

The Senate

Select Committee on Regional and
Remote Indigenous Communities

Final Report 2010

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Membership of the Committee

Senator the Hon. Nigel Scullion (Chair)	CLP, NT
Senator Trish Crossin (Deputy Chair)	ALP, NT
Senator Judith Adams	LP, WA
Senator the Hon. David Johnston	LP, WA
Senator Claire Moore	ALP, QLD
Senator Rachel Siewert	AG, WA

Secretariat

Mr Hamish Hansford, Secretary
Mr Bill Bannear, Senior Research Officer
Ms Danielle Oldfield, Executive Assistant

Senate Select Committee on Regional and Remote Indigenous Communities

Department of the Senate

PO Box 6100

Parliament House

Canberra ACT 2600

Australia

Phone: 02 6277 3433 or 1800 728 963

Fax: 02 6277 5809

Email: indig.sen@aph.gov.au

Internet: http://www.aph.gov.au/Senate/committee/indig_ctte/index.htm

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Chapter 1

Introduction

Terms of Reference

1.1 On 19 March 2008 the Senate resolved to appoint a Select Committee on Regional and Remote Indigenous Communities to inquire into and report on:

- a. the effectiveness of Australian Government policies following the Northern Territory Emergency Response,¹ specifically on the state of health, welfare, education and law and order in regional and remote Indigenous communities;
- b. the impact of state and territory government policies on the wellbeing of regional and remote Indigenous communities;
- c. the health, welfare, education and security of children in regional and remote Indigenous communities; and
- d. the employment and enterprise opportunities in regional and remote Indigenous communities.

Inquiry Process

1.2 The committee has previously reported to the Senate on four occasions: in September 2008; June 2009; November 2009; and May 2010. This is the committee's final report for the 42nd parliament under its current terms of reference.

1.3 The committee received a total of 122 submissions, with one received since the committee's previous report. Public submissions are available on the committee's website at http://www.aph.gov.au/Senate/committee/indig_ctte/index.htm.

1.4 The committee held a total of 17 public hearings in six states and territories. Of these, eight were conducted in regional and remote Indigenous communities. Additionally, the committee visited a further 13 communities and met with local organisations and individuals.

Public Hearings

- Canberra, ACT (13–14 November 2008)
- Adelaide, SA (4 March 2009)
- Alice Springs, NT (1 May 2009)

1 The committee notes that the Northern Territory Emergency Response is now being referred to as 'Closing the Gap in the Northern Territory'.

- Katherine, NT (20 May 2009)
- Darwin, NT (21–22 May 2009)
- Canberra, ACT (9 June 2009)
- Fitzroy Crossing, WA (24 August 2009)
- Halls Creek, WA (25 August 2009)
- Broome, WA (26 August 2009)
- Narrogin, WA (8 October 2009)
- Perth, WA (9 October 2009)
- Sydney, NSW (15 October 2009)
- Cairns, QLD (14 April 2010)
- Brisbane, QLD (15 April 2010)
- Cherbourg, QLD (16 April 2010)

Site visits

- Fitzroy Crossing, WA (19–20 August 2008)
- Balgo, WA (21 August 2008)
- Derby, WA (22 August 2008)
- Broken Hill, NSW (17 November 2008)
- Cobar, NSW (17 November 2008)
- Dubbo, NSW (18 November 2008)
- Mutitjulu and Yulara, NT (1 March 2009)
- Amata, SA (2 March 2009)
- Alice Springs, NT (29 April 2009)
- Ntaria (Hermannsburg), NT (30 April 2009)
- Milingimbi, NT (19 May 2009)
- Weipa, QLD (12 April 2010)
- Napranum, QLD (12 April 2010)
- Bamaga, QLD (13 April 2010)

1.5 The submissions provided to the committee and the transcripts of evidence resulting from public hearings represent a unique body of evidence for those interested in the wellbeing of Indigenous communities. The views of hundreds of witnesses and submitters, many of whom live or work in regional and remote Indigenous communities, provide an insight into the policy area that statistics and reports alone cannot provide.

1.6 Crucially, these submissions and transcripts highlight the perceptions held by people involved in the day to day life of these communities. An understanding of these perceptions is vital in allowing individuals across government, community and other sectors to work together for the betterment of Indigenous wellbeing. The committee therefore commends the inquiry's body of evidence to the reader.

Structure of the Report

1.7 The report contains two chapters, of which this is the first.

1.8 The second chapter outlines:

- (a) the committee's overarching findings based on the committee's experience visiting regional and remote Indigenous communities and talking with community members;
- (b) the committee's findings in relation to specific issues including housing, education, employment, health and justice, drawing on the discussion of these matters in the first four reports; and
- (c) a way forward to address these issues in the 43rd parliament.

Note on Terminology

1.9 This report uses the term 'Indigenous' as well as 'Aboriginal and Torres Strait Islander'. Both terms should be recognised as interchangeable for the purposes of this report.

Acknowledgements

1.10 The committee appreciates the time and effort of individuals and organisations who provided written and oral submissions to the inquiry. Their work has assisted the committee considerably in its inquiry.

1.11 The committee would especially like to thank community elders and members, and staff of agencies and organisations who spoke with them during this reporting period. The committee is also grateful to the many individuals and organisations they met with in each location they visited.

Chapter 2

Outline of Committee View

2.1 This chapter outlines the headline observations arising from the work of the Senate Select Committee on Regional and Remote Indigenous Communities. The committee has made significant recommendations and analysed a range of discrete issues in four previous reports. This section draws on that analysis to provide a concluding summary of the committee's view.

