
**Report to OIPC and ACT Chief Minister's
Department**

Re: ACT COAG Trial Evaluation

A Question of Time?

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EXECUTIVE SUMMARY

Background

This evaluation of the ACT COAG Trial was undertaken between October and December 2005; it is one of eight Trials across Australia. The COAG Trials are important initiatives between governments and Indigenous communities working together to address issues of concern to Indigenous communities; the ACT Trial is the only metropolitan capital city based Trial. The lead agencies for this Trial are the ACT Chief Minister's Department (CMD) and the Australian Government Department of the Environment and Heritage (DEH). These two agencies worked with an Indigenous Working Group (IWG) comprising eight members of the ACT Indigenous community.

The ACT COAG Shared Responsibility Agreement (SRA) says:

"As a starting point, and in response to issues raised at the Community Leaders Workshop... the Partners agree to work together and embark on comprehensive consultations with the community to identify and develop culturally appropriate strategies aimed at:

- *assisting people to address trauma, regain confidence, build self-esteem and strengthen cultural identity;*
- *addressing the deleterious effects of substance abuse;*
- *addressing the many factors contributing to the over-representation of Indigenous people in the criminal justice system; and*
- *addressing the many factors contributing to the disparity between educational outcomes of Indigenous people (particularly children and youth), with those of the wider society."*

This Agreement appears to have evolved into an agreement to progress four major initiatives to be undertaken as part of the Trial:

- strengthening cultural identity;
- investigating the feasibility of a healing farm;
- establishment of an Indigenous Justice Centre; and
- developing appropriate education options for Indigenous children and young people.

The emphasis of the Trials is on finding new ways of working, and the evaluations of the eight initiatives have a primary focus on establishing what has been learned from the Trials to date. The Trials required the establishment of structures and processes to facilitate and enable the building of partnerships and relationships. This evaluation found all partners in the Trial had learnt important lessons.

Lessons learned

Structures and how these worked

The key governance structures for the ACT Trial were:

- An **Indigenous Working Group** of eight members and a paid Chairperson, a decision to pay the Chairperson was made as a result of consultations with the Indigenous community early in the Trial.
- A **Steering Committee** comprising the Chairperson of the Indigenous Working Group, the Chairperson of the ATSIC Queanbeyan Regional Council, the Secretary of the Department of the Environment and Heritage, and the Chief Executive of the ACT Chief Minister's Department.

- **Working Groups** to progress the four priority areas with members of the Indigenous community and government officers.

Other structures within the Trial included:

- A **Joint Partners Committee** comprising representatives of six Australian Government and four ACT Government agencies.
- A **Trial Project Officers Group** to provide a forum for the project teams from DEH and CMD to meet regularly to discuss on-going issues and plans.
- A **Commonwealth Officers Group** was also established to provide a forum for Australian Government agencies to share information and discuss issues.

All partners and participants agreed that they had learned a lot from the process of working jointly through the established structures. The Steering Committee, the IWG and the Working Groups reported the strongest positive outcomes. Senior executive members within government reported that they had developed a much better understanding of working with Indigenous leaders and communities. IWG members all reported a better understanding of the processes of government and acknowledged the learning which had occurred for senior government staff.

The IWG had the most consistent membership throughout the Trial, changes in personnel of most of the government members created a challenge for the Trial. This was one of the important lessons from this Trial; some continuity greatly assists in relationship building for partnerships.

Outcomes

There were some significant lessons learned, by all of the partners, from the outcomes of this Trial.

The importance of the Indigenous community determining priorities:

- The priority issues and solutions for the Trial were established by the Indigenous community through a facilitated community forum early in the Trial and the Indigenous participants valued this approach. All partners believe that the solutions proposed to the identified priority issues might have been better developed over time, and other alternative solutions explored, through a wider community engagement strategy.

Indigenous participants are able to engage more effectively when they understand better how governments work:

- Indigenous participants within the IWG have learned a lot about the way in which governments work and have worked actively to engage the local Indigenous community through working groups, Elders camps, community meetings and focusing on initiatives which the community perceives as important. With the right support and adequate knowledge, Indigenous participants demonstrate a high level of awareness of the constraints and opportunities of working with governments.

Governments have a better understanding of how to work with Indigenous communities:

- Both of the lead government agencies report that they have learned considerably about how to work with Indigenous communities including the importance of allowing time to engage with communities in culturally relevant ways and the time and skills required to do this well. Government officers show a willingness to learn new ways of working which respect

Indigenous cultural and community norms and familial and community relationships.

When desired outcomes are negotiated, agreed and shared at the outset, between all partners, progress is more likely and there is more clarity about assessing success:

- The establishment of the Indigenous Justice Centre is one of the most significant outcomes of this Trial and has wide support from both community and government stakeholders. This is attributed to the clarity of the shared outcomes by all partners at the outset, the strong leadership shown by all partners, and the potential to make a real difference for Indigenous people. Other priority issues were slower to gain community support but both the education and health priorities are the subject of ongoing joint processes; agreeing on solutions is taking longer than did the justice priority. The Indigenous community is now highly engaged in progressing the education priority; progress on the health priority is less clear.

Playing the lead agency role is easier and likely to be more successful if this agency has a good understanding and experience in the priority area/s being addressed:

- Having a good understanding of the issues being addressed is important for the lead agency. It is more difficult to play a cross government lead agency role if the priorities being addressed are not part of the core business of the lead agency. In this Trial the lead Australian government agency experienced some difficulties in engaging the relevant Commonwealth agencies and the lead ACT Government central agency also took some time to gain the support of some of the line agencies. The ACT Government lead agency did have some capacity to influence other agencies over time.

Resourcing Indigenous participants is important and agreeing on the most effective ways of doing this requires careful consideration and negotiation:

- Resourcing Indigenous communities to engage actively with governments is an important element of successful partnerships. Ways of doing this need to take account of potential conflicts of interest and different approaches, and to have support from the community.

The limitations and/or parameters of governments are best articulated at the outset:

- In several projects, the limitations and/or parameters of governments, with respect to future resourcing or support for proposed options, could have been clearer at the outset. Articulating these early in the process may have assisted in reducing intra and cross government and community frustration and disappointment, and allowed for exploration of alternative solutions more quickly.

Leadership across all levels is important in building partnerships:

- Strong leadership from Ministers and CEOs and continuity of membership by government officers able to make decisions and commitments is an important element in successful partnership building and of building commitments at the various executive and administrative levels within governments. Mechanisms which support interagency dialogue have the capacity to build whole of government commitments.

Building on existing governance mechanisms and processes, where these exist, helps utilise existing resources and has the potential to build the capacity of communities and governments:

- Establishing new governance structures helped to build awareness of the new approach to Indigenous affairs and to test what worked. Having built some awareness of the goals of initiatives such as the Trials, moving to using and building on existing governance mechanisms and processes offers opportunities for the effective use of resources and for building the capacity of the community.

Next steps

There are mixed views within the stakeholders regarding the future of this Trial. New initiatives and mechanisms, such as the Office of Indigenous Policy Coordination (OIPC) and Indigenous Coordination Centre (ICC) within the Australian Government, and the current ACT Indigenous consultative body, have been implemented since this Trial commenced in September 2003; these new structures and mechanisms may be more appropriate for any future partnership initiatives in the ACT. Any future Indigenous representative arrangements could also be considered in future partnership initiatives.

There are at least three options;

1. Continuing the partnership as a COAG Trial with some negotiated new structures, a review of the priorities, and agreement on outcomes to be achieved;
2. Discontinuing the Trial and establishing some partnership approaches in the context of the current bi-lateral negotiations with a review of priorities, and negotiation on the best structures to progress agreed partnerships;
3. Working within mainstream government processes and mechanisms to progress partnerships and priority issues including the three remaining issues of Indigenous schooling, health and cultural identity. This option might include exploring the potential to address other priorities which have emerged since September 2003 which have the potential for a strong whole of government approach.

