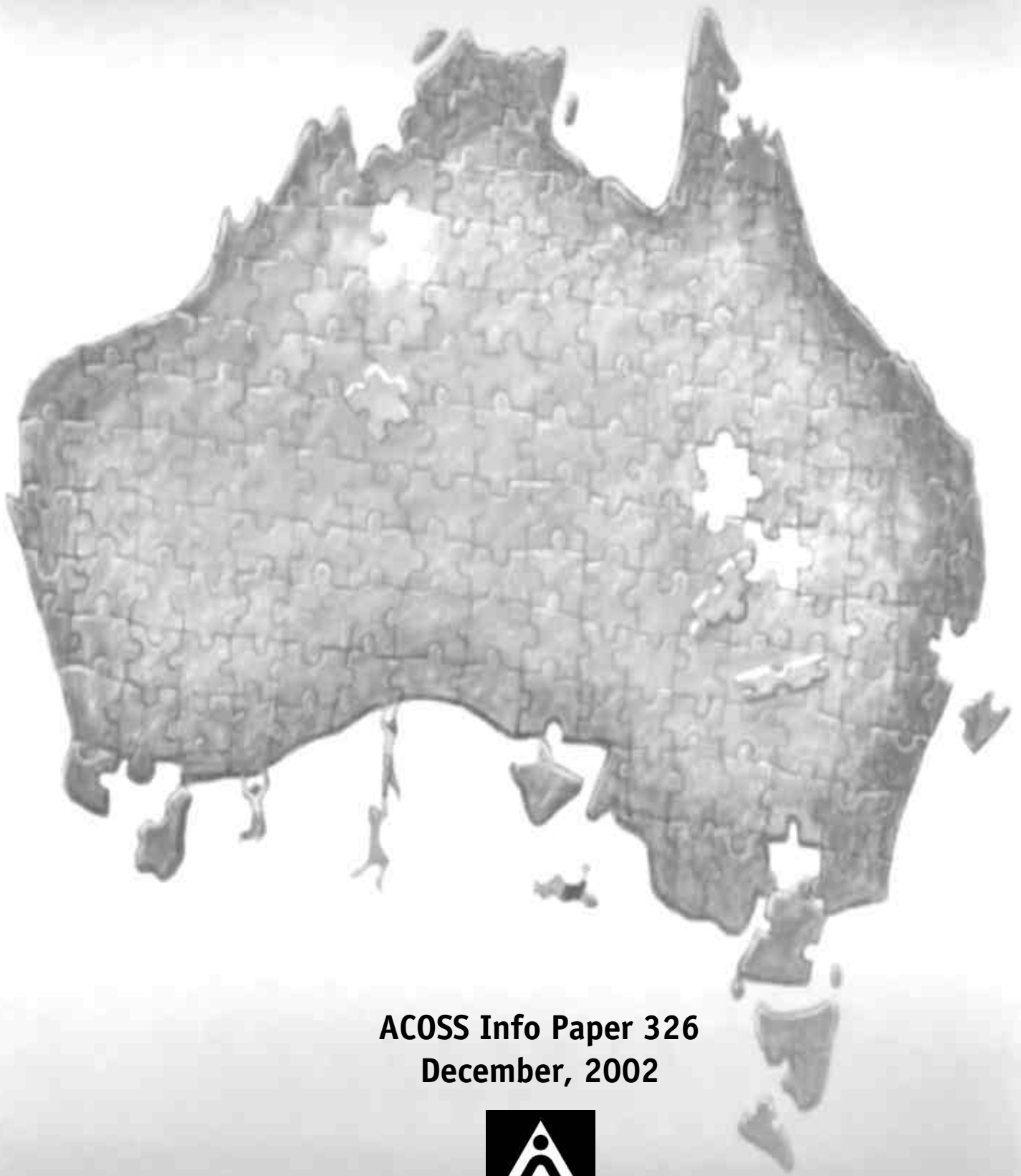


Budget Priorities - Indigenous Australia



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Introduction

Today Indigenous peoples remain among the most disadvantaged in Australia. Given the historical context – dispossession and dispersal from traditional lands and associated economic, social, cultural and spiritual consequences over more than two centuries - there is a real need and an imperative for **active** measures. This disadvantage needs to be addressed through social justice measures, support for economic independence, including through land rights, and such measures should be undertaken in the context of a genuine reconciliation between Indigenous and non-Indigenous Australians.