2.2 The evidence provided to the committee is broadly consistent with observations made by many other organisations and individuals in the field: that regional and remote Indigenous communities face a continuing crisis in health, education and living standards. Commonwealth and state/territory government policy, as outlined in the Council of Australian Governments' (COAG) Closing the Gap framework, seeks to address these issues with a long term focus on seven building blocks, being:

- early childhood;
- schooling;
- health;
- economic participation;
- healthy homes;
- safe communities; and
- governance and leadership.¹

2.3 The committee agrees that effective, coordinated action needs to occur in each of these areas through the actions of relevant government and non-government bodies in order to achieve change. However, while the committee sees the potential for improvements in government service delivery arising from the COAG process, it believes that communities themselves need a strong, positive vision for their own future for significant change to occur.

2.4 The committee is therefore of the opinion that progress in improving the living standards of Indigenous Australians in these communities requires answering the following question:

What is the future vision for regional and remote Indigenous communities and what opportunities will exist within them?

1 Council of Australian Governments, *Communiqué – 2 October 2008*, http://www.coag.gov.au/coag_meeting_outcomes/2008-10-02/index.cfm (accessed 20 September 2010).

2.5 This question must be answered through consultation and consensus and not just by a top down approach instigated by governments. As enduring solutions are most likely to come from within communities themselves, governments need to assist them in shaping their own solutions and planning for their own future. At the same time the impact of the policy and resourcing decisions of Commonwealth, state and territory governments (such as cutting funding to community organisations or Community Development Employment Projects programs delivering essential services, or deciding only to fund larger communities on the one hand, or investing in land and sea ranger programs on the other) means that communities are not able to determine this vision alone.

2.6 Addressing this question will also require a discussion about the future viability of smaller rural communities and outstations, with reference to the desirability and comparative cost of the outcomes for health and well-being, community development and regional economies and the management of natural resources. A chief decision is to be made is whether governments continue to subsidise all smaller remote communities or require people to move to larger regional centres. This decision will need to be made following extensive discussions with communities.

2.7 An agreed vision for the future is essential, as it will serve to guide policy development and facilitate effective and coordinated planning. That agreement is likely to be challenging and involve significant conversation and debate. Within any community there is a diversity of opinion, as is also true of government agencies, non-government organisations and other stakeholders in regional and remote Australia. Nevertheless, agreement on future targets will enable current government policy to be efficiently targeted towards achieving that goal. The committee notes that the recently established National Congress of Australia's First Peoples may be one forum through which this conversation can occur.

Employment and Enterprise Opportunities

2.8 A particularly important element implicit in the question posed above is the need to establish a community's economic future. The committee is deeply concerned by the general lack of economic development across the communities it has visited. While the committee has seen evidence of successful projects in specific communities, there remains little possibility of significant widespread development on current trajectories, or as one witness indicated:

Economic development—stop using that as a myth in Indigenous communities.²

2.9 The committee is therefore of the opinion that a greater commitment to economic development is required. The barriers to economic development in regional

2 Councillor Peter Lui, Northern Peninsula Regional Council, *Committee Hansard*, 13 April 2010, p. 8.

and remote Indigenous communities have been explored in the committee's four previous reports and include the lack of viable industry; education and training deficiencies; poor physical and mental health outcomes; substance and alcohol abuse and welfare dependency to name a few.

Cultural Identity

2.10 A second related issue is the ability to maintain strong Indigenous cultural identities whilst securing access to economic opportunities. The committee notes that a strong cultural identity assists with social and emotional wellbeing, creates safe and strong communities and delivers many positive social outcomes. The challenge for the future is to develop employment models that balance business imperatives with the need to maintain culture. The two are often portrayed as mutually exclusive. However, the committee believes that there should be more exploration of innovative employment and training models. Creating future opportunity will require a strong interdependence between the maintenance of cultural identity and economic development.

A Target for a Viable Future

2.11 As noted above, the committee is supportive of the COAG Closing the Gap initiative, which has established six targets concerning child mortality, access to early childhood education, literacy and numeracy, Year 12 attainment, employment outcomes and life expectancy of Aboriginal and Torres Strait Islander Australians.³ The committee has also been supportive of the \$4.6 billion in funding to support implementation of these six targets to 'Close the Gap in Indigenous Disadvantage'.

2.12 These commitments are positive but need to go further in providing a positive vision for the future. Targeting improvements in living standards is essential, but this needs to be supplemented with a long term plan for community development.

Government Support for Community Initiatives

2.13 The process of establishing a future for regional and remote Indigenous communities needs to be initiated by communities just as much by government. Despite the many problems that the committee has observed in communities around Australia, it has also encountered numerous individuals and organisations taking matters into their own hands, displaying leadership and a will to better their community. It is essential that government is receptive of these individuals and organisations, and supports them wherever possible.

2.14 The committee notes that initiatives are most successful where communities feel a sense of ownership and pride towards a particular program, initiative or piece of infrastructure. A very good example of this was outlined in Boystown's evidence to

3 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 7.

the committee. Boystown worked extensively with the Balgo community to build a house. It was a slower process than obtaining outside professional contractors but was a process that appears to have been embraced by the community. As a result, the house remains in pristine condition and is a source of pride in the community.⁴ The emphasis needs to be on government support for building a community's ability to develop their own social, economic and cultural priorities, allocate funding appropriately and enforce their own standards.

2.15 The committee's first report noted that governments need to build long term relationships and partnerships with Indigenous communities. This can be strengthened where government is perceived as a facilitator for community aspirations rather than the sole responsible party.

Avoiding One-Size-Fits-All Solutions

2.16 Government policy is unlikely to succeed where it does not fit with a community's positive social norms or culture. Indeed, a one-size-fits-all policy and program approach will have inconsistent results given the differences between each community. Centralised decision-making can lead to the allocation of funds for projects or provision of services that are inappropriate for a particular community's needs. One witness commented on the impact of centralised decision making in one of the committee's hearings:

My line is that a community wants a camel; we send a horse. And the horse costs more than the camel. So you have to listen and empower communities.⁵

Flexible Funding and Accountability

2.17 Government funding of community projects and programs faces an essential dilemma. On the one hand, decisions are often best delegated to those in the communities, as they know what their community needs and can therefore guide government funds into effective and appropriate local projects. Where the decision is made by actors that are divorced from the needs of specific communities, problems and inefficiencies arise. As noted by one witness:

You end up putting applications in for funding so you can get the funding but it is not really what you want the money for, but you still have to equip and spend the money anyway.⁶

4 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 131.