On the basis of the lessons learned in this phase we suggest that the Trial not continue in its current form in the ACT but that opportunities within the other two options be explored with the Indigenous community. Increased cultural awareness training across all levels within administrative government would assist in building on the lessons and achievements of this Trial. Exploring the potential for other partnership priorities on existing initiatives, such as family violence, could also be explored in this next phase, building on work undertaken during 2005, and potentially accessing existing and future funding from the various funding programs within both ACT and Australian Governments.

This Trial has affirmed the potential of partnerships to achieve better outcomes and more holistic approaches to issues for Indigenous communities, and opportunities for building on these lessons must not be lost.

INTRODUCTION

In November 2000 the Council of Australian Governments (COAG) agreed that all governments would work together to improve the social and economic well-being of Indigenous people and communities. The Council agreed on a reconciliation framework, and recognised that the significant commitment by the Australian and State and Territory Governments to Indigenous issues is spread across many departments and agencies, through multiple programs, and is therefore often uncoordinated.

COAG later agreed to trial working together with Indigenous communities in eight regions (including the ACT) to provide more flexible programs and services based on priorities agreed with communities; thus the COAG Trials were conceived. The expectation of COAG is that the lessons learned from this initiative regarding how to address issues together will be able to be applied more broadly. Governments agreed that they must work together better at all levels and across all departments and agencies. Indigenous communities and governments must work in partnership and share responsibility for achieving outcomes and for building the capacity of people in communities to manage their own affairs (COAG website).

This report is the outcome of the first evaluation of the ACT Trial and was conducted between October and December 2005.

The ACT COAG Trial in summary

The evaluators of the ACT COAG Trial, in the preparation of this report, interviewed stakeholders (Appendix One), conducted a brief literature search (Appendix Two), and examined the relevant files in the two key agencies, the Commonwealth Department of the Environment and Heritage (DEH) and the ACT Chief Minister's Department (CMD). DEH was the lead Australian Government agency in this Trial; CMD was the lead ACT Government agency.

The ACT COAG Shared Responsibility Agreement (SRA) says:

"As a starting point, and in response to issues raised at the Community Leaders Workshop... the Partners agree to work together and embark on comprehensive consultations with the community to identify and develop culturally appropriate strategies aimed at:

- *assisting people to address trauma, regain confidence, build self-esteem and strengthen cultural identity;*
- *addressing the deleterious effects of substance abuse;*
- *addressing the many factors contributing to the over-representation of Indigenous people in the criminal justice system; and*
- *addressing the many factors contributing to the disparity between educational outcomes of Indigenous people (particularly children and youth), with those of the wider society."*

This Agreement appears to have evolved into an agreement to progress four major initiatives to be undertaken as part of the Trial:

- strengthening cultural identity;
- investigating the feasibility of a healing farm;
- establishing an Indigenous Justice Centre; and
- developing appropriate education options for Indigenous children and young people.

Working groups were established and took part in a service mapping exercise. This exercise included identifying the services available, the amount of funding from both levels of government, possible new initiatives, and potential areas for re-engineering and revising existing programs

The broad outcomes achieved are that regular Elders' camps have taken place (culture), an Indigenous Justice Centre has been established, working group members were funded to visit and investigate international and Australian healing farm models, and discussions on the feasibility of establishing an Indigenous school are on-going along with other improvements to schooling for Indigenous children and young people.

Setting the Scene (The History)

Obtaining an accurate account of the Trial establishment phase has been challenging, as the only continuity of personnel was in the membership of the Indigenous Working Group (IWG). There have been significant changes in every government agency from the Secretary/Chief Executive level to the project officers in line agencies.

The evaluators have examined the available documents, interviewed community members, members of Steering Committee, the IWG, and other government officials, and have thus drawn together the background to the Trial.

There is some confusion and there are differences of opinion about the background to the Trial particularly which initiatives sat within the COAG Trial. We attribute some of this confusion to the changes within government staffing positions and to the evolution of initiatives over three years; some of the history has been lost or is interpreted differently by current incumbents.

a) A broad overview of the conditions and challenges at the start of the Trial.

The evaluation team has been unable to identify any specific documentation of the conditions and challenges at the start of the Trial. However, from interviews, focus groups, research and reading of files, the following can be assumed to be the most relevant conditions, perceptions, and challenges at that time:

- The ACT Indigenous community is a diverse community consisting of; family groups who are the traditional custodians; a large percentage of Aboriginal and Torres Strait Islander people who have moved to the ACT for work in the public service; and other Indigenous people who have settled in the Territory for work or family reasons. The 2001 Census figures show that 3,576 people identify as Indigenous in the ACT, around 1.2% of the population.
- The movement of Indigenous people and families in and out of the ACT is different to other communities, such as Cape York, where community members are easily identifiable and there are relatively few changes in the population.
- Indigenous people in Queanbeyan, part of New South Wales, also access services in the ACT.
- Community members had an extensive 'wishlist' of needs, and were quite aware of governments introducing new initiatives in Indigenous affairs. Some people were and still are cynical about the whole of government approach, while others were and still are optimistic.
- At the commencement of the Trial, communication between government departments within the ACT was perceived by many stakeholders including

the community, as inconsistent and unclear and as poor between the two levels of government.

- ATSI and ATSI were about to be disbanded, with the introduction of a new structure through Indigenous Coordination Centres (ICCs). This announcement was in fact made on the same day as the signing of the ACT COAG Trial Shared Responsibility Agreement (SRA).
- The broader ACT community and both governments were perceived by some within the Indigenous community to have little understanding of the ACT Indigenous community. There were perceived assumptions within the governments and the broader community that Indigenous families were homogenous with the rest of the community and had assimilated totally to a non-Indigenous culture and lifestyle in the ACT.
- Canberra is known to be the most expensive city in Australia to live in, with the average income being higher than other cities. Within this context of a higher average income, the poverty of many Indigenous people was perceived to be masked by the large number of high paid jobs that have mainly gone to non-Indigenous people. A small proportion of Indigenous people occupy well-paid jobs.
- The COAG Trial was perceived by some Indigenous families and individuals as a very positive step, by others as yet another initiative they did not fully understand. Similar views appear to have existed within the ACT and Australian Government agencies involved, in that there are different views regarding the potential benefits and outcomes of the Trial.

At the time of the evaluation, however, nobody disputes that the Trial has assisted in important lessons being learned about working together.

b) The history of the Trial – key dates, agreements, significant events, specific initiatives, the establishment of governance and partnership arrangements.

In November 2000, a meeting of the COAG agreed to a framework to advance reconciliation, and identified community leadership, and reviewing and re-engineering programs and services to achieve better outcomes for Indigenous people, as two of the priority areas for action

In April 2002, the ACT was nominated by the COAG as one of eight Trial sites with a proposal to focus on young people. This proposal included a special educational facility to be developed in consultation with the local Indigenous community. It was proposed that this facility would be located within an existing government school, focus on young people, and would provide a centre at which other services such as primary health care and family support could be supplied.

In May 2002, the United Ngunnawal Elders' Council (UNEC) was formed. It agreed to meet quarterly and to give priority to a holistic 'rural' program.

In June 2002, the ACT Cabinet agreed to the establishment of a Working Group to improve service delivery mechanisms to the Indigenous community in the ACT. This group included:

- the Chairperson of ATSI Queanbeyan Regional Council,
- the Chief Executives of four ACT Government Departments; and
- the Chairs of the Indigenous Education Consultative Body, the Aboriginal Justice Advisory Committee, the Aboriginal and Torres Strait Islander Health Forum, and the Aboriginal and Torres Strait Islander Consultative Council.

This Working Group was to consult with Aboriginal and Torres Strait Islander people and organisations to identify service delivery priorities.

In undertaking this work the Working Group was to:

- a) *inform the Aboriginal and Torres Strait Islander community of the range and scale of current programs and obtain their support for the re-examination of these programs;*
- b) *involve key Departments in this re-examination process;*
- c) *take account of consultations, policies and plans already in place within agencies; and*
- d) *ensure that proposals have a sufficient level of detail to enable them to be established without extensive further development work.*

The Working Group met twice in 2002 but did not meet its objectives.

