

CHAPTER 10

Building a Policy Framework

While decisions on regional autonomy had still to be made, to achieve its goal, and on the basis of continuing consultations, and with regional autonomy still on the national agenda, the Murdi Paaki Regional Council decided to pursue a long term objective of a regional authority.

Apart from the creation of the Torres Strait Regional Authority, which was specifically legislated for, no other Regional Authorities had been created under the *ATSIC Act*. Even though the Commonwealth Government at the time was exploring greater opportunities for regional autonomy, no decision had been made on what form it should take.

The third stage of the Murdi Paaki process, therefore, involved developing a 'preferred' model that would lead the Council to attaining greater regional autonomy and authority, and workshopping the model with the communities within the region.¹

Further investigations, drawing on the outcomes of Stages one and two, were to include facilitating discussions within the Council, with its Strategic Planning Executive and with the existing Community Working Parties within the Region.

The consultative process was intended to ensure that there was broad support from Aboriginal people with the direction being taken by the Council and would also provide a forum for interested parties within the Aboriginal community to add to the discussion and debate.

The project requirement was that any models developed would need to reflect the particular nature of the Murdi Paaki Region and be feasible to implement.

The Regional Council appointed a consulting team to work with the Council and complete the tasks leading towards a recommended model.²

Acting as a resource for the Regional Council, the consultancy team prepared a number of discussion and issues papers to guide the Council's development of a preferred model and the consultations with communities. In doing so the consultancy team drew on relevant research and experience within Australia and overseas. Overseas sources included those of the World Bank's poverty reduction programs with their emphasis on community participation in planning and implementation.

The initial report based on these consultations was entitled 'Owning our Own Development' and focused on building decision-making capacity, ownership of community development for Aboriginal people in the Murdi Paaki Region of western New South Wales, and possible structural

¹ Murdi Paaki Regional Council, Project Description, Achieving Regional Autonomy and Authority stage three.

² The team comprised George Menham and Giff Jones, both with previous experience of the ATSIC system. George Menham had been part of the ATSIC review team which had recommended that a Torres Strait Regional Authority be established and was its first General Manager.

arrangements to bring this about within existing Federal arrangements.³ The report outlined the policy background and proposed a policy strategic approach to further developing the Council's proposal for a regional authority, including possible models.

The paper sought to integrate, in the first instance, community participation, planning, coordination, funding and relationships with Commonwealth, State and local government service providers into the Murdi Paaki Regional Governance structure within the framework of the *ATSIC Act* 1989.

The next step in the process would be to amend the *ATSIC Act* to create a new governance structure incorporating community Councils and a Regional Assembly with decision-making powers similar to ATSIC itself.

In this way the Murdi Paaki Regional Council aimed to ensure that communities played a central role in developing and implementing strategies for their own improvement and had an effective voice in all matters that affected them. It argued that a scheme along these lines would provide an opportunity for communities individually and collectively to define future policy directions and outcomes for the region, building on their own traditions, values and assets.

The Council was confident that its proposals fitted within the Council of Australian Governments' declared commitment to address the social and economic disadvantages experienced by Indigenous Australians. COAG had acknowledged that Governments could make a real difference in the lives of Indigenous people by addressing social and economic disadvantage, and improving governance and service delivery arrangements with Indigenous people.

Within COAG's broad policy framework, the Council saw the way forward as being to strengthen both regional and community capacity and authority in a reciprocal and responsive relationship between governments and Aboriginal and Torres Strait Islander people.

Decentralising decision-making would promote individual, family and community well-being, implement specific improvement initiatives and reforms at the community level, and progressively replace dependency with community self-reliance. Participating in, exercising control over and being responsible for the design, delivery and management of development programs at both the regional and community level was seen as a pathway to self-determination.

The Regional Council in its new form would continue to provide a regional perspective and interface with ATSIC, exercising statutory powers of planning, coordination, funding and the negotiation of service agreements, and provide the necessary administrative resources to support community planning and decision-making. Community Working Parties would determine local priorities and make decisions over the distribution of funds coming into the region.

³ *Owning our own Development*, a Report to the Murdi Paaki Regional Council, Achieving Greater Regional Autonomy, J G Menham and Giff Jones.