5 Mr Patrick Walker, Western Australian Department of Indigenous Affairs, *Committee Hansard*, 9 October 2009, p. 105.

6 Mr Grant Arthur, Wheatbelt Development Commission, *Committee Hansard*, 8 October 2009, p. 53.

2.18 On the other hand, governments must maintain oversight and accountability of the expenditure of public funds to ensure it is used effectively and in the public good. The way in which accountability is achieved is currently problematic. The committee is aware from its discussions with community organisations that burdensome and duplicative reporting requirements are affecting the ability of those organisations to effectively function. The committee notes similar findings by the Cooperative Research Centre for Aboriginal Health with respect to Aboriginal Controlled Community Health Services.⁷

2.19 The challenge is to devise appropriate models of funding that can provide both flexibility and accountability. Government funding must be flexible and responsive to local needs on the one hand, while ensuring accountability without unnecessarily burdensome reporting requirements on the other. Though this is easier said than done, the committee believes that government departments should review the manner in which they provide funding.

Reliable Funding

2.20 The committee received evidence regarding the difficulty of managing short one to three year funding cycles. Even with three year funding cycles the committee heard that the need to settle into a new project upon commencement, followed by the need to negotiate further funding towards the end of the contract, reduced the effective project time to as little as 18 months.⁸ The committee therefore considers that funding periods should be a minimum of three years, while commitments of five to ten years would be more effective and highly desirable. It would also provide longer term job stability for those people working in regional and remote Indigenous communities.

2.21 The committee has made a number of recommendations in previous reports about the need to improve the funding models currently available for regional and remote Indigenous communities. The committee notes that long term funding may require a commitment from all sides of parliament in order to avoid policy fluctuation as a result of changes in government. This was a common theme throughout the committee hearings and expressed well by one witness:

Just when you are getting that understanding on the ground and getting something happening, another government comes in, shifts the goalposts and we say, 'Guess what, team? We've got to kick the other way now.' ... It takes the wind out of the sails of the people who work hard out in the bush.⁹

7 Cooperative Research Centre for Aboriginal Health, *The Overburden Report: Contracting for Indigenous Health Services (short summary)*, August 2009.

8 Senate Select Committee on Regional and Remote Indigenous Communities, *Third Report*, p. 130.

9 Mr Patrick Davies, Nindilingarri Cultural Health Services, *Committee Hansard*, 24 August 2009, p. 52.

Long Term Relationships

2.22 The committee heard evidence about the need to develop long term relationships between governments and communities. The committee often heard statements of frustration from communities about the high turnover of government staff in regional and remote Indigenous communities. This often results in lower levels of effectiveness in project implementation with communities becoming increasingly disengaged. Throughout the course of the committee's inquiry, there have been significant improvements such as enhanced coordination on the ground through the implementation of Government Business Managers in regional and remote communities. These managers can form a strong link with local communities and assist in providing a conduit between government and the community to better implement services. Continuity of personnel in key positions for a longer period of time would assist in pursuing the government's long term objectives in communities.

Evidence Based Policy and Program Development

2.23 In previous reports, the committee has noted the lack of a systematic approach to the development of an evidence-base to support policy and program innovation. Improvements have been made throughout the life of this committee, particularly through the biannual reports from the Coordinator General for Remote Indigenous Services. The committee has previously made recommendations regarding the need for an agreed approach to strengthen the evidence base in this field. Importantly, this will require the adoption of rigorous reporting methodologies by government service providers. The dissemination of collected data could also be improved through greater use of the Closing the Gap Clearinghouse, which should become a central repository for all national data relevant to the development of policies and programs. A strong evidence base is important to provide a clear picture of best practice and an outline of what has worked in the past.

Individual Findings

2.24 The committee has reported extensively on a range of different issues throughout each of its four reports.¹⁰ This section outlines the key issues that were raised in evidence and reported on by the committee including an outline of some of the key recommendations.

2.25 The committee notes that while it has provided separate analysis on discrete topics through its reports, it is important to understand that issues are interrelated. For this reason, policies that seek to address issues in isolation are unlikely to work effectively. As recognised in the COAG Closing the Gap initiative, simultaneous and coordinated action is required to address related issues. It is equally important that the

10 The four reports can be found at the following address:
http://www.aph.gov.au/Senate/committee/indig_ctte/reports/index.htm

implementation of policies is coordinated within each community rather than just at a national or state-wide strategic level.

Education

2.26 Throughout its reporting period, the committee noted positive developments in education such as improvements in school attendance rates. However, there still remains a significant comparative gap between Indigenous and non-Indigenous education levels.¹¹ The committee noted the success in developing a national Indigenous Education Action Plan that outlines a vision for Indigenous education across Australia.¹² The committee also heard about a range of initiatives, for improving educational outcomes in regional and remote Indigenous communities. The committee has formed the view that the following key points are necessary to inform education policy:

- (a) the importance of early childhood programs and centres in regional and remote communities that prepare children to enter into the education system and further support for early childhood learning;¹³
- (b) the need for further mechanisms to improve school attendance whether this is through formal truancy officers or through initiatives such as providing school breakfast programs;¹⁴
- (c) the need for alternate education programs that assist students to reintegrate into the school environment after potentially long periods of time away from school, particularly where new attendance measures are succeeding;¹⁵ and
- (d) the need for supportive and engaged parents to deliver long term improvements in students performance and attitude towards education.¹⁶

11 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 26.

12 The action plan can be found at the following website address:
http://www.mceecdya.edu.au/mceecdya/indigenous_ed_action_plan_2010-2014_consultation,29978.html

13 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 70.