In December 2002, the ACT and Australian Governments opened COAG negotiations in ACT with the basis of negotiation being the themes of youth and education.

In March 2003, the ACT and Australian Governments met with the ATSIC Regional Council and agreed to have the community decide the themes.

In May 2003, a community/government meeting was held and attended by around 30 community representatives. An Indigenous Working Group was formed at this meeting to advise the Government on how best to consult with the Indigenous community of the ACT.

In June 2003, the Indigenous Working Group met with the ACT and Australian Governments.

In September 2003, a Community Leaders' Workshop was convened. At this workshop there was agreement that the Trial should progress, an agreement was made to establish a new governance structure (the Aboriginal and Torres Strait Islander Community Controlled Council), the Indigenous Working Group was established, and it was agreed that the focus would be "The Living Web: Keeping the Web Alive". The themes of the Web were social and emotional well-being, culture and learning, and capacity building for all. This meeting also supported the payment of the Chairperson of the IWG to undertake the community facilitation role.

On April 15th 2004, an SRA was signed at the Great Hall, Parliament House, between the Aboriginal and Torres Strait Islander Community of the ACT, the Australian Government, the ACT Government, and ATSIC. The Australian Government lead agency was the Department of the Environment and Heritage, and the ACT Government lead agency was the Chief Minister's Department. It was agreed that the guiding principle for the Trial would be 'The Living Web'.

Between the signing of the SRA and the official ending date of the IWG members' term of office, numerous meetings and events occurred. We have not attempted to include all of these in this section. A summary of the significant meetings, which were recorded in government files, and significant events are included in a table in Appendix Three.

September 30th 2005 was the official ending date for the IWG members' term of office. Some stakeholders have assumed that this meant the end of the Trial. It is not clear how or what was actually negotiated in regard to the status of the Trial post September 30th given a lack of current agreement between the two governments and

the Indigenous community. There is a strong view within the two governments that the Trial is ongoing until a decision is taken to disband the Trial. The Shared Responsibility Agreement had no articulated ending date.

At December 2005:

The evaluation team notes that:

- The Commonwealth and ACT Departments of Education are now meeting regularly to address Indigenous Education. In this process they are talking to the ACT Indigenous Education Consultative Committee. Communication between the two Departments has improved significantly over the past few months and there has been good progress on this initiative. A joint committee has been established with membership from:
 - the ACT Government - Department of Education and Training (DET) & Chief Minister's Department (CMD);
 - the Australian Government - DEH & Department of Education, Science and Training (DEST),
 - from the community Indigenous Education Community Board (IECB), the ATSI Community Consultative Council, and former IWG education sub-group members.

This committee is meeting regularly to progress a range of education issues.

- A meeting was reportedly to be held by ACT Health before the end of 2005 to discuss the future of the 'healing farm'. At the time of finalising this report it is not clear what is happening with this priority.
- The Justice Centre has been incorporated and is going through an establishment phase.
- The CMD is progressing plans for future Indigenous representative arrangements in the ACT.

c) Any commitments made by governments and the community.

The SRA was signed on 15th April 2004 and documented the commitments made by the Governments and the community.

Partners agreed that the guiding principle for the Trial was to be 'The Living Web' which had been developed at the September 2003 Community Leaders' Workshop. The primary objective of the Trial was to keep the Web alive by striving to build a healthy, vibrant community.

Partners agreed to work together to:

- *establish partnerships and share responsibility for achieving measurable and sustainable improvements for people living in the community;*
- *support and strengthen local governance arrangements within and between the community, ATSI, the ACT Government and the Australian Government;*
- *support and strengthen decision making and accountability processes which honour the spirit of shared responsibility;*
- *examine existing programs, services and modes of delivery and to take whatever actions deemed necessary in order to streamline and improve services to the community; and*
- *learn from a shared responsibility approach – identify what works and what does not and to apply these lessons in future approaches to ensure that the strategies developed to address community issues are both holistic and sustainable.*

The four partners also agreed to embark on comprehensive consultations with the community to identify and develop culturally appropriate strategies aimed at:

- assisting people to address trauma, regain confidence, build self-esteem and strengthen cultural identity;
- addressing the deleterious effects of substance abuse;
- addressing the many factors contributing to the over representation of Indigenous people in the criminal justice system; and
- addressing the many factors contributing to the disparity between the educational outcomes of Indigenous people (particularly children and youth), with those of the wider society.

Responsibility for progressing the objectives was located with the Steering Committee. This Committee was made up of the Chairperson of the Indigenous Working Group, the Chairperson of ATSIC Queanbeyan Regional Council, the Secretary of the Australian Government Department of the Environment and Heritage, and the Chief Executive of the ACT Chief Minister's Department.

d) The extent of involvement of the community in setting the objectives and priorities for the Trial.

In the early stages of the Trial, the ACT Government proposed that youth and education be the theme for the Trial. However there was no agreement by the community leaders that this was a priority. At the facilitated community workshop in September 2003, The Living Web was agreed as the framework for the ACT.

The four priority areas of **culture, substance abuse, criminal justice and education** were identified at that time and became priority areas for the SRA.

Community leaders agreed that the Trial should be progressed, and that there should be four parties to the agreement – the ACT and Australian Governments, ATSIC, and the Indigenous community in the ACT.

The Resolution passed by the leaders was, *“we as the ACT Aboriginal and Torres Strait Islander community support the establishment of a COAG Shared Responsibility Agreement Initiative within the ACT. Our focus is ‘THE LIVING WEB: Keeping the Web Alive’. Our three themes are:*

1. *Social and Emotional Well-Being*
2. *Culture and Learning*
3. *Capacity Building for all”.*

Working together (The process)

A major commitment of the Trial was for the community and the two levels of government to find ways of working together and therefore to learn from the shared responsibility approach. Structures were established to meet that commitment and to meet the other commitments made in the SRA. Early in the evaluation a number of informants stated that they believed the Trial was over-governed. This was explored further during the evaluation. This section briefly describes the structures and processes for working together, and what has been learned about the structures required to build partnerships.

a) *What structures were put in place for community and government to work together?*

An **Indigenous Working Group** was established as the primary point of community contact to: represent community interests to the governments; assist government to undertake consultations with community organisations, families, and individuals about proposed projects and improvement; assist in the setting up of the Community Controlled Council; and provide regular feedback to them. The IWG became an active participant in the Trial process. The IWG Chairperson also played the community facilitation role on the advice and decision of the community.

A **Steering Committee** was established to oversee the Trial. Members were the Chairperson of the Indigenous Working Group, the Chairperson of the ATSIC Queanbeyan Regional Council, the Secretary of the Department of the Environment and Heritage, and the Chief Executive of the ACT Chief Minister's Department. Meetings were to be held monthly, with the first being held in June 2004. Several meetings of this Committee were held monthly and it was subsequently decided to hold them less frequently. The Chairperson of the ATSIC Regional Council did not attend many of these meetings.

Working Groups to progress the four priority areas were established in July 2004. Existing consultative committees formed the basis of each group. Officers from the two governments joined them.

Self esteem and cultural identity work was undertaken through the Community Consultative Committee, which has twelve community members. Four Australian Government agencies and four ACT Government agencies were also represented on the working group.

Substance abuse priority work was undertaken through the ACT Aboriginal and Torres Strait Islander (ATSI) Health Forum. This Forum has four Indigenous members; two of who work for government departments - one Australian Government and one ACT Government. Three Australian and two ACT Government agencies were represented on this group.

Aboriginal Justice Advisory Committee (AJAC) was the basis of the **Justice priority working group**. AJAC has eleven Indigenous members. Two Australian and four ACT Government agencies took part in this working group.

Education priority work was undertaken through the Indigenous Education Community Board (IECB), which has three Indigenous members. Four Australian and four ACT Government agencies were represented; staff members of two universities were also part of this working group.

Through meetings and research by government departments, each group went through a service mapping exercise, which included a review of current programs and services in each area, funding provided through each level of government, possible new initiatives and potential areas for re-engineering and revising existing programs.