The Murdi Paaki Regional Council acknowledged that it must establish broad community involvement in its decision-making and develop community leadership, entrepreneurship and supporting linkages with all stakeholders – government and non-government. It recognised that new arrangements could not be achieved overnight and acknowledged that government assistance would continue to be needed. The goal of any new arrangements was to ensure that such assistance was delivered effectively and efficiently in accordance with the priorities of the people concerned and promote community self-reliance.

The overall development focus was on identifying the strengths of Aboriginal society, enhancing community institutions, developing opportunities, building partnerships, implementing plans tailored to the realities of each community's circumstances, and transforming the way governments did business with Aboriginal communities.

The report went on to describe the circumstances of the Murdi Paaki Region, including an analysis of the public finance of the region involving Commonwealth and State Governments and the eight local government Councils in the area.

Against the background of local government funding which included the additional costs for Councils with a significant Aboriginal population as a disability factor in determining the distribution of Commonwealth grants, the Murdi Paaki Regional Council itself had identified inequities, inefficiencies and inadequacies, specifically in relation to capacity, service delivery and service development, and wanted a more effective way to deliver services in Aboriginal communities and in doing so achieve better outcomes for social, economic and community developments. The Council felt it could do better with the same allocation of funds and could expand services by targeting development and priorities that had been determined by communities.

Achieving this required, among other things, greater responsiveness by Government Agencies to the community's vision, needs and aspirations and for the Murdi Paaki Council to lead discussion within Murdi Paaki communities to challenge the way government agencies did business with Aboriginal communities.

The Council affirmed its position that to improve the situation required a more appropriate governance system, a capacity to control the way services were delivered, and an authority to engage in partnerships and funding arrangements with Commonwealth, State and local government in a more participatory way. While the ATSIC structure had provided an important mechanism for doing these things, the processes of decision-making and service delivery required new structural arrangements.

In the particular circumstances of the region, the Council argued that there was a strong case for new regional structures which might more adequately reflect the interests and concerns of Aboriginal people in the region based on the way they wanted to do things and linking all stakeholders in a development partnership.

Two key features of the approach were planning and coordination. The overall aim was to remove boundaries between individual program areas to

provide a more holistic approach to development. Both required adjustments by government agencies in the way they did business with Aboriginal communities.

An important issue was the capacity of both the regional Council and community working parties to engage with a complex range of government service providers and the six local government Councils in the region within established legislative and funding arrangements.

Based on international experience, the report identified the different capacities that would be required for specific functions as part of the framework. These included:

- **The governance framework:** decision-making structures and processes, including representation and participation in decision-making, relationships with ATSIC and partnerships with other spheres of government;
- **Leadership:** Aboriginal elders and others within the community;
- **Funding relationships:** pooled funding and financial arrangements and agreements;
- **Community capacity:** building the institutional and human resources required to increase authority and responsibility;
- **Programs and services:** planning, designing and coordinating programs and services to improve outcomes;
- **Social funds:** managing social funds pooled for community benefit;
- **Economic development:** promoting self sustaining community economies based on their individual circumstances;
- **Young people:** investing in the future of young people to give them a sound foundation to find opportunities within and beyond their communities and escape a cycle of social and economic poverty; and
- **The role of women:** recognition of the role of women as agents of change in communities.

The basic philosophy was that greater participation in decision-making, as one aspect of sustainable development, would improve outcomes for Aboriginal people on a long-term basis.

The Council now wished to formalise Community Working Parties under the *ATSIC Act* to strengthen the representative structure and community participation and to recognise their role as ‘agents for change’ in the community.

Among the things they could do were:

- Formulate, maintain and implement a Community Profile and a Community Plan that:
 - Serve the interests and needs of the community;
 - Inform the Murdi Paaki Regional Plan; and
 - Contribute to the plans of Government for Service

Provision and Funding within the community.