14 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 45; *Second Report*, pp 93 and 95; *Third Report*, pp 26 and 57; and *Fourth Report*, pp 75 and 76.

15 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 81.

16 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 69.

2.27 Other issues discussed in earlier reports include the importance of extra-curricular activities for development, particularly sporting programs that provide an incentive to study and ongoing health benefits;¹⁷ the role of Indigenous culture in the education system;¹⁸ the need to invest in alternate education programs;¹⁹ the utilisation of community college models or boarding facilities for those students that need this facility;²⁰ the need to provide training for teachers operating in regional and remote localities including equipping teachers with ESL (English as a Second Language) training;²¹ and encouraging local Indigenous community members to become school teachers in regional and remote communities.²² The committee is also concerned about the need to invest in audio equipment, further teacher training and smaller class sizes to support those with a hearing impairment. Finally, the committee heard about the need to improve access to adult education facilities for those who had missed out on a basic education and were finding it difficult to obtain employment.²³

2.28 Previous recommendations by the committee include the prioritisation of literacy and numeracy programs and the need for school reintegration programs to improve Indigenous education levels.

Employment and Enterprise

2.29 As noted in the opening section of this chapter, the committee is concerned by the lack of an overall systemic approach being taken to improving employment prospects, services and workforce development at the national level.²⁴ The committee found that there was a lack of a coherent approach to creating jobs in regional and remote Indigenous communities particularly when it comes to supporting business and enterprise opportunities. The committee previously outlined the following two issues as key concerns:

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- 17 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 136.
 - 18 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 44 and *Fourth Report*, p. 85.
 - 19 Senate Select Committee on Regional and Remote Indigenous Communities, *Second Report*, p. 94 and *Fourth Report*, p. 77.
 - 20 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 81.
 - 21 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 45; *Second Report*, pp 95 and 155-157 and *Fourth Report*, pp 83-85.
 - 22 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 83.
 - 23 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, pp 45-46; *Second Report*, pp 159-160 and *Fourth Report*, p. 69.
 - 24 Senate Select Committee on Regional and Remote Indigenous Communities, *Third Report*, p. 66.

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- (a) the need for stronger partnerships between governments and the private sector to promote Indigenous employment;²⁵
 - (b) the need for a pathway from school and further training to actual employment for young people in regional and remote Indigenous communities;²⁶ and
 - (c) The potential for innovative training and employment programs such as the apprenticeship program run by the Plumbers Trade Employment Union in Melbourne, in partnership with communities and private enterprise in regional and remote Indigenous communities.²⁷

2.30 Other issues discussed in the committee's previous report include the need to encourage and support local Indigenous enterprise;²⁸ evidence of positive engagement by mining companies to employ Indigenous Australians in regional and remote locations;²⁹ positive and negative commentary on the Community Development Employment Project Program;³⁰ and encouragement of support structures such as public transport, infrastructure and childcare facilities in regional and remote communities that enable Indigenous people to participate in employment.³¹

Indigenous Business Australia Submission

2.31 On 20 August 2010, the committee received a submission from Indigenous Business Australia (IBA). This submission outlined IBA's contribution to Indigenous economic development. The submission articulated the work that has been undertaken by the government through investments in Indigenous communities and creation of employment and enterprise opportunities.³² The committee considers that IBA's submission reflects the work that should be captured in a national approach to employment and workforce development. The work of IBA should remain paramount in any national approach in responding to Indigenous employment and enterprise

25 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 101.

26 Senate Select Committee on Regional and Remote Indigenous Communities, *Third Report*, p. 118 and *Fourth Report*, p. 90.

27 Senate Select Committee on Regional and Remote Indigenous Communities, *Third Report*, pp 119-120.

28 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 95.

29 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 55 and *Fourth Report*, p. 90.

30 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 55-56; *Second Report*, pp 122-123 and *Fourth Report*, p. 98.

31 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 53 and *Fourth Report*, p. 89.

32 Indigenous Business Australia, *Submission 122*.

options moving forward. Nevertheless, the committee notes that for most effective results, IBA's budget should be increased to ensure that enterprise and development opportunities in regional and remote Indigenous communities are effectively harnessed and promoted.

Health

Primary Health Care

2.32 There have been some small improvements to the health of Indigenous Australians living in regional and remote Indigenous communities such as a reduction in the rate of child mortality.

2.33 There has been significant funding provided to support improved health standards through the COAG National Partnership Agreement on Closing the Gap in Indigenous Health Outcomes. This has provided positive outcomes such as a large number of health checks being undertaken and additional support for Indigenous Australians living with chronic disease.³³ In previous reports, the committee has drawn attention to two key points on health service provision:

- (a) the chronic shortage of funding, staff and facilities in regional and remote Indigenous communities;³⁴ and
- (b) the need to enhance maternal health options for Indigenous mothers in regional and remote communities including greater support for new mothers including through nutrition and parenting programs as well as for child health.³⁵

2.34 Other issues discussed in previous reports include the general lack of access to services that are important to support Indigenous health;³⁶ the burden of chronic diseases in regional and remote Indigenous communities, often linked with high levels of substance abuse including very high levels of smoking³⁷ and significant improvements to dental health and hygiene.³⁸ The committee has also previously made a recommendation about the need to undertake routine hearing assessments of

33 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 39.

34 Senate Select Committee on Regional and Remote Indigenous Communities, *Second Report*, p. 170.

35 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, pp 42-43 *Second Report*, pp 11, 74 and 83 and *Third Report*, p. 125.

36 Senate Select Committee on Regional and Remote Indigenous Communities, *Third Report*, p. 125.

37 Senate Select Committee on Regional and Remote Indigenous Communities, *Second Report*, p. 13.

38 Senate Select Committee on Regional and Remote Indigenous Communities, *Third Report*, p. 29.

those entering the criminal justice system due to the proportionally high levels of people with hearing deficiencies.