Each group was to report back to the Steering Committee, the Joint Partners Group and the Advisory Groups' forum by the end of 2004.

Aboriginal and Torres Strait Islander Community Controlled Council. The idea of a confederation of Indigenous-focused groups in the ACT was explored. This body was to represent the United Ngunnawal Elders' Council, ACT Aboriginal and Torres Strait Islander community-based organisations, Aboriginal and Torres Strait Islander government advisory bodies, and Aboriginal and Torres Strait Islander advocacy groups. The desire to set up this Council came from the community members who attended the September 2003 workshop. This structure never eventuated as other processes were being implemented to achieve representative Indigenous mechanisms.

b) What structures were put in place for governments to work together?

The two lead agencies identified earlier met as members of the Steering Committee. The two Departments were represented on the Steering Committee by the Secretary of DEH and the CEO of Chief Minister's Department.

A **Joint Partners' Committee** was established, which was a monthly meeting of representatives of six Australian and four ACT agencies. This group was set up in about July 2004.

A **Trial Project Officers Group** was also established to provide a forum for the project teams from DEH and CMD to meet regularly to discuss on-going issues and plans. This group often met weekly, and at times included the IWG Chairperson and the Queanbeyan ICC Manager. The group stopped meeting at the end of September 2005.

A **Commonwealth Officers Group** was also established to provide a forum for Australian Government agencies to share information and discuss issues. This group was set up in June 2003 and met regularly for the first twelve months then less regularly once the Joint Partners' Committee was established.

c) How successful have these structures been?

A number of stakeholders expressed a view that perhaps the Trial was over-governed, with too many groups; this appears to have led to some confusion about the role of each group. Overall, however, the structures are seen as having some success at building partnerships, improving the way governments work together, and involving and enabling the community to contribute to their own solutions.

The **Indigenous Working Group (IWG)** met regularly and was supported by the Chairperson playing the community facilitation role. Funding for the position of Chairperson came through the flexible funding pool managed by OIPC. Funding was also provided for an administrative assistant. The membership of the IWG involved the same group of Indigenous people who are actively involved in many community structures and processes, and it was therefore difficult to find suitable times to meet. There was also a strong perception by a very small number of community and government stakeholders that if government was not satisfied with advice from the IWG, it would approach the United Ngunnawal Elders Group. We have been unable to substantiate this claim and to the contrary, the evaluation team was advised, firmly, by other key stakeholders (both Indigenous and non-Indigenous) that this was definitely not the case.

The **Steering Committee** met monthly; three of the members highlighted that the working relationships that developed were excellent and that respect was developed for each others' roles and tasks.

The ATSI Regional Chairperson was a member of the Committee until the end of June 2005, when the Regional Councils formally came to a close. Unfortunately we were unable to locate this member of the Steering Committee despite several efforts to do so through several leads.

Each of the four **Working Groups** undertook a service mapping exercise, which involved the respective lead agencies identifying the Indigenous services that each level of government funded, and the amount of funding. This information was taken to the working groups to consider what worked and what did not work, identify possible priorities for the possible re-direction of some programmes, and look at how this might be achieved. Each group was chaired by a community representative who was part of the relevant advisory group. The groups all met at least once, with two of the groups meeting four times. There were different views expressed regarding how this work was to have been progressed. After a one-day workshop hosted by the IWG no further analysis appears to have been undertaken. The evaluation team was advised by government officers that this work now forms an information base for the current (and any future) workshop discussions examining the four priority areas.

Varying perceptions of the success of the structures were reported across the stakeholders. For example, on the one hand, good relationships were built and the groups committed people from the community and both governments to work together; this was reported as a positive achievement by many. On the other hand, one of the focus groups argued that the education goals came from external groups, not from the IWG and that this created some tension.

The **Joint Partners' Committee** met regularly. Decisions were reportedly sometimes difficult to make as people who were sent as representatives had limited decision-making power and were often very junior in the departments represented. It was also reported that decisions and agreements were sometimes made external to the agency involved and the agency was then informed of the decision and hence had no ownership of the issue or the decision. There were also changes in membership and several examples of new officers having no briefing, history or handover.

The **Trial Project Officers' Group** met regularly especially in early stages. These meetings were reported as having built respect and understanding of the roles and challenges facing the respective agencies. Improved information exchange at officer level was also reported through this group.

The **Commonwealth Officers' Group (COG)** met every six weeks at first and then on a needs basis. This group was set up by DEH as a way of communicating information about the ACT Trial to other Australian Government agencies, a task it handled effectively. This Group observed at the time that information was not filtering through to the other agencies. When blockages occurred it was necessary to use 'Secretary to Secretary' communication to remove the blockages. One focus group suggested that the COG might have been used more strategically in influencing other agencies.

The **Aboriginal and Torres Strait Islander Community Controlled Council** did not develop as other processes were agreed to be more appropriate. The agreement in the SRA was to work towards setting up this body. The IWG spent a lot of time in working out how this group might be formed. The appointment of the Community Controlled Council was delayed due to the proposed reforms in Indigenous representation within the ACT. In an effort to reduce duplication with existing structures, the establishment of a Community Controlled Council under the COAG Trial was put on hold whilst this was addressed through other processes. This work is progressing and a community consultation is now in train.

What can be concluded?

A number of stakeholders reported that they have developed a much better understanding of both government processes and the Indigenous community, as an outcome of being involved in these structures. The Steering Committee and the IWG appear to have worked best at building relationships, listening to each other and improving understandings of how to work together. On the question of whether the Trial was over-governed, an alternative view is that while it looks like there were too many groups in the structure, only three – the Steering Committee, the IWG and the Commonwealth Officers Group - were in place for most of the Trial. The other groups were slightly more informal and were set up to move issues forward.

There is some evidence that the other structures have assisted in building awareness of how important it is to work together. There is ongoing work occurring on education through a joint ACT and Australian Government process with a community consultation process in train.

The two lead agencies both report significant improvements in awareness of issues and of the need to work together more constructively.

Some of the structures do seem to have suffered from constant changes of membership, limited power to make decisions and influence outcomes, and members with no status to change the system.

d) Were community and governments' commitments met? If not, why not?

It is not clear that either level of government fully met their commitments although progress has been made on most issues and all of the partners are still talking and working together on three of the priority issues. All partners are participating in other processes which have emerged since the Trial commenced.

The first commitment in the SRA was that “the guiding principle for the Trial was ‘The Living Web’”. There was no mention of ‘The Living Web’ by any interviewee except the Chairperson of the IWG.

The next commitment was that partners agreed to work on a number of processes, as outlined in the Setting the Scene section of this report. These are addressed in the following paragraphs:

Establishing partnerships and sharing responsibility for achieving measurable and sustainable improvements for people living in the community

We found evidence that the structures put into place did establish relationships between:

- Community members and government officials;
- Australian Government agency officers across agencies;
- ACT Government agency officers across agencies; and
- Australian and ACT Government officers.

Several stakeholders perceived a lack of commitment to the cross government partnership goals of the Trial at the Australian and ACT executive government level. It was difficult to establish how accurate this perception was as stakeholders were largely unable to give explicit examples about how this manifests and how it prevented partnerships. There was an equally valid view expressed that giving too much

credence to such perceptions, without clear evidence, distracts attention from getting on with the partnerships which do exist and the progress which has been made during the Trial. This may be something both levels of government need to address in any future partnership efforts; joint public statements might help counter those perceptions.

Through the Trial processes, partnerships were built which assisted in sharing responsibility for initiatives which the community believed would make a difference. The most significant example of this was the establishment of the Justice Centre, which has the potential to deliver sustainable benefits for the Indigenous community. The key partners who were involved in the early decisions around the Centre were quite clear that this justice initiative was greatly assisted by the Trial and the partners' joint work around the Centre. A minority of stakeholders argued that these achievements would have been made irrespective of the Trial.

Supporting and strengthening local governance arrangements within and between the community, ATSIC, the ACT Government and the Australian Government.

