

The Allen Consulting Group

Wellbeing — A Framework for Aboriginal Cultural Heritage Activities

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Chapter 1

Introduction

This report presents a compilation of government policies, strategies and planning documents that address Aboriginal people's wellbeing. It analyses the aims of the policies, the ways in which they relate to Aboriginal culture and heritage, and philosophical frameworks that underpin them. On the basis of this analysis, the report recommends the most effective opportunities for Aboriginal culture and heritage activities to gain the highest status in government approaches to policy development, thereby providing the greatest benefit to Aboriginal communities.

1.1 The compilation of policies addressing Aboriginal wellbeing

The compilation includes policy documents produced by the Australian Government, the New South Wales State Government, and local government in New South Wales. Box 1.1 lists the documents that are included in the compilation.

Box 1.1

LIST OF COMPILED POLICY DOCUMENTS

Australian Government

A Healthy Start to Life

National Agenda for Early Childhood - A Draft Framework

NHMRC Road Map: A Strategic Framework for Improving Aboriginal and Torres Strait Islander Health through Research

Overcoming Indigenous Disadvantage, Key Indicators 2005

Social and Emotional Wellbeing Framework - A National Strategic Framework for Aboriginal and Torres Strait Islander Peoples' Mental Health and Social and Emotional Wellbeing 2004-09

Stronger Families and Communities Strategy 2004-2009

Treasury's Wellbeing Framework

NSW Government

Families First and A Families First Guide to Implementing Sustainable and Effective Child and Family Service Networks in NSW

Aboriginal Languages Policy

Guidelines for Assessing Social Impacts

Indigenous Arts Protocol - A Guide

Policy for the Promotion and Support of Indigenous Arts and Cultural Activity in NSW

Report of the Review of Aboriginal Education

Strengthening Local Communities Strategy in the Social Justice Budget Statement 2003/04

Supporting People and Strengthening Communities

Two Ways Together - NSW Aboriginal Affairs Plan 2003-2012

Local Government

Cultural Planning Guidelines for Local Government

Social/Community Planning and Reporting Guidelines

The compilation of the policies is provided in two related but different forms.

First, key facts about each policy are presented in a spreadsheet accompanying this report. The spreadsheet separates the documents into the following seven policy categories:

- health;
- culture and heritage;
- social (including families and young people);
- environment;
- education;
- economic; and
- justice.

Some policies are multidisciplinary, and are listed under multiple categories. However the compilation does not include any policies that are directly concerned with environmental issues.

The first worksheet in the spreadsheet is an index that lists the documents compiled in each policy category; if users click on the title they will be taken to the sheet containing the details of that policy document.

For each policy the spreadsheet includes the following details:

- the policy title;
- the type of document it is (for example, strategic policy framework, policy review, planning guidelines);
- the date it was released;
- its aims;
- any programs announced as part of the policy;
- indicators used to measure progress against the policy's aims;
- the lead agency responsible for developing the policy;
- any secondary agencies involved in developing or implementing the policy; and
- links to other policies.

Second, the appendices in this report provide further information with respect to the identified policies and their practical affects:

- how each policy enhances Aboriginal wellbeing and explains the logic of each policy's programs and performance measures;
- any consultation with Aboriginal people that occurred, any ongoing mechanisms for Aboriginal people to communicate with government to inform policy development, and the Aboriginal organisations that have agreed to participate in the policy;

- any stated milestones;
- the legislative framework;
- a hypothetical model of how each policy will be experienced ‘on the ground’ by Aboriginal people;
- how each policy aligns with international protocols to which the Australian Government is a signatory;
- how each policy relates to and reflects Aboriginal culture and heritage; and
- the philosophical framework that underpins each policy.

It is important to note that the information presented in both the spreadsheet and the report is based solely on the details published in each policy document. Box 1.1 lists a wide variety of documents with different purposes and intended audiences. There is little consistency in the information presented in the documents. One of the implications of this is that, for some of the categories listed above, the desired data are provided by relatively few of the policy documents. This may be because a category was not relevant to a policy, or it may indicate that the document was not comprehensive in terms of these categories. In particular only a small number of policies:

- detail specific programs that are to be implemented;
- establish clear performance measures or indicators;
- provide details of the legislative framework supporting the policy; and
- discuss any relevant international protocols.

A more fundamental concern is that inconsistencies across the documents result in diffuse messages being communicated concerning Aboriginal policies and wellbeing. Some of the inconsistencies that arise include:

- inconsistent terminology and definitions;
- varying targets and objectives;
- the extent of community involvement in decision making; and
- indicators and performance measures that are not consistent or integrated across policies.

This can make it difficult for Aboriginal people and others in the community to understand the government’s approach to addressing Indigenous wellbeing, where priorities lie and whether progress is being made.

There are, however, a number of whole of government policy strategies and other initiatives that seek to align the programs and policies of government agencies into a coherent, integrated framework, with clear objectives, goals and performance measures. Within the policies analysed, there are two main examples of whole of government initiatives that present a consistent policy framework for Aboriginal issues:

- the *Overcoming Indigenous Disadvantage* framework aims to improve coordination within government by providing a consistent framework of

indicators of Indigenous wellbeing for Commonwealth, state and territory governments; and

- *Two Ways Together* aims to achieve a more coordinated and consistent approach to Indigenous issues by developing common frameworks, goals and performance measures across government portfolios.

1.2 Implications and recommendations

Drawing upon the information presented in the spreadsheet and the appendices:

- Chapter 2 provides an overview of the different philosophical frameworks that are used in the policies, placing these within a broader view of trends in best practice policy development.
- Chapter 3 sets out a number of recommendations regarding the most effective opportunities for Aboriginal culture and heritage activities to gain the highest status in government approaches to policy development.

Chapter 2

Philosophical frameworks

2.1 Conceptions of wellbeing

The concept of *wellbeing* is central to the purpose of this report. The ultimate role of government is to improve the wellbeing of individuals and the community. However, wellbeing is an elusive concept with no agreed definition. The policies, programs and strategies that are analysed in the report (see appendices A to C) seek to influence wellbeing in many different ways. This variation can often be attributed to the differing roles and responsibilities of government agencies.

Some of the documents also exhibit different *conceptions* of wellbeing. For example, the Commonwealth Treasury's *Wellbeing Framework* constructs a conception of wellbeing that reflects the Treasury's primary focus on economic policy:

They have been chosen simply because they describe the aspects of wellbeing that are considered to be most relevant to Treasury's responsibilities...Consistent with Treasury's grounding in the intellectual history of economics, the Treasury wellbeing framework draws primarily on the methods of *welfare economics* and the related philosophical tradition of *utilitarianism*.¹

In this section we briefly review three theories, which conceive of wellbeing in terms of:

- *utility* — a measure of some mental characteristic, such as pleasure, happiness or desire;
- *social capital* — interpersonal relations that build networks, social norms and trust; and
- *capabilities* — which refer to the freedoms that people have to live a valuable life.

Utility

For more than a century, the most influential theory of wellbeing or distributive justice has been utilitarianism. Under this view, individual wellbeing is determined by their 'utility', a measure of some mental characteristic, such as pleasure, happiness or desire. This perspective ascribes the primary role for government as being the development of policies that 'ensure the greatest happiness for the greatest number'.²

This approach is founded upon the broader imperatives of the political philosophy of *liberalism*. This philosophy views individuals as *rational* actors that identify their personal preferences, and seek to satisfy these in order to maximise utility.³ In

¹ Treasury 2004, *Policy Advice and Treasury's Wellbeing Framework*, www.treasury.gov.au/documents/876/PDF/Policy_advice_Treasury_wellbeing_framework.pdf, pp. 2–3, Accessed 19 May 2006.

² J. Bessant and A. Watkinson 2006, 'Principles for Developing Indigenous Policy-making', *Australian Journal of Public Administration*, vol. 65, no. 1, March, p. 103.

³ *Ibid.*, p. 102.

practical analyses, utility levels are often expressed in terms of income or consumption possibilities.

From a broader societal perspective, adherence to a strictly liberal policy making ideology has the tendency to maximise the wellbeing of the majority, while consistently overlooking minority interests. These interests will only be addressed when the net utility gain to society of targeted policy interventions is greater than that of alternative policy options. This creates a climate of relative indifference to persisting social inequalities, as policies are based on ‘rational’ utility-maximising criteria, rather than on notions of social justice and equality:

within the liberal paradigm, what is good is effectively identical with the satisfaction of certain utility-conferring preferences. In other words,⁴ what is just and moral is determined by ‘the consensus’ or by whatever preferences win out.

This has prompted criticisms of utilitarianism and liberalism as they apply to Indigenous policy development:

- majority views are not a sound foundation for policy development, and can result in discriminatory policy for Aboriginal people; and
- the liberal ideas of rationality and individualism diminish the ability of programs to address issues of injustice and inequality.⁵

More broadly, it has become increasingly accepted that there are other determinants of wellbeing beyond the predominantly economic imperatives that are associated with liberalism and utilitarianism.⁶

Social capital

The *social capital* perspective reveals some of the determinants of wellbeing that go beyond those that are generally considered within the traditional utilitarian approach: ‘Social capital refers to the processes between people which establish networks, norms, social trust and facilitate co-ordination and co-operation for mutual benefit.’⁷

While social capital shares a close relationship with the concept of wellbeing, the exact nature of the relationship is the subject of debate. It has been suggested that social capital and economic and social wellbeing are *mutually reinforcing* concepts. This is supported by examples of the potential for social capital to enhance economic wellbeing by reducing transaction costs, such as negotiation, enforcement, imperfect information and unnecessary bureaucracy.⁸

Social capital and wellbeing are both *multidimensional concepts* which overlap to some degree. For example, the importance of relationships and community was highlighted in a number of Aboriginal definitions of wellbeing for the policies that were analysed.

⁴ Ibid., p. 103.

⁵ Ibid., pp. 103–104.

⁶ Treasury 2004, op. cit., p. 3.

⁷ E. Cox 1995, cited in Management Alternatives 2006, ‘Social capital,’ www.mapl.com.au/socialcapital/soccap1.htm, Accessed 25 May 2006.

⁸ Australian Bureau of Statistics 2002, *Social Capital and Social Wellbeing*, Discussion Paper, August.

Empirical research highlights the importance of social capital to improving the capacity of communities to cope with, and overcome, stresses associated with economic disadvantage and social dislocation.⁹ Given the economic and social disadvantage that Aboriginals have traditionally confronted, this suggests that dimensions of social capital are important overall determinants of Aboriginal wellbeing. Moreover, a number of the policies analysed highlight the importance of the wellbeing of the *wider community* as a determinant of *individual* wellbeing, using Aboriginal conceptions of the term.

However, it is important to recognise that social capital within specific communities can also have detrimental effects to wellbeing. Social capital may produce high levels of trust and cooperative norms within defined community groups, but may serve to *discriminate* against outsiders that do not share these social bonds. This can be seen in the American construction industry, where African American contractors find it challenging to obtain contracts because they are not part of the social networks of the Italian, Irish and Polish immigrants that dominate the industry.¹⁰

Capabilities

The economist Amartya Sen argues that questions of wellbeing and distributive justice should be determined in terms of *capabilities* — the freedoms of people to live a valuable life. The capability approach is both a critique of, and an alternative to, more traditional theories of human advantage, including utilitarianism.¹¹ Sen developed the capability approach on the fundamental premise that the quality of life that a person is living is determined by what she is able to be and do. Capability is thus a kind of freedom to achieve wellbeing.

The capability approach is inherently multidimensional. It recognises that there are many capabilities that contribute to an individual's wellbeing. Some capabilities are elementary, such as the freedom to be adequately nourished or to be in good health. These may be strongly valued by all people. Others may be more complex, but still widely valued, such as the freedom to take part in the life of the community and to have self-respect.

The capabilities perspective requires policy makers to take a distinctly different approach to Aboriginal policy from the utilitarian ideology:

It requires policy-makers to inquire into the different needs indigenous people have for resources if they are to be capable of an equal level of development and functioning. It requires policy-makers to be mindful of the need to build environments in which indigenous people can thrive and prosper in all the ways they can as human beings. The application of such a developmental ethics approach will contribute to the making of good indigenous policy because it helps ensure all Aboriginal and Torres Strait Islanders have the opportunities needed to realize their full human capabilities.¹²

⁹ A. Hampshire and K. Healy 2000, 'Social capital in practice', presented at the 7th Australian Institute of Family Studies Conference, *Family Futures: Issues in Research and Policy*, Sydney, 24–26 July.

¹⁰ A. Portes and P. Landolt 1996, cited in Australian Bureau of Statistics 2002, op. cit.

¹¹ A. Sen 1980, 'Equality of What?' in S. McMurrin (ed.), *The Tanner Lectures on Human Values*, Cambridge: Cambridge University Press, pp. 476–86.

¹² J. Bessant and A. Watkinson 2006, op. cit., pp. 103–104.

Aboriginal wellbeing

A number of the policies, programs and strategies consider *Aboriginal wellbeing* as a unique concept, distinct from other interpretations of wellbeing. Aboriginal wellbeing is commonly conceptualised as a *multidimensional* concept that incorporates physical, social, emotional and cultural dimensions. It is a *holistic* notion that emphasises the importance of community in Aboriginal life.

Several of the policies seek to address specific dimensions of wellbeing. For example, the *NSW Aboriginal Languages Policy* and the *Policy for the Promotion and Support of Indigenous Arts and Cultural Activity in NSW* aim to support specific elements of Aboriginal culture and heritage. Others policies, such as *Two Ways Together*, pursue more comprehensive, whole of government initiatives that seek to coordinate policy responses to improve Aboriginal wellbeing across multiple dimensions.

The *Social and Emotional Wellbeing Framework* provides the most comprehensive discussion of Aboriginal wellbeing among the policies analysed. In fact, the framework itself is based on definitions of Aboriginal health and wellbeing set out in the *National Aboriginal Health Strategy*. This and other definitions of Aboriginal health and wellbeing are provided in Box 2.1.

Box 2.1

DEFINITIONS OF ABORIGINAL HEALTH AND WELLBEING

'Aboriginal health is not just the physical well being of an individual but is the social, emotional and cultural well being of the whole community in which each individual is able to achieve their full potential thereby bringing about the total well being of their community. It is a whole-of-life view and includes the cyclical concept of life-death-life.'

'Health does not simply mean the physical well being of an individual but refers to the social, emotional and cultural well-being of the whole of the community. For Aboriginal people this is seen in terms of the whole-of-life view incorporating the cyclical concept of life-death-life, and the relationship to the land.'

'Aboriginal concept of health is holistic, encompassing mental health and physical, cultural and spiritual health. Land is central to well-being. This holistic concept does not merely refer to the "whole body" but is in fact steeped in the harmonised interrelations which constitute cultural well-being. These inter-relating factors can be categorised largely as spiritual, environmental, ideological, political, social, economic, mental and physical.'

Sources: The Department of Health and Ageing 2003, *A National Aboriginal Health Strategy 1989*, <http://www.health.gov.au>, Accessed 19 May 2006; National Aboriginal and Islander Health Organisation cited in The Victorian Aboriginal Health Service 2004, *A Brief History*, www.vahs.org.au/history.html, Accessed 19 May 2006; Swan and Raphael cited in the Social Health Reference Group 2004, *Social and Emotional Wellbeing Framework — A National Strategic Framework for Aboriginal and Torres Strait Islander Peoples' Mental Health and Social and Emotional Well Being (2004-2009)*, Commonwealth Department of Health and Ageing, Canberra, p. 7.

Among the three broad theories of wellbeing discussed above, the capabilities theory is, on balance, the most consistent with an Aboriginal understanding of wellbeing. Box 2.2 presents 10 principles for indigenous policy makers that have been adapted from the capabilities approach.

Box 2.2

PRINCIPLES FOR INDIGENOUS POLICY MAKING, BASED ON THE CAPABILITY APPROACH

Bessant and Watkinson propose ten principles for a developmental ethics approach to policy making that is based upon the basic human functional capabilities approach developed by Nussbaum:

1. *Ensuring the means is available to live a human life of normal length* — this has policy implications across a range of areas, and seeks to address the disparity between the life expectancies of indigenous and non-indigenous Australians.
2. *Guaranteeing good health* — good health has broader implications in social, political and cultural spheres, and addresses the poor health outcomes experienced by Aboriginal people compared with the broader population.
3. *Ensuring 'non-beneficial' pain and suffering is minimised and happiness and pleasure is maximised* — the application of this principle is expected to have specific implications for issues of Aboriginal justice and imprisonment.
4. *Guaranteeing Indigenous people are able to use all their senses* — this supports greater inclusion of Aboriginal traditions and culture, including, for example, teaching Aboriginal languages in schools.
5. *Ensuring an ability to form and maintain a range of attachments and identity* — this is a principle of basic rights that are central to the notions of identity and fundamental feelings.
6. *Enabling Indigenous people to form a conception of good, to engage in critical reflection and to be able to plan one's own life* — this supports the concepts of self-determination and self-governance, as well as basic rights of participating in political and community life.
7. *Facilitating Indigenous people's social being* — this encompasses social inclusion, access to justice and the capacity to experience moral emotions.
8. *Environmental ethics* — this principle recognises the role the natural environment in Aboriginal life and culture.
9. *Guaranteeing an environment that secures the ability to laugh, play and enjoy recreation* — this principle recognises the importance of the capacity to experience enjoyment, which is dependent upon an environment where Aboriginal people feel confident and secure.
10. *The principle of non-interference* — this refers to policies that promote the ability to live a life of one's own choosing.

Source: J. Bessant and A. Watkinson 2006, 'Principles for Developing Indigenous Policy-making', *Australian Journal of Public Administration*, vol. 65, no. 1, March 2006, pp. 106–110.

2.2 Stated approaches to policy development and implementation

While each of the policies analysed in this study is concerned with improving the wellbeing of the Aboriginal community, there is no single philosophical framework which they all follow to achieve this end. Indeed, there are four distinct, but overlapping, philosophical frameworks that underpin policy development and implementation to pursue improvements in Aboriginal wellbeing:

- joined up government;
- partnerships;
- local decision making; and
- mainstreaming.