Over the past decade the Australian community has engaged in a number of essentially symbolic debates – about our flag and a monarchy versus republican governance models. It is sad that acceptance can be had for such highly symbolic debates, in an essentially non-Indigenous context, while our Government seems unable to foster symbolism for the benefit of Indigenous Australia. Such symbolism might be enacted by a genuine apology for the stolen generations and the beginnings of a process toward a treaty or agreement.

This paper provides recommendations by ACOSS to the Commonwealth Government, of concrete steps, through its own Budget, that may be taken to begin to address the needs of Indigenous Australians.

In developing this plan, ACOSS has consulted with Indigenous people and community organisations. ACOSS is committed to participation by Indigenous people. However, Indigenous participation does not release non-Indigenous people and organisations from an obligation to be engaged in this, one of our great national priorities – all Australians must share in the responsibility to develop and implement lasting solutions.

The magnitude of disadvantage faced by Indigenous Australia's can be summarised by reference to a few key facts. These include:

- Life expectancy at birth (76% of other Australians)
- Imprisonment (16 times higher than for other Australians)
- Unemployment rate (3.8 times higher)
- School retention to Year 12 (44% of other Australians)
- Hospital admissions violence – females (24 times higher)
- Living in dwellings with ten people or more (47 times higher)
- Median family income (68% of other Australians) (Yencken and Porter, 2001:41, see also Perkins *et. al.*, 1995).

The Council for Aboriginal Reconciliation final report (CAR, 2000: Chapter 4 pp 5) found through a survey of community attitudes that 52% of Australians disagreed with the proposition that Aboriginal and Torres Strait Islander people are disadvantaged compared with other groups!

This contemporary context – of objective and substantial disadvantage compounded by racism, misunderstanding and denial in the broader community – is a powerful justification for leadership and a non-partisan approach. This should begin with the 2003-04 federal Budget.

The 2003-04 federal Budget should contain a whole-of-government strategy to create a new, respectful and equitable relationship with Australia's first peoples. Solutions will only be found if policies and initiatives are formulated by and with Indigenous people, recognising and respecting their status and rights, and reflecting their expressed priorities. It is increasingly obvious that Government needs to address the massive inequalities faced by Indigenous people and that doing so should be tied to impact or outcome goals, rather than just expenditure targets.

Indigenous Australians must have the right to make decisions about their own lives and future. This includes the right to develop their own institutions at the national, state/territory, regional and local levels, in accordance with their own values, aspirations and priorities. The capacity of Indigenous Australians to engage in institution-building is, for many, conditional upon achieving social justice – reasonable standards of education, health, employment and justice are needed to allow for the participation that is necessary in the process toward reconciliation.

ACOSS supports the Aboriginal and Torres Strait Islander Commission (ATSIC) in its call for "Indigenous Impact Statements" to ensure that all government decision making processes include consideration of the effects on Aboriginal and Torres Strait Islander people and the inclusion of the Minister for Aboriginal and Torres Strait Islander Affairs in Cabinet. The Council for Aboriginal Reconciliation (CAR) in its final report 'Reconciliation: Australia's Challenge' also recommended that Commonwealth, State and local governments move toward the achievement of specific targets for social justice, within a defined timeframe, for Indigenous Australians.