Local governance arrangements within the community were seen by some stakeholders to have weakened with the dismantling of ATSIC at the commencement of the Trial. There was community cynicism that this occurred on the same day as the SRA was signed, although most stakeholders acknowledged that this was an unfortunate coincidence. The ATSIC Chairperson was reportedly supportive of the initiative; however he could not be contacted to seek his independent view. Both the ICC and ACT Government acknowledge the need to further develop the whole-of-government partnership.

Supporting and strengthening decision making and accountability processes which honour the spirit of shared responsibility.

We found limited evidence of this across government, however the two lead agencies and the IWG did work hard at trying to find ways of doing this. There is evidence that the two lead agencies are continuing to address this in the current initiatives being led by or involving their agencies. The education initiative is also engaging both governments in a partnership with the community. This spirit is not so evident across other portfolios in either level of government although we observed a genuine desire for this to be improved in the future.

Examining existing programs, and to take whatever actions were deemed necessary in order to streamline and improve services to the community.

The service mapping exercise undertaken by the working groups examined existing programs and was reported as an important source of data regarding what is being allocated from both governments. The service mapping exercise is now the basis for current discussions about streamlining and improving services.

Learn from a shared responsibility approach – identify what works and what does not and how to apply these lessons in future approaches to ensure that the strategies developed to address community issues are both holistic and sustainable.

This evaluation has given stakeholders the opportunity to reflect on the structures and processes that work, and what lessons have been learnt from the Trial. There have been important lessons learned regarding what limits and what enhances collaboration and what is possible into the future. There have been many strategies for improvements suggested; these will be reflected in the Next Steps section of this report.

At the commencement of the Trial, commitments were also made on four specific issues:

- i) Assisting people to address trauma, regain confidence, build self-esteem and strengthen cultural identity;
- ii) Addressing the deleterious effects of substance abuse;
- iii) Addressing the many factors contributing to the over representation of Indigenous people in the criminal justice system; and
- iv) Addressing the many factors contributing to the disparity between the educational outcomes of Indigenous people (particularly children and youth), with those of the wider society.

Each of these issues was addressed through the formation of working groups, which undertook the service mapping exercise. More detail will be provided later in the report on the outcomes for each issue.

LESSONS LEARNED (INTERIM OUTCOMES)

a) What new ways of working together better have been identified through the Trial?

Interviews and focus groups have identified the following new ways of working together better:

- That through listening to the community, both Australian and ACT Government officers have learned a significant amount about working with Indigenous families and communities. This was reported as a significant lesson by very senior government officers from both levels of government and as an enduring lesson. The building of good relationships has committed them to work together to build on these lessons and to do government business for Indigenous communities differently.
- That Indigenous leaders develop greater skills, awareness and objectivity, and exercise great wisdom, when working in partnerships within the structures of government when given the opportunity.
- That in trialing new ways of working, it is important to develop clear agreement about the issues, and possible outcomes, before deciding on the best solutions or making rapid judgements about solutions or 'quick fixes'.
- That the working relationship between government officers at all levels can be improved through the establishment of effective governance mechanisms. The lessons learned have laid the possible foundation for a better Bi-lateral agreement in the ACT.
- That it is critical to have a mechanism within each level of government which enables the lead agency to engage other CEOs or Ministers with the process. Whilst within the two lead agencies in the ACT Trial, there has been a high level of commitment and effort, it is more difficult to achieve sustained change without a whole of government approach across both levels.
- That there needs to be an appropriate mechanism for supporting community members and that this needs resourcing in a way which the community supports. The Task Force, which existed prior to the signing of the SRA, reportedly gave good support to the community.
- That working together on agreeing what outcomes communities and governments are seeking to achieve is a crucial first step in any future shared responsibility initiative. The four priority areas agreed for the Trial were seen as high priority but the proposed solutions were not agreed. Over time it became obvious that the outcomes each partner was seeking had not been adequately discussed to ensure full agreement, and different views within the community were not adequately explored before the solutions were posed. At the time of writing there remain significantly different views about what outcomes the community and the governments both shared and, where there were different or opposing views, how these would be managed.

b) What have been some of the limitations of the Trial, and what are examples of things that work well?

Limitations

The identified limitations of the Trial were relatively common across stakeholder groups with important lessons for governments and community.

The important issues about government processes identified are:

- Governments need to be clear with the community about the parameters and the limitations when it enters into community processes which build expectations of outcomes or specific funding. For example, issues related to the viability of an Indigenous school or a Healing Farm could have been explored jointly by both spheres of government and discussed more openly with the IWG.
- Despite the best intentions and efforts of the lead agencies in this Trial, one of the most senior members found it difficult to engage other agencies and to impact on the priorities identified. The issues were all human services issues for which the Commonwealth Department of the Environment and Heritage had neither the experience, nor the funding, nor the level of knowledge to be able to adequately understand or influence what emerged.
- Some continuity and consistency in the personnel involved is an important element in building relationships and sustainable outcomes and focus. There were constant changes in personnel in the two lead agencies but particularly so in the ACT Government officers across the three years. This meant that new staff needed to develop relationships and learn the issues. Indigenous leaders had to deal with the impact of these changes and became the corporate memory of the Trial.
- Government agencies must be open with the lead agencies about the issues related to resource allocation for initiatives which impact on Shared Responsibility Agreements.
- Significant policy changes can have an adverse impact on partnerships. The new arrangements for Indigenous affairs with the establishment of the Office of Indigenous Policy Coordination and the Indigenous Coordination Centres meant the loss of a significant partner (ATSIC) to the agreement. If on the other hand another level of government does not fully accept the new arrangements or initiatives this can complicate and undermine potential new partnerships and opportunities. Indigenous communities can then feel caught between governments and their agencies.
- Both levels of government must be represented at the table in meetings with the community. It appears that at some stages in the Trial, the DEH officers were not always included in meetings with the community and this again appears to have undermined efforts at openness, shared work and collaborative decision making. More recent reports of active engagement of DEH officers support how important this is to working more effectively together.
- The community facilitation process had mixed experiences, with the early workshops receiving good support. The community and the IWG decided very early in the Trial that the Chairperson should be funded to fulfil that community facilitation role although there seem to have been some different views within the IWG about the extent of resourcing required to fulfil the role. The Chairperson spent a lot of time in the first year visiting organisations, meeting with the community, and working very closely with the key agencies involved. It became increasingly difficult for the Chairperson to do both as the Trial progressed.
- The management of the funds for the community facilitation and administrative support to the Chairperson was contracted to the University of Canberra. This arrangement has raised some important lessons for the future. Firstly, combining the Chairing and community facilitation role was not an easy task and at times the Chairperson was caught between a commitment to the Trial and the concerns of the community. Secondly the University of Canberra played no role in decision making and was simply

the auspice. In any future arrangement it would be an advantage if the auspice played a stronger role in supporting the community facilitation process and assessing progress in community understandings and engagement.

- Government officers who are also Indigenous community members sometimes felt torn between their communities and their employer agency. They may experience a conflict of interest, finding it difficult to separate their own personal views from the wider interest of the community.

There have been lessons learned about the role of community:

- Community members who became members of the IWG were also involved in positions of responsibility with other Indigenous community organisations. There needs to be an acknowledgement that people may need mentoring support to undertake the extra responsibilities of shared responsibility for partnership processes.
- Community members do not agree on all issues and this would not be expected in non-Indigenous communities. For example, the decision on broad priorities was made at one community workshop with thirty representatives, and many members of the community subsequently disagreed with how these priorities should be addressed. The need for an Indigenous school and for the Healing Farm were the subject of a wide range of opinions. The need to test and discuss ideas for addressing priority issues before agreeing on final solutions is essential; a good process and allowing sufficient time to do this well is more likely to build that agreement.
- Clarity and unambiguous support from all levels of political and administrative leadership are essential in building and supporting community ownership. Differences need to be openly addressed and resolved in the interests of the wider Indigenous community.
- The politics of the Indigenous community meant that some community members were not always supportive of IWG members. This undermines the efforts of leaders to engage in important partnership initiatives. The Indigenous community needs to address how it can and will deal with differences and support leaders who tackle difficult issues in their communities and who attempt innovative approaches to shared problem solving.