2.35 Any progress in improving the health of Indigenous Australians is positive but there still remains a significant gap in health standards between Indigenous and non-Indigenous Australians that need to be ameliorated.

Alcohol and Substance Abuse

2.36 The committee is deeply concerned by the prevalence of alcohol and other substance abuse in the communities it visited. The committee is of the opinion that alcohol abuse is central to many of the problems in regional and remote Indigenous communities. Previous committee reports have identified the following:

- (a) a strong link between alcohol and mental health problems;³⁹
- (b) a strong link between alcohol abuse and Indigenous Australians entering the criminal justice system, particularly through domestic violence offences;⁴⁰
- (c) the need to improve access to alcohol and other drug detoxification programs and treatment services;⁴¹ and
- (d) the prevalence of substance and solvent abuse. One key area of concern in regional areas was the prevalence of petrol sniffing where Opal (non-sniffable) fuel was unavailable.⁴²

2.37 The committee heard mixed evidence in favour of alcohol restrictions. Evidence from Western Australia suggested major improvements as a result of the restrictions. The committee noted that the success of these measures was in large part due to them being community driven rather than an initiative of government. The committee has previously recommended the need for greater consultation in implementing Alcohol Management Plans and has identified engagement of and leadership by communities in the formulation of alcohol restrictions as key elements for success.⁴³

39 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 108.

40 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 46.

41 Senate Select Committee on Regional and Remote Indigenous Communities, *Second Report*, pp 79 and 136.

42 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 126.

43 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 46; *Third Report*, p. 98 and *Fourth Report*, p. 121.

Foetal Alcohol Spectrum Disorder

2.38 The committee was deeply concerned by the evidence provided on the prevalence of Foetal Alcohol Spectrum Disorder (FASD) in regional and remote Indigenous (and many other) communities.⁴⁴ The committee is of the opinion that governments across Australia need to give greater recognition to the issue of FASD in the formulation of health, education and justice policy. Recommendations in previous reports include increasing access to alcohol and other drug rehabilitation and detoxification services and the development of a communication strategy for parents caring for a child with FASD. The committee considers that a further inquiry into FASD in regional and remote Indigenous communities is required.

Mental Health and Social and Emotional Wellbeing

2.39 The committee was concerned by evidence from psychiatrists and psychologists who continue to see high levels of mental health disorders in regional and remote Indigenous communities.⁴⁵ The committee also heard evidence about the high levels of suicide and self harm that occur in regional and remote communities as well as the link between mental health problems and the over-representation of Indigenous offenders in the criminal justice system.⁴⁶ Other issues noted by the committee in its first four reports include:

- (a) the need for better coordination and delineation of funding by state and Commonwealth governments in order to avoid gaps or duplication in the provision of health services;⁴⁷
- (b) the importance of broader programs to improve the emotional and social wellbeing of regional and remote Indigenous Australians beyond clinical health services;⁴⁸ and
- (c) the need for youth services and job training regimes, as well as the importance of culture and community in promoting positive mental health outcomes.⁴⁹

44 Senate Select Committee on Regional and Remote Indigenous Communities, *Third Report*, p. 98 and *Fourth Report*, pp 125 and 144.

45 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 30.

46 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 109.

47 Senate Select Committee on Regional and Remote Indigenous Communities, *Second Report*, p. 76 and *Fourth Report*, p. 115.

48 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 102.

49 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 113.

2.40 The committee is concerned by the prevalence of mental health issues in regional and remote Indigenous communities particularly as this is associated with other issues including alcohol and substance abuse, violence and criminal offending. The committee has previously recommended the development of a framework to ensure interoperability between general social and emotional wellbeing services and clinical mental health services. The committee is of the opinion that the issue of Indigenous mental health and social and emotional wellbeing requires more attention.

Income Management

2.41 Income management has been subject to a recent significant report by the Senate Community Affairs Legislation Committee. This committee has also heard a range of evidence about both the positive and negative aspects of income management. The committee received a significant amount of evidence about the utility of the BasicsCard in accessing food and essential items.⁵⁰ The committee has previously recommended amendments to the BasicsCard scheme to enhance access to basic life essentials. Importantly, the committee investigated the results of the Cape York Welfare Reform Trial to address passive welfare dependency and to assist communities to resume responsibility for community wellbeing.⁵¹

Justice Issues

2.42 The committee heard from a range of witnesses about the ongoing situation of Indigenous contact with the criminal justice system, including both high levels of offending and incarceration.⁵² It is the committee's view that close to two decades on from the Royal Commission into Aboriginal Deaths in Custody, the Indigenous incarceration rate remains a national disgrace.

2.43 The committee is of the opinion that greater use should be made of non-custodial sentences that incorporate programs aimed at rehabilitation. In its third report, the committee made a recommendation that the analysis of non custodial sentencing options and post custodial programs in Western Australia be reviewed to reduce high rates of recidivism. The committee believes that all states and territories should undertake such a review to ensure that Indigenous Australians who are better off undertaking rehabilitation programs are supported to do so. This includes the provision of services and infrastructure to enable access by Indigenous people in remote locations to non-custodial sentencing options.

50 Senate Select Committee on Regional and Remote Indigenous Communities, *Second Report*, p. 115.

51 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 62.

52 Senate Select Committee on Regional and Remote Indigenous Communities, *Second Report*, p. 164 and *Third Report*, pp 70 and 123.

2.44 The committee notes with interest the 2009 Social Justice Report by the Aboriginal and Torres Strait Islander Social Justice Commissioner, which argues for the adoption of justice reinvestment policies.⁵³ Justice reinvestment essentially seeks to divert a portion of prison funding to communities with a high concentration of offenders. The money is instead reinvested in community services and programs that seek to address the underlying causes of crime. Due to the expense arising from high levels of incarceration, the initiative has the potential to both reduce crime and government expenditure in the long run. The committee is therefore of the opinion that the next parliament should examine the potential for justice reinvestment policies in regional and remote Indigenous communities.

