



## Chronology of events relating to the administration of Indigenous affairs: 1 July 2005 – 30 June 2006

This appendix provides an overview of the main events with regard to the administration of Indigenous affairs to 30 June 2006. It commences with a summary table and is followed by a detailed description of each event.

Date	Event/summary of issue
<p><b>1 July 2005</b> <i>NSW Government officials move into Australian Government Indigenous Co-ordination Centres.</i></p>	<p>Officials from the New South Wales Government will be placed in Indigenous Co-ordination Centres (ICC's) which are run by the Australian Government from today.<sup>1</sup></p>
<p><b>3 July 2005</b> <i>NAIDOC week 2005 commences.</i></p>	<p>NAIDOC Week celebrations commence with the theme of "Our future begins with solidarity". The Australian Government provides funding for the annual National NAIDOC Awards Ceremony and Ball.<sup>2</sup></p>
<p><b>11 July 2005</b> <i>Indigenous Disadvantage Report reinforces the need for change.</i></p>	<p>The Steering Committee for the Review of Government Services Provision (SCRGSP) releases the Overcoming Indigenous Disadvantage Report. The Report highlights the unacceptable levels of disadvantage faced by Aboriginal and Torres Strait Islander Australians.<sup>3</sup></p>

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- 1 Minister for Immigration and Multicultural and Indigenous Affairs. *Minister welcomes important step in cooperation with States.* Media Release ID: vIPS 24/05. 1 July 2005.
  - 2 Minister for Immigration and Multicultural and Indigenous Affairs, *Minister welcomes start of NAIDOC Week 2005,* Media Release ID: vIPS 23/05, 3 July 2005.
  - 3 Minister for Immigration and Multicultural and Indigenous Affairs, *Indigenous Disadvantage Report reinforces the need for change,* Media Release ID: vIPS 27/05, 11 July 2005. Aboriginal and Torres Strait Islander peoples are herein referred to as Indigenous peoples.



<p><b>20 July 2005</b> <i>Indigenous Youth Leaders 2005 Announced.</i></p>	<p>The Australian Government appoints 17 Indigenous youth leaders to the National Indigenous Youth Leadership Group (NIYLG) 2005-06. The appointments were preceded by a call for nomination earlier in the year. The focus of the group will be the promotion of issues of relevance to young Indigenous Australians.<sup>4</sup></p>
<p><b>27 July 2005</b> <i>Tri-State Disability Strategic Framework agreed to by three governments.</i></p>	<p>The Northern Territory, Western Australia and South Australia Governments sign off on an agreement to assist in the delivery of disability services to the Ngaanyatjarra Pitjantjatjara Yankunytjatjara (NPY) Lands.<sup>5</sup></p> <p>Through the establishment of this framework the three Governments aim to recognise and acknowledge the links between the Indigenous people of the NPY Lands and to further recognise that state and territory borders should not serve as an impediment to accessing disability services</p>
<p><b>12 August 2005</b> <i>First Australian Regional Partnership Agreement signed off.</i></p>	<p>The Ngaanyatjarra Council signs off on the first Regional Partnership Agreement (RPA) in Australia today. The RPA commits all parties that are signatories to work together to improve essential services. The agreement applies to twelve communities in the Ngaanyatjarra Lands.<sup>6</sup></p>
<p><b>12 August 2005</b> <i>New Indigenous Employment Strategy for the Australian Public Service announced.</i></p>	<p>The Australian Government announces a new Indigenous Employment Strategy for the Australian Public Service. The strategy will provide additional funding of \$2.15 million a year for three years to improve employment opportunities for Aboriginal and Torres Strait Islander peoples in the Australian Public Service (APS).<sup>7</sup></p>
<p><b>7 September 2005</b> <i>Reforms to native title announced.</i></p>	<p>The Attorney-General announces reforms to the native title system which are designed to promote the resolution of native title issues through negotiation and agreement making rather than through litigation.</p>

4 Parliamentary Secretary for Children and Youth Affairs, *Indigenous Youth Leaders 2005 Announced*, Media Release, 20 July 2005.