Underlying these policy approaches is a network of international protocols and agreements to which Australia is a signatory. However, of the policies analysed, only the *NSW Aboriginal Languages Policy* makes explicit reference to the alignment of the policy with international protocols. Given the range of Indigenous policy issues that have been debated in a host of international forums, it is surprising that international agreements were not more widely discussed across the policies analysed.¹³ The absence of discussion of international protocols in the policies may reflect a broader trend toward the Australian Government's policy development being less directly aligned with international agreements (i.e. particularly with respect to environmental treaties and international labour standards).

The policies and the philosophical frameworks identified above are summarised in Table 2.1, and discussed in the following sections.

Joined up government

Joined up government (often called a 'whole of government approach') means 'public service agencies working across usual portfolio boundaries to achieve a shared goal and an integrated government response to particular issues'.¹⁴ More specifically:

'Joined-up government' is a phrase which denotes the aspiration to achieve horizontally and vertically co-ordinated thinking and action. Through this co-ordination it is hoped that a number of benefits can be achieved. First, situations in which different policies undermine each other can be eliminated. Second, better use can be made of scarce resources. Third, synergies may be created through the bringing together of different key stakeholders in a particular policy field or network. Fourth, it becomes possible to offer citizens seamless rather than fragmented access to a range of services.¹⁵

There are strong intentions demonstrated for joined up government approaches between state and Commonwealth governments to Indigenous issues across several policies and frameworks. For example, the *National Agenda for Early Childhood — A Draft Framework*, seeks to present a clear statement of value, principles and objectives that unites the efforts of state and Commonwealth Governments. An example of a practical joined up government approach is provided in Box 2.3.

¹³ With respect to Indigenous policy, the United Nation's Committee on the Elimination of all Forms of Racial Discrimination identified a number of issues for Australia in 2005 — United Nations Committee on the Elimination of Racial Discrimination 2005, *Concluding Observations of the Committee on the Elimination of Racial Discrimination, — Australia*, Geneva, March. Those that the Committee reported as 'concerns and recommendations' included: the abolition of ATSIC; mandatory sentencing; and the over-representation of indigenous people in prisons and indigenous deaths in custody. However, it should also be noted that the Committee identified several positive policy developments in Australia, including: the introduction of racial hatred legislation; progress towards economic, social and cultural rights by Indigenous people; and programs aimed at reducing the number of indigenous juveniles entering the criminal justice system, and the development of culturally sensitive practices among the police and the judiciary.

¹⁴ Management Advisory Committee 2004, *Connecting Government — Whole of Government Responses to Australia's Priority Challenges*, available at <http://www.apsc.gov.au>, Accessed 2 November 2005.

¹⁵ C. Pollitt 2003, 'Joined-up Government — A survey', *Political Studies Review*, vol. 1, pp. 34-49, p. 35.

Table 2.1

WELLBEING POLICIES AND THEIR ASSOCIATED PHILOSOPHICAL FRAMEWORKS

	Joined Up Government	Partnerships	Local Decision Making	Mainstreaming
Local Government				
Cultural Planning Guidelines for Local Government	✓			
Social/Community Planning and Reporting Guidelines	✓			
NSW Government				
Two Ways Together - NSW Aboriginal Affairs Plan 2003-2012	✓	✓	✓	
Families First and A Families First Guide to Implementing Sustainable and Effective Child and Family Service Networks in NSW	✓	✓		✓
Aboriginal Languages Policy	✓	✓	✓	
Policy for the Promotion and Support of Indigenous Arts and Cultural Activity in NSW		✓		
Supporting People and Strengthening Communities	✓			
Indigenous Arts Protocol — A Guide		✓		
Guidelines for Assessing Social Impacts	✓			
Report of the Review of Aboriginal Education		✓		
Strengthening Local Communities Strategy in the Social Justice Budget Statement 2003-04		✓	✓	
Australian Government				
Social and Emotional Wellbeing Framework - A National Strategic Framework for Aboriginal and Torres Strait Islander Peoples' Mental Health and Social and Emotional Wellbeing 2004-09	✓	✓	✓	
NHMRC Road Map: A Strategic Framework for Improving Aboriginal and Torres Strait Islander Health through Research	✓			
National Agenda for Early Childhood — A Draft Framework	✓		✓	✓
A Healthy Start to Life		✓		
Treasury Wellbeing Framework				
Stronger Families and Communities Strategy 2004-2009				✓
Overcoming Indigenous Disadvantage, Key Indicators 2005	✓	✓		

Note: A ticked cell means that the policy strongly reflects the corresponding philosophy

Box 2.3

THE INDIGENOUS COMMUNITIES COORDINATION TASKFORCE (ICCT)**Background to Initiative**

In late 2000, the Council of Australian Governments (COAG) agreed on a framework by which all levels of government could continue to advance reconciliation and address Indigenous disadvantage.

In recognition of the mixed success of substantial past efforts to address disadvantage, COAG committed all levels of government to an approach based on partnerships and shared responsibilities with Indigenous communities, programme flexibility and coordination between government agencies with the focus being on the delivery of outcomes for local communities.

The Council agreed to take a leading role in driving the necessary changes and a tiered structure was established comprising:

- a Ministers group;
- a group of key Commonwealth departmental secretaries and the ATSIC CEO; and
- the Indigenous Communities Coordination taskforce.

Successful elements

While this particular initiative is at an early stage in its implementation, the early recognition of the partnership challenge, and the involvement of very senior officials from the participating agencies, have already provided indications of success.

All levels of government and each of the participating Indigenous communities clearly identified their expectations and the outcomes they sought from working together. To measure performance, a performance management framework that provides for measuring and reporting on progress towards achieving those outcomes was developed. In each of the communities, the ICCT acts as a 'broker' and coordinates all levels of funding and service delivery and negotiates the performance measurement and evaluation framework with community members.

Source: P. Barrett 2002, 'Governance and joined-up government — Some issues and early successes', Australian National Audit Office, Canberra, available at www.anao.gov.au/WebSite.nsf/Publications/BA41A52A3DD5F25B4A256CC900254178, Accessed 25 April 2006

While the joined up government philosophy gains most traction when thinking across governments, it is equally applicable within a single government. In this respect, *Two Ways Together* strongly advocates a whole of government approach to Indigenous issues within the NSW Government.

Two Ways Together aims to achieve a more coordinated and consistent approach to Indigenous issues by developing common frameworks, goals and performance measures across government portfolios. This contrasts the variable frameworks, goals and performance measures that are presented in many of the policy documents that are analysed. The joined up government approach further aims to enhance clarity and consistency in communicating and engaging with stakeholders and communities.

Similarly, *Overcoming Indigenous Disadvantage* aims to improve coordination within government by providing a consistent framework of indicators of Indigenous wellbeing for Commonwealth, state and territory governments. This enables both governments and stakeholders to evaluate policy interventions using a common set of indicators and definitions, across jurisdictions and over time.

Partnerships

Partnerships are increasingly prevalent in contemporary government policy, and the philosophy is aligned with the imperatives of participative decision making, self-

determination and mutual obligation. In practice, the application of these philosophies often occurs through:

- extensive consultations with Aboriginal people in the development, implementation and review stages of policies and programs; and
- the establishment of specific Aboriginal advisory groups formed for each policy or program.

Partnership approaches are encouraged in several policies and programs. For example, the Commonwealth Government's *A Healthy Start to Life* program encourages researchers to collaborate with Aboriginal and Torres Strait Islander community groups and representatives, viewing collaborations as imperative to the success of the program.

Partnership approaches are one of the central objectives of *Two Ways Together*, suggesting that the philosophy is particularly important within NSW government Indigenous policy.

Recent thinking on partnerships stresses that '[t]here is also a growing awareness that interaction has to move from consultation to collaboration'.¹⁶ That is, for actions to be culturally appropriate and engage the community, partnership is increasingly seen as an issue of policy implementation as well as policy formation and assessment.

Local decision making

A consistent theme running through the policies compiled has been the need for local decision making.

The concept of local decision making contains at least two components:

- listening to actual 'locals' — a consistent theme emanating from the Australian Government is that 'there is a need to listen to local communities and families rather than to use intermediary representative organisations [like ATSIC, which is democratically elected, but by only 20 per cent of eligible voters]'.¹⁷ Listening is the key to developing culturally appropriate policies that reflect regional and other differences; and
- establish locally engaged structures for service delivery and monitoring. The importance of local decision making can be seen, for example, when thinking about the emphasis on partnerships. Recent thinking stresses that a true partnership must have embedded in it some degree of mutual obligation, and that such an obligation needs to be at a personal level (i.e. an individual or a community). Indeed, the Secretary of the Commonwealth Department of the Prime Minister and Cabinet has identified:

why the opportunity to build a relationship of mutual responsibility at a community level is so significant. It goes beyond governments better coordinating the delivery of services. It requires the flexibility to tailor programmes in ways which respond better to local

¹⁶ P. Shergold 2005, 'Government and communities in partnership: Sharing responsibility', speech delivered at Government and Communities in Partnership Conference, Melbourne, 18 May.

¹⁷ J. Altman 2004, *Indigenous Social Policy and the New Mainstreaming*, CAEPR Seminar Series, Seminar Notes, Centre for Aboriginal Economic Policy Research, Australian National University, p. 4.

requirements. It involves the establishment of a relationship of trust in which the representatives of governments and communities can identify problems, agree solutions and negotiate what each side will contribute to their achievement. For success, the setting of priorities and shouldering of responsibilities will necessitate community ownership.¹⁸

Mainstreaming

The Australian Government has been particularly prominent in endorsing the concept of ‘mainstreaming’. This is often portrayed as simply being the withdrawal of Indigenous specific programmes (i.e. bringing the services within mainstream provision):

At its heart is the transfer of service delivery to Indigenous people to mainstream departments and programs. Indigenous people are to be included in the mainstream, Indigenous difference and special needs are to be subsumed into departments servicing all Australians... They will have greatly reduced access to Indigenous specific programs or services.

Mainstreaming has been further criticised for its perceived constraints on Aboriginal self-determination:

We want to be different not because we would get different service provision but because it means bottom of the pack in service delivery. That is what it means, and turning up in an advisory capacity is just that: you are just advising people. There is no impetus for them to take your advice and go with it. It is nothing more than that. Once you are caught in that political nexus with governance models you are never in control of self-determining and self-managing.²⁰

In fact, the concept is much broader and encompasses many of the concepts inherent in the other frameworks, including:

- collaboration — collaboration can take a number of forms including:
 - government agencies working together to ensure better outcomes, based on a framework of cooperation from top (departmental secretaries) to bottom (Indigenous communities);
 - single shop fronts operating under agreements with Indigenous communities to work together to take joint responsibility to meet agreed community and government goals;
- regional need — in a clear recognition of local diversity and difference, a tripartite approach would be agreed by Commonwealth, State and communities to ensure appropriately different consultative and delivery mechanisms to deliver programs that are responsive to local needs;
- flexibility — program guidelines may be relaxed so that departmental allocations could be moved about between agencies and programs in pursuit of outcomes; and
- accountability — there would be annual reporting against a range of socio-economic indicators to test how effectively practical reconciliation or ‘closing

¹⁸ Ibid.

¹⁹ C. Evans 2006, ‘The end of ideology in Indigenous affairs’, speech delivered the John Curtin Institute of Public Policy, 10 March, available at <http://www.chrisevans.alp.org.au/media.php?rID=249&tv=on>, Accessed 17 May 2006.

²⁰ Fry cited in Senate Select Committee on the Administration of Indigenous Affairs 2005, *After ATSIC — Life in the mainstream?*, Canberra, March, available at http://www.aph.gov.au/SENATE/committee/indigenousaffairs_ctte, p. 78, Accessed 17 May 2006.

the gaps' is being delivered; leadership — departmental secretaries would be accountable for serving government and delivering to Indigenous communities. Again, their performance pay will depend on it.²¹

As a philosophy that has become increasingly important in recent years (e.g. abolition of ATSIC, etc), particularly at the Commonwealth level, mainstreaming has had a visible impact on the recent policies/guidelines/programs that were reviewed.²² This has impacted upon policy development and implementation processes, as peak bodies (such as ATSIC and others) have been dissolved in favour of advisory bodies that include Indigenous representatives, as well as closer engagement with local Aboriginal communities.

While the philosophy of mainstreaming is itself still developing, it *seems* as if the philosophy has led to a less prescriptive approach to consultation and engagement with communities. Rather than automatically working with specific Aboriginal bodies, governments are engaging directly with Aboriginal communities or establishing single-purpose advisory groups.

Within the context of NSW, *Two Ways Together*, which is strategically important within NSW Government as its Aboriginal Affairs Plan to 2012, implicitly supports the notion of mainstreaming, while still explicitly supporting whole of government approaches.

2.3 Viewing these approaches as part of a broader policy trend — 'Integrated governance'

The interrelationship and clear overlap between the four main frameworks identified in the various policies — i.e. 'joined up government', 'partnerships', 'mainstreaming' and 'local decision making' — suggests that there is probably some broader framework that provides a more all-encompassing approach to thinking about Indigenous policy development and implementation (even though mainstreaming goes some considerable way to encompassing the other three approaches). We refer to this broader framework as 'integrated governance'.

An increasingly common view is that the term 'government' is becoming less appropriate to describe the way in which populations or territories are organised and administered. In a world where the participation of business and the community is increasingly the norm, the term 'governance' better defines the processes by which people collectively solve their problems and meet society's needs, using government as one instrument.²³ A narrow interpretation of governance that focuses simply on government's role in facilitating Indigenous wellbeing is no longer appropriate for describing how populations and regions are organised and administered.

²¹ P. Shergold 2004, 'A Speech to launch Connecting Government: Whole of Government Responses to Australia's Priority Challenges, Management Advisory Committee Report No 4', Canberra, 20 April, pp. 11-12.

²² Also see W. Gray and W. Sanders 2006, *Views from the Top of the 'Quiet Revolution': Secretarial Perspectives on the New Arrangements in Indigenous Affairs*, Discussion Paper No. 282/2006, Centre for Aboriginal Economic Policy Research, Canberra.

²³ See OECD 2001, *Cities for Citizens: Improving Metropolitan Governance*, Organisation For Economic Cooperation and Development, Paris.

Distributed responsibilities

Increasing the capacity of public governance to play a broader role requires reforms based on new alliances and partnerships between levels of governments, the private sector and the community more generally. Increasingly, governance arrangements require a mechanism to connect higher level (i.e. national or state) policies with on-the-ground needs and implementation. Governments need to include the community in the process through a consultative style that builds a shared vision or direction among policy-makers and the community.

The broad aim is for governance arrangements that distribute power and influence through the community and over a wide variety of actors and groups:²⁴

Starting from the position that governments do not always have to be central to resolution of differences between business and the community, commentators ... have drawn attention to what some call the new regulatory paradigm. This approach pushes the role of consultation between business and community and the resolution of issues or conflicts further from government fiat to business and community stakeholders. This serves as both an illustration of the increasing role of structured community consultation from the business perspective and is also relevant as a substantive example of government sponsored community consultation ... Recognising the importance of rebuilding trust, the regulator steps back to enable greater flexibility to the company in return for an increased role for the community in dialogue and performance monitoring to underpin corporate accountability.²⁵

The trend towards greater use of partnerships and local decision making represents a partial shift in government to *deliberative democracy*. Deliberative democracy involves decision making by groups of citizens (e.g. citizen juries) who discuss and decide policy issues.²⁶ However at present the paradigm of representative democracy remains paramount.

Deliberative democracy positions citizens, communities and other organisations as central to addressing community problems and rebuilding social capital. As with other philosophies of community consultation and involvement, sound practices and ideals need to be applied if community engagement is to be successfully applied to the policy cycle. This can improve the evidence base for policy makers, leading to more targeted and responsive policy options being put to elected officials for decision making across government.

OECD stakeholder engagement framework

Such an approach would be consistent with best practice policy analysis and formation as documented by the Organisation for Economic Co-operation and Development (OECD).²⁷ The OECD has developed an analytical framework that

²⁴ P. Paquet 2001, 'The new governance, subsidiarity, and the strategic state,' in Organisation for Economic Co-operation and Development 2001, *Governance in the 21st Century*, OECD, Paris, p. 188.

²⁵ Allen Consulting Group 1999, *Stakeholder Relations in the Public Sector — Innovation in Management: A Collaborative Study*, Allen Consulting Group, Melbourne, pp. 26-27.

²⁶ The Parliament of Victoria 2005, Scrutiny of Acts and Regulations Committee Victorian Electronic Democracy, Final Report, May 2005, www.parliament.vic.gov.au/sarc/E-Democracy/Final_Report/Glossary.htm, Accessed 16 May 2006.

²⁷ For example, see: OECD 2001, *Governance in the 21st Century*, Future Studies, OECD, Paris; OECD 2001, *Citizens as Partners: Information, Consultation and Public Participation in Policy-making*, OECD, Paris; OECD 2002, *Regulatory policies in OECD Countries: From Interventionism to Regulatory Governance*, OECD Reviews of Regulatory Reform, OECD, Paris; OECD 2001, *Government of the Future*, PUMA

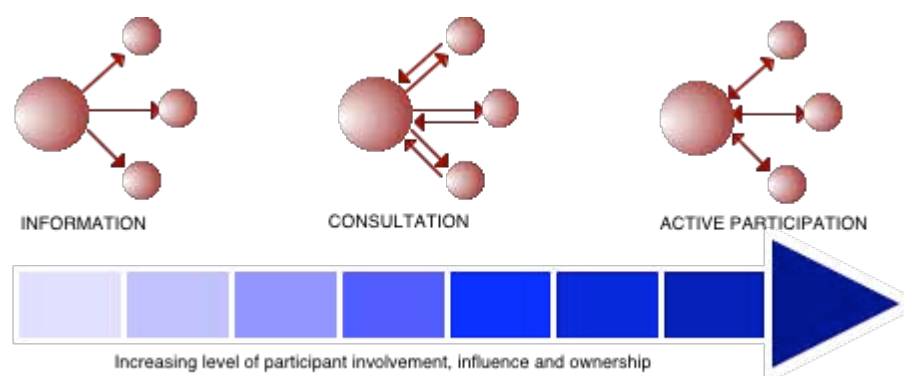
defines three phases of stakeholder engagement and participation in government decision making:

- *information provision* is often the most important first step toward legitimate participation and is now an objective shared by most OECD countries;
- *consultation* is increasing, but at a slower rate than information provision, with large differences persisting between OECD countries on the extent of consultation; and
- *active participation* by engaging the community is ‘rare and the few instances observed are restricted to a very few OECD member countries’.²⁸

Figure 2.1 depicts the three phases in terms of the nature and direction of the relationship between government and citizens.