2.45 Specific justice issues discussed in the committee's reports include:

- (a) the implementation of the National Indigenous Law and Justice Framework;⁵⁴
- (b) the relationship between violence, alcohol and criminal offending in Indigenous communities;⁵⁵ and
- (c) the importance of youth diversion as a means of preventing young Indigenous people from entering a cycle of custody and offending.⁵⁶

2.46 Other issues discussed include the need to have more police in regional and remote Indigenous communities;⁵⁷ the incidence of over policing such as incarcerating people for not paying driving fines;⁵⁸ evidence regarding the lack of discretion in provision of bail to offenders;⁵⁹ the impact in some regional and remote Indigenous communities of night patrols, the benefits arising from a Police Citizen's Youth Club presence in regional and remote Indigenous communities⁶⁰ and the need

53 Aboriginal & Torres Strait Islander Social Justice Commissioner, Social Justice Report 2009, Report No. 1/2010, pp 9-55.

54 Senate Select Committee on Regional and Remote Indigenous Communities, *Third Report*, p. 19.

55 Senate Select Committee on Regional and Remote Indigenous Communities, *Third Report*, pp 76, 87 and 124.

56 Senate Select Committee on Regional and Remote Indigenous Communities, *Third Report*, pp 76, 87 and 124.

57 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 25 and *Second Report*, pp 98 and 145.

58 Senate Select Committee on Regional and Remote Indigenous Communities, *Third Report*, p. 72.

59 Senate Select Committee on Regional and Remote Indigenous Communities, *Third Report*, p. 76.

60 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p.137.

for additional resources for Indigenous legal aid particularly to enable the employment of translators for those people who have difficulty speaking English.⁶¹

Safety of Children

2.47 During the reporting period, the committee was pleased to hear about the development of the National Framework for the Protection of Australian Children which focuses on the development of early childhood preventative and interventional programs.⁶² Nevertheless, the committee noted community frustration regarding:

- (a) the lack of programs designed to promote safe and healthy communities and protect children;⁶³ and
- (b) the need for additional child protection workers in many communities.⁶⁴

2.48 The committee also heard about the need for more police that are specialised in the protection of children and in particular sexual violence⁶⁵ as well as children specific services regarding sexual assault and violence referrals were lacking in a range of communities.⁶⁶

Housing

2.49 The committee heard a range of evidence about the low quality and inadequacy of housing in regional and remote Indigenous communities.⁶⁷ Despite a slow start to the COAG housing programs, the committee has also noted that there have been improvements to the number of completed houses in regional and remote Indigenous communities. As at 4 June 2010, the Department of Families, Housing, Community Services and Indigenous Affairs advised that a total of 98 new houses have been completed.⁶⁸

61 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 36 and *Second Report*, p. 105.

62 Senate Select Committee on Regional and Remote Indigenous Communities, *Second Report*, p. 11.

63 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 39.

64 Senate Select Committee on Regional and Remote Indigenous Communities, *Second Report*, p. 89.

65 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 41.

66 Senate Select Committee on Regional and Remote Indigenous Communities, *Second Report*, p. 77.

67 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 23; *Second Report*, p. 134; *Third Report*, p. 114 and *Fourth Report*, p.127.

68 Ms Amanda Cattermole, Department of Families, Housing, Community Services and Indigenous Affairs, *Senate Standing Committee on Community Affairs Hansard*, 4 June 2010, p. 35.

2.50 The committee continually heard that housing underpinned successful improvements in health, welfare, education and employment. During the committee's visit to South Australia, the South Australian government highlighted housing as its number one priority for Indigenous communities.⁶⁹ Key deficiencies that were articulated in each of the committees reports included:

- (a) the level of overcrowding particularly in remote Indigenous houses as well as the poor quality of social housing;⁷⁰
- (b) the need for adequate housing for support staff delivering essential services to regional and remote communities, including teachers, police officers and health professionals;⁷¹
- (c) the excessive cost of housing, particularly in building a new house;⁷² and
- (d) problems with government provision of social housing through programs such as the National Partnership Agreement on Remote Indigenous Housing and the Strategic Indigenous Housing and Infrastructure Program.⁷³

2.51 The committee has made a number of recommendations in its reports regarding different aspects of Indigenous housing. Other key issues outlined in the committee's reports include: a lack of Indigenous home ownership and challenges with native title, land ownership and land tenure;⁷⁴ the need for governments to be open and transparent about the number of houses that are being built;⁷⁵ and the lack of infrastructure and town planning for many regional and remote Indigenous communities.⁷⁶

69 Senate Select Committee on Regional and Remote Indigenous Communities, *Second Report*, p. 134.

70 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 23; *Third Report*, p.114 and *Fourth Report*, p. 127.

71 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 24 and *Fourth Report*, pp 132-133.

72 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 128.

73 Senate Select Committee on Regional and Remote Indigenous Communities, *Second Report*, p. 23; *Third Report*, pp 41-44 and *Fourth Report*, pp 18-25 and 129.

74 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 25, *Second Report*, p. 107, *Third Report*, p. 116 and *Fourth Report*, p. 127.

75 Senate Select Committee on Regional and Remote Indigenous Communities, *Fourth Report*, p. 20.

76 Senate Select Committee on Regional and Remote Indigenous Communities, *First Report*, p. 24 and *Fourth Report*, pp 132-133.

2.52 The committee notes repeated testimony indicating that the continued lack of housing and consequent overcrowding in Indigenous communities severely effects health, the provision of services and quality of life. Due to the continued issues with the implementation of the National Partnership Agreement on Remote Indigenous Housing especially the Strategic Indigenous Housing and Infrastructure Program, the committee considers that a further inquiry into housing in Indigenous communities is required.

Committee Recommendations

2.53 The committee's first four reports made 36 recommendations in total. Some of the key recommendations are referred to above. A full list of committee recommendations is outlined at Appendix 1. The committee is concerned that the government has not provided a response to these recommendations.