5 Northern Territory, Minister for Family and Community Services, *Northern Territory signs up to historic tri-State agreement*, Media Release, 27 July 2005.

6 Minister for Immigration and Multicultural and Indigenous Affairs, *Minister Vanstone congratulates Ngaanyatjarra People on first Regional Partnership Agreement*, Media Release ID: vIPS 32/05, 12 August 2005.

7 Prime Minister of Australia, *New Indigenous Employment Strategy for the Australian Public Service*, Media Release, 12 August 2005.



<p><b>7 September 2005 (continued)</b></p> <p><i>Reforms to native title announced.</i></p>	<p>There are six inter-connected aspects to the reforms:</p> <ol style="list-style-type: none"> <li>1. Native Title Representative Bodies (NTRB's) – measures to improve the effectiveness of NTRBs .</li> <li>2. Native title respondents – amending the guidelines for the financial assistance program to encourage agreement making rather than litigation.</li> <li>3. Technical amendments to the <i>Native Title Act 1993</i> (Cth) – preparation of draft legislation for consultation.</li> <li>4. Claims resolution process – an independent review.</li> <li>5. Prescribed Bodies Corporate (PBCs) – an examination of the current structures and processes.</li> <li>6. Increased dialogue and consultation with State and Territory governments to promote and encourage more transparent practices in the resolution process.<sup>8</sup></li> </ol> <p>The State and Territory Native Title Ministers Group will meet in Canberra later this month with the Attorney-General to discuss the proposed changes.<sup>9</sup></p>
<p><b>12 September 2005</b></p> <p><i>\$9.5 million to tackle petrol sniffing announced by Australian Government.</i></p>	<p>The Australian Government announces a \$9.5 million boost in funding to tackle petrol sniffing in Central Desert Indigenous communities. Senior policing, justice, health and community services officials from the governments of the Northern Territory, South Australia and Western Australia support an eight point plan proposed by the Australian Government.<sup>10</sup></p>
<p><b>19 September 2005</b></p> <p><i>Inaugural meeting of the National Indigenous Youth Leadership Group.</i></p>	<p>The Parliamentary Secretary for Children and Youth hosts the inaugural meeting of the National Indigenous Youth Leadership Group (NIYLG), which was formed in July 2005.<sup>11</sup></p> <p>The NIYLG brings together 17 Indigenous young people, aged 18 to 24 years, from diverse backgrounds, employment, location and interests, to meet with the Australian Government to discuss their unique experiences and their expectations of the group.</p>

8 Attorney General's Department, *Practical reforms to deliver better outcomes in Native Title*, Media Release 163/2005, 7 September 2005.

9 Attorney General's Department, *Native Title Ministers' Meeting*, Communiqué, 16 September 2005, Canberra, available online at [http://www.ag.gov.au/www/agd/agd.nsf/Page/Indigenouslawandnativetitle\\_Nativetitleministersmeeting-communique-16September2005](http://www.ag.gov.au/www/agd/agd.nsf/Page/Indigenouslawandnativetitle_Nativetitleministersmeeting-communique-16September2005) accessed 16 January 2007.

10 Minister for Immigration and Multicultural and Indigenous Affairs, *Government Announces an Extra \$9.5 Million to Combat Petrol Sniffing*, Media Release ID: vIPS 33/05, 12 September 2005.

11 Parliamentary Secretary for Children and Youth, *Fresh new look at young Indigenous issues*, Media Release, 19 September 2005.