The Commonwealth Grants Commission Report on Indigenous Funding (2001) identified in particular problems with the delivery of Commonwealth funded services which effectively form barriers to Indigenous access. These barriers include lack of access to finance, lack of public transport infrastructure, poor understanding of cross-cultural issues and few Indigenous staff. The 2002/3 Budget paper – Social Justice for Indigenous Australians and the July 2002 Report of the Aboriginal and Torres Strait Islander Social Justice Commissioner, Dr Bill Jonas, both confirmed these and other entrenched barriers facing Indigenous Australians (Jonas, 2001; Jonas 2002).

Cross-sectoral Approaches

The disadvantage experienced by Indigenous Australians is only ever likely to be addressed if agencies within and across governments collaborate and where governments collaborate with Indigenous communities as well as with other community and private sector agencies.

The Council of Australian Governments (COAG) has, to some extent, recognised this through collaborations that target a number of rural and remote Indigenous communities. The Commonwealth Government has responded positively to this through its establishment of the Indigenous Communities Taskforce.

The 2001 *Report on Indigenous Funding* found the majority of Commonwealth funded services were much less accessible to Indigenous people than for non-Indigenous people. Commonwealth funded services should be made available to all Australians on an equitable basis. It must be a priority of government to ensure that the barriers to accessing the mainstream programs identified in the Report¹ are seriously tackled.

R 1

The federal Government should develop and adopt (with state/territory governments, their departments and agencies), in consultation with Indigenous people, guidelines for ensuring that programs are implemented in a culturally appropriate manner to enhance access and outcomes for Indigenous Australians and communities. This should include the development of Impact Statements across portfolios that identify specific outcome goals to be achieved within defined timeframes. These goals should be benchmarked and regularly evaluated to ensure effectiveness.

Cost: \$10 million (\$10 million in 2004-05)

¹ *Report on Indigenous Funding*, Commonwealth Grants Commission, 2001 pp. 59-65.

R 2

Commonwealth funded programs, delivered by the community services sector should be resourced to develop and implement, in full consultation with Indigenous communities, appropriate changes to eliminate barriers for Indigenous Australians to accessing Commonwealth funded services. Strategies should address:

Indigenous recruitment programs in the community sector;

cross cultural training;

financial and transport issues;

poor historical legacies; and

reviews of all policies and procedures to ensure they are appropriate to all people in need of services.

Cost: \$2 million (\$2 million in 2004-05)

R 3

(i) The federal Government should provide funding for the Northern Territory Aboriginal interpreter service so that the service is freely accessible to non-government organisations.

Cost: \$5 million in 2004-05

(ii) The federal Government should commission a feasibility study into establishing a national network of accessible Aboriginal language and interpreting services.

Cost: \$0.05 million (\$0.05 million in 2004-05)

Achieving sustainable change and future wellbeing of Indigenous people includes, by necessity, strategies for overcoming differences in social and economic outcomes between Indigenous and non-Indigenous Australians, as well as resolution of issues which were never addressed when Australia was settled as a colony. The allocation of funds for this purpose would be a compelling demonstration of the Government's sincerity in working with Indigenous Australians.

R 4

The federal Government should invite Indigenous organisations and communities to prepare responses to the recommendation of the Council for Aboriginal Reconciliation that formal dialogue around a treaty or agreement should commence. Funds should be made available to Indigenous organisations and communities for the preparation of their responses.

Cost: \$10 million

The social and economic problems experienced by many Indigenous communities are driven by a set of underlying factors grounded in dispossession. They include denial of land rights, paternalistic systems for policy and program development, neglected or absent infrastructure, inadequate cultural and heritage protections, poor health investment, and persistent discrimination in some parts of the community. These factors play a major role in generating the more visible social problems.

Indigenous health problems, for example, cannot sensibly be dealt with separately from the denial of land rights and inadequate cultural heritage protection.

Particularly in rural and remote Indigenous communities, there is a huge gap in accessing basic services that other Australians take for granted - including housing, water, sewerage, communications and power. To address these pressing issues a clear set of targets should be developed and a timeframe set in place to achieve specific improvements in Indigenous well-being.