Future References

2.54 The committee suggests that the following five reference inquiries should be referred to committees in the new parliament. These issues are of significant concern and the committee would like to see further work undertaken on these matters. The five inquiries are:

- the potential for justice reinvestment in regional and remote Indigenous communities;
- the effectiveness of government programs in providing housing in regional and remote Indigenous communities;
- the extent of Foetal Alcohol Spectrum Disorder and ramifications for government policy;
- barriers to Aboriginal and Torres Strait Islander education; and
- Aboriginal and Torres Strait Islander employment programs including business development and microfinance solutions.

2.55 The committee notes that the suggested inquiries could be undertaken by an existing Senate standing committee or through the establishment of a new committee as outlined below.

Where to from here?

2.56 This is the final report of the Senate Select Committee on Regional and Remote Indigenous Communities under the current terms of reference. The committee is of the opinion that consideration of Indigenous issues, including the five references outlined above, continues to require the attention of a dedicated committee for Aboriginal and Torres Strait Islander involving both houses of parliament.

2.57 The committee believes that the issues facing Aboriginal and Torres Strait Islander Australians are of such significance to warrant the formation of a joint standing committee formed with members of both the House of Representatives and

the Senate. Such a committee would provide an ideal platform to ensure the coordinated attention of the parliament as a whole.

2.58 Further, the committee believes that until a joint committee of both houses of parliament is developed, a Senate Select Committee on Aboriginal and Torres Strait Islander Affairs be developed to consider one or more of the references outlined above. It is the committee's view that this Select Committee be dissolved upon the establishment of the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs.

Recommendation 1

2.59 The committee recommends the establishment of a Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs by the Parliament of Australia.

2.60 The committee further recommends that a Senate Select Committee on Aboriginal and Torres Strait Islander Affairs be established in the 43rd Parliament until such a Joint Standing Committee is established.

Senator the Hon Nigel Scullion

Appendix 1

List of Recommendations

Recommendations from Second Report

Recommendation 1

3.27 The committee recommends that COAG make a concerted effort to improve the quality and scope of existing data collections on regional and remote Indigenous communities and urges all departments and agencies to routinely utilise the expertise of dedicated statistical agencies such as the ABS and AIHW when collecting and analysing data to ensure that it is consistent and accurate across all jurisdictions.

Recommendation 2

4.71 That the Commonwealth government increase access to alcohol and other drug detoxification, treatment and rehabilitation services across the Northern Territory, ensuring that there is ongoing support for individuals after they have accessed programs and services.

Recommendation 3

4.203 The committee recommends that the Commonwealth government review its overall communication strategy for regional and remote Indigenous communities with the view to making information available to communities on an ongoing and regular basis and in an accessible way. In the instance of the SIHIP program the communication strategy should provide information on how the decision to fund housing in the priority communities was made, as well as regular information on how the construction of this new housing is progressing.

Recommendation 4

4.228 That in communities without access to a local store licensed to accept the BasicsCard, alternative arrangements should be made so that people are able to access income managed funds at their local store. This could be in the form of a temporary arrangement with the store until the licensing process can be completed.

Recommendation 5

4.232 The committee recommends that in order to be licensed as a merchant for the BasicsCard, FaHCSIA make it a condition of license that roadhouses

within the Petrol Sniffing Strategy Central Desert Region and feeder sites to this region sell Opal fuel.

Recommendation 6

4.256 The committee recommends that the Commonwealth commit to longer term program funding so that organisations can enjoy greater funding certainty and offer staff greater job security. This is especially the case in relation to organisations who have established relationships with funding bodies and good risk management strategies in place.

Recommendation 7

5.31 That the Commonwealth and South Australian governments provide additional funding and appropriate support to the Homemakers Centres in the APY Lands so that all seven centres are operating at an effective level and that the Commonwealth government consider supporting similar Homemakers Centres in other remote Indigenous communities as a matter of priority.

Recommendation 8

5.49 That the Commonwealth Attorney-General's office undertake discussions with the South Australian government with a view to the South Australian government undertaking a review of the Magistrates Court Circuit on the APY Lands to ensure its ongoing effectiveness.

Recommendation 9

5.112 Recognising that access to numeracy and literacy training in regional and remote Indigenous communities is limited but given that it plays a fundamental role, the committee recommends that the Commonwealth government, in consultation with state and territory governments, prioritise the implementation of basic and appropriate adult literacy and numeracy programs in order to address the current identified need.

Recommendation 10

5.125 The committee recommends that the Northern Territory government review the high levels of custodial sentences in the Northern Territory and the reasons for recent increases as well as determine whether the non-custodial options available to magistrates and judges are sufficient.

Recommendation 11

5.133 The committee recommends that the Commonwealth government coordinates, in cooperation with the relevant states and territories, a review of the number of deaths and serious injuries caused by family violence in Indigenous communities as well as the current unmet need for appropriate facilities and resources in the Ngaanyatjarra Pitjantjatjara Yankunytjatjara cross border region.

Recommendations from Third Report

Recommendation 1

2.42 The committee recommends that COAG consider at its first meeting in 2010 how communication and consultation with all relevant stakeholders in the delivery of the COAG targets can be improved. Furthermore, progress in improving communication and consultation should be publicly reported.

Recommendation 2

2.68 The committee recommends that the Commonwealth government take a more active role in driving reform of the criminal justice system with the aim of reducing the alarmingly high level of contact of Indigenous Australians, particularly Indigenous young people.

Recommendation 3

3.142 While recognising that some measures contain specific strategies to address workforce shortages, the committee recommends that the Commonwealth and Northern Territory governments develop a comprehensive strategy to address workforce shortages in all areas associated with the NTER measures.

Recommendation 4

3.143 The committee also recommends that progress made in addressing workforce shortages should be included in the Monitoring Report.