Figure 2.1

THREE MODELS OF STAKEHOLDER PARTICIPATION



Source: OECD 2001, *Citizens as Partners: Information, Consultation and Public Participation in Policy Making*, Paris, p. 23.

The OECD notes that governments should play an enabling role in creating opportunities for active participation. However, the nature of the issue will typically influence a government or public sector agency's choice of level and type of consultation.²⁹

A range of stakeholder consultation and engagement philosophies are reflected in the development and implementation of the policies, strategies and programs analysed in this report. It is useful to consider these in terms of the OECD's schematic representation of stakeholder participation models shown in Figure 2.1.

Information

In terms of the formative levels of stakeholder participation, all of the policy documents that were analysed are publicly available. However, as discussed

Policy Brief No. 9; and OECD 2001, *Engaging Citizens and Policy-making: Information, Consultation and Public Participation*, PUMA Policy Brief No. 10.

²⁸ OECD 2001, *Citizens as Partners: Information, Consultation and Public Participation in Policy Making*, OECD, Paris.

²⁹ Ibid.

previously, the breadth and depth of information included in each document is highly variable.

Consultation

The next level of stakeholder participation in the OECD's representation is consultation. A number of the policy documents discuss the consultative processes that have guided, or will guide, the formulation, implementation and review of each policy, strategy and program.

Table 2.2 presents an indicative listing of Indigenous-focused consultation in relation to the policies analysed in appendices A to C.

Table 2.2

INDICATIVE LISTING OF STAKEHOLDER GROUPS CONSULTED

Stakeholder Group	Policy Example
No consultations identified	Guidelines for Assessing Social Impacts
Government agencies	NSW Cultural Planning Guidelines for Local Governments
Representative bodies	Indigenous Arts Protocol — A Guide
Community groups	NSW Aboriginal Languages Policy
Open consultation (generally through open forums or open invitations for submission)	Report of the Review of Aboriginal Education

The consultative instruments adopted included:

- *generic 'consultation'* — such as the NSW Cultural Planning Guidelines for Local Government, which consulted with a range of representatives and an Indigenous working party;
- *written submissions* — such as the Report of the Review of Aboriginal Education, which encouraged written submissions from stakeholders;
- *workshops* — such as the Social and Emotional Wellbeing Framework, which held workshops with delegates from Aboriginal and Torres Strait Islander organisations and other community representatives; and
- *focus groups* — such as the National Agenda for Early Childhood - A Draft Framework, which held focus groups with Aboriginal and Torres Strait Islander parents.

Active participation

At the active participation end of the spectrum, participants have high levels of influence, involvement and ownership. Several examples of *active participation* were undertaken in relation to the policy documents analysed:

- *Report of the Review of Aboriginal Education* — a Review Reference Group, comprised of key representatives, was specifically constituted to advise the review;

- *NHMRC Road Map: A Strategic Framework for Improving Aboriginal and Torres Strait Islander Health through Research* — a stakeholder consultation process was the primary mechanism for determining and refining priority research questions into the health research needs of Aboriginal and Torres Strait Islanders; and
- *Strengthening Local Communities Strategy* — the strategy supports a range of community-focused initiatives, with an emphasis on local community renewal and capacity building projects. The strategy has a strong emphasis on volunteering and community involvement, reflecting imperatives of partnerships and local decision making.

Mutuality

The concept of integrated governance incorporates also some element of ‘mutuality’, as opposed to individual action. That is, responsibilities are not distributed to parties to act upon in isolation, but to share with partners. Mutuality can involve shared responsibility for policy development, planning, implementation and evaluation. For governments, this means a movement away from a silo mentality (i.e. moving away from a ‘command and control’ mode of governance to governance through multiple stakeholders).

Local decision making

A key element of integrated governance is the role of local decision making in the development of policy and its subsequent implementation. For example, in the case of Indigenous policy, there is a general understanding that specific local factors (e.g. family relationships, language, regional cultural heritage, etc) are likely to mean that a centrally imposed policy or implementation model is unlikely to be appropriate.

Activities

Activities that can fall under the concept of integrated governance can include:

- pooled budgets;
- triple bottom line analysis;
- partnerships with the private sector;
- partnerships with other levels of government;
- coordination of service delivery;
- broad policy frameworks;
- integrated planning;
- ‘one stop’ shops;
- summits/roundtables/visioning;
- networks; and

- joint databases and indicators.³⁰

Finally, it is important to stress that the establishment of appropriate governance arrangements is not an objective in itself; it is always a means to an end, or a series of ends (e.g. improving Aboriginal wellbeing).

³⁰ Institute of Public Administration Australia 2002, *Working Together Integrated Governance, A National Research Project*, March.

Chapter 3

Opportunities for Aboriginal culture and heritage to gain greater status in policy development

There is no single action that will clearly result in greater status for Aboriginal culture and development within policy development circles. However, the following sections address a number of interrelated issues that have the potential to increase the status of Aboriginal culture and heritage in policy development.

3.1 Improving cultural competence

Two Ways Together identifies ‘Agency capacity to work with Aboriginal people’ as a focus area for the development of ways for Government to work with Aboriginal people and communities. To develop this capacity, one of the improvements identified is to ‘improve the cultural competence of staff so they can be more responsive to Aboriginal culture, needs and aspirations’. Given that *Two Ways Together* encourages a whole of government approach to Indigenous issues, this presents an opportunity, to leverage Aboriginal culture and heritage activities to gain a higher status within government policy development and implementation. This would serve to:

- confer a higher status to Aboriginal culture and heritage in policy development and implementation; and
- improve outcomes for Aboriginal communities by encouraging a greater understanding of, and consideration for, Aboriginal culture and heritage within government.

Reflecting a broader conception of governance and the role of broader community groups (e.g. business and other non-government organisations), the need for cultural competency capacity building needs to also address non-government stakeholders who have roles (whether actual or potential) in policy development and associated implementation and service delivery.

Key Finding 1

There needs to be ongoing effort to improve the cultural competence of government staff, as well as the competence of key actual and potential non-government partners, so they can be more responsive to Aboriginal culture, needs and aspirations.

3.2 Recognising Aboriginal wellbeing as a distinct concept

A key trend to emerge from the analysis is that those policies that acknowledge the Aboriginal understanding of ‘wellbeing’ tend to give greater consideration to Aboriginal culture and heritage issues.

Indeed, in several instances, culture and heritage considerations are at the very foundation of the identified policies and programs. For example, the Aboriginal Languages Policy describes Aboriginal languages as providing a ‘direct link between land and culture’. Several policies also target specific elements of Aboriginal culture directly, including the NSW Ministry for the Arts *Indigenous*

Arts Protocol and the NSW Ministry for the Arts *Policy for the Promotion and Support of Indigenous Arts and Cultural Activities in NSW*.³¹

Consequently, Aboriginal culture and heritage activities may gain higher status if government agencies are encouraged to recognise that the Aboriginal understanding of wellbeing differs from conventional definitions.

Key Finding 2

Government agencies should be encouraged to recognise that the Aboriginal understanding of wellbeing differs from conventional definitions, particularly with respect to the greater explicit consideration of cultural and heritage issues.

Recommendation 2 directly relates to Recommendation 1, as many government agencies may lack the expertise and experience to appropriately understand and apply the notion of Aboriginal wellbeing to policy development. This may present a role for the Department of Environment and Conservation to inform and influence NSW government agencies regarding the concept of Aboriginal wellbeing and its role in policy development and implementation.

3.3 Greater alignment of state government initiatives with Commonwealth mainstreaming policies

Given the importance of mainstreaming at the Commonwealth level,³² a possible recommendation may be to more closely and explicitly align NSW Government policy with this philosophy (as has been alluded to in *Two Ways Together*). Such an alignment would support whole of government and joined up government approaches to Aboriginal issues, by facilitating greater cooperation between state and Commonwealth governments.

Key Finding 3

Aboriginal cultural and heritage considerations need to be reflected in policy development at all levels of government, and need to be as consistent as reasonably possible in order to maximise opportunities.

This recommendation is linked with the previous two recommendations, as the philosophy of mainstreaming requires greater accountability and collaboration for Indigenous issues at the agency level. As a result, each agency is required to consider Indigenous issues, including culture and heritage, as part of their wider policy development and implementation processes.

3.4 Stronger engagement with local communities

The Commonwealth's approach to mainstreaming (consistent with the international trend to broader governance arrangements) suggests that policy development and its associated implementation will increasingly come to rely on community involvement. While this is captured somewhat in terms of the partnership language inherent in many policies, it actually goes beyond currently stated approaches. A

³¹ However, Aboriginal culture and heritage is not explicitly or implicitly situated across several policies, including the *Stronger Families and Communities Strategy* and the Commonwealth Treasury's *Wellbeing Framework*.

³² See W. Gray and W. Sanders 2006, op. cit.

key factor that will drive the success of local involvement is the provision of policies and services that meet local demand. While governments have often relied on expert advice to understand what heritage and cultural issues should be addressed, it is likely that a greater emphasis will be placed on understanding how the relevant community values culture and heritage.³³ Actual knowledge of community attitudes is a powerful argument in any policy debate and likely enhances ultimate outcomes.

Key Finding 4

It is likely that effective policy development will require increased emphasis on understanding the cultural and heritage related needs of particular local Aboriginal communities. A demonstrated understanding of local need is a persuasive policy shaper.

³³ For example, until the Allen Consulting Group recently undertook a survey of community attitudes to the protection of built heritage for the Heritage Chairs and officials of Australia and New Zealand there was no formal evidence of the elements of built heritage that the public feel strongest about conserving — Allen Consulting Group 2005, *Valuing the Priceless: The Value of Historic Heritage in Australia*, Research Report 2, Heritage Chairs and Officials of Australia and New Zealand, Sydney.

Appendices

Compendium of wellbeing policies

Appendix A

NSW Local Government

A.1 NSW Cultural Planning Guidelines for Local Government

How the policy enhances Aboriginal wellbeing

The *NSW Cultural Planning Guidelines for Local Government* seek to enhance Aboriginal wellbeing by integrating local councils' cultural strategies more closely with their broader priorities and objectives. The guidelines provide councils with a set of procedures to follow when undertaking cultural planning that will produce a more integrated approach.

The guidelines are built upon a foundation of several policies (outlined in the spreadsheet) that seek to enhance Aboriginal culture within NSW. The guidelines advocate the importance of a sound knowledge and understanding of local cultures, including recognition and support for:

- Indigenous cultural development processes and practices; and
- the principle of self-determination for Indigenous communities in setting their cultural development priorities.

Given that the purpose of the guidelines is to support local councils to develop their own cultural plans, the guidelines themselves do not articulate any specific programs or performance measures.

Consultation and implementation

The guidelines were jointly developed by the NSW Ministry for the Arts (which has since been renamed 'Arts NSW') and the NSW Department of Local Government.

In developing the guidelines, consultations were held with:

- the Local Government Association of NSW;
- the Shires Association of NSW;
- the Department of Infrastructure, Planning and Natural Resources;
- representatives of local government authorities;
- the Ministry for the Arts; and
- an Indigenous working party.

The guidelines highlight to councils the importance of consulting and engaging with local community groups, including Aboriginal and Torres Strait Islander people, during the cultural planning process.

Milestones

The guidelines do not include any specific milestones, beyond a three-year review of the guidelines in consultation with the Local Government Association of NSW and the Shires Association of NSW.

Legislative framework

Amendments made to the *Local Government Act* in 2002 provide that a council may be required to include in its management plan, amongst other things, statements on social, community or cultural matters. This does not mean that councils are required to develop a cultural plan. However they may find this approach an efficient and effective way of addressing cultural matters in their management plans.

Model

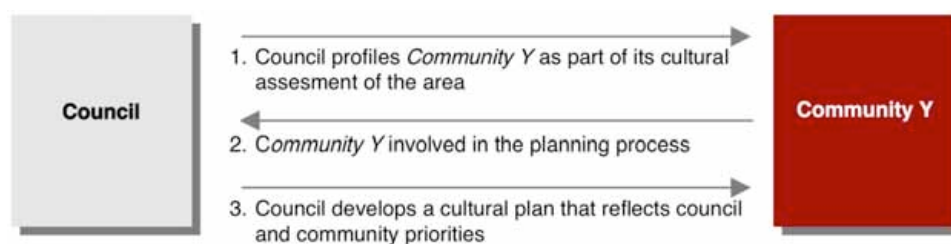
Consider a hypothetical Aboriginal community in NSW, Community Y. The local council develops a cultural plan for the area, consisting of the council's vision, strategies and performance indicators that capture the whole community's values and aspirations.

In developing the plan, the council undertakes a qualitative cultural assessment of the area, compiling a population profile that includes the number of people in Community Y (the council maps indicate the number of Aboriginal and Torres Strait Islander people living in the area).

The council ensures early and sustained involvement of Community Y in the cultural planning process. This is reflected in the cultural plan by the inclusion of several issues that were identified as priorities by the Aboriginal community. The plan also demonstrates recognition and support for the principle of self-determination for Deborah's community, and Aboriginal communities in general, in setting their cultural development priorities.

Figure A.1

APPLICATION OF NSW CULTURAL PLANNING GUIDELINES FOR LOCAL GOVERNMENT: HYPOTHETICAL MODEL



Alignment with international protocols

The guidelines do not refer to any international protocols.

Aboriginal culture and heritage

The ultimate aim of the guidelines is to achieve greater integration of local councils' culture and heritage strategies with their broader priorities and objectives.

Aboriginal culture and heritage is both explicitly and implicitly considered within this context of culture in local council jurisdictions. The guidelines implicitly consider Aboriginal culture by outlining a process that councils can follow to understand and incorporate all of the cultural elements of their communities within a structured planning process.

More explicitly, the guidelines incorporate specific issues relating to Aboriginal culture and heritage. For example, the guidelines advocate the principles of self-determination for Aboriginal communities in setting their cultural development priorities and state the importance of 'early and sustained involvement of Indigenous communities with the cultural planning processes'.

Philosophical framework

The guidelines draw on the objective of *joined up government*, with the guidelines supporting local councils to take a planning approach that more effectively integrates cultural plans with broader council priorities and objectives. This approach recognises that, when harnessed to local government's strategic objectives, cultural planning can help tackle social exclusion, contribute to urban regeneration, create employment opportunities, build safer communities, improve community wellbeing and encourage healthier lifestyles.

A.2 Social/Community Planning and Reporting Guidelines

How the policy enhances Aboriginal wellbeing

The *Social/Community Planning and Reporting Guidelines* have been developed to support NSW local councils to comply with the Local Government (General) Amendment (Community and Social Plans) Regulation 1998. Taken together, the guidelines and the Regulation serve to enhance Aboriginal wellbeing by requiring local councils to outline their access and equity activities as part of their planning and reporting processes. Access and equity activities are undertaken by local councils to ensure that their facilities and services are appropriate for, and accessible to, everyone in their community.

The guidelines require each council to produce a plan that contains:

- demographic data which shows the social/community composition of the people in the local government area;
- a Human Needs Assessment;
- a list of recommended actions; and
- information about the broad community, as well as about the needs of target groups, including Aboriginal people.

The planning process outlined in the guidelines is based on a number of principles that underlie the enhancement of Aboriginal wellbeing, including:

- active involvement of local community and social groups;

- taking care to involve and protect the interests of people in vulnerable positions;
- avoiding discriminatory practices and promoting positive opportunities for participation by discriminated groups;
- respect for cultural diversity;
- promoting fair, open and participatory decision making; and
- consideration for the equity implications of proposals.

As a guideline document that has been developed to support the implementation of new regulations, the guidelines provide a planning framework for local councils, and outline a process rather than a specific suite of programs. However, the Department of Local Government has also produced a ‘Social and Community Planning Manual’ that outlines some suggested steps for developing a basic plan to meet the requirements of the new regulation. When referred to with the guidelines, this provides councils with an instructive framework for policy guidance and development, which meets both social/community planning needs as well as the new mandatory requirements created by the new regulations.

While there aren’t any nominated performance measures for the guidelines, there is a requirement for councils to devise performance targets for each access and equity activity that is included in their management plan.

Consultation and implementation

The guidelines were jointly developed by the NSW Ministry for the Arts (since renamed ‘Arts NSW’) and the NSW Department of Local Government.

During the development of the guidelines, consultations were undertaken with:

- members of the Social Policy Sub-Committee of the Local Government Reform Task Force;
- a number of NSW local councils; and
- other significant stakeholders.

The guidelines do not specify whether consultations were undertaken with Aboriginal people.

The guidelines identify community participation in the development of council’s social/community plans as a critical factor to each plan’s long-term success. The guidelines suggest consultations should include local residents, commercial and social groups, and other government and non-government agencies. Additionally, social/community plans are required to include data and information about the needs of particular target groups, including Aboriginal people. This requirement should support the specific consideration of and consultation with Aboriginal people during social and community planning.

Milestones

The Regulation requires Councils to devise performance targets for each access and equity activity, and to monitor and evaluate their implementation.

A copy of the social/community plan with an executive summary must be sent to the Department of Local Government with each council's annual report, with no further requirement to submit another plan for five years, unless a new plan is developed during this period.

Legislative framework

The guidelines support the introduction of the Local Government (General) Amendment (Community and Social Plans) Regulation 1998, which help to meet the NSW Government's commitment to promoting a more inclusive community. The Regulation aims to recognise and build upon existing council efforts to promote wellbeing and meet the needs of their community's needs through social planning.

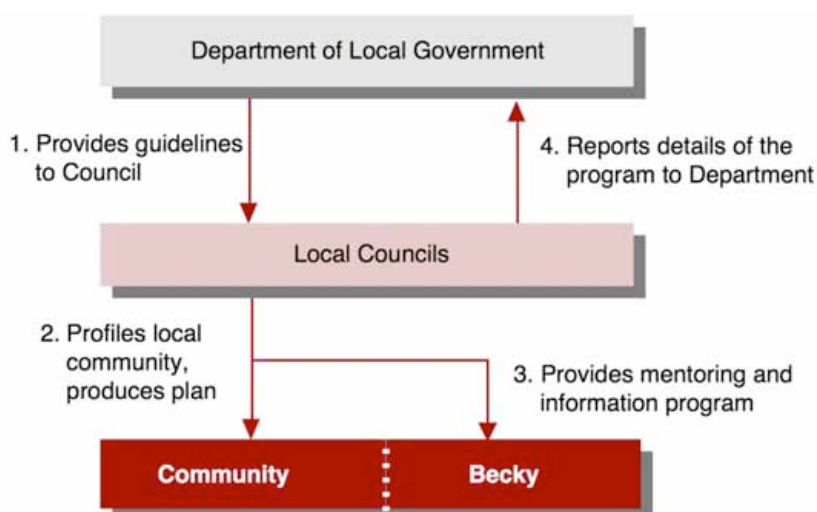
Model

To illustrate the application of the guidelines, consider the hypothetical example of Becky, an Aboriginal woman who is interested in becoming a candidate for her local council elections.