There have been some important lessons about the processes of the Trial:

- Any future SRA needs to be manageable in scale and scope. The resources of both the community and governments were seen as being very stretched; trying to understand and progress four priorities in the whole of the ACT was considered too ambitious.
- There must be agreed objectives, outcomes, performance indicators, and an on-going evaluation process from the outset and spending time on reaching such agreements is an important lesson.
- Future working groups must have a shared view on the desired outcomes and these need to be developed and negotiated with the community in a constructive and task-focused process. This is a difficult process and requires full engagement from both levels of government across all their agencies.
- All partners need to have a shared understanding of the agreement and what it means for community and for governments, including what is part of an agreement process and what is not. This could be monitored and tested regularly.

Things that work well

On the surface, it may seem as if little has been achieved in this Trial. The evaluation reveals there have been important achievements which might not be apparent unless there is a careful and considered analysis. Learning is a crucial goal of the Trials; not blaming partners for limitations or perceived failures is an important element of cultural change being implemented in the new arrangements. The Trial set out to test new ways of working. It was almost certain to have some successes and some failures; it was bound to confront significant community and intra and inter-government issues. Changing life opportunities of Indigenous families and communities requires a high level of commitment to do things differently, to try new ideas and to allow time to do this well.

On the other hand it is vitally important that the lessons learned are well used in any future agreements or shared responsibility initiatives. Indigenous communities have huge issues confronting them. Seeing improved outcomes for their families is vital and must be a responsibility which is both shared and mutual; blame and recriminations do little to achieve better outcomes and, on the contrary, set the scene for ongoing battles which distract time and energy from more positive approaches.

c) *What have been the achievements?*

- A high level of respect has developed amongst those who were involved in the governance processes.
- Members of the IWG know a lot more about the COAG and government processes generally and have a strong investment in future outcomes and approaches.
- The two heads of the lead agencies have developed very good understandings of how to work better with Indigenous communities and about working together across the two levels of government.
- Officers in the Chief Minister's Department have developed a good relationship between the community and CMD more generally.
- There have been important learnings about how to work together and what does not work well or what limits intergovernmental processes.
- The lessons appear to be being used well in current initiatives in some agencies, within both governments, to progress some of the community's issues.
- Members of the IWG remained committed for the duration of the Trial, despite considerable questioning and challenging by the community.
- Projects and processes were worked on in a partnership involving community members, ACT Government and Australian Government officers.
- Issues related to Indigenous schooling and substance use remain high on the agenda of the relevant government agencies and the ACT Education Department is jointly progressing the options for improved schooling in conjunction with CMD.
- The establishment of the Justice Centre and attention to improved justice system responses are seen by many as major achievements which were assisted through the Trial.
- Important lessons about how to resource communities and Indigenous leaders to engage their community in partnerships have been learned.

The COAG Trials have largely been located in rural or regional areas where the idea and definition of community may be easier to identify and comprehend although diverse views are also likely to exist in these communities. The ACT is an urban setting with a very complex set of circumstances, including being the national capital with a very diverse Indigenous community. Comparing the outcomes of this Trial with the other seven sites may be difficult in this context. This context must be acknowledged in any comparisons of outcomes. The advent of SRAs across Australia represents a broader range of agreements and this may create more opportunities to test the relevance of community agreements and partnership processes in urban settings.

d) *What have been the outcomes of the Trial?*

General

Working Groups were established for each of the agreed priority areas. The service mapping exercise undertaken by those groups developed baseline data of what is currently available, as well as developing targets for action. This data included identifying the services available, the amount of funding from both levels of government, possible new initiatives and potential areas for re-engineering and revising existing programs. Whilst this data does not appear to have been used as well as it might have during the Trial, it is now being used to progress some work within the ACT Government and in the ongoing initiatives.

Self esteem and cultural identity

Elders camps have taken place regularly. It is not clear if this is a direct outcome of the Trial. It has been argued that the camps would have taken place without the Trial. However, it has been suggested that the presence of the Trial may have increased the level of communication among groups of Elders and encouraged them to engage more actively in the camps.

Each of the other priority areas has a component of self esteem and cultural identity built in as part of their strategy.

Substance abuse

The ACT Government funded a feasibility study for the Healing Farm. There were different opinions expressed about whether or not the Healing Farm was a COAG initiative. However, it seems clear from the documentation that visits to Canada, the USA and various sites around Australia to examine models for Indigenous rehabilitation programs were part of the COAG Trial and involved IWG members and agencies reportedly participating in the Trial.

Investigation of the Healing Farm concept is still current. The IWG Chairperson reported that sites for the Healing Farm are also under investigation. There is some confusion around the status of this work and what the outcomes have been of funded trips to assess similar international and national initiatives. One opinion is that this area has suffered from there being two distinct views, either strongly for or strongly against the Healing Farm. This has made it difficult for those who shared neither view to get any sort of rational evaluation of how such 'farms' might work. It is not clear how this is being progressed.

Justice

The Justice Centre is established. There is a minority view from current incumbents in positions that the success of the Justice Centre is in spite of COAG and some perceptions that the COAG Trial may have wasted time in the process. However, as

previously stated, there is a strong majority view from key and senior decision makers involved at the time in decision making about the Centre that the COAG Trial was the vehicle that drove the establishment of the Justice Centre.

Education

The working group established seven concurrent targets:

- *Cementing the Indigenous Education Partnership.*
- *Conceptualising a clear and comprehensive Indigenous education and training policy.*
- *Government resourcing of cluster and/or local school communities in engaging with and involving Aboriginal and Torres Strait Islander people in decision making, in systematically developing and implementing localised shared responsibility initiatives and sharing good practice and supporting these activities with interagency cooperation and training.*
- *An Indigenous school in the ACT.*
- *Indigenous cultural studies in the school curriculum and involvement of Indigenous people in development and delivery.*
- *Indigenous education network.*
- *Vocational pathways through ACT Indigenous VET Committee.*

A feasibility study for an Indigenous school is currently being undertaken. All targets are being discussed at regular meetings. There was a reasonable level of frustration re this priority because, over the 18 months of the Trial, progress was limited. However, it is still on the agenda and recent progress on this issue has been very well received by the community. The same argument regarding different views within the community in relation to the Healing Farm was expressed regarding the benefits or otherwise of the separate Indigenous school.

NEXT STEPS

The evaluation team heard many opinions about whether or not to progress the Trial as a COAG Trial: some for and some against. The main function of the Trial was testing processes and policy which improved outcomes for Indigenous communities and families and built better inter-governmental work.

The introduction of the Office of Indigenous Policy Coordination (OIPC) and the Indigenous Coordination Centre (ICC) structure, on the day that the SRA was signed, meant that a new way of working was being undertaken. The ICC role is about improved coordination within the Australian Government.

Many stakeholders argued that the future shared responsibility initiatives in the ACT should be progressed through the Bi-lateral agreement process currently being negotiated between the Commonwealth and the States/Territories, or through other partnership approaches. This was seen as a more viable and sustainable way of progressing the ongoing priorities for Indigenous communities related to schooling and substance use, and other priorities. For example, family violence was not identified as a potential priority in the original Trial negotiations. However, the community and both levels of government have an active interest in this issue, multiple funding programs exist within the Commonwealth, and there is a current focus for the ACT Government on addressing family violence.

There is some merit in the view that the Trial not continue as a COAG Trial but that it should move into the mainstream processes. Relationships within government agencies have been established and the bi-lateral process is underway. Whole of government commitments are in place to enable lessons learned in the Trial to be implemented via other processes.

There has also been a view put forward that the proposed new ACT Indigenous representative body be an advisory body to both the Australian and ACT Government in the ACT in the context of any future Shared Responsibility Agreement. There has been an argument put that with this new body in existence there would be no need for a body such as the IWG. There is no reason why the ICC could not also work with any new representative body. However, if that body does not eventuate, we would suggest continuing the IWG in some form.