Recommendation 5

4.22 The committee recommends that the Commonwealth support the Western Australian Police in continuing to ensure that the message to use greater discretion in policing in remote communities is communicated to and well understood by officers in the field and that they have the appropriate guidelines, training and support to do so.

Recommendation 6

4.46 The committee recommends that all Commonwealth, state and territory government departments provide appropriate remuneration packages to staff in remote communities in order to attract and retain a skilled workforce.

Recommendation 7

4.55 The committee recommends that the Western Australian government consider conducting a comprehensive analysis of non-custodial sentencing options to reduce the unacceptably high incarceration rates in regional and remote Indigenous communities, with particular attention to the social and economic costs and benefits of alternatives and the factors driving significantly high rates of reoffending.

Recommendation 8

4.66 The committee recommends that the Western Australian government consider undertaking an audit of the substance and scale of rehabilitation programs and post-custodial release programs to address the unacceptably high rate of Indigenous recidivism in the state.

Recommendation 9

4.67 The committee recommends that the Western Australian government consider developing a comprehensive, culturally appropriate strategy to address Indigenous incarceration rates and recidivism that is based on sound international and domestic evidence.

Recommendation 10

4.78 The committee recommends that COAG increase the level of consultation and engagement with local governments in formulating its strategy to deliver cost-effective and appropriate municipal services to remote communities and develop an explicit communication strategy to ensure that local government in Western Australia is aware of its responsibilities.

Recommendation 11

4.102 As a matter of urgency, the committee recommends that all levels of government clarify who is to provide municipal services to remote Indigenous communities and arrange for the adequate resourcing of these services.

Recommendation 12

4.157 The committee recommends that the Commonwealth work with the Western Australian government to support the development of an explicit plan to ensure that alcohol restrictions in regional and remote communities, including Fitzroy Crossing and Halls Creek, be supported by adequate rehabilitation and community support services to address alcohol addiction and problem drinking.

4.158 The committee further recommends that the plan include a consistent approach to alcohol management that includes effective community consultation and decision making.

Recommendation 13

4.163 The committee recommends that the Commonwealth and Western Australian governments work together to ensure that adequate and long term funding and support for the for the youth service in Balgo is provided.

Recommendation 14

4.184 The committee recommends that the Commonwealth considers the development of a communication strategy to provide simple, practical advice to parents and guardians caring for a child with Foetal Alcohol Spectrum Disorder, and that the status of FASD as a recognised disability is clarified to ensure that parents, caregivers, schools and communities are able to provide adequate support to children with FASD.

Recommendations from Fourth Report

Recommendation 1

2.28 The committee recommends that all Australian Government and state/territory agencies, provide the Australian Institute of Health and Welfare with reports and publications as they are published, as well as statistics on an annual basis, to ensure that the Closing the Gap Clearinghouse is a relevant evidence base for policy makers.

Recommendation 2

2.43 The committee recommends that the COAG work on the National Strategy for Food Security in Remote Indigenous Communities include an analysis of alternative agriculture to improve the affordability, quality and availability of fresh fruit and vegetables in regional and remote Indigenous communities.

Recommendation 3

2.50 The committee recommends that the Australian Government expand the remit of the Coordinator General for Remote Indigenous Services' reporting mandate for basic service and infrastructure in all regional and remote Indigenous communities with over 200 residents. The committee considers that the Coordinator General should be afforded additional resources to undertake such an expanded reporting role.

Recommendation 4

2.57 The committee notes the consultation being undertaken in developing local implementation plans but considers that as a matter of practice, consultation plans which are not readily accessible to the public should be made public prior to consultation being undertaken.

Recommendation 5

2.72 The committee recommends that on a monthly basis the Australian Government publish the number and location of new, rebuilt or refurbished homes completed under the National Partnership Agreement on Remote Indigenous Housing program.

Recommendation 6

2.73 The committee also recommends that the Coordinator General for Remote Indigenous Services conduct a detailed analysis of the National Partnership Agreement on Remote Indigenous Housing in his next six monthly report.

Recommendation 7

2.118 Noting the success of the Sporting Chance Program, the committee recommends that the Australian Government investigate programs for other extra curricular activities such as a program for students interested in the arts.

Recommendation 8

2.176 The committee recommends that the evaluation mechanisms that underpin COAG's investment of the \$100 million Tackling Smoking initiative be publicly released to ensure that this funding provides a tangible difference on the ground in communities.

Recommendation 9

2.219 Given the evidence that the committee has received about problems with funding models, the committee considers that COAG should expedite implementation of the Coordinator General for Remote Indigenous Services' recommendation to examine the use of more flexible funding approaches which aggregate departmental funding into a master contract with each National Partnership Agreement on Remote Service Delivery community.

Recommendation 10

3.15 The committee recommends that all state and territory governments consider the publication of a Quarterly Report in line with that published by the Queensland Government and that this information feed into the Council of Australian Governments baseline data collection process.

Recommendation 11

3.34 The committee recommends that the evaluation of the Cape York Welfare Reform trial be made public to inform other governments about the results of the program and its applicability to other regional and remote Indigenous communities.

Recommendation 12

3.84 The committee recommends that the Ministerial Council for Education, Early Childhood Development and Youth Affairs expand the policy on attendance currently in the draft Indigenous Education Action Plan to include the need for measures that facilitate reintegration of students who have missed large amounts of schooling but recommence attending school as the result of attendance measures.

Recommendation 13

3.248 The committee recommends that the Australian Health Ministers Conference develop a framework specifying interoperability between social and emotional wellbeing services and clinical mental health services.

Recommendation 14

3.361 The committee recommends that Queensland Corrections consider including routine hearing assessments in the induction and assessment process for persons newly entering the corrective services system.

Recommendations from Final Report

Recommendation 1

2.59 The committee recommends the establishment of a Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs by the Parliament of Australia.

2.60 The committee further recommends that a Senate Select Committee on Aboriginal and Torres Strait Islander Affairs be established in the 43rd Parliament until such a Joint Standing Committee is established.