Becky's local council has a well-structured approach to social/community planning and recognises its planning and reporting responsibilities under the Regulation and guidelines. The council undertakes research into the demographic profile and needs of its residents, and identifies an unmet need within the community regarding information about, and accessibility to, the electoral process. In response to this, the council develops a mentoring and information program to encourage greater participation by its Aboriginal residents in the electoral process. Through the program, Becky develops an understanding of the processes and protocols of local government, and is given sufficient information and support to run for election. The details of the program are reported in the local council's management plan, and provided to the Department of Local Government.

Figure A.2

APPLICATION OF SOCIAL/COMMUNITY PLANNING AND REPORTING GUIDELINES: HYPOTHETICAL MODEL



Alignment with international protocols

The guidelines do not refer to any international protocols.

Aboriginal culture and heritage

Aboriginal culture and heritage is explicitly addressed in the guidelines through a specific requirement on councils to include information about Aboriginal people in their social/community plans. The Regulation encourages careful consideration of local council programs and decisions from these perspectives, particularly in relation to access and equity issues, by making information about the demographics and needs of local Aboriginal people more prominent.

The principles underlying the planning process, while not specifically addressing Aboriginal people, support greater involvement and consideration of Aboriginal people and culture in councils' policy development and service delivery. These principles include:

- taking care to involve and protect the interests of people in vulnerable positions;
- avoiding discriminatory practices and promoting positive opportunities for participation by discriminated groups;
- respect for cultural diversity; and
- consideration for the equity implications of proposals.

Philosophical framework

The guidelines aim to ensure that local councils include their access and equity activities in their planning and reporting processes. By improving the appropriateness and accessibility of council programs, the guidelines aim to promote social inclusion and reduce disadvantage. The ultimate aim of the guidelines, therefore, is the *wellbeing* of the community, including Aboriginal people.

To some extent, the guidelines are underpinned by imperatives of *joined up government*. The guidelines, reinforced by regulation, promote consistent social/community planning and reporting processes for all local councils in NSW. This may encourage greater coordination and joint initiatives between local governments. In addition, as the guidelines are an initiative of the NSW Department of Local Government, they are a potential means of promoting a greater alignment of objectives, strategies, processes and reporting between NSW state and local governments.

Appendix B

NSW State Government

B.1 Two Ways Together – NSW Aboriginal Affairs Plan 2003-2012

How the policy enhances Aboriginal wellbeing

Two Ways Together (TWT) is a long term planning document that seeks to enhance Aboriginal wellbeing by establishing the objectives, implementation framework, and monitoring and evaluation processes that will realise the plan's vision — a partnership approach between Government and Aboriginal people to plan and deliver solutions that meet community needs.

TWT provides the impetus for government agencies, working with Aboriginal peak bodies, to implement *action plans* to improve the social, economic and cultural and emotional wellbeing of Aboriginal people in NSW. The action plans are aligned with seven priority areas for action (outlined in the spreadsheet), which were determined through negotiation with Aboriginal communities and government agencies.

TWT further contributes to Aboriginal wellbeing by advocating 'new ways of doing business with Aboriginal people'. It describes how *TWT's* principles and objectives should be translated into actions, including through:

- improving agency capacity to work with Aboriginal people by implementing policies and protocols recognising Aboriginal culture;
- enhancing the capacity of communities, individuals and organisations to do business with Government; and
- supporting local planning and decision making processes.

The performance measures for the implementation of *TWT* follow a hierarchy that reflects the aims and working structures of the plan. This is intended to provide for a clear and transparent delineation of responsibility and accountability between the many parties involved in *TWT's* implementation.

The performance measures in *TWT* are consistent with indicators of Aboriginal disadvantage that have been agreed to at a national level, such as the national indicators developed by the Council of Australian Governments for Reporting on Indigenous Disadvantage. The NSW Government has established cluster groups of key government agencies and Aboriginal peak bodies to meet specific goals and implement action plans. Performance indicators apply at the individual agency level, with the contracts of chief executives of NSW agencies including performance indicators to measure whether their agency is contributing to the achievement of better outcomes for Aboriginal people.

Consultation and implementation

TWT was developed by the NSW Government in close consultation with Aboriginal people and communities. The seven priority areas for action outlined in the plan were negotiated between Aboriginal communities and government agencies. *TWT*

sets out a framework for extensive ongoing Aboriginal involvement in policy implementation and review. Aboriginal peak bodies are members of each of the cluster groups that have been formed for each priority area. Each cluster group includes key government agencies as well as Aboriginal peak bodies, ensuring their ongoing involvement in policy implementation and review. Furthermore, the Department of Aboriginal Affairs will coordinate input from Aboriginal communities and peak bodies on the perceived success of *TWT* and its initiatives.

The cluster structure that has been adopted to implement *TWT* does not provide for a single lead agency; rather, individual agencies will take lead responsibility for specific cluster groups. Given that a key aim of *TWT* is to improve coordination between agencies, all NSW Government agencies share responsibility for the plan's implementation.

Milestones

TWT does not identify specific milestones.

Legislative framework

TWT does not refer to any legislation.

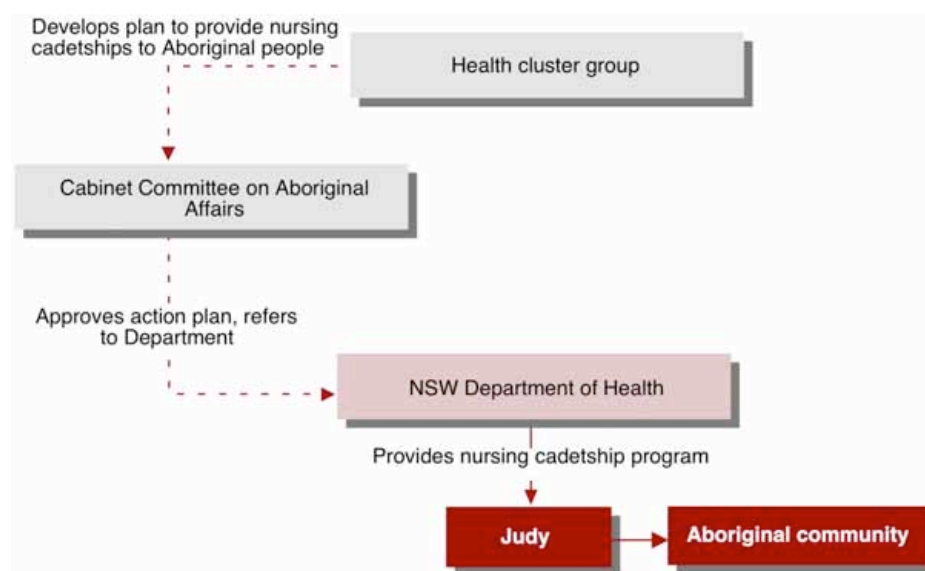
Model

Consider the hypothetical example of Judy, an Aboriginal health worker in NSW, with aspirations to become a registered nurse.

The NSW Department of Health leads a health cluster group, which includes several Aboriginal peak bodies. The *TWT* planning and consultation process identified a need to increase the representation of Aboriginal health practitioners, and reduce barriers to health education. In response to this, the health cluster group develops an action plan to provide nursing cadetships to Aboriginal people. This action plan is approved by the Cabinet Committee on Aboriginal Affairs, and referred to the NSW Department of Health to deliver an appropriate program. This results in the implementation of a nursing cadetship program to assist Aboriginal people to become nurses.

Judy is offered a nursing cadetship that supports her to study and train as a nurse. The experience Judy gains will help her to realise her aspirations, and better assist her Aboriginal community.

Figure B.1

APPLICATION OF TWO WAYS TOGETHER: HYPOTHETICAL MODEL**Alignment with international protocols**

TWT does not refer to any international protocols.

Aboriginal culture and heritage

Aboriginal culture and heritage is explicitly situated at the centre of *TWT*. In fact, ‘supporting and affirming Aboriginal peoples’ culture and heritage’ is stated as one of the main requirements if the *TWT* objectives are to be achieved. More generally, *TWT* identifies ‘Culture and Heritage’ as one of the seven priority areas of the plan.

TWT also advocates ‘new ways of doing business with Aboriginal people’, which includes a focus on improving the capacity of NSW Government agencies to work with Aboriginal people. To achieve this focus, the Government aims to ‘improve the cultural competence of staff so that they can be more responsive to Aboriginal culture, needs and aspirations’.

Philosophical framework

TWT commits the New South Wales Government to work in *partnership* with Aboriginal people to address social disadvantage. It is developed with the philosophy that Aboriginal people know best the needs of their community. *TWT* establishes mechanisms for the government to negotiate with Aboriginal people about how their needs and aspirations are met, and how government services will be delivered at local and regional level. The seven priority areas for action under *TWT* were negotiated between the government and Aboriginal communities.

TWT is a *whole-of-government* initiative, with several elements that aim to promote consistency and coordination across government agencies:

- First, the government requires the processes and strategies set out in *TWT* to be followed by all agencies.

- Second, the plan requires agencies to work ‘in a coordinated way’ to do business with Aboriginal communities. This is intended to result in fewer gaps and less duplication in services.
- Third, *TWT* commits the government to reviewing and strengthening a centralised whole-of-government governance and coordination function.

The final philosophical framework underpinning *TWT* is the importance of *local decision-making* in policy development and implementation. The plan requires the introduction of local planning and decision-making processes that allow communities to be informed and to have a voice in determining government services, facilitating true negotiation between government and communities and enabling different solutions to be implemented at the local and regional level.

B.2 Families First and A Families First Guide to Implementing Sustainable and Effective Child and Family Service Networks in NSW

In this section, the *Families First* strategy is considered together with a related document, *A Families First Guide to Implementing Sustainable and Effective Child and Family Service Networks in NSW*.

How the policy enhances Aboriginal wellbeing

Families First (‘the strategy’) aims to improve the effectiveness of early intervention and prevention services, supporting parents, carers and families to raise healthy children. The strategy outlines four *focus areas* to achieve its aim:

- supporting parents who are expecting or caring for a new baby;
- supporting parents who are caring for infants or a young child;
- assisting families who need extra support; and
- strengthening the connection between communities and families.

Families First is a mainstream strategy targeting all New South Wales families; it does not contain Indigenous-specific initiatives.

A Families First Guide to Implementing Sustainable and Effective Child and Family Service Networks in NSW guides those that are responsible for implementing the *Families First* strategy, drawing upon the lessons learned over the first six years of its operation, as well as those learned from implementing *Better Futures* and *The Aboriginal Child, Youth and Family Strategy*. The guide outlines opportunities to improve the implementation of the strategy.

Several of the recommended improvements relate directly to Aboriginal wellbeing. For example, one of the improvements is to work more effectively with Aboriginal communities. The guide includes a model of successful engagement with an Aboriginal community, in which family service workers approached existing local networks in the first instance, seeking out the advice of Aboriginal elders on how to best work with the community. This model stresses the importance of cultural understanding, participative involvement and self-determination in effectively engaging with Aboriginal communities.

Neither the guide nor the strategy includes any programs or performance measures.

Consultation and implementation

The strategy and the guide were both developed by the Office of Children and Young People, which is also responsible for coordinating the involvement of the other lead agencies. There are five government agencies that share responsibility for the implementation of the *Families First* strategy, which are:

- the Department of Community Services;
- the Department of Education and Training;
- the Department of Ageing, Disability and Home Care;
- the Department of Housing; and
- the Department of NSW Health.

There are a number of other NSW Government agencies involved in the *Families First* strategy, as well as local government, Commonwealth and non-government agencies.

The strategy does not discuss any consultations that may have shaped its development.

Milestones

Neither the strategy nor the guide refers to any milestones.

Legislative framework

Neither the strategy nor the guide refers to any underlying legislation.

Model

Consider the hypothetical example of Gail, the mother of an Aboriginal family in NSW. The *Families First* strategy funds a number of programs provided in Gail's community. Previously, despite the obvious need, there was very low take-up of these programs due to a lack of information about their availability, and some mistrust of government within the community.

After the *Families First* guide highlighted the benefits of pursuing a more collaborative approach, local service workers approach community elders for their advice on how to address these issues and improve the services that are being provided. The workers develop a much better understanding of the community, and vice versa. Take-up of services improves markedly, including by Gail, who accesses a range of different *Families First* services.

Gail recently gave birth to a new baby. As part of 'universal health home visiting', Gail receives a postnatal home visit by a nurse with postgraduate qualifications and experience in child and family health nursing. The home visit provides child and family health services in the most convenient location for Gail within two weeks to her child's birth. The nurse gives Gail's baby and health and development check, including measuring weight, height and head circumference. The nurse also talks to Gail about how she is coping and any issues she may have relating to feeding, settling and sleeping.

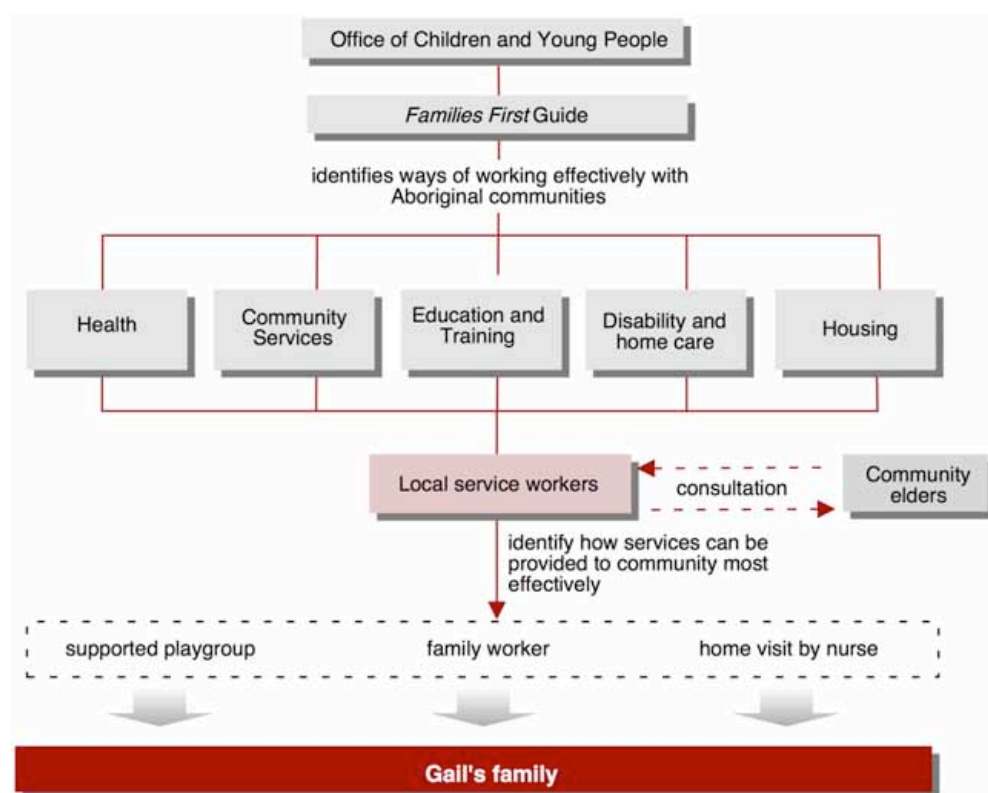
A family worker visits Gail in her home to provide support with parenting more generally. The worker helps to link up parents like Gail with other services they might need. The family worker suggests that Gail attend a supported playgroup with her older children.

Gail agrees and starts bringing her other children to a supported playgroup. The playgroups provide an informal way for Gail to meet other parents and share their experiences. A trained coordinator assists the group by offering parenting tips and simple advice. Guest speakers are sometimes come to the playgroup to speak about issues relating to parenting and childhood development.

The *Families First* strategy, which includes funding for a number of targeted Aboriginal initiatives in Gail's community. Specific funding needs were jointly identified by the Aboriginal elders in Gail's community and local family workers, after the *Families First* guide

Figure B.2

APPLICATION OF *FAMILIES FIRST*: HYPOTHETICAL MODEL



Alignment with international protocols

The guide does not refer to any international protocols.

Aboriginal culture and heritage

The guide explicitly recognises the significance of culture and heritage to Aboriginal communities by identifying the importance of cultural understanding to effective engagement with Aboriginal people. The guide notes the leadership role

played by elders, and recognises the value of working with traditional networks to implement the *Families First* strategy.

Philosophical framework

Families First is a mainstream strategy that aims to improve the effectiveness of early intervention and prevention services for Indigenous and non-Indigenous families. However the guide contains a number of recommendations that are specific to how government works with Aboriginal communities.

Together, the strategy and the guide are underpinned by a philosophy that Aboriginal social disadvantage is best addressed through a *joined up government* framework, as well as through a partnership with Aboriginal communities.

Five NSW Government agencies share responsibility for the implementation of *Families First*, making a whole-of-government approach essential to effectively coordinate program development and implementation. The social disadvantages facing Indigenous and non-Indigenous families are often multidimensional, but interrelated. The strategy acknowledges that joined up government approaches are more effective than traditional ‘silo-based’ government responses when addressing such issues, by identifying five agencies to share responsibility for implementation. The service networks that support *Families First* include agencies from across all levels of government, as well as non-government organisations.

The guide highlights the importance of *partnerships* when it suggests engaging more closely with Aboriginal communities during the early stages of both policy development and implementation.

B.3 NSW Aboriginal Languages Policy

How the policy enhances Aboriginal wellbeing

The *Aboriginal Languages Policy* enhances Aboriginal wellbeing by assisting Aboriginal people and communities across NSW to revitalise traditional languages. The policy recognises the significance of language to Aboriginal people, and acknowledges that language revitalisation and maintenance are fundamental to achieving social justice for Aboriginal people in NSW. It seeks to enhance the opportunity for Aboriginal people to learn traditional languages.