<p><b>4 October 2005</b></p> <p><i>Australian and Northern Territory Governments fund family violence projects.</i></p>	<p>The Australian and Northern Territory Governments jointly provide \$3.2 million for three new projects to tackle family violence and abuse in Indigenous communities.</p> <p>The projects include:</p> <ul style="list-style-type: none"> <li>• <i>Interventions for Children</i>, a program to develop and deliver therapeutic interventions for children exposed to family violence;</li> <li>• <i>Jiban Gubalewei (Peace at Home)</i>, which will establish a new integrated Police and Community Services centre addressing family violence and child abuse in the Katherine and Borroloola region; and</li> <li>• <i>Empowering Indigenous Communities</i>, which will pilot a method to monitor and respond to changing levels of local violence in six remote communities.<sup>12</sup></li> </ul>
<p><b>5 October 2005</b></p> <p><i>Initiatives to support home ownership on Indigenous land announced.</i></p>	<p>The Australian Government announces initiatives to support home ownership on Indigenous land throughout Australia.</p> <p>The initiatives include:</p> <ul style="list-style-type: none"> <li>• An initial allocation of a \$7.3 million addition to the Home Ownership Programme run by Indigenous Business Australia (IBA) for a new programme targeted to Indigenous Australians living on communal land. Under this program people can borrow money from the IBA at concessional interest rates.</li> <li>• An initial allocation of up to \$5 million from the Community Housing and Infrastructure Programme to reward good renters with the opportunity to buy the community house they have been living in at a reduced price.</li> <li>• Use of the Community Development Employment Project (CDEP) to start building houses, support home maintenance, and to maximise employment and training opportunities.</li> </ul> <p>These Australia wide measures add to the changes to tenure arrangements on Aboriginal land in the Northern Territory which were also announced today.<sup>13</sup></p>

12 Minister for Community and Family Services, *Australian and NT Governments step up the battle against Indigenous family violence*, Media Release, 4 October 2005.

13 Minister for Immigration and Multicultural and Indigenous Affairs, *Initiatives support home ownership on Indigenous land*, Media Release ID: vIPS 34/05, 5 October 2005.



<p><b>5 October 2005</b></p> <p><i>Changes to Aboriginal Land Rights (Northern Territory) Act 1976 announced.</i></p>	<p>The Minister for Immigration and Multicultural and Indigenous Affairs announces changes to the <i>Aboriginal Land Rights (Northern Territory) Act 1976</i>. The stated aim of the changes is to help Indigenous peoples get greater economic benefits from their land.</p> <p>The changes will introduce tenure arrangements over entire township areas which are on Aboriginal owned land. The scheme will be a voluntary one.<sup>14</sup></p>
<p><b>9 November 2005</b></p> <p><i>Indigenous Economic Development Strategy launched.</i></p>	<p>The Australian Government launches the Indigenous Economic Development Strategy, a scheme to assist Indigenous Australians achieve economic independence. The strategy focuses on two key areas: work, and asset and wealth management.</p> <p>Under the work component of the strategy, the Government will promote a <i>Local Jobs for Local People</i> initiative. Indigenous communities, employers and service providers will work together to identify local employment and business opportunities and the training needed for jobseekers.</p> <p>Other initiatives in this area include:</p> <ul style="list-style-type: none"> <li>• developing targeted industry strategies to address regional employment needs;</li> <li>• continuation of the Community Development Employment Project (CDEP) reforms which began earlier this year;</li> <li>• improving linkages between Indigenous communities and vocational education and training bodies; and</li> <li>• training and support for local Indigenous business entrepreneurs.</li> </ul> <p>Asset and wealth management initiatives include:</p> <ul style="list-style-type: none"> <li>• increasing Indigenous home ownership;</li> <li>• increasing personal and commercial financial skills; and</li> <li>• exploring ways to increase economic development on Indigenous land.<sup>15</sup></li> </ul>

14 Minister for Immigration and Multicultural and Indigenous Affairs, *Reforming the NT Aboriginal Lands Act*, Media Release vIPS 40/05, 5 October 2005.

15 Minister for Immigration and Multicultural and Indigenous Affairs, *Indigenous Economic Development Strategy Launched*, Media Release ID: vIPS 38/05, 9 November 2005.