- Be a party to the signing of ‘memorandums of understanding’ on service delivery and funding within the Murdi Paaki Region;
- Be a signatory to a range of service agreements with the Murdi Paaki ATSIC Regional Council and Government agencies at the Federal, State and Local levels;
- Approve organisations seeking funding for services and such funding;
- Be a party to a Service Agreement that pools all funds to create a community development fund. Services could then be purchased from that fund. Contracts could be entered into with the provider chosen by the Community Working Party;
- Negotiate and agree on milestones, outputs and outcomes with funding agencies so the performance of contracted organisations and Government Service Providers can be reviewed by the CWP;
- Monitor the performance of Government service providers and contracted organisations and review the outcomes of that service delivery; and
- Carry out extensive community consultations to establish future direction for the region based on a community vision and feed the results of the consultations back to the Regional Council.

The Murdi Paaki Regional Council wished to assist communities to re-build respect structures into the Aboriginal communities of the region. The way to do this was to put power and control back where it belonged – at the community level.

The Council saw itself simply as a vehicle for the communities in the region and the Community Working Parties (where they existed) to achieve their goals.

Evidence from many countries suggested four important conditions were necessary if decentralisation was to lead to improved governance:

- Significant powers and responsibilities for local service delivery should be devolved to representative bodies in line with their capacities;
- Sufficient resources must be provided to enable the bodies to fulfil their responsibilities;
- Proper accountability channels needed to be established; and
- There needed to be a strong regional administrative capacity.

The Council argued that these characteristics either existed or had the potential to exist within the *ATSIC Act*. What was lacking was an agreed framework within which such mechanisms might be developed. A determining aspect was to restore control to community ownership.⁴

⁴ Canadian Government, *Building Communities: Effective Practices in Aboriginal Communities Lessons Learned Background Report* Evaluation and Data Development Strategic Policy Human Resources Development Canada, March 1999.

The report, drawing on Canadian and World Bank experience, summarised the components of a comprehensive development program as:

- **Strategies to build or rebuild communities must be comprehensive.** Impoverished communities are faced with multiple disabilities and challenges. All of these have to be addressed concurrently to bring about fundamental change consistent with the community's vision;
- **Support families and children.** Families and children are the very foundation of strong communities and should be the primary concern of community development efforts. A social development strategy should help families to help themselves;
- **Start from local conditions.** Every effort must be tailored and adapted to local realities and conditions, and should build on the diversity, community assets, capacities and strengths;
- **Community residents must own the developmental process.** For self-reliance to replace dependency, social development requires the community itself to play the central role in devising and implementing strategies for its own improvement;
- **Foster broad community participation.** Social development requires that programs and policies be shaped by community residents themselves. Success depends upon broad community involvement and leaders must continually reach out to involve more and more people, including those who are rarely consulted;
- **Forge partnerships through collaboration.** Social development requires all sectors to work together in an atmosphere of trust, cooperation and respect;
- **Recognise systemic barriers.** Racism and even the very structure of many mainstream programs constitute barriers to social and economic development. A social development strategy must promote equity for all groups;
- **Governance.** Aboriginal institutions of governance must be consistent with the cultural traditions of the people. Each community needs to develop its own governance principles and mechanisms that have legitimacy within the community and can work with external organisations in partnerships. Improved governance arrangements provide a way of integrating economic and social assistance programs to promote and coordinate comprehensive development. Key factors in governance are:
 - Leadership and management skills;
 - Strong administrative institutions;
 - Reporting and accountability mechanisms to monitor results and make innovations;
 - Access to funds and resources; and
 - Flexibility to adapt programs and allocate funds accordingly.

- **Control of Resources.** Flexible funding arrangements are an integral part of supporting social and economic development in accordance with the community's own priorities. Studies of past funding arrangements in Canada reveal that these agreements increase 'capacity' as organisations learn by doing for themselves. Experience and strong institutions are also required.

The development model involved communities taking the lead in defining their development priorities and having a greater say over how 'social funds' were spent. It represented a 'bottom up' approach to development. It empowered local decision-making and provided a mechanism to ensure development assistance was better targeted.

In summary, participation was seen as being essential for sustainable development. The basis for this was that if stakeholders helped make the decisions at all stages of the development cycle, then development issues were more likely to be understood in their entirety and solutions were likely to be more effective.⁵

⁵ World Bank, *Resource Book on Participation*. World Bank, *An enhanced framework for poverty reduction: a synopsis for bank staff* Thomas, Kingsley G, McNeely, Joseph B, and Gibson, James O., Community Building Coming of Age, 1998.