The policy does not articulate any specific programs or performance measures. It does, however, outline an implementation schedule, the first stage of which is the development of a *NSW Aboriginal Languages Strategic Plan*. The plan, which is to be developed by the primary agencies in Year 1 of the policy, will outline appropriate programs and strategies to achieve the policy goals, as well as corresponding performance indicators to monitor their effectiveness.

Consultation and implementation

The Department of Aboriginal Affairs (DAA) is the lead agency responsible for developing the policy. While all NSW State Government agencies have responsibilities for implementing the policy, primary agencies include:

- the NSW Department of Aboriginal Affairs;
- the NSW Office of the Board of Studies;

- the NSW Department of Education and Training; and the NSW Department of Corrective Services.

The DAA consulted closely with the Aboriginal and Torres Strait Islander Commission (ATSIC) and the Aboriginal Education Consultative Group (AECG) throughout the policy development process, as well as with the Department of Education and Training (DET) and the Office of the Board of Studies (OBOS). It also consulted with:

- the NSW Aboriginal Land Council (NSWALC);
- the Federation of Aboriginal and Torres Strait Islander Languages (FATSIL);
- the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS);
- the NSW Catholic Education Commission; and
- Aboriginal people and elders involved in language revitalisation projects across NSW.

In September 2002, the draft policy was publicly released for comment. As part of this drafting and consultation process, the DAA held nine regional forums across the state, and received feedback through surveys, telephone and email. This process reflects one of the key underlying principles for the policy, which is a commitment to Aboriginal participation in all decision making relating to the design and implementation of language policies and programs in NSW.

The primary agencies have committed to work closely with Aboriginal representative bodies and communities on the implementation of the policy.

Milestones

While the *Aboriginal Languages Policy* articulates several goals and objectives, many of the policy's milestones will be developed during the policy implementation process. During this process, there are two key stages:

- Stage 1 — Development of a NSW Aboriginal Languages Strategic Plan. In Year 1 of the Policy, the primary agencies will lead the development of a comprehensive NSW Aboriginal Languages Strategic Plan, which will outline the funding required to implement programs and strategies; and appropriate performance indicators to monitor program effectiveness.
- Stage 2 — Implementation of the Strategic Plan. All agencies identified in the Strategic Plan will be required to report progress on its implementation, including yearly agency assessment of the programs and strategies being implemented, as well as reporting through each primary agency's Annual Report. At the end of Year 5, a report summarising the impact of the NSW Aboriginal Languages Policy and its Strategic Plan will be prepared by the DAA, which will inform the policy for the next five years.

Legislative framework

The policy does not refer to any underlying legislation.

Model

The *Aboriginal Languages Policy* aims to assist Aboriginal people to revitalise traditional languages through four key focus areas: targeting Aboriginal communities; the education system; gaols and detention centres; and the broader community. As a hypothetical example of how the policy is experienced in practical terms, consider a NSW State School student, Krystal, who would like to learn an Aboriginal language at school. The fundamental objective of the policy, as it applies to the education system, is to provide students like Krystal with an increased opportunity to learn Aboriginal languages.

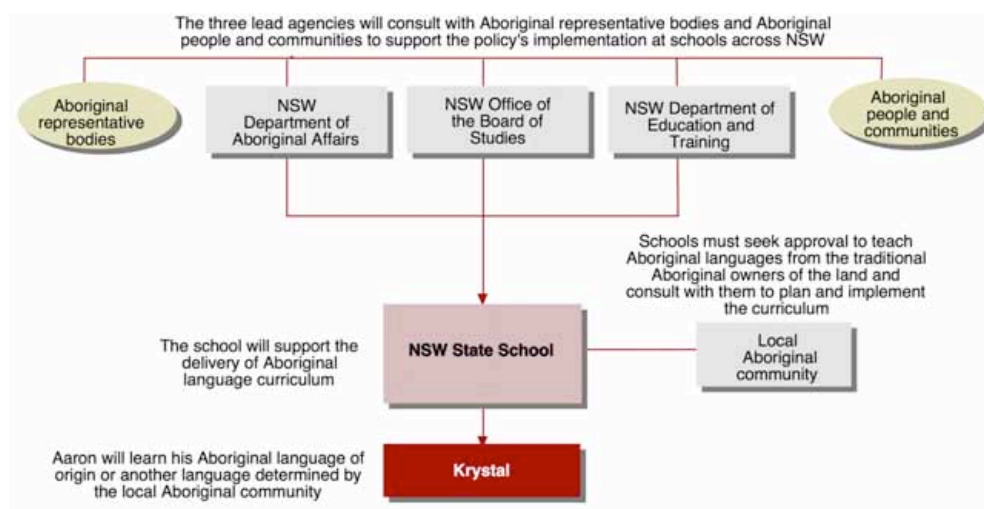
As the policy intends, Krystal would have the opportunity to learn an Aboriginal language that is either her language of origin, or another language that has been determined by the local Aboriginal community. Similarly, the language classes that Krystal attends would be strongly influenced by the local Aboriginal community, with issues such as culturally sensitive teaching methods negotiated with this community. Krystal would undertake her language classes within the formal school curriculum, taught by an appropriately accredited and recognised Aboriginal language teacher, who has been endorsed by the local community.

Krystal's State School would work closely with the local Aboriginal community to both develop and implement the language curriculum. In particular, the school would initially seek the approval of the traditional Aboriginal owners of the land to carry out the Aboriginal language lessons.

In delivering the Aboriginal language curriculum, the school would be supported by three of the lead agencies responsible for the policy, assisting with programs such as curriculum development, language teacher accreditation, and wider Aboriginal consultation. In providing this support, the lead agencies have undertaken to work closely with other Government agencies, Aboriginal representative bodies, and Aboriginal people and communities, in order to achieve the goals of the policy.

Figure B.3

IMPLEMENTATION OF NSW ABORIGINAL LANGUAGES POLICY: HYPOTHETICAL MODEL



Alignment with international protocols

The policy is founded upon several international protocols that recognise access to traditional languages as a fundamental human right, underscoring people's participation in their cultural life.

Australia is a signatory to a number of international human rights instruments that recognise the protection and promotion of language as a fundamental human right. The 1948 *Universal Declaration of Human Rights* (UDHR) and the 1966 *International Covenant on Economic, Social and Cultural Rights* (ICESCR) recognise the right of all people to participate in the cultural life of their community. The recognition of access to one's language as a fundamental human right is also emphasised in the 1989 *Convention on the Rights of the Child* and the 1992 *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities*.

These protocols commit governments to taking positive action towards maintaining language and culture.

Aboriginal culture and heritage

The policy identifies traditional Aboriginal languages as being central to the concept of Aboriginal culture — in fact, languages are described as providing a 'direct link between land and culture'. Traditional languages are integral elements of the cultural and spiritual identity of Aboriginal people, linking together Aboriginal communities and their traditional land.

Aboriginal heritage is also important, as the policy aims to preserve and revitalise traditional languages, as an essential element of Aboriginal heritage. The policy recognises that many traditional Aboriginal languages are threatened with disuse, an outcome that has resulted from the combination of a number of factors in Australian history.

Philosophical frameworks

The *Aboriginal Languages Policy* seeks to maintain and revitalise traditional Aboriginal languages, as an important element of Aboriginal culture. Importantly, the policy is underpinned by an understanding of Aboriginal *wellbeing*, in which cultural expression plays an important role.

The policy recognises that 'to Aboriginal people, language is more than just words. It is a direct link to land and country.' The need for the policy arises from, amongst other things, the role of governments to assist Aboriginal people to preserve traditional languages, both 'as a fundamental part of Aboriginal culture and as a unique aspect of Australian heritage'.

One of the policy's core principles is a commitment to Aboriginal participation in decision-making, reflecting elements of both *local decision making* and a *partnership* philosophy in both the development and implementation of the policy. The policy states that 'the NSW Government acknowledges the importance of, and encourages the involvement of, Aboriginal people in all decision-making processes relating to the design and implementation of language policies and programs in NSW'. As illustrated by the model, the involvement of Aboriginal people is crucial to the successful delivery of traditional languages programs. This reflects the

commitment of the policy to delivering the policy in a culturally sensitive and constructive way.

Finally, the policy is also based on a commitment to *joined up government*. The multiple *focus areas* of the policy require the involvement of several different government agencies to deliver the policy to communities, educational institutions, and gaols and detention centres.

B.4 Policy for the Promotion and Support of Indigenous Arts and Cultural Activities in NSW

How the policy enhances Aboriginal wellbeing

The *Policy for the Promotion and Support of Indigenous Arts and Cultural Activities in NSW* aims to introduce a more coordinated and strategic approach to Indigenous arts support that better addresses the needs, aspirations and priorities of Indigenous people. The policy recognises the importance of artistic and cultural expression in revitalising Indigenous communities and strengthening their sense of identity. Cultural expression is an important dimension of Aboriginal wellbeing, and this policy aims to improve the support that Government provides to assist Indigenous cultural expression.

While the policy doesn't prescribe any specific programs, seven key strategies are outlined. These strategies take several approaches to supporting the policy aims, including:

- providing in-principle support for *targeted initiatives*;
- enhancing *protection for Indigenous cultural and property rights*; and
- developing *opportunities to improve artistic abilities*.

The policy commits the NSW Government to developing performance indicators in the future, which will be applied to the Ministry for the Arts' programs and initiatives. Policy outcomes will also be reported on a regular basis to the Indigenous Arts Reference Group and the Arts Advisory Council.

Consultation and implementation

The NSW Ministry for the Arts (now Arts NSW) is the lead agency responsible for the policy. The policy doesn't discuss any consultation that was undertaken to inform its development. However, a key underlying principle of the policy is support for the principle of self-determination in establishing cultural priorities. The policy also advocates that Indigenous people, wherever possible, should participate in the policy's implementation.

Accordingly, the policy commits the Indigenous Arts Reference Group to work with the Ministry for the Arts to identify alliances that may improve the opportunities and resources available to Indigenous artists and organisations. Additionally, the Ministry will report to the Indigenous Arts Reference Group on the policy's implementation.

Milestones

The policy does not refer to any milestones.

Legislative framework

The policy does not refer to any underlying legislation. However, the policy does commit the NSW Government to enhancing Indigenous intellectual property rights and protection for Indigenous cultural expression within the scope of the State's jurisdiction.

Model

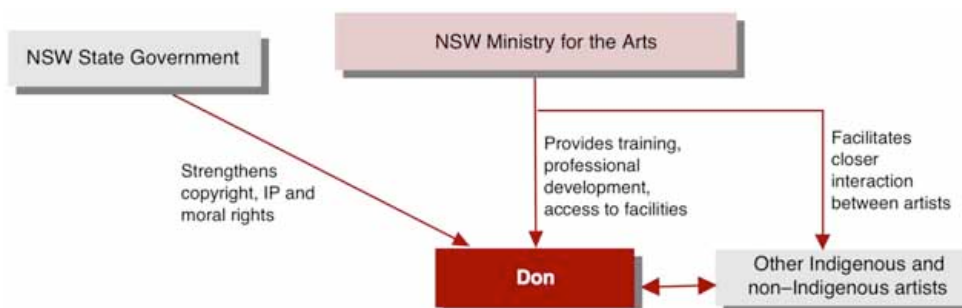
Consider the hypothetical example of an Aboriginal artist, Don. As an Aboriginal painter in NSW, Don's experience is central to the strategies that the policy seeks to implement.

The policy seeks to improve accommodation for Indigenous artists and their activities, assisting Don to establish himself in an Indigenous painting centre. Don also benefits from greater access to training and professional development opportunities, including through closer working links with other Indigenous and non-Indigenous artists.

The NSW State Government is also committed to reinforcing the copyright, intellectual property and moral rights of Indigenous artists, where these fall within State jurisdiction. This protects Don's ability to earn an income from the sale of his works.

Figure B.4

APPLICATION OF THE POLICY FOR THE PROMOTION AND SUPPORT OF INDIGENOUS ARTS AND CULTURAL ACTIVITIES IN NSW: HYPOTHETICAL MODEL



Alignment with international protocols

The policy does not refer to any international protocols.

Aboriginal culture and heritage

The policy explicitly 'acknowledges the importance of artistic and cultural expression in revitalising Indigenous communities and strengthening a sense of identity'. The policy's principles and strategies support Indigenous cultural expression through practical measures such as promoting assistance programs for Indigenous artists. The policy also has a strong focus on protecting cultural heritage, through strategies intended to:

- protect Indigenous cultural expression from exploitation; and

- protect the copyright, intellectual property and moral rights of Indigenous artists.

Philosophical frameworks

The policy aims to enhance Indigenous arts and cultural activities by improving the effectiveness of government support for these endeavours. The policy provides relatively little detail of the philosophy underpinning the policy, though it clearly recognises the significance of arts and culture to Aboriginal wellbeing.

The policy states that it is to be implemented in partnership with Indigenous people. It voices support for the principle of self-determination in setting cultural priorities.

B.5 Supporting People and Strengthening Communities, NSW Social Justice Directions Statement

How the policy enhances Aboriginal wellbeing

Supporting People and Strengthening Communities establishes the NSW Government's policy intentions for social justice across all portfolios. The statement includes outlines several programs that seek to improve social justice for Aboriginals within the state.

The statement underlies a number of new and revised initiatives, programs and policies that aim to improve social justice within NSW. Aboriginal wellbeing is addressed through specific, Aboriginal-focussed programs, as well as through mainstream social justice and education initiatives. The statement presents the policy directions and programs under six *priority themes*:

- supporting families and strengthening communities;
- providing high quality government services which are responsive to diverse needs;
- improving health outcomes, particularly for Aboriginal people and people in rural areas;
- educating and training people for improved life opportunities;
- enhancing the justice system and protecting consumers and workers; and
- recognising diversity and promoting an inclusive society where people have a fair say.

Programs specifically targeting Aboriginal people include:

- Continuing to implement the Aboriginal Communities Development Program to provide essential infrastructure to priority communities. The program will include training and employment opportunities and will contribute toward building sustainable Aboriginal communities.
- Implementing the Aboriginal Family Health Strategy. Twenty-six Aboriginal Family Health projects have been approved. These projects are aimed at enhancing, engaging and empowering local Aboriginal communities and relevant agencies to work collaboratively to achieve stronger and healthier families in Aboriginal communities.

- Increasing the number of Aboriginal nursing staff in rural and remote Aboriginal communities to further improve quality of health. Revised nursing career promotional material targeted at Aboriginal and Torres Strait Islanders has been distributed widely to schools, TAFE colleges, area health services and universities.

The statement does not put forward any specific performance measures.

Consultation and implementation

The Cabinet Committee on Social Justice is the Government's main mechanism to drive integrated approaches to enhance social justice in NSW. Responsibility for the policies and programs is shared across all state government agencies.

The statement does not identify any consultations that were undertaken during its development.

In terms of its implementation, the statement explicitly reaffirms the NSW Government's commitment to the role of peak advisory bodies, including the Aboriginal Justice Advisory Council.

Milestones

The statement does not identify any milestones.

Legislative framework

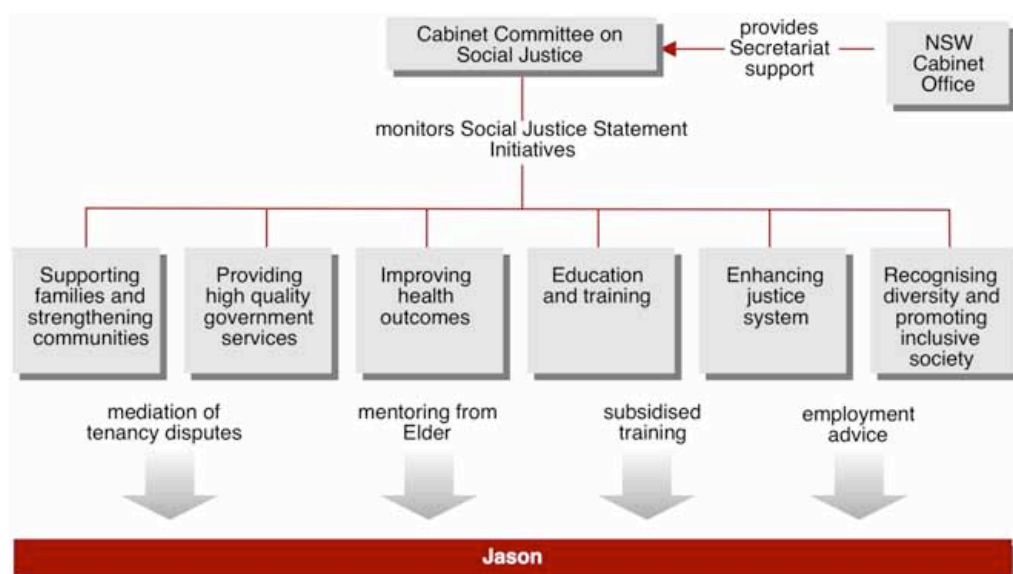
The statement does not refer to any underlying legislation.

Model

To illustrate the breadth of services related to *Supporting People and Strengthening Communities*, consider the hypothetical example of Jason, an Aboriginal man currently serving a short jail sentence. Each of the following initiatives form part of the NSW Government's commitment to improve social justice:

- While he is in jail, Jason receives a visit from an Aboriginal elder, who acts as a role model for Jason, through the *Elders Visit Program*.
- Upon leaving jail, Jason receives subsidised access to vocational training in office administration. Jason subsequently contacts an Aboriginal employment officer about job opportunities in the NSW Government, and successfully applies for a position as an Administrative Assistant.
- Jason endeavours to rent a one bedroom flat, but feels that he may be discriminated against as a prospective tenant. He contacts the Office of Fair Trading, who sends a trained mediator to assist with dispute resolution.

Figure B.5

APPLICATION OF THE SOCIAL JUSTICE DIRECTIONS STATEMENT: HYPOTHETICAL MODEL***Alignment with international protocols***

The policy does not refer to any international protocols.

Aboriginal culture and heritage

The statement recognises that achieving social justice is critical to promoting an inclusive society. Within this context, the statement places a high priority on recognising the importance of Aboriginal culture and heritage, including their rights and aspirations and links with the land and the environment. The statement views the expression of Aboriginal culture and heritage as a critical component of achieving social justice within NSW.