<p><b>18 November 2005</b></p> <p><i>Reforms to the Aboriginal Land Rights (Northern Territory) Act 1976.</i></p>	<p>The Minister for Immigration and Multicultural and Indigenous Affairs announces amendments to the <i>Aboriginal Land Rights (Northern Territory) Act 1976</i>.</p> <p>The key elements of the reform are:</p> <ul style="list-style-type: none"> <li>• facilitating economic development;</li> <li>• improving the mining provisions of the Act including devolving some powers from the Australian Government to the Northern Territory Government;</li> <li>• allowing for local Indigenous people to have more say over their affairs;</li> <li>• moving to performance based funding for Land Councils;</li> <li>• ensuring royalty payments are made in a transparent and accountable way; and</li> <li>• disposing of land claims which cannot legally proceed or would be inappropriate to grant.<sup>16</sup></li> </ul>
<p><b>20 November 2005</b></p> <p><i>Secretaries Group on Indigenous Affairs releases its Annual Report on Indigenous Affairs 2004-05.</i></p>	<p>The Secretaries Group on Indigenous Affairs releases its Annual Report on Indigenous Affairs for 2004-05. The focus of activities for the Group in the last year have been:</p> <ul style="list-style-type: none"> <li>• setting parameters for local engagement with Indigenous communities based on shared responsibility;</li> <li>• providing high-level guidance and oversight of Indigenous Co-ordination Centres;</li> <li>• developing an integrated Single Indigenous Budget Submission for consideration by the Ministerial Taskforce for Indigenous Affairs (MTF); and</li> <li>• establishing a performance monitoring and evaluation framework.<sup>17</sup></li> </ul>
<p><b>22 November 2005</b></p> <p><i>Indigenous Legal Aid Services announced for the Northern Territory.</i></p>	<p>The Attorney-General announces two successful tenderers for the provision of legal aid services for Indigenous Australians in the Northern Territory.</p> <p>The North Australian Aboriginal Justice Agency Ltd is the successful tenderer for the North Zone and the Central Australian Aboriginal Legal Aid Service Incorporated is the successful tenderer for the South Zone. Tenders were called for in August of this year.<sup>18</sup></p>

16 Minister for Immigration and Multicultural and Indigenous Affairs, *Reforming the NT Aboriginal Land Rights Act*, Media Release vIPS 40/05, 18 November 2005.

17 Secretaries' Group on Indigenous Affairs, *Annual Report on Indigenous Affairs 2004-05*, 20 November 2005, available online at: [http://www.oipc.gov.au/performance\\_reporting/sec\\_group/ar2005/OIPC\\_Sec\\_Report05.pdf](http://www.oipc.gov.au/performance_reporting/sec_group/ar2005/OIPC_Sec_Report05.pdf) accessed 21 December 2005.

18 Attorney General, *Indigenous Legal Services Announced for NT*, Media Release 210/2005, 22 November 2005.



<p><b>23 November 2005</b></p> <p><i>Delivering Better Outcomes in Native Title – Update on Government’s Plan for Practical Reform.</i></p>	<p>The Attorney-General and Minister for Immigration and Multicultural and Indigenous Affairs issue a joint statement to outline more details about the changes to the administration of the native title system.</p> <p>The changes relate specifically to Native Title Representative Bodies (NTRB’s). The changes for NTRB’s are designed to:</p> <ul style="list-style-type: none"> <li>• enhance the quality of services by broadening the range of organisations that can undertake activities on behalf of claimants;</li> <li>• streamline the process for withdrawing recognition from poorly performing NTRBs and appointing a replacement;</li> <li>• put a time limit on the recognised status of NTRBs to ensure a focus on outcomes; and</li> <li>• provide NTRBs with multi-year funding to assist their strategic planning.</li> </ul> <p>Consultations are to be undertaken with NTRBs and stakeholders before the changes are formally introduced into Parliament next year.<sup>19</sup></p>
<p><b>5 December 2005</b></p> <p><i>Bilateral Agreement on Service Delivery to Aboriginal and Torres Strait Islanders in Queensland signed.</i></p>	<p>The Prime Minister and the Premier of Queensland announce a five-year bilateral agreement committing both governments to improving service delivery to Indigenous Queenslanders.</p> <p>The agreement commits the Australian and Queensland Governments to work together with Indigenous communities on service planning and delivery, investment and performance evaluation, and to reduce the bureaucratic load on communities.</p> <p>Under the agreement, the governments will work towards shared priorities, including those identified in the Overcoming Indigenous Disadvantage Report. These include:</p> <ul style="list-style-type: none"> <li>• early childhood development and growth;</li> <li>• early school engagement and performance;</li> <li>• positive childhood and transition to adulthood;</li> <li>• substance use and misuse;</li> <li>• functional and resilient families and communities;</li> <li>• effective environmental health systems; and</li> <li>• economic participation and development.<sup>20</sup></li> </ul>

19 Minister for Immigration and Multicultural and Indigenous Affairs, *Delivering Better Outcomes in Native Title – Update on Government’s Plan for Practical Reform*, Media Release ID: vIPS 42/05, 9 November 2006.

