, *Parenting Support for Indigenous Families: Project no. 213*, Casuarina, NT.

Coulehan, K., Brown, I., Christie, M., Gorham, G., Lowell, A., Marrnganyin, and Patel, B., 2005, *Sharing the True Stories: Improving Communication between Health Staff and Aboriginal Patients*, Final Project Report, Cooperative Research Centre for Aboriginal Health, Darwin.

Craze, L. and Lucas, S. 1998, *The Establishment of a Pre-Hospital Care Model for Isolated Aboriginal and Torres Strait Islander Communities — Project Report*, Queensland Ambulance Service, Brisbane.

Eades, D. 1997, 'Language in court: the acceptance of linguistic evidence about Indigenous Australians in the criminal justice system', *Australian Aboriginal Studies*, vol. 1, pp. 15–27.

Koch, H. 1985, 'Non-standard English in an Aboriginal land claim', in Pride, J.B. (ed), *Cross Cultural Encounters: Communication and Mis-Communication*, River Seine Publications, Melbourne.

Laws, P.J., Abeywardana, S., Walker, J. and Sullivan, E.A. 2007, *Australia's Mothers and Babies 2005*, Cat. no. PER 40, Australian Institute of Health and Welfare, Canberra.

Lowell, A. and Devlin, B. 1998, 'Miscommunication between Aboriginal students and their non-Aboriginal teachers in a bilingual school', *Language, Culture and Curriculum*, vol. 11, no. 3, pp. 67–89.

Lowell, A., Brown, I., Marrnganyin, B., Flack, M., Christie, M., Snelling, P. and Cass, A., 2005, *Sharing the True Stories: Improving Communication between Health Staff and Aboriginal Patients*, Stage 1, Interim Project Report, Cooperative Research Centre for Aboriginal Health, Darwin.

Malcolm, I. 1982, 'Speech events of the Aboriginal classroom', *International Journal of the Sociology of Language*, vol. 36, pp. 115–34.

Morgan Disney & Associates Pty. Ltd, Tracey Whetnall Consulting and Wis-Wei Consulting Pty Ltd 2007, *Synopsis Review of the COAG Trial Evaluations, Report to the Office of Indigenous Policy Coordination (OIPC) November 2006*, Canberra, http://oipc.gov.au/publications/default.asp.

NTER (Northern Territory Emergency Response) Review Board 2008, *Northern Territory Emergency Response: Report of the NTER Review Board*, Department of Families, Housing, Community Services and Indigenous Affairs, http://www.nterreview.gov.au/ (accessed 13 October 2008).

Paradies, Y., Harris, R. and Anderson, I. 2008, *The Impact of Racism on Indigenous Health in Australia and Aotearoa: Towards a Research Agenda*, Cooperative Research Centre for Aboriginal Health, Darwin.

Siegel, N. 2002, Bush Court: administering criminal court process and corrective services in remote Aboriginal communities, paper presented at the Crime Prevention Conference convened by the Australian Institute of Criminology and the Crime Prevention Branch, Commonwealth Attorney-General's Department, Sydney, 12–13 September.

Trudgen, J. 2000, *Why Warriors Lie Down and Die: Towards an Understanding of Why the Aboriginal People of Arnhem Land Face the Greatest Crisis in Health and Education since European Contact : Djambatj Mala*, Aboriginal Resource and Development Services, Darwin.

Urbis Keys Young 2006, *Aboriginal and Torres Strait Islander Access to Major Health Programs*, Medicare Australia and the Department of Health and Ageing, Canberra.

Zubrick, S.R., Silburn, S.R., Lawrence, D.M., Mitrou, F.G., Dalby, R.B., Blair, E.M., Griffin, J., Milroy, H., De Maio, J.A., Cox, A. and Li, J. 2005, *The Western Australian Aboriginal Child Health Survey: The Social and Emotional Wellbeing of Aboriginal Children and Young People*, Curtin University of Technology and Telethon Institute for Child Health Research, Perth.