In addition, Aboriginal culture and heritage is implicitly considered in a number of the programs and policies that are outlined in the statement. For example, the *Elders Visit Program* provides Aboriginal mentors to assist Aboriginal people in gaol. This program recognises the traditional roles and networks that operate within Aboriginal communities, and uses these to deliver services that are both effective and culturally sensitive.

Philosophical frameworks

The statement presents the principles, programs and directions that compose the NSW Government's approach to achieving a fairer and more inclusive society. The statement is based on values of tolerance, equality and inclusion. These values will have a particular resonance within Aboriginal communities, which have historically experienced disadvantage across multiple areas of areas.

The statement is a *whole of government* document, in that it brings together initiatives across a wide range of portfolios. The statement provides a coherent

framework for these initiatives that might otherwise be developed and implemented with little coordination.

B.6 Indigenous Arts Protocol — A Guide

How the policy enhances Aboriginal wellbeing

The *Indigenous Arts Protocol — A Guide* communicates the principles, guidelines and protocols that should be considered when working with Aboriginals and their communities in the fields of arts and cultural expression. The protocol recognises the significance of Indigenous cultural expression in revitalising cultural practices and strengthening the Aboriginal identity.

The protocol aims to improve Aboriginal wellbeing by guiding those that work with Aboriginals in artistic areas to undertake their work in a culturally sensitive and responsible manner. This is intended to support Indigenous cultural expression, which is an important element of Aboriginal wellbeing.

Given that the protocol is a guideline document, it does not support any specific programs or performance measures.

Consultation and implementation

The protocol itself was developed by the Indigenous Arts Reference Group, which is comprised of representatives drawn from the Arts Advisory Council and art form committees. It was released by the NSW Ministry for the Arts (now Arts NSW).

The protocol does not identify any consultation that was undertaken.

Milestones

The protocol does not identify any milestones.

Legislative framework

The protocol does not refer to any underlying legislation.

Model

Consider the hypothetical example of Community B, a NSW Aboriginal community that is the traditional owner of several culturally significant dances. An arts worker is developing a project proposal for a performance involving the community's dances.

In developing the proposal for the project, the arts worker negotiates with Community B regarding how the dances are to be performed. The community provides a written agreement to the arts worker outlining the conditions of their consent to the project proceeding.

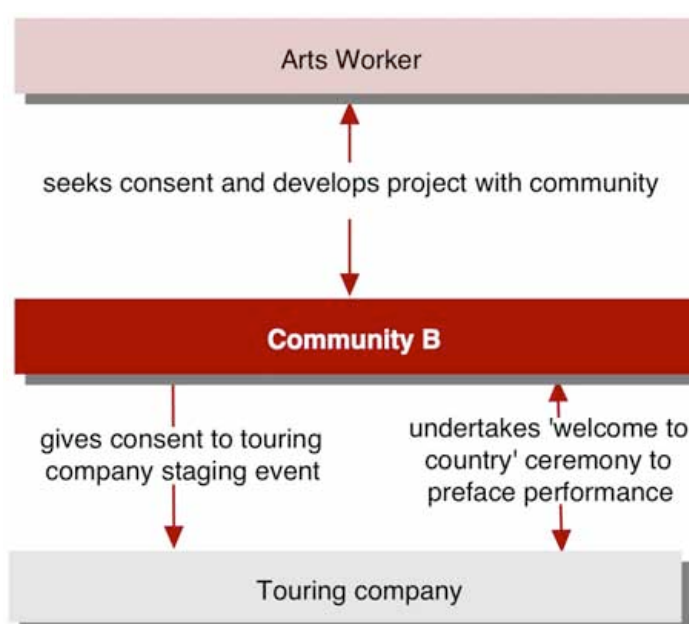
The arts worker's project proposal acknowledges the community as the owners of the cultural heritage, and clearly describes the aims and details of the project. The proposal demonstrates that the project will not damage Aboriginal cultural integrity, and that the information provided by the community about the dances and their cultural significance remains their intellectual property.

As a result of these negotiations, Community B is given the opportunity to provide an Aboriginal perspective on all issues surrounding the proposal. The arts worker acts in good faith and respects the privacy of Aboriginal peoples and communities. The worker makes arrangements to provide Community B with feedback on the project at all stages.

When the performance is staged across NSW, the touring company makes contact with local land councils and elders to undertake 'welcome to country' ceremonies to preface the performance.

Figure B.6

APPLICATION OF THE INDIGENOUS ARTS PROTOCOL: HYPOTHETICAL MODEL



Alignment with international protocols

The protocol does not refer to any international protocols.

Aboriginal culture and heritage

Aboriginal culture and heritage issues are the main focus of this protocol. The protocol clearly recognises Aboriginal communities as the owners of their culture and heritage. With this recognition, the protocol seeks to reinforce the principles of cultural ownership, through such avenues as intellectual property protection and government support. The protocol emphasises the role that Aboriginal people have as owners of their culture and heritage, and explains their role in consenting to, and informing, any related artistic expression.

Philosophical framework

The protocol seeks to achieve a more culturally sensitive and supportive environment for Aboriginal cultural expression in NSW. Cultural expression draws upon the concepts of Aboriginal identity, heritage and tradition, which are central to the Aboriginal understanding of individual and community wellbeing. The protocol

also considers the tangible rights that Aboriginals have as owners of their culture by recognising that Aboriginal people have a right to the benefits that accrue from activities that use their cultural heritage and expression. This is linked to another aspect of wellbeing, given the significance of Aboriginal artistic expression in economic terms.

The protocol is also underpinned by the importance of government working in *partnership* with the Aboriginal community. The protocol requires project proposals to be developed with the consent of the owners of the cultural heritage, and in close consultation and partnership with the Aboriginal community. This philosophy recognises Aboriginal people as owners of their cultural heritage and expression, and the rights they have to protect and manage its uses.

B.7 Guidelines for Assessing Social Impacts

How the policy enhances Aboriginal wellbeing

The *Guidelines for Assessing Social Impacts* aim to provide NSW Government agencies with tools to ensure that the likely social impacts of policies and programs are adequately identified, considered and evaluated in the policy development and consideration process. This includes consideration of the impacts of policies and programs on Aboriginal communities.

The guidelines do not mention any specific programs. Rather, they outline a process for the assessment of policy proposals to ensure robust consideration of social justice implications.

Consultation and implementation

The guidelines were developed by the Social Policy Development Unit within the NSW Government Cabinet Office.

The guidelines do not refer to any consultations with Aboriginal people. However, the guidelines do advocate the importance of undertaking targeted consultations in policy development and evaluation.

Milestones

The guidelines do not refer to any milestones.

Legislative framework

The guidelines do not refer to any underlying legislation.

Model

Consider the hypothetical example of Community A, an Aboriginal community that experiences a high incidence of diabetes.

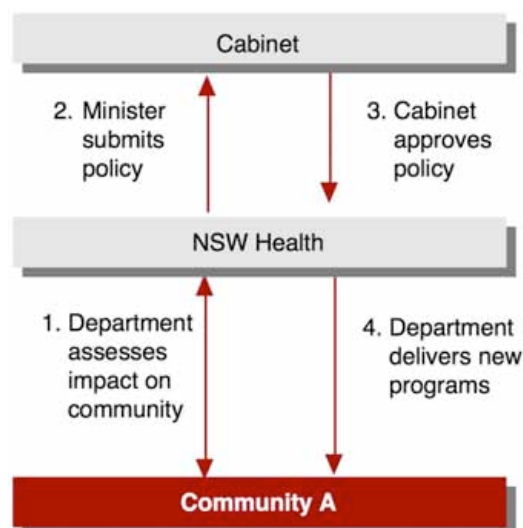
NSW Health is developing a Cabinet submission that proposes a new health education policy that aims to improve diabetes management among sufferers of the disease. In developing the submission, the policy officers in the department examine the new policy's potential gains and losses from a number of perspectives. One of these perspectives is the impact of the policy on different population groups, such as Community A.

The policy officers examine how the policy will be experienced by Aboriginal communities, which experience a much higher incidence of diabetes compared with the broader population. By consulting with Aboriginal communities such as Community A, the policy officers realise that the benefits of the policy for Aboriginal communities will be limited due to poorly targeted policy communication and delivery strategies. The policy officers also increase their initial estimates of the policy's social benefits after recognising the potential long term value of the policy in increasing awareness of the risk factors of diabetes among Aboriginal people.

The policy officers make changes to the policy to reflect these findings and more accurately reflect the policy's social impacts.

Figure B.7

APPLICATION OF GUIDELINES FOR ASSESSING SOCIAL IMPACTS: HYPOTHETICAL MODEL



Alignment with international protocols

The guidelines do not refer to any international protocols.

Aboriginal culture and heritage

Aboriginal culture and heritage are not considered in the guidelines explicitly or implicitly.

Philosophical framework

The guidelines aim to enhance decision making within the NSW Government by improving consideration of the social impacts of policies and programs in the policy development and consideration process. The guidelines are intended to enhance the wellbeing of the community by supporting the development of policies that will achieve greater equity, better access, community participation and individual rights. While not explicitly considered, Aboriginal wellbeing may be enhanced through more rigorous and comprehensive consideration of the social impacts of NSW

Government policies and programs. As a policy designed to align the efforts of NSW Government agencies, the policy is primarily concerned with promoting *joined up government*.

B.8 Report of the Review of Aboriginal Education

How the policy enhances Aboriginal wellbeing

The *Report of the Review of Aboriginal Education* examines the current state of Aboriginal education in NSW and makes recommendations to improve educational outcomes for Aboriginal students. The review seeks to enhance Aboriginal wellbeing by establishing a policy direction, through a series of actionable recommendations, to move Aboriginal students towards outcomes aligned with the broader population.

The report presents its findings in a manner consistent with the notion of Aboriginal wellbeing, considering Aboriginal education within a wider social justice context. The research underlying the review identified social, cultural, environmental, economic and health factors as factors that contribute to Aboriginal students feeling alienated and performing at levels below the broader population. The review recognises the importance of factors such as good health, housing and supportive families as essential foundations for students.

Consultation and implementation

The New South Wales Aboriginal Education Consultative Group and the NSW Department of Education and Training shared responsibility for undertaking the review.

The report was informed by extensive consultations with the Aboriginal community. Indeed, the review process directly involved the New South Wales Aboriginal Education Consultative Group, as well as the Aboriginal Education and Training Advisory Group, which was reconstituted as a Review Reference Group, and which included representatives from several peak bodies.

Consultations were undertaken through a number of instruments, ensuring that a range of views was considered in the review process. An overview of these consultations is given in Box B.1.

Box B.1

REVIEW OF ABORIGINAL EDUCATION — CONSULTATION

The consultation process included:

- fourteen field trips across NSW;
- meetings with Aboriginal communities, educational leaders, teachers, students and parents at 407 sites;
- 49 community meetings;
- seven Aboriginal Education Consultative Group meetings;
- meetings with 33 community organisations, 26 School Education Area Office staff, and the principals and selected staff of 260 schools and TAFE campuses;
- consultations with key interest groups;
- written and oral submissions from individuals and organisations;
- surveys;
- Working Groups; and
- an Academic Reference Group.

The review produced 71 recommendations spanning nine core themes, with a consistent focus on the principles of inclusive and participative decision-making and self-determination.

Milestones

Across the review's 71 recommendations, there are a number of implicit milestones, contingent upon adoption of the recommendations by the NSW Government. These are the recommendations section of the report.

Legislative framework

The report does not refer to any underlying legislation.

Model

Consider the hypothetical example of Laura, a four-year old girl living with her family in regional NSW. Laura will be attending preschool this year, which will also be her first experience of formal education.

The review makes a number of recommendations to improve the engagement of Aboriginal students with their schools. Several recommendations note the importance of smoothing the transition process for Aboriginal students between stages of education, including the role of preschools in preparing Aboriginal children for successful transitions to primary school.

As a result of the recommendations, the NSW Government provides additional resources to preschools in Aboriginal communities. Laura's preschool has the resources and cultural understanding to support Laura to make a smooth transition into formal education. This should provide a sound foundation for Laura to make a successful transition to primary school the following year.

Figure B.8

APPLICATION OF THE REPORT OF THE REVIEW OF ABORIGINAL EDUCATION: HYPOTHETICAL MODEL***Alignment with international protocols***

The report does not refer to any international protocols.

Aboriginal culture and heritage

The report identifies cultural factors, as well as social, environmental, economic and health factors as contributing to the experience of Aboriginal students in education.

Philosophical framework

At its highest level, the aim of the report is to recommend ways to improve Aboriginal student outcomes in NSW to 'match or better outcomes of the broader population'. Within a wellbeing context, this aim has strong notions of supporting equity in opportunities and outcomes. The report conceptualises education as a vital component of Aboriginal wellbeing, characterised by strong interrelationships with other dimensions of wellbeing.

One of the main sets of recommendations put forward in the report is the need for the Department of Education to collaborate in partnership with Aboriginal communities. The report recommends that school principals, TAFE Institutes, parent organisations and industry groups build partnerships and liaise with local Aboriginal communities to identify ways to improve Aboriginal education.

B.9 The Strengthening Local Communities Strategy***How the policy enhances Aboriginal wellbeing***

The *Strengthening Local Communities Strategy* assists innovative, high priority non-government sector initiatives that support community renewal and capacity building, particularly in disadvantaged locations. The impact of the strategy on

Aboriginal wellbeing will depend upon the specific programs that are implemented as part of the strategy.

Consultation and implementation

The NSW Premier's Department has primary responsibility for the strategy's implementation. The strategy does not refer to any consultation processes in either its development or implementation.

Milestones

The strategy does not refer to any milestones.

Legislative framework

The strategy does not refer to any underlying legislation.

Model

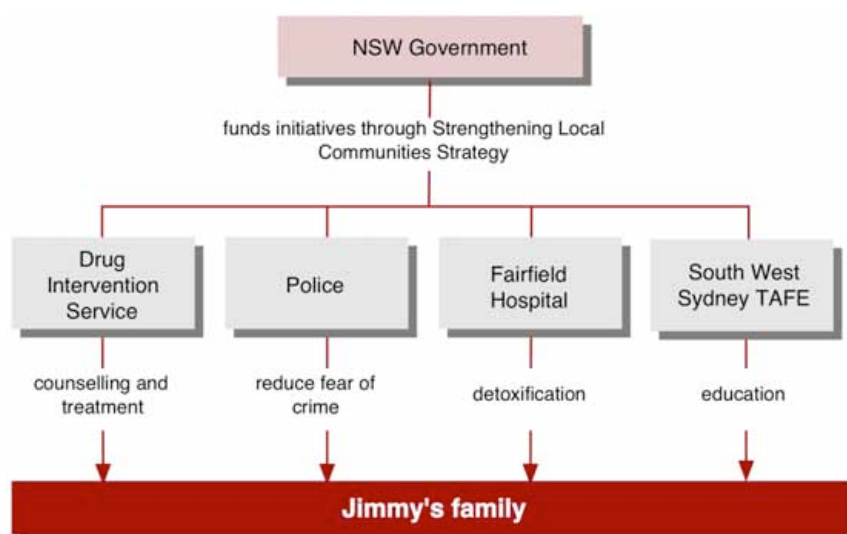
To illustrate the potential impact of the strategy on Aboriginal people, consider the hypothetical example of Jimmy, the father of an Aboriginal family living in Cabramatta in Sydney. The NSW Government, through the *Strengthening Local Communities Strategy*, funds a number of community building initiatives in Cabramatta that impact on Jimmy's family. These initiatives recognise that Cabramatta is a disadvantaged community and seek to target important local issues.

Jimmy's son is an illicit drug user. He checks into Fairfield Hospital to access detoxification services, and subsequently receives medical treatment and drug counselling from the Drug Intervention Service in Cabramatta.

Jimmy receives pre-vocational training from the South West Sydney Institute of TAFE, which assists him to gain employment.

Figure B.9

APPLICATION OF THE STRENGTHENING LOCAL COMMUNITIES STRATEGY: HYPOTHETICAL MODEL



Alignment with international protocols

The policy does not refer to any specific international protocols.

Aboriginal culture and heritage

The strategy does not refer to Aboriginal culture and heritage issues.

Philosophical framework

The strategy aims to assist the non-government sector to undertake community renewal and capacity building projects. While the strategy is a ‘mainstream’ initiative that does not specifically refer to Aboriginal communities, it is well known that many Aboriginal communities experience significant disadvantages. The strategy is underpinned by a partnership approach that seeks to coordinate the efforts of government, non-government organisations and communities.

Appendix C

Australian Government

C.1 Social and Emotional Wellbeing Framework — A National Strategic Framework for Aboriginal and Torres Strait Islander Peoples' Mental Health and Social and Emotional Wellbeing 2004-09

How the policy enhances Aboriginal wellbeing

The *Social and Emotional Wellbeing Framework* aims to improve Aboriginal wellbeing by establishing a framework for national action that addresses social and emotional wellbeing issues among Aboriginal and Torres Strait Islanders. The framework has been developed in response to the high incidence of social and emotional wellbeing problems within Aboriginal communities.

Consultation and implementation

The framework was developed by the Social Health Reference Group, which is largely comprised of Aboriginal and Torres Strait Islander people with expertise in social and emotional wellbeing issues. The group worked under the auspices of the National Mental Health Working Group and the National Aboriginal and Torres Strait Islander Health Council. The implementation of the framework will be carried out through the collaborative planning processes provided by the Aboriginal and Torres Strait Islander Health Framework Agreements, and overseen by a Social and Emotional Well Being National Advisory Group.

The document lists the consultations that informed the development of the framework. Consultations were undertaken with delegates from Aboriginal and Torres Strait Islander organisations and other community representatives through workshops and written submissions. Members of government departments and health services were also consulted through this process.

The framework's implementation relies heavily upon the involvement of Aboriginal representative bodies, as a number are listed as having responsibilities for achieving outcomes for specific action areas.

Milestones

The implementation of the framework has a number of significant milestones related to the improvement of Aboriginal mental health and social and emotional wellbeing. While too numerous to list here, these milestones clearly specify:

- the responsible agency;
- their role and responsibility; and
- the timeframe for implementation.

Taken together, these milestones outline the significant stages of the overall implementation, monitoring and evaluation of the framework.