20 Prime Minister of Australia, *Bilateral Agreement on Service Delivery to Aboriginal and Torres Strait Islanders in Queensland*, Media Release, 5 December 2005.



<p><b>15 December 2005</b></p> <p><i>National Indigenous Council releases its inaugural Report Card.</i></p>	<p>The National Indigenous Council (NIC) releases its Inaugural Report to the Australian Government. The report is a requirement of the terms of reference that established the NIC.</p> <p>The report summarises the work undertaken by the NIC from December 2004 to December 2005.</p> <p>The report has five main discussion areas:</p> <ul style="list-style-type: none"> <li>• a brief analysis of the new arrangements, the Ministerial Taskforce on Indigenous Affairs (MTF) and the Secretaries Group on Indigenous Affairs;</li> <li>• the role and meetings of the NIC throughout the previous year;</li> <li>• strategic advice given and partnerships entered into during the last twelve months by the NIC;</li> <li>• individual NIC members' reports; and</li> <li>• concluding remarks which provide a summary of the year's work.<sup>21</sup></li> </ul>
<p><b>15 December 2005</b></p> <p><i>\$23 million boost for training for Indigenous youth from remote communities.</i></p>	<p>The Australian Government launches the Indigenous Youth Mobility Programme. \$23.1 million has been allocated to provide 600 young Indigenous Australians with the opportunity to relocate to a major regional centre and train for a career by undertaking pre-vocational training, a new apprenticeship or tertiary level education.<sup>22</sup></p> <p>The objectives of the Indigenous Youth Mobility Programme are to:</p> <ul style="list-style-type: none"> <li>• improve access to training and employment opportunities in major centres for young Indigenous Australians from remote communities;</li> <li>• increase the number of young Indigenous Australians participating in accredited training;</li> <li>• increase the number of Indigenous people employed in occupations in particular areas of community need such as trades, nursing, accountancy, business management and teaching, and;</li> <li>• support economic development in remote communities by building the capacity of local Indigenous youth to take up skilled jobs in their communities.<sup>23</sup></li> </ul>

21 National Indigenous Council, *Report to Government December 2004 to December 2005*, available online at <http://www.atsia.gov.au/NIC/communique/PDFs/ReportCard2005.pdf> accessed 16 January 2007.

22 Minister for Education, Science and Training, *\$23 Million Boost for Training Indigenous Youth from Remote Communities*, Media Release: MIN 2053/05, 15 December 2005.

23 Department of Education, Science and Training, *Indigenous Youth Mobility Programme*, available on line at: [http://www.dest.gov.au/sectors/indigenous\\_education/programmes\\_funding/programme\\_categories/iymp/#](http://www.dest.gov.au/sectors/indigenous_education/programmes_funding/programme_categories/iymp/#) accessed 20 December 2006.