R 5

The federal Government should invite Indigenous people to make proposals for addressing the underlying causes of Indigenous disadvantage, including proposals for the recognition and protection of land rights, economic empowerment and cultural/heritage protection. Funds should be made available to Indigenous communities and organisations for this work, with specific targets and timeframes mutually agreed for the delivery of outcomes.

Cost: \$15 million

Strong Indigenous Organisations

To fairly engage in policy formation, its implementation and public debates that underpin Indigenous policy, Australia needs strong local and national Indigenous organisations.

There has been much public debate about the role of ATSIC among Indigenous and non-Indigenous leaders and commentators. There has never been a period, over the past two hundred years, when Indigenous policy has not been contentious. However, since the formation of ATSIC, this public debate has had the benefit of input from elected representatives of Indigenous people while policies and programs have begun to be developed and implemented in ways that more actively involve Indigenous people.

The Aboriginal and Torres Strait Islander Commission (ATSIC) has been working to develop regional autonomy models, however, resource constraints and low levels of discretionary funding have hampered their efforts. Of the annual ATSIC funding allocation, about 75 per cent is allocated to communities for the Community Housing and Infrastructure Program (CHIP) and the Community Development Employment Program (CDEP). Only around 6 per cent of funds are available for allocation to regional councils, limiting their capacity to function effectively. Investment in capacity building will be necessary if people and organisations are to participate fully in decision-making processes at regional levels. This program should ensure access to skill development and training in areas such as organisational management and development, governance, financial management and planning.

R 6

Increase funding to ATSIC to improve its capacity to support the development of regional autonomy models. This should allow for investment in a capacity building program to ensure access to skill development and training in areas such as organisational management and development, governance, financial management and planning.

Cost: \$100 million (\$100 million in 2004-05)

The process for the resolution of native title matters has been the subject of a great many legal and funding pressures. Claims from Indigenous people are often not as well resourced as needed, claims take, in many cases, years to resolve while negative outcomes for Indigenous claimants are dispiriting. Increased funding for Native Title Representative Bodies announced in the 2001-02 Budget was very welcome, as changes to the *Native Title Act* resulted in significant additional work for Native Title Representative Bodies. Each claim requires the collection of large amounts of evidence over a relatively short time. Because recognition of native title rights will often give protection to sites of cultural and religious significance, the survival of culture for entire communities can depend on the positive consideration of claims. Given the continuing high number of claims, additional funding is needed for direct supports, as well as organisational capacity. A small but growing number of claims have been settled in favour of native title applicants. This leads to the need for funding to support 'proscribed bodies corporate' entities that, under the Act, have legal responsibilities for the land over which they have been granted native title.

R 7

Additional funds should be allocated to Native Title Representative Bodies to enable them to more effectively fulfil their core functions.

Cost: \$5.25 million (\$5.25 million in 2004–05)

R 8

Funds should be allocated to support proscribed bodies corporate to enable them to fulfil their legal functions as native title land holders.

Cost: \$10 million (\$10 million in 2004–05)

Genuine reconciliation with Indigenous Australians includes an ongoing commitment to the healing of the 'stolen generations'. There have been some small but significant steps made in previous Budgets focusing on family reunions, counselling and oral history. Consultations with the 'stolen generations' over the last year under the *Moving Forward – Achieving Reparations* project, have established that more needs to be done.

The consultations revealed overwhelming support for a Reparations Tribunal that would provide a forum for people to put their stories on the public record and have the harm of past practices acknowledged. There was also considerable support for making reparations available to both individuals and communities. Inherent in the proposal is that the stolen generations and their families would have a direct say in how reparations should be provided.

R 9

The Government should fund ATSIC and/or HREOC to establish a consultative process to negotiate with the 'stolen generations' about the structure and funding for an effective Reparations Tribunal.

Cost: \$0.25 million

Indigenous tradition-oriented cultural expression is relatively well recognised, but support is also needed for the maintenance and evolution of this culture within wider, contemporary Australian society.