The Chairperson and other IWG members remain deeply committed to the concepts and principles of joint work and several members have been strong leaders and voices for change. Agreement has already been reached for the work of the IWG to be subsumed within the current ATSI Community Consultative Council (CCC), with agreement that the former Chairperson of the IWG and the Chairperson of the CCC will continue on the Steering Committee. This arrangement could be tested with the wider community in the next phase.

a) *What suggestions are there for further progressing the Trial?*

While this evaluation has suggested that the Trial not proceed, there have been options suggested that could apply to a continuation of either the Trial or to the success of future government processes, such as SRAs and initiatives through whatever partnership arrangements are eventually agreed.

Governments

Options that might be considered in the next phase include the following:

- There be an in-principle commitment to continue with some form of shared responsibility initiative but that this happen in the context of the bi-lateral agreement. Issues needing consideration are:
 - the ICC might be the lead agency for the Commonwealth, as it's role is coordination at that level;
 - CMD could maintain a strong role at the ACT Government agency level and other CEOs be required to make a similar leadership commitment at the line agency level.
 - Some negotiation regarding the principles of how these roles are implemented might assist both the ICC and CMD.
- An alternative option would be to agree to establish a number of smaller scale partnerships to progress the education and health initiatives for example, and to agree on the best structures and processes based on lessons learned from this Trial. Small scale partnerships might also be explored in other areas where there is strong cross government responsibility and community interest; this might include family violence, or services for women, or early intervention services. The role of the ICC would then be considered in the context of the issues chosen.
- The active and resourced involvement of Indigenous families and the community be considered as an essential element of any successful partnership initiative. How this is achieved needs to be negotiated and agreed as quickly as possible with the community, taking account of the lessons learned from the Trial.
- Financial incentives and more flexible funding options could be included in any future initiatives.
- Both levels of government maintaining an active commitment to keep talking to each other with a view to reaching agreement on priorities for joint action on common priorities, for example, family violence.
- In any future process, there be agreement on broad priorities, with solutions subject to a more considered and resourced discussion process involving the broader Indigenous community.
- Any future initiative needs to find the balance between spending time on building community ownership and the need for a strong focus on achieving agreed and negotiated outcomes.
- Both levels of government must be open about any parameters that may limit options for action, lest the time and goodwill of the community be wasted.

Community

The role and needs of the community are critical to a successful partnership. Specific suggestions for the community are:

- Any partnership needs to highlight the problems Indigenous people have in accessing mainstream services and address the consequences of mainstreaming; both positive and potentially negative.
- Any partnership could highlight where there is inadequate understanding about Indigenous people in the ACT. For example, disadvantage is obvious in remote communities, but in the ACT there needs to be more work undertaken to explain the challenges and issues that Indigenous people experience living in the ACT.
- The Indigenous community does need to be adequately resourced to engage in partnership processes. This may include support for well

facilitated community meetings and public discussions or more focused consultation.

- Being respectful of the different views and experiences of Indigenous families and communities is essential for both governments and for the community themselves. It is accepted there will be a variety of views in the non-Indigenous community on many community issues. The same acceptance needs to apply with respect to Indigenous communities.

b) *What improvements can be made?*

Improvements were suggested in three major areas – community, government and the process. The following ideas are presented for consideration.

Community

People in the community need to have information about any future agreements, what outcomes can be expected across the community, and how they can participate. There needs to be a strategic approach developed to inform members of the community about all aspects of shared responsibility initiatives and how it will benefit the whole community.

It is essential to build the capacity of any representative body. Strategies to be implemented might include the payment of sitting fees and the allocation of a portfolio to each representative. This raises some dilemmas as there are different views within the Indigenous community about payment of sitting fees. Learning from the lessons of this Trial would assist in addressing this in the future.

There will be no easy solution to this challenge and creative ways of capacity building the community will need to be negotiated and explored.

Governments

The following suggestions apply for governments:

- The capacity of government needs to be improved in such areas as cross-cultural awareness, how to implement whole of government strategies and how to work with Indigenous communities.
- The Australian Government lead agency could be OIPC through the ICC. It is the function of OIPC to provide the coordination and leadership necessary across all levels of government. There is some support within both governments and the community for this to occur.
- Cross-cultural training for senior people in leadership positions within both governments is widely supported. One of the community members suggested that the training should be three or four days in the bush to raise consciousness. “If you are the leaders we would like you to understand. This is the problem; this is how we see it.”
- Being clear about what agencies of both governments need to be involved at the outset greatly assists collaborative efforts and avoids potential misunderstandings and leaving out key players.
- Clarity at the outset regarding partnership resourcing parameters assists communities to engage more openly and to understand what is possible.

Process

There are strong views that the focus of any future partnership initiatives in the ACT needs to change. There is a suggestion that unmet need is where the focus should be thus addressing fundamental problems within the community - for example, the lack of early intervention services and the lack of services for Indigenous women. Focussing on unmet need might in fact limit the range and creativity of options considered. It can

sometimes be more productive to agree on a positive vision for the community in order to identify actions needed to achieve that vision.

Agreeing on how to manage the existing priorities and whether they are still priorities within the agreed positive vision is an important next step. The suggestions regarding processes in relation to the existing priorities are as follows:

- Potential outcomes need to be identified and agreed during the early stages of the initiative and evaluation meetings should be an on-going part of any partnership effort.
- Both Governments have to engage with the community in an honest, open way and share information; partnership is about a journey, not a static destination.
- There needs to be a clear understanding by all partners about desired outcomes and goals, this should be negotiated and developed carefully and through a resourced process, whatever the priorities.
- Leaders, both within the community and within government, need team building skills and attitudes. Partnerships require team approaches at all levels. Opportunities to develop these must continue to be part of initiatives and all officers involved should be required to demonstrate team building skills in their daily work.

c) *What structures, processes and support would be needed?*

Structures

The most appropriate structures will depend on the nature of the partnerships agreed in the ACT. Formalising some processes appears to be important to giving focus to the partnership effort.

As already identified, OIPC is now the lead Australian Government agency on Indigenous policy; this agency might play a lead agency role for the Australian Government in the ACT through the ICC.

Indigenous representative arrangements in the ACT are currently being negotiated and when resolved could provide the forum for community input. This could take the place of the IWG. Recognising and incorporating new structures into any new agreements will need to be explored in the next phase. There may be more than one Indigenous structure which needs to be included.

Some form of partnership forum which brings the decision makers and leaders together could be negotiated and established with clear terms of reference and adequate secretarial support.

Processes

A community information strategy, including meetings, presentations and publicity needs to be developed.

A key part of the process is to identify the issue and then investigate how partners can work together to solve it, rather than have the solution presented at the outset.

Base line data, objectives and performance indicators need to be developed with input from key agencies and the Indigenous community.

Support

The Indigenous representative body needs support, including secretarial support. Strategies need to be agreed and implemented on the best way to support representatives.

Any future initiative needs to provide appropriate resourcing for the key people in the community and in government. Increased cultural understanding within governments will assist in supporting government efforts and ensure all staff understand how to work with Indigenous communities.

It is also urgent that Indigenous leaders address tensions within the community and for governments to support and foster processes and strategies to achieve this.

d) Suggest possible approaches to ensure that governments and the ACT Indigenous community are well placed for further evaluation of the Trial site in 2008

If this Trial continues, or other forms of partnership agreements are pursued, then an improved evaluation strategy needs to be established at the outset. The key steps include:

- A process for establishing the evaluation framework needs to be implemented early in the agreement and this must include strong community input.
- The evaluation framework might include joint setting of agreed objectives, outcomes and performance indicators, with continuous evaluation built in.
- Allowing adequate time for an engagement process in the evaluation strategy is essential, creating a timely process is a major challenge. Using the lessons from this Trial will assist this.
- Baseline indicators for current partnership behaviours and for progress in the initiative must be agreed at the outset. Changes in the indicators must be measurable so that progress can be assessed. There are now some excellent evaluation frameworks in existence for evaluating partnership initiatives.
- Any performance indicators must be realistic and take account of the timeframe.
- Trying to reach unanimous agreement on objectives, outcomes or performance indicators would not be achievable within any community in Australia. It would be unrealistic to expect this of the Trial or any other form of partnership agreement in the ACT and if sought could well paralyse the process within the community and across government.
- The level of political leadership from both levels of government and from the community needs to be one of the elements assessed in the evaluation.