<p><b>22 December 2005</b></p> <p><i>Over \$250 million in new Agreement on Indigenous housing and infrastructure.</i></p>	<p>The Australian and Northern Territory (NT) Governments announce their <i>Agreement for the Provision of Housing and Infrastructure to Indigenous People in the Northern Territory 2005-2008</i>. The agreement provides that from 1 July 2006, the Northern Territory will manage the funding for Indigenous housing and housing infrastructure.</p> <p>The agreement forms the basis of a three year program worth \$254 million that will for the first time combine the Australian and NT Governments' Indigenous housing resources to help provide better housing alternatives for Indigenous families across the NT.<sup>24</sup></p>
<p><b>23 January 2006</b></p> <p><i>Indigenous Legal Aid Services announced for South Australia.</i></p>	<p>The Attorney-General announces the Aboriginal Legal Rights Movement Incorporated is the successful tenderer for the provision of legal aid services to Indigenous Australians in South Australia.</p> <p>The Aboriginal Legal Rights Movement Incorporated has provided Indigenous legal aid services in the State since its incorporation in 1973.<sup>25</sup></p>
<p><b>24 January 2006</b></p> <p><i>Indigenous Affairs moves to a new Federal Department (FaCSIA).</i></p>	<p>The Prime Minister announces changes to the Ministry and the Administrative Arrangements Order. As part of the change the Office of Indigenous Policy Coordination is moved to the Family and Community Services Portfolio and a new Ministerial portfolio will be created to encompass Indigenous affairs.<sup>26</sup></p> <p>The new Minister will head the newly formed Department of Families, Community Services and Indigenous Affairs (FaCSIA). This department was formerly known as the Department of Family and Community Services.</p>
<p><b>February 2006</b></p> <p><i>The passage of the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth) delayed until October 2006.</i></p>	<p>The passage of the <i>Corporations (Aboriginal and Torres Strait Islander) Act 2006</i> (Cth) through Parliament is delayed until October 2006.</p> <p>The Bill will commence on 1 July 2007 to coincide with the start of the 2007-08 financial year.<sup>27</sup></p>

24 Minister for Family and Community Services and Minister for Housing, *Over \$250 million in new Agreement on Indigenous Housing and Infrastructure*, Joint Media Release, 22 December 2005.

25 Attorney-General, *Indigenous Legal Services announced for South Australia*, Media Release 005/2006, 23 January 2006.

26 Prime Minister of Australia, *Ministerial Changes*, Media Release, 24 January 2006.

27 Australian Government, Registrar of Aboriginal Corporations, *The Corporations (Aboriginal and Torres Strait Islander) Act 2006*, available on line at: [http://www.orac.gov.au/about\\_orac/legislation/reform\\_act.aspx](http://www.orac.gov.au/about_orac/legislation/reform_act.aspx) accessed 21 December 2006.



<p><b>15 February 2006</b></p> <p><i>Social Justice and Native Title Reports 2005 tabled in Parliament.</i></p>	<p>The Attorney-General tables the <i>Social Justice Report 2005</i> and the <i>Native Title Report 2005</i> in Parliament.</p> <p>The reports were prepared by the Aboriginal and Torres Strait Islander Social Justice Commissioner.<sup>28</sup></p>
<p><b>8 March 2006</b></p> <p><i>Boost in Indigenous school retention rates.</i></p>	<p>The Australian Bureau of Statistics releases the <i>Schools Report 2005</i> which shows that school retention rates among Indigenous students have climbed significantly over the past five years.<sup>29</sup></p>
<p><b>28 March 2006</b></p> <p><i>Public Service boosts its intake of Indigenous graduates.</i></p>	<p>The Australian Public Service has markedly increased its intake of Indigenous graduates following the success of the first year of the Australian Public Service Commission's Indigenous graduate recruitment initiative.<sup>30</sup></p>
<p><b>12 April 2006</b></p> <p><i>National Aboriginal and Torres Strait Islander Health Survey indicates that Indigenous unemployment has fallen.</i></p>	<p>The 2004-05 National Aboriginal and Torres Strait Islander Health Survey (NATSIHS) is released. It indicates that national unemployment for Indigenous persons aged 15 years and over has fallen to 15.4 per cent for 2004-2005. This result represents a fall of 7.5 percentage points, compared to the 2002 survey when Indigenous unemployment was measured at 22.9 per cent.<sup>31</sup></p> <p>The survey was conducted in remote and non-remote areas of Australia, and was designed to collect a range of information from Indigenous Australians about health related issues, including health status, risk factors and socio-economic circumstances.<sup>32</sup></p>
<p><b>17 April 2006</b></p> <p><i>Bilateral Agreement on Service Delivery to Indigenous communities in South Australia signed.</i></p>	<p>The Prime Minister and the Premier of South Australia sign a five-year bilateral agreement committing both governments to improving service delivery to Indigenous communities in South Australia.</p> <p>This is a formal agreement by the Commonwealth and South Australian Governments to work together with</p>

28 Attorney-General's Department, *Tabling of the Social Justice and Native Title Reports*, Media Release 013/2006, 15 February 2006.