Legislative framework

The framework does not refer to any underlying legislation.

Model

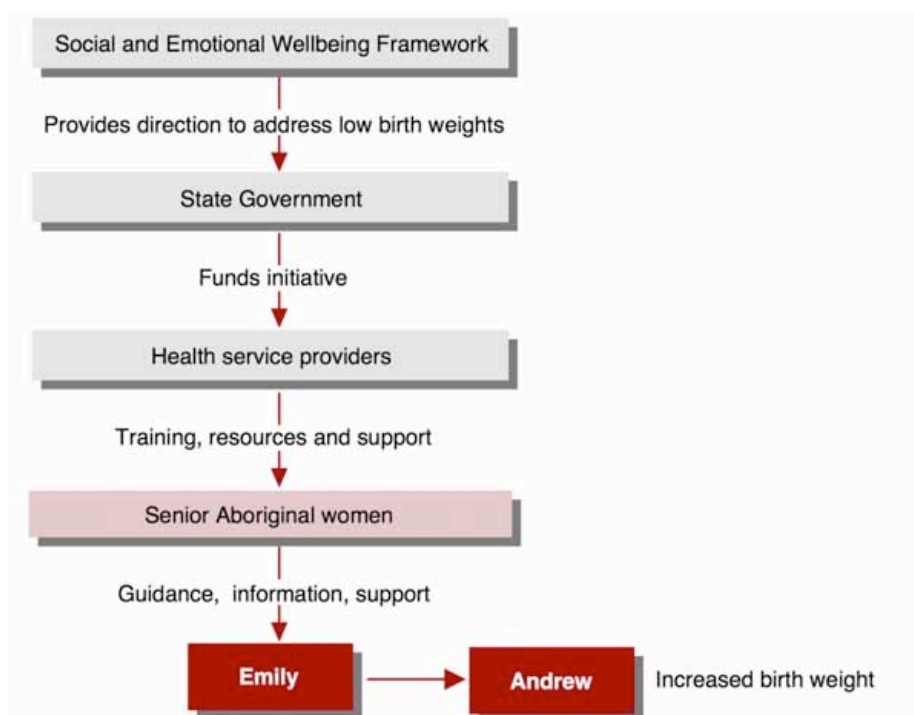
One key focus area of the framework is ‘Strengthening families to raise healthy resilient infants, children and young people’. To illustrate the application of the framework, consider the example of Emily, a young pregnant Aboriginal woman living in a remote community. Until recently, births in Emily’s community were consistently characterised by low birth weights and poor health for both mothers and children.

Following the strategic directions provided by the framework, the NSW Government funds an initiative that equips senior Aboriginal women within remote communities to guide expecting mothers through their pregnancies. NSW Health provides funding to local health service providers to support the senior Aboriginal women with the information, resources and support that they need.

Emily receives advice about good nutrition and practices to support her pregnancy, and delivers a healthy baby boy, Andrew. The healthy pregnancy ensures that Andrew has a healthy start to life, with a reduced risk of health problems linked to lower birth weights and poor nutrition, such as diabetes, stroke and heart disease.

Figure C.1

APPLICATION OF THE SOCIAL AND EMOTIONAL WELLBEING FRAMEWORK: HYPOTHETICAL MODEL



Alignment with international protocols

The framework does not refer to any international protocols.

Aboriginal culture and heritage

Several of the framework's guiding principles focus on the significance of culture and heritage issues to Aboriginal peoples' mental and physical health:

Aboriginal and Torres Strait Islander health is viewed in a holistic context, that encompasses mental health and physical, cultural and spiritual health. Land is central to well being. Crucially, it must be understood that when the harmony of these interrelations is disrupted, Aboriginal and Torres Strait Islander ill health will persist.

...

Culturally valid understandings must shape the provision of services and must guide assessment, care and management of Aboriginal and Torres Strait Islander peoples health problems generally and mental health problems in particular.

It must be recognised that the experiences of trauma and loss, present since European invasion, are a direct outcome of the disruption to cultural well being. Trauma and loss of this magnitude continues to have inter-generational effects.

The framework analyses both current problems, and proposed solutions, within this context. As a result, culture and heritage issues are given similar consideration to other determinants of wellbeing, such as physical and mental health factors.

The framework also recognises that Aboriginal and Torres Strait Islanders have different cultures, histories and needs, that require targeted strategies and localised program delivery. This approach recognises that while there are commonalities across Aboriginal communities, targeted policy development and implementation is needed to achieve wellbeing outcomes across different cultural groups.

Philosophical framework

The framework aims to establish a national framework for action that will guide the activities of all levels of government, as well as non-government organisations, to improve the social and emotional wellbeing and mental health problems experienced by Aboriginal and Torres Strait Islanders. The framework conceptualises wellbeing as a concept that is interpreted and experienced differently across different cultural groups. It recognises that Aboriginal people have a holistic understanding of wellbeing, characterised by a particular emphasis on culture, spirituality, heritage, family and community.

The framework recognises that a number of complex, interrelated factors contribute to Aboriginal social and emotional wellbeing problems. Accordingly, it highlights the need for a *joined up government* response, involving cooperation between departments and across governments to address the multiple dimensions of Aboriginal disadvantage. The framework is also based on *partnerships* between Aboriginal and Torres Strait Islander organisations, individuals and communities, and agencies across all levels of government. The framework encourages Aboriginal self-determination through involvement in decision making and delivery of services at the local level. Within government, the framework emphasises the need for cooperation across departments and across governments

C.2 The NHMRC Road Map: A Strategic Framework for Improving Aboriginal and Torres Strait Islander Health Through Research

How the policy enhances Aboriginal wellbeing

The *Road Map* seeks to improve Aboriginal wellbeing by providing a framework for health research to address knowledge gaps in Aboriginal and Torres Strait Islander health. The *Road Map* analyses Aboriginal health from a number of perspectives, including the incidence and prevalence of disease, life expectancy and social and emotional wellbeing. One of the underlying principles of the *Road Map* is the notion of health as ‘...not just the physical wellbeing of the body but of a whole of life view, which embraces the life, death, life concept.’

The *Road Map* is intended to guide program development by agencies that oversee the delivery of health research and support services. It does not propose programs itself. The performance measures outlined in the *Road Map* encompass indicators of both process and outcome objectives. A list of proposed performance measures is presented in the spreadsheet.

Consultation and implementation

The *Road Map* was developed by an Aboriginal and Torres Strait Islander Research Agenda Working Group (RAWG), which was established by the National Health and Medical Research Council (NHMRC) and the Office of Aboriginal and Torres Strait Islander Health to, *inter alia*, identify Indigenous health issues and research approaches that should be given priority for funding.

‘Community involvement in the development, conduct and communication of the research’ was listed as one of the underlying principles of the *Road Map*. An extensive consultation process influenced its development, with consultations including:

- 250 people (both Indigenous and non-Indigenous) attending workshops conducted in Perth, Darwin, Brisbane and Melbourne; and
- 23 submissions from organisations through a paper-based consultation process.

The RAWG also sought the endorsement of a number of Aboriginal representative bodies, including:

- ATSIC;
- the National Aboriginal Community Controlled Health Organisation (NACCHO);
- the Standing Committee on Aboriginal and Torres Strait Islander Health (SCATSIH); and
- the National Aboriginal and Torres Strait Islander Health Council.

The *Road Map* commits to continuing to consult with stakeholders during its implementation phase.

Milestones

The *Road Map* outlines three essential implementation milestones:

- the development of a long term workplan, that is regularly reviewed and accompanied by an adequate budget;
- the positioning of RAWG, or its new incarnation within NHMRC, in a way that enables the most efficient and effective implementation of the *Road Map*; and
- the commissioning of an independent review to evaluate the efficacy of RAWG and the *Road Map* as mechanisms for the strategic development of Aboriginal and Torres Strait Islander health research.

Legislative framework

The legislative framework underlying the *Road Map* is provided by the *NHMRC Act 1992*, which outlines the general functions of the NHMRC.

Model

As a framework document, the *Road Map* is intended to guide the development of specific programs that improve Aboriginal health. The *Road Map*, and its underlying consultation process, informed the development of the *A Healthy Start to Life* program by identifying specific issues affecting Aboriginal health. The program supports research proposals that focus on factors promoting resilience and wellbeing during the early stages of life, a theme that was consistently identified throughout the *Road Map* consultation process. Section C.4 of the report examines *A Healthy Start to Life* in detail, including a hypothetical model of how it (and, therefore, the *Road Map*) will be experienced by Aboriginal people.

Alignment with international protocols

The *Road Map* does not refer to any international protocols.

Aboriginal culture and heritage

The *Road Map* recognises the role that Aboriginal culture and heritage plays in influencing Aboriginal health and wellbeing. This is reflected explicitly in the principles underlying the *Road Map*, as well as implicitly through the extensive consultation process that was undertaken.

Philosophical framework

The *Road Map* aims to improve the health of Aboriginal and Torres Strait Islanders by establishing a framework that identifies existing knowledge gaps in research. The *Road Map* is ultimately concerned with enhancing Aboriginal wellbeing by achieving better health outcomes. It was developed through a joined up government process, with the RAWG a joint initiative of two agencies.

C.3 The National Agenda for Early Childhood — A Draft Framework

How the policy enhances Aboriginal wellbeing

The *National Agenda for Early Childhood — A Draft Framework* (the ‘draft framework’) has been developed to progress the *National Agenda* that sets out how Commonwealth, state and territory governments will work together to achieve common goals, objectives and desired outcomes for Australian children.

The draft framework highlights several significant priority areas among early childhood issues that are particularly relevant to Aboriginal and Torres Strait Islander people, such as reducing complications of pregnancy and birth. Moreover, the draft framework gives priority to correcting the disadvantage of particular groups of children, including Aboriginal and Torres Strait Islander children.

The draft framework identifies the shortcomings of current monitoring and reporting arrangements for children. It indicates there is a need for a more comprehensive reporting framework and a national program of indicator development, data collection and reporting.

Consultation and implementation

The draft framework has been developed by the Australian Government as the basis for discussions with state and territory governments on the key elements of the *National Agenda*.

A consultation document, *Towards the Development of a National Agenda for Early Childhood*, was prepared by the Australian Government Task Force on Child Development, Health and Wellbeing. Consultations were conducted between March and August 2003, through which 183 public submissions were received. Indigenous-specific consultations were held in Sydney, Brisbane, Alice Springs, Dubbo and Darwin, with Aboriginal and Torres Strait Islander representatives also attending other state and regional roundtables. Focus groups were also held with Aboriginal and Torres Strait Islander parents.

Milestones

The next milestone for the draft is to undertake further consultation to develop a public statement of the *National Agenda*. This will refine the aims, priorities, roles and responsibilities of stakeholders, as well as how it will work together.

Legislative framework

The draft framework does not refer to any underlying legislation.

Model

The central purpose of the draft framework is to progress towards the achievement of the *National Agenda*. With its composition remaining the subject of negotiation, it would be premature to anticipate the likely outcomes of the *National Agenda*, should it proceed, on Aboriginal people.

Alignment with international protocols

Australia is required to prepare a national plan of action for *A World Fit for Children*, a requirement that arose from the United Nations General Assembly Special Session on Children in May 2002.

Aboriginal culture and heritage

While the draft framework explicitly considers the needs of Aboriginal and Torres Strait Islanders, Aboriginal culture and heritage is not explicitly discussed.

Philosophical frameworks

The draft framework aims to progress the *National Agenda*, which is intended to set out how Commonwealth, state and territory governments will work together to achieve common goals, objectives and desired outcomes for Australian children. The *National Agenda* reflects the increasing emphasis of public policy on early childhood. There is a growing body of evidence to show that early childhood development and experiences are critical to a person's wellbeing later in life, having a direct impact on future educational, career and health outcomes. While the needs of Indigenous families are given special emphasis, the *National Agenda* is essentially a *mainstream* initiative, whose principles apply equally to Indigenous and non-Indigenous families.

Early childhood is one of several policy areas of shared responsibility between the Australian Government and state and territory governments where the two levels of government have come together in recent years to agree to a joint approach to achieving better outcomes. It reflects the growing commitment to *joined up government* in Australia.

The draft framework also notes the need for *local structures* that foster relationships between professionals and parents and other carers to ensure that supports and services for children and families are appropriate to their needs.

C.4 A Healthy Start to Life

How the policy enhances Aboriginal wellbeing

A Healthy Start to Life is designed to support research that improves the health of Aboriginal and Torres Strait Islanders. The policy aims to enhance Aboriginal wellbeing by improving the understanding of specific Aboriginal health and wellbeing issues. The program encourages researchers to take a multidisciplinary approach to research, leading to research that builds understanding of health and wellbeing issues, while also informing possible policy responses.

The policy focuses on the factors and processes that promote resilience and wellbeing during periods of pregnancy, infancy, childhood and adolescence. Accordingly, the program aims to support targeted research proposals that specifically address these issues. By providing the funding and guidelines for research, the National Health and Medical Research Council (NHMRC) is encouraging and facilitating research in these selected areas of Aboriginal health and wellbeing.

Consultation and implementation

A Healthy Start to Life was developed by the National Health and Medical Research Council (NHMRC) following a consultation process undertaken in 2002 for the *Road Map* (see section C.2). This consultation process considered the views of members of Aboriginal and Torres Strait Islander communities, researchers, policy makers and health service providers on priority research questions for Aboriginal and Torres Strait Islander health issues.

Milestones

Total funding of \$7 million is available over five years to support the initiative. The document sets out the application and approvals process for proposals to undertake research funded under the initiative. It is envisaged that the period of proposed research will be from three to five years.

Legislative framework

The policy does not refer to any underlying legislation.

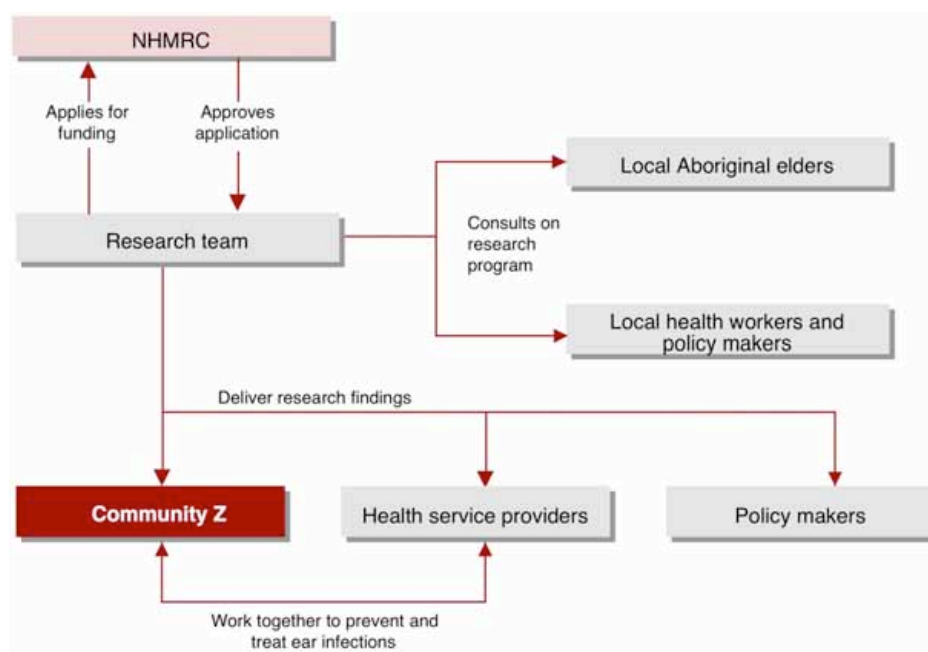
Model

To understand the application of *A Healthy Start to Life*, consider a hypothetical remote Aboriginal community, Community Z, that is experiencing a high incidence of acute inner ear infections, particularly among children. A research team successfully applies for funding through the *A Healthy Start to Life* program to work with the community to understand and treat the problem.

The research team initially consults with a leadership group from Community Z, as well as local health workers and policy makers in the region. Together, they agree upon a research program that involves assessing the health of the children in the community, as well as surveying a range of environmental and social factors that may be contributing to the problem. This multidisciplinary approach is supported by the team's expertise in health care, environmental issues, and education.

At the conclusion of the research, the research team delivers its findings to Community Z and regional health workers. The findings assist the community to prevent and treat the ear infections, supported by an education program implemented by local health service providers. The research findings are also presented to state and Commonwealth government health policy makers, and provide a foundation for further research into this area in Aboriginal communities.

Figure C.2

APPLICATION OF A *HEALTHY START TO LIFE*: HYPOTHETICAL MODEL***Alignment with international protocols***

The policy does not refer to any international protocols.

Aboriginal culture and heritage

The policy implicitly considers wellbeing through the theme of the research, which focuses on the factors and processes that promote resilience and wellbeing among Aboriginal people at several stages of life. It notes the findings of the consultations undertaken for the *Road Map* (see section C.2) that many determinants of the health of Aboriginal people lie beyond the scope of the health sector and, specifically, that factors such as culture, identity and community are ‘critical antecedents’ for improved health among Indigenous people. This is reflected in the emphasis in *A Healthy Start to Life* on multidisciplinary research that acknowledges the complex interplay between health and non-health issues.

Philosophical frameworks

Like the *Road Map*, the policy is concerned with enhancing Aboriginal wellbeing by supporting research that will help communities achieve better health outcomes. The policy acknowledges that the health of Aboriginal people and, implicitly, their broader wellbeing is influenced by many factors, with culture, identity and community having a special significance.

C.5 Treasury's Wellbeing Framework

How the policy enhances Aboriginal wellbeing

The Treasury's *Wellbeing Framework* aims to improve the quality of the agency's advice to Ministers by assisting Treasury officers to identify the different factors that influence wellbeing, and providing a consistent basis for understanding their impact. The framework is intended to result in more thorough, structured and consistent consideration of wellbeing issues, which improves the quality of policy development and decision making across Government. It is designed to be applied across the Australian community — it is not Indigenous-specific.

The framework is an internal descriptive tool to be used within Treasury; it does not include any specific programs, and does not refer to any performance measures.

Consultation and implementation

The framework was developed by Treasury for use within Treasury. The document does not refer to any consultations that were undertaken.

Milestones

The framework does not refer to any milestones.

Legislative framework

The framework does not refer to any underlying legislation.