In particular, more attention should be given to cultural integrity and intellectual property rights, which are not adequately protected by existing legislation. Further, there is a critical need to fund language retrieval and maintenance programs replacing the funding provided in response to the *Bringing them Home Report*, which has now ceased. Communities are also calling for the establishment of "keeping places" for Indigenous people and communities to display for themselves, and others, items of "keeping culture".

R 10

In consultation with Indigenous communities and organisations, the Government should commission an assessment of the level of funds required for Indigenous cultural expression and for protection of Indigenous cultural heritage, with a view to the development and implementation of a strategy to foster and support cultural expression.

Cost: \$0.5 million

R 11

The extension of government-funded language retrieval and maintenance programs.

Cost: \$5 million (\$5 million in 2004-05)

R 12

The establishment of “keeping places” for Indigenous Australians and communities to display for themselves, or others, items of “keeping culture”.

Cost: \$5 million (\$5 million in 2004-05)

Indigenous Employment and Education

Access to employment and education are key strategies for overcoming disadvantage and ensuring economic independence. Unemployment is chronic among many Indigenous communities – often disguised in official statistics that do not count massive levels of participation by Indigenous people in the Community Development and Employment Program (CDEP). CDEP participation secures for participants income that is only equal to social security payments, in some cases income is even less than that provided for other jobless non-Indigenous Australians. Some CDEP projects provide cheap labour for functions that, in other non-Indigenous communities, are performed by properly paid workers through local, state and national government programs. Too few CDEP participants go on to paid employment upon completion of project participation.

R 13

Changes to CDEP should be made to ensure that it enables the same opportunities as other employment assistance programs for its participants and communities. These changes should include:

Participants being able to access working credits and training credits in the same way as job seekers participating in Job Network and Work for the Dole.

Participants employed in public sector jobs moving into the full conditions of employment of that position and not being retained on CDEP wages.

Recompense of CDEP for services delivered on behalf of Government departments.

Cost: \$8.2 million (\$8.2 million in 2004-05)

Access to education and training is fundamental to individual and collective life opportunity. Levels of educational attainment strongly influence future employment opportunity. Completion of a Year 12 certificate greatly increases chances of employment, and tertiary or vocational qualifications improves further the employment prospects for young Indigenous people.

From the 2000 to the 2001 school year the number of school student ABSTUDY recipients fell from 31,734 to 27,2002 – a decline of nearly 15%². Participation patterns in post-secondary education is more complex. VET enrolments have been sustained or improved, but University enrolments are in decline. A limit to ABSTUDY access for bridging courses, resulting from policy changes in 1999, is seemingly a relevant factor. Given that Indigenous Australians are significantly younger on average than non-Indigenous Australians – and the importance of education as a long term poverty prevention strategy – this is a very worrying trend. An internal review of ABSTUDY, by DEST and Centrelink, is under way. However this review is largely confined to procedural matters, rather than needed policy reform. In addition the review does not yet involve, in a meaningful way, Indigenous communities and organisations.

² DETYA Annual Report 2000-01 (Appendix 9: pp 3) and DEST Annual Report 2001-02 (pp 175)

R 14

ABSTUDY should receive additional funding over the next four years to ensure that eligible people are provided with the full range of supports to which they are entitled.

Cost: \$12 million (\$13 million in 2004-05)

R 15

ABSTUDY should be the subject of a review involving participation by Indigenous communities and organisations. This review should replace and expand upon the existing internal review being undertaken by Centrelink and DEST

Cost: \$.75 million

Indigenous Families

Disadvantage can, and often is, compounded across generations and within families. It is therefore important that the disadvantage that has visited Indigenous people as a result of dispossession and discrimination does not carry over to further generations, or through conflict between individuals and within families. Together with other recommendations proposed in this document, it is important to ensure that services are available to all Indigenous people and in ways that are culturally appropriate.

The funding cuts to ATSIC in the 1996-97 Budget resulted in the loss of its Community and Youth Support Program previously funded at around \$30 million per year. This has left a major hole in the support that should be provided to this particularly vulnerable group of children and young people.