29 Minister for Families, Community Service and Indigenous Affairs. *Boost in Indigenous school retention rates*. Media Release ID 09/06. 8 March 2006.

30 Minister for Employment and Workplace Relations, Minister Assisting the Prime Minister for the Public Service, *Public Service Boosts Its Intake of Indigenous Graduates*, Media Release 409/06, 28 March 2006.

31 Minister for Employment and Workplace Relations, Minister Assisting the Prime Minister for the Public Service. *Indigenous Unemployment Falling*. Media Release 086/06. 12 April 2006.

32 Australian Bureau of Statistics, *National Aboriginal and Torres Strait Islander Health Survey 2004-05*, 11 April 2005, available online at [http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/B1BCF4E6DD320A0BCA25714C001822BC/\\$File/47150\\_2004-05.pdf](http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/B1BCF4E6DD320A0BCA25714C001822BC/$File/47150_2004-05.pdf) accessed 20 December 2006.



<p><b>17 April 2006 (continued)</b></p> <p><i>Bilateral Agreement on Service Delivery to Indigenous communities in South Australia signed.</i></p>	<p>Indigenous communities on service planning, delivery, investment and performance evaluation, and to reduce the bureaucratic load on communities.</p> <p>Under the agreement, the governments will work towards shared priorities, including those identified in the Overcoming Indigenous Disadvantage Report, as well as other identified priority areas including:</p> <ul style="list-style-type: none"> <li>• safer communities;</li> <li>• housing and infrastructure;</li> <li>• health and education;</li> <li>• homelessness;</li> <li>• economic development;</li> <li>• land, environment and culture; and</li> <li>• service delivery.<sup>33</sup></li> </ul>
<p><b>17 April 2006</b></p> <p><i>Bilateral Agreement on Service Delivery to Indigenous peoples in New South Wales signed.</i></p>	<p>The Australian and New South Wales Governments sign a five-year bilateral agreement committing both governments to improving service delivery to Indigenous communities in NSW.</p> <p>This is a formal agreement which commits the Australian and NSW Governments to work together with Indigenous communities on service planning and delivery, investment and performance evaluation, and to reduce the bureaucratic load on communities.</p> <p>Under the agreement, the governments will work towards shared priorities, including those identified in the Overcoming Indigenous Disadvantage Report, as well as other identified priority areas including:</p> <ul style="list-style-type: none"> <li>• building Indigenous wealth and employment;</li> <li>• promoting an entrepreneurial culture in Indigenous communities;</li> <li>• improving living conditions, health and social outcomes across a range of areas including early childhood health and intervention, improving literacy and numeracy, increasing school retention rates, reducing incarceration and the level of family violence; and creating safer communities.</li> </ul> <p>This is the fourth bilateral agreement to be signed under the Council of Australian Governments (COAG) Indigenous Service Delivery Framework.<sup>34</sup></p>

33 Prime Minister of Australia, *Bilateral Agreement on Service Delivery to Aboriginal and Torres Strait Islanders in South Australia*, Media Release, 17 April 2006.

34 Prime Minister of Australia, *Bilateral Agreement on Service Delivery to Aboriginal and Torres Strait Islanders in New South Wales*, Media Release, 17 April 2006.