CONCLUSION

Whatever the next step in the ACT, all partners need to build on the important lessons that have been learned in this Trial.

The *Social Justice Report 2003* by the Social Justice Commissioner of the Human Rights and Equal Opportunity Commission observed:

“I have noticed an air of enthusiasm and optimism among government departments about the potential of the Trials. Government departments are embracing the challenge to re-learn how to interact with and deliver services to Indigenous peoples. There are no illusions among government departments that the Trials are as much about building the capacity of governments as they are about building the capacity of Indigenous communities.

Through the active involvement of Ministers and secretaries of federal departments in the Trials, a clear message is being sent through mainstream federal departments that these Trials matter and that government is serious about improving outcomes for Indigenous peoples. Even at this preliminary stage, this is a significant achievement for the Trials, ATSIC have stated that to date ‘there has been clear success through improved relationships across governments at Trial sites’

Governments have not turned up in Indigenous communities with pre-determined priorities and approaches... the initial stages have involved building up trust between governments and Indigenous peoples. This has in turn had an impact on relationships within Indigenous communities in some of the Trial sites, with an increased focus from Indigenous communities on organising themselves in ways that facilitate dialogue with governments” (2003) (p 72/3).

The lessons learned in this Trial strongly affirm the observations of the Commissioner.

ATTACHMENTS

Appendix 1: Who Was Consulted

IWG members

Ros Brown
Musepah Banu
Terry Williams
Dale Sutherland
Jo Schnieder
Agnes Shea (Ngunnawal elder)
Paul Brandy
Sharon Payne
Caroline Hughes

Community Organisations

Winnunga Nimityjah

Task Force

Geoff Richardson

Steering Committee

Mike Harris, CEO, CMD
David Borthwick, Secretary, DEH

ACT Government

CMD Focus Group (JACS, Health, OCYFS, CMD, Education)
Benny Mills
Nick Manikis

Australian Government

DEH Focus Group (4 DEH, 1 Department of Employment and Workplace Relations)

Queanbeyan ICC

Helen Board (Manager)
Gail Byron

Appendix 2: References

Reports and research papers

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Australian National University - www.anu.edu.au/caepr

COAG - www.indigenous.gov.au/coag
Towards Better Outcomes for Indigenous Australians

Office of Indigenous Policy Coordination - www.oipc.gov.au
Indigenous Communities Task Force *Shared Responsibility Shared Future the COAG initiative*

The Eureka Project - www.eurekaoz.com
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The National Indigenous Times - www.nit.com.au
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Files examined

Indigenous Policy and Coordination Section, Parks Australia Division, Department of the Environment and Heritage
Office of Aboriginal and Torres Strait Islander Affairs, Chief Minister's Department

Appendix 3: Table Of Significant Dates

DATE	COAG INITIATIVE	OTHER INDIGENOUS INITIATIVES
November 2000	COAG agrees to framework to advance reconciliation.	
April 2002	Nomination of eight Trial sites, including ACT	
	Commissioning of Steering Committee for the Review of Government Service Provision to produce a regular report against key indicators of Indigenous disadvantage	
May 2002		United Ngunnawal Elders' Council formed
June 2002		ACT Government establishes working group to improve service delivery mechanisms to the Indigenous community in the ACT
October 2002	COAG circulates paper setting out a set of proposed headline and strategic indicators of Indigenous disadvantage	
November 2002		Request to ACT Chief Minister from the Chief Executive to seek agreement for OATSIA to conduct a consultancy into the development of an Aboriginal and Torres Strait Islander education facility in the ACT
December 2002	Government open COAG negotiations in ACT on the basis that youth and education are the themes.	
March 2003	Government meets with ATSIC Regional Council and agreed to have community decide themes	
May 2003	Community – Government meeting at Boomanulla Oval – 20 - 30 community representatives.	
June 2003	Interim IWG and ACT government meeting	
August 2003	Community meetings to find out issues of concern – Belconnen and Tuggeranong	
	Joint Officers meeting	
September 2003	Community Leaders Workshop	

DATE	COAG INITIATIVE	OTHER INDIGENOUS INITIATIVES
November 2003	Chief Minister agreed to and signed proposal for progressing Trial.	
15th April 2004	SRA signed.	ATSIC disbanded. Announcement of new arrangements, including establishment of the OIPC and ICCs
May 2004	ACT Government funds a feasibility study into Indigenous Healing Rehabilitation Farm.	
	Joint Officers meeting	
June 2004	COAG endorses a National Framework of principles for government service delivery to Indigenous Australians	
	Craig Ritchie and Fred Monaghan visit USA and Canada to examine models for Indigenous rehabilitation programs.	
	Proposal for Aboriginal Healing Farm provided by IWG Chairperson to Steering Committee and Joint Partners Committee	
	Steering Committee meeting - Announcement of \$1.4 million over four years to establish Aboriginal Justice Centre	
July 2004	COAG Trial meeting – attended by ACT Health, Department of Disability, Housing and Community Services, OCYFS, AJAC, and Education	
	Establishment of Working Groups	
	Joint Officers meeting	
	Steering Committee meeting	
August 2004	Steering Committee meeting - CMD agreed to match Commonwealth contribution for IWG Secretariat	
	Self Esteem and Culture Working Group meeting	
	2 Education Working Grp meetings	
	Joint Officers meeting	
September 2004	Steering Committee meeting	
	Self Esteem and Culture Working Group meeting	
	Health Working Group meeting	
	Joint Officers meeting	
October 2004	Steering Committee meeting	
	Self Esteem and Culture Working Group meeting	
	Health Working Group meeting	

DATE	COAG INITIATIVE	OTHER INDIGENOUS INITIATIVES
	Joint Officers meeting	
November 2004	Steering Committee meeting	
	Self Esteem and Culture Working Group meeting	
	Health Working Group meeting	
	Justice Working Group meeting	
	Education Working Group meeting	
	Joint Officers meeting	
	Consultation workshops with Ngunnawal Elders on Indigenous Healing Rehabilitation Farm.	
December 2004	Steering Committee meeting	
	Education Working Group workshop	
	Working Groups finish – service mapping completed and recommendations made.	
	Submission drafted for funding from Australian Government Flexible Funding Pool for Indigenous Healing Rehabilitation Farm.	
February 2005	Steering Committee meeting	
February 2005	Start of interstate visits by Convenor (ACT Government), IWG members and Fred Monaghan re Indigenous Healing Rehabilitation Farm.	
	Meeting between Helen Board (ICC) and DEH and CMD regarding ACT COAG issues	
March 2005	Steering Committee meeting	
	Scoping Meeting Justice SRAs. Present – Aboriginal Justice Centre, CMD, ICC, DEH. Agreed that education programs which target children and youth before they enter the criminal justice system should be the focus of new program development and SRAs.	
April 2005	First report of IWG to Steering Committee	
May 2005		OIPC hold Australian and ACT Governments Indigenous Bilateral discussions
June 2005	Steering Committee meeting	
August 2005	Steering Committee meeting	
October 2005		Indigenous Education Forum. Present – 5 COAG Trial members, IECB, DET, CMD, DEST

Appendix 4: Glossary Of Abbreviations

AJAC	Aboriginal Justice Advisory Council
ATSIC	Aboriginal and Torres Strait Islander Commission
ATSIS	Aboriginal and Torres Strait Islander Services
CMD	Chief Minister's Department
COAG	Council of Australian Governments
COG	Commonwealth Officers' Group
DEH	Department of the Environment and Heritage
DEST	Department of Education Science and Training
DET	Department of Education and Training
ICC	Indigenous Coordination Centre
IECB	Indigenous Education Community Board
IWG	Indigenous Working Group
OCYFS	Office of Children Youth and Family Support
OIPC	Office of Indigenous Policy Coordination
SRA	Shared Responsibility Agreement
UNEC	United Ngunnawal Elders Council