Model

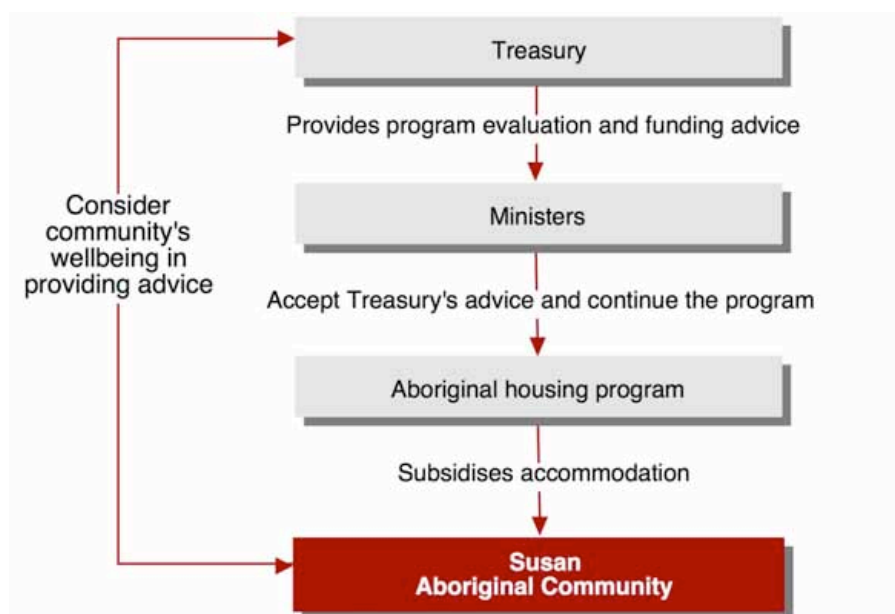
Susan is an elderly Aboriginal woman living in subsidised accommodation in a remote Aboriginal community. The government program that subsidises Susan's accommodation is being evaluated by the Commonwealth Treasury. The Treasury will provide advice about the continuation of the program, and possible funding options, to government ministers to inform decision making across government.

The Treasury officers evaluate the fiscal and economic elements of the program, as well as measuring whether the program's objectives have been achieved. The Treasury officers use the Treasury's *Wellbeing Framework* as a descriptive tool to guide their thinking and advice about the impact of the program on addressing issues of Aboriginal wellbeing and disadvantage. The Treasury officers specifically consider how the program has:

- improved the ability of Aboriginal people to participate in the economy and society;
- reduced the vulnerability of Aboriginal people to a range of risk factors;
- addressed known market failures in the housing and accommodation sector; and
- created opportunities for Aboriginal people.

The Treasury advises government ministers to continue the program and increase its funding in the next federal budget. This advice is enacted by the government, and Susan and other members of her community continue to receive subsidised accommodation under the program.

Figure C.3

APPLICATION OF TREASURY'S WELLBEING FRAMEWORK: HYPOTHETICAL MODEL***Alignment with international protocols***

The framework does not refer to any international protocols.

Aboriginal culture and heritage

There is no specific consideration of Aboriginal culture and heritage within the framework.

Philosophical framework

The Treasury's *Wellbeing Framework* aims to improve the quality of the agency's advice by assisting Treasury officers to identify the different factors that influence wellbeing, and providing a consistent basis for understanding their impact. The framework identifies five dimensions of wellbeing:

- the level of opportunity and freedom that people enjoy;
- the level of consumption possibilities;
- the distribution of those consumption possibilities;
- the level of risk that people are required to bear; and
- the level of complexity the people are required to deal with.

Treasury indicates that these dimensions were chosen because they describe the aspects of wellbeing that are most pertinent to Treasury's particular role, as a central policy department within the Australian Public Service. The dimensions are derived primarily from the traditions of welfare economics and utilitarianism, reflecting Treasury's particular intellectual history and comparative advantage in the application of economic principles.

Treasury notes that the dimensions may not represent a comprehensive set of everything that is important to people. It specifically suggests that issues of identity, culture and spirituality may need to be reflected in a framework that sought to be comprehensive in this way. Given the significance of these factors to Aboriginal people, Treasury's framework may be less useful for examining issues of Aboriginal wellbeing.

C.6 Stronger Families and Communities Strategy 2004-2009

How the policy enhances Aboriginal wellbeing

The *Stronger Families and Communities Strategy* aims to deliver early childhood programs that give families, their children and communities the opportunity to build a better future. A number of the programs seek to overcome disadvantage across a range of policy areas, including health, housing and education. Many Aboriginal communities experience extreme disadvantages in these areas.

Programs

From 2004 to 2009, the strategy has four initiatives:

- *Communities for Children* — \$142 million over five years, targeting 45 communities or sites across Australia, providing funding for sustainable whole of community approach to early childhood development. Non-government organisations are engaged as facilitating partners to work with local stakeholders to deliver programmes and services and work toward achieving better outcomes for children (aged 0-5) and their families.
- *Early Childhood – Invest to Grow* — \$70 million over four years to contribute to improved outcomes for young children through prevention and early intervention, and to build the Australian evidence base about successful strategies in prevention and early intervention. The program:
 - funds national early childhood programmes focused on early intervention;
 - supports the development of new models of early childhood programmes; and
 - develops resources or tools for parents, community groups and professionals working in the area of early childhood.
- *Local Answers* — \$139 million over five years to support local, small-scale, time limited initiatives focused on opportunities that communities can create for themselves, in partnership with local government, business and community organizations. This stream funds a diverse range of programmes including parenting and relationship skills, community strengthening and participation for young parents, volunteering, mentoring and leadership.
- *Choice and Flexibility in Child Care* — \$125 million over four years to:
 - fund the In Home Care programme for families without other formal child care options;
 - provide assistance to 23 services to establish long day care centres in areas of high need;

- continue funding the roll-out of quality assurance for family day care and outside schools hours care; and
- investigate the viability of quality assurance for other child care service types including Indigenous and In Home Care.

Performance measurement

The Australian Government Department of Family and Community Services has commissioned a consortium of expert evaluators to develop and implement a National Evaluation Framework for the Strategy. Table C.1 summarises the key evaluation questions for three of the four strategies. *Choice and Flexibility in Child Care* will be evaluated separately.

Table C.1

EVALUATION OF THE STRONGER FAMILIES AND COMMUNITIES STRATEGY

Initiative	Evaluation questions
<i>Communities for Children</i>	<p>To what extent has Communities for Children contributed to improvements in outcomes for children and families in the community?</p> <p>How are these outcomes distributed amongst the different groups in the community?</p> <p>Has Communities for Children reached and had an effect on the most disadvantaged families?</p> <p>What are the most important factors about the initiative which facilitate improvements in outcomes?</p>
<i>Invest to Grow</i>	<p>What are the most important factors which facilitate improved outcomes?</p> <p>What are the factors which facilitated and inhibited project logic models being implemented in different contexts?</p> <p>Which models were implemented in the most effective and efficient manner?</p> <p>Which models are suitable for wider national application?</p>
<i>Local Answers</i>	<p>To what extent were aims and outcomes achieved?</p> <p>What were the success factors?</p> <p>What were the unintended project outcomes and how well were they addressed?</p>

Consultation and implementation

The Department of Families, Community Services and Indigenous Affairs has responsibility for the strategy.

The strategy was informed by the *National Agenda for Early Childhood*, which was developed through a thorough consultation process, which included Indigenous-specific consultations in Sydney, Brisbane, Alice Springs, Dubbo and Darwin, with Aboriginal and Torres Strait Islander representatives also attending other state and regional roundtables. Focus groups were also held with Aboriginal and Torres Strait Islander parents. The strategy does not outline the expected involvement of Aboriginal organisations or representative bodies in the implementation of the strategy.

Milestones

The strategy does not explicitly refer to any milestones. Funding for the current initiatives expires in 2009.

Legislative framework

The strategy does not refer to any legislation.

Model

Consider the hypothetical example of Kerrie, an Aboriginal mother of a child aged two years. She lives in a rural community in New South Wales.

Kerrie accesses a range of services from the non-government organisations that are funded by the Australian Government as 'Facilitating Partners' to implement a whole-of-community approach to early childhood development.

As a nurse, Kerrie regularly works night and weekend shifts. Kerrie's child is cared for in Kerrie's home through the In Home Care programme. Kerrie also participates in an early learning and literacy program to improve her child's learning capabilities. She also receives advice on child nutrition during a home visit from a representative from one of the Facilitating Partners.

Figure C.4

STRONGER FAMILIES AND COMMUNITIES STRATEGY: HYPOTHETICAL MODEL



Alignment with international protocols

The strategy does not refer to any international protocols.

Aboriginal culture and heritage

Aboriginal culture and heritage issues are not discussed or reflected in the policy.

Philosophical framework

The strategy aims to deliver a range of early childhood programs that support the wellbeing of families, their children and communities. Like the *National Agenda*

for Early Childhood, the strategy seeks to improve people's wellbeing outcomes and reduce social disadvantages through interventions at an early age.

The strategy is an example of the Australian Government's use of 'mainstream' programs and services to tackle Indigenous disadvantage. That is, services for Aboriginal people are being developed and delivered by agencies that deliver similar services to the broader population.

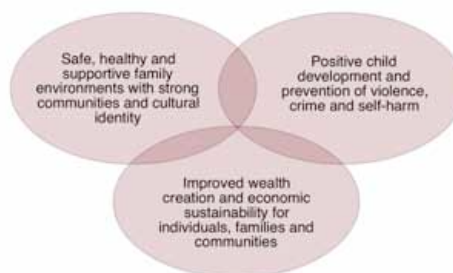
C.7 Overcoming Indigenous Disadvantage, Key Indicators 2005

How the policy enhances Aboriginal wellbeing

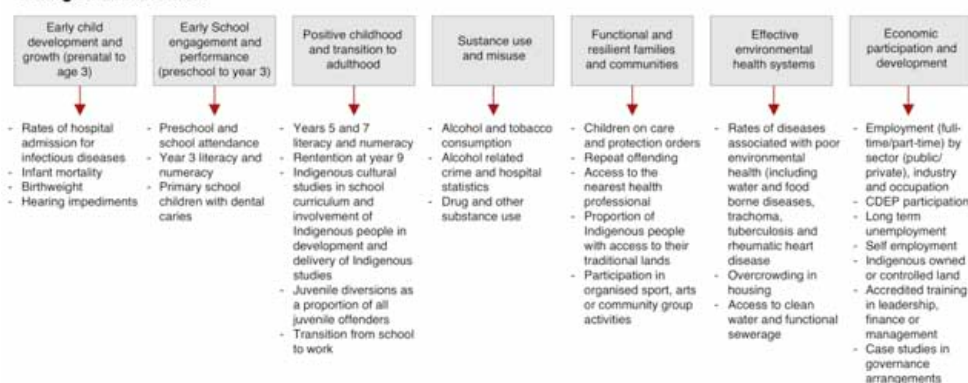
Overcoming Indigenous Disadvantage presents a set of indicators of Indigenous Australians' well being that have been jointly agreed by Commonwealth, state and territory governments. The report provides the opportunity to make comparisons across jurisdictions and to measure the impact of reforms over time, thus helping governments to identify where the focus for policy attention should be, and to determine whether policy changes are really making a difference.

The process of regularly monitoring and reporting on indicators of Indigenous disadvantage is intended to ensure that the range of issues that influence Aboriginal wellbeing remains a government priority. In addition, the provision of this information will inform government policy-making. The report aims to emphasise the importance of interaction between sectors and between governments, as well as with Indigenous people themselves, in achieving good outcomes. It is predicated on the view that achieving improvements in the well being of Indigenous people in a particular area will generally require the involvement of more than one government agency, and that improvements will need preventive policy actions on a whole-of-government basis.

Figure C.5

OVERCOMING INDIGENOUS DISADVANTAGE FRAMEWORK**Priority outcomes****Headline indicators**

<ul style="list-style-type: none"> - Life expectancy - Rates of disability and/or core activity restriction - Years 10 and 12 retention and attainment - Post secondary education - participation and attainment 	<ul style="list-style-type: none"> - Labour force participation and unemployment - Household and individual income - Home ownership - Suicide and self-harm 	<ul style="list-style-type: none"> - Substantiated child protection notifications - Deaths from homicide and hospitalisations for assault - Victim rates for crime - Imprisonment and juvenile detention rates
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Strategic areas for action

Source: Steering Committee for the Review of Government Service Provision 2005, *Overcoming Indigenous Disadvantage: Key Indicators 2005*, Productivity Commission, Canberra.

Three priority outcomes that sit at the apex of the *Overcoming Indigenous Disadvantage* framework, depicted in Figure C.5. They reflect COAG's vision for reducing disadvantage and were widely endorsed by Indigenous people. The outcomes are interlinked and should not be viewed in isolation from each another. The goal is that improvements in the next two tiers of the framework will, in time, overcome the disadvantage that currently precludes these outcomes from being attained by a large number of Indigenous people and communities.

- The first tier consists of twelve *headline indicators* that provide an overview of the state of Indigenous disadvantage. It serves to keep a national focus on the challenge of reducing disadvantage.
- The second tier contains seven *strategic areas for action*, chosen for their potential to have a significant and lasting impact in reducing Indigenous disadvantage. A series of *strategic change indicators* have been identified which shed light on whether policy actions are making a difference in the strategic areas for action.

Consultation and implementation

The report was developed by the Steering Committee for the Review of Government Service Provision, with the secretariat provided by the Productivity Commission.

Consultations were undertaken to inform the development of both the original report in 2003, as well as the latest release of the report in 2005. Initial consultations were carried out to inform the development of the framework, which included consultations with Indigenous groups and leaders, service providers, officials and researchers across Australia. Consultations were also undertaken with officials from State and Territory Governments, who in turn consulted with Indigenous organisations and community groups.

Further consultations were undertaken after the release of the initial report, to gain an understanding of how the indicators are being applied and implemented by Indigenous people and governments. These consultations included Indigenous communities and organisations, which concluded that improvements could be made to the framework's representation of Indigenous culture. This information was used to guide the development of the 2005 report, as well as identifying issues for consideration in future releases.

Milestones

Previous data provide a 'baseline' from which changes in Aboriginal disadvantage can be measured and monitored over time. Improvements against specific indicators are measured relative to previous results, as well as in comparison with the broader population, rather than through the achievement of specific milestones.

Legislative framework

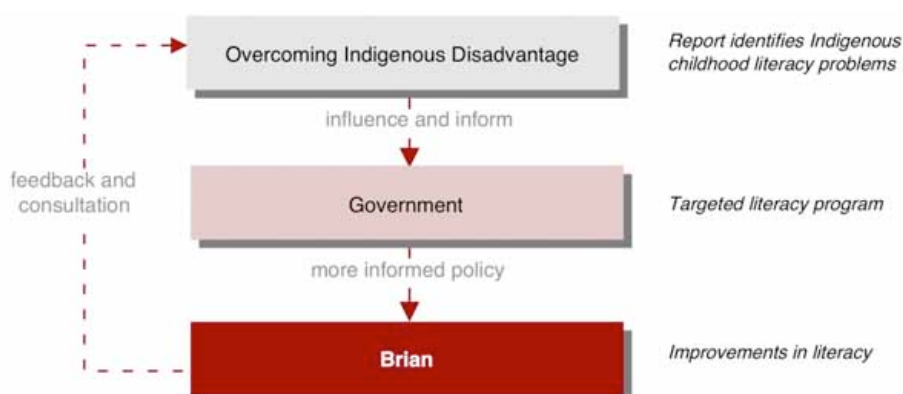
The report does not refer to any legislative framework.

Model

As a report designed to provide improved information across all levels of government, its impact on the outcomes of Aboriginal people will depend on how governments apply that information to the development of its policies and programs.

To illustrate the role of *Overcoming Indigenous Disadvantage* in achieving tangible outcomes for Aboriginal people, consider the hypothetical example of Brian, an Indigenous primary school student who is experiencing difficulties learning how to read (Figure C.6). Suppose *Overcoming Indigenous Disadvantage* highlighted that literacy standards among Indigenous children in New South Wales are lower than in other states. The report prompted the New South Wales government to develop a program to improve the literacy of Indigenous children, which helps Brian and some of his peers to learn to read. This improvement in outcomes will feed back into the next *Overcoming Indigenous Disadvantage* reporting process to inform and refine policy development in the future.

Figure C.6

APPLICATION OF *OVERCOMING INDIGENOUS DISADVANTAGE*: HYPOTHETICAL MODEL***Alignment with international protocols***

The report does not refer to any international protocols.

Aboriginal culture and heritage

A number of indicators are included in the report to represent dimensions of Aboriginal culture and heritage. These indicators include:

- Indigenous cultural studies in school curriculum and involvement of Indigenous people in development and delivery of Indigenous studies;
- Participation in organised sport, arts or community group activities;
- Proportion of people with access to their traditional lands; and
- Case studies in governance arrangements.

Consultations with Indigenous people following the release of the inaugural report suggested that the representation of Indigenous culture could be improved. A number of suggestions were put forward to use other indicators of culture and heritage issues, including use of Indigenous languages, recognition of Indigenous culture and law, and heritage management and cultural ownership. Some of these concepts are represented in the 2005 report through case studies.

Philosophical framework

The report aims to inform governments and the community about Indigenous disadvantage in order to monitor the progress and outcomes of policy interventions.

The report conceptualises Aboriginal wellbeing as a complex and multi-dimensional concept. The framework of indicators that comprises the report reflects this by grouping indicators into seven *strategic areas for action*. These groupings recognise the interrelated nature of the elements of Aboriginal wellbeing, while also identifying some elements as strategically important to overcoming disadvantage.

Prevention lies at the heart of the framework. Due to the necessarily long lead times, policy interventions that aim to improve, for example, Indigenous health or

employment outcomes, may take many years to have an impact on the headline indicators. In the intervening period, the headline statistics may incorrectly suggest a lack of progress, when much is being done to close the gap. The headline indicators are important in gauging overall progress in the long term, but do not assist policy makers to target the causes of disadvantage at key times in the life cycle when interventions can most effectively be made.

The report emphasises the importance of partnerships between sectors and between governments, as well as with Indigenous people themselves, in achieving good outcomes. It is predicated on the view that achieving improvements in the wellbeing of Indigenous Australians in a particular area will generally require the involvement of more than one government agency, and that improvements will need preventive policy actions on a whole of government basis.