<p><b>28 April 2006</b></p> <p><i>New provider for NSW Indigenous legal aid services.</i></p>	<p>The Attorney-General announces the Aboriginal Legal Service (NSW/ACT) Ltd. as the successful tenderer to provide Indigenous legal aid services in NSW and the Australian Capital Territory.</p> <p>The new Aboriginal Legal Service (NSW/ACT) Ltd merges the six existing Aboriginal and Torres Strait Islander Legal Services in New South Wales.<sup>35</sup></p>
<p><b>9 May 2006</b></p> <p><i>Federal Budget 2006-07.</i></p>	<p>Funding to Indigenous affairs in the 2006-07 Federal Budget, will total \$3.3 billion. This is the result of allocating close to \$500 million over five years in this Budget, with twenty four new initiatives across six portfolios.<sup>36</sup></p> <p>The key budget measures within the Indigenous portfolio address four themes:</p> <ol style="list-style-type: none"> <li>1. Measures Investing in People: these programs will include using sport to improve Indigenous young people's education and life prospects; the reform of the delivery capacity of Indigenous corporations; Indigenous community leadership; a family and community networks initiative; an Indigenous tutorial assistance scheme; an Indigenous boarding college and the establishment of a National Indigenous Scouting Programme.</li> <li>2. Measures Addressing Economic Independence: initiatives will include improving the sustainability of community stores; the Home Ownership Program; enhanced opportunities for employment and participation in remote communities; extending the Family Income Management Programme; improving Indigenous health worker employment; continuing and expanding funding to the Remote Area Servicing, through ten established centres and two new centres; Cape York Institute welfare reform project; and Cape York Digital Network.</li> <li>3. Measures Tackling Pressing Problems: funding will be allocated to reducing substance abuse; Indigenous Family Violence Prevention Legal Services; improving Indigenous access to health care services; additional Indigenous aged care places; Northern Territory</li> </ol>

35 Attorney-General's Department, *New provider for NSW Indigenous legal services*, Media Release 069/2006, 28 April 2006.

36 Minister for Families, Community Services and Indigenous Affairs, *Budget delivers new opportunities for Indigenous Australians*, Media Release ID: 33/6, 9 May 2006.



<p><b>9 May 2006 (continued)</b></p> <p><i>Federal Budget 2006-07.</i></p>	<p>Indigenous Interpreter Services; and improving the capacity of health workers in Indigenous communities; and</p> <p>4. Other Measures: funding will be allocated to Reconciliation Australia; developing the 1967 referendum anniversary activities; and flexible funds for shared responsibility and agreement making.<sup>37</sup></p>
<p><b>18 May 2006</b></p> <p><i>National plan for action against Indigenous violence and child abuse.</i></p>	<p>The Australian Government invites State and Territory Governments to a summit to develop a national action plan to address community safety in Indigenous communities.<sup>38</sup></p>
<p><b>23 May 2006</b></p> <p><i>OIPC releases a coordination evaluation plan for 2006-2009.</i></p>	<p>The Office of Indigenous Policy Coordination (OIPC) releases a coordination evaluation plan for the whole of government activities in Indigenous affairs for 2006-2009. The paper provides an overview of the planned evaluation activities to be conducted during 2006-2009 by OIPC.<sup>39</sup></p>
<p><b>31 May 2006</b></p> <p><i>Reforms to Aboriginal Land Rights (Northern Territory) Act 1976 introduced into Parliament.</i></p>	<p>The Minister for Immigration and Multicultural and Indigenous Affairs introduces amendments to the <i>Aboriginal Land Rights (Northern Territory) Act 1976</i> into Parliament. The amendments were announced in October 2005.</p> <p>The changes to the <i>Aboriginal Land Rights (Northern Territory) Act 1976</i> will allow long term leases to be held over entire township areas; change the current processes for land development; and impact on the performance and accountability of Land Councils and royalty bodies.<sup>40</sup></p>

37 Minister for Families, Community Services and Indigenous Affairs, *Summary of Indigenous Measures*, Media Release ID: 33/6 Attachment, 9 May 2006.

38 Minister for Families, Community Services and Indigenous Affairs, *National plan for action against Indigenous violence and child abuse says Brough*, Media Release ID: 33/6, 9 May 2006.

39 Office of Indigenous Policy Coordination, *Evaluation Plan for Whole-of-Government Activities in Indigenous Affairs*, 23 May 2006, available on line at: [http://www.oipc.gov.au/documents/OIPC\\_EvaluationPlan\\_23May.pdf](http://www.oipc.gov.au/documents/OIPC_EvaluationPlan_23May.pdf) accessed 21 December 