R 16

Funds should be provided to ATSIC to provide culturally appropriate programs and services to children and young people.

Cost: \$31 million (\$32 million in 2004-05)

Aboriginal and Torres Strait Islander Child Care Agencies currently provide a mechanism for the appropriate care and protection of Indigenous children where families in crisis are unable to care for them. These services are an important alternative to the damaging policies of removing children and placing them either in institutional care or with non-Indigenous carers.

R 17

The Government should increase its allocation of funds to Aboriginal and Torres Strait Islander Child Care Agencies to support primary prevention, holistic family support activities, and staff training and development.

Cost: \$4 million (\$4 million in 2004-05)

R 18

To address the problem that less than half of Australia’s Indigenous children currently access pre-school education:

- (i) The number of Multifunctional Aboriginal Children's Services (MACS) should be significantly increased over the next two years to extend access to culturally appropriate community-controlled child care services for Indigenous communities.**
- (ii) A formal consultative committee (comprising representatives of ATSIC, the Department of Family and Community Services, and the Secretariat of National Aboriginal and Islander Child Care) should be established to plan and monitor the expansion of the MACS.**

Cost: \$5.1 million (\$5.2 million in 2004-05)

ATSIC needs additional funds to address long standing issues that have only recently gained community support for action, in particular for addressing sexual assault and domestic violence in Indigenous communities. The Family Violence Prevention and Legal Services program is the only national, Indigenous specific family violence program and additional funds are required to build on existing pilots.

R 19

The expansion of the Family Violence Preventative and Legal Services program to meet existing unmet needs in this area.

Cost: \$7 million (\$10 million in 2004-05)

Indigenous Health

Despite vast differences in health status, per capita health care expenditure is not much different between Indigenous and non-Indigenous populations. To make significant changes in the health status of Aboriginal people there needs to be a level of resources commensurate with need, and a process that guarantees that those resources are actually used in a way which enhance the health status of Aboriginal communities.

R 20

- (i) **The federal Government should continue to boost resources to Aboriginal and Torres Strait Islander community-controlled health services, and determine the allocation of these resources through a process of consultation with the other signatories to the Aboriginal and Torres Strait Islander Health Framework Agreements, consistent with Aboriginal Health Regional Plans.**

Cost: \$250 million (\$255 million in 2004-05)

- (ii) **A multi-lateral national framework agreement should be developed by the federal Government with ATSIC and NACCHO.**

Cost: \$0.05 million

There is strong evidence of government failure to provide culturally appropriate hearing services to Indigenous people living in rural and remote areas.

R 21

The Office of Hearing Services should support the establishment of regional centres of excellence in Indigenous ear health and hearing services at Indigenous community-controlled health services.

Cost: \$1.5 million (\$3 million in 2004-05)

Access to Justice

Jonas (2002) in his Social Justice Report 2001 noted the rising rate of imprisonment of Indigenous women, albeit from a low base compared with Indigenous men. Young Indigenous people are particularly at risk of imprisonment, particularly under State and Territory regimes of mandatory sentencing. The role of Aboriginal Legal Services and Legal Aid is crucial to ensuring access to justice, particularly for native title claims and criminal matters. Often, in family law and family violence matters, conflicts of interest can arise and limit the ability of any one service to represent more than one Indigenous parties in a dispute. There are particular needs for improving access to justice and legal services for Indigenous women, young people and children.

R 22

Additional funding should be provided for the expansion of specific legal services for Indigenous women, which includes the establishment costs of new centres in specific locations and the expansion of services elsewhere.

Cost: \$5 million (\$7 million in 2004-05)

R 23

The federal Government should provide resources for a secretariat for the National Network of Indigenous Women Working in Community Legal Centres.

Cost: \$0.35 million (\$0.35 million in 2004-05)

R 24

Funds should be provided for a National Aboriginal and Torres Strait Islander Youth Law Centre, including extra resources for establishment costs in the first year.

Cost: \$0.4 million (\$0.25 million in 2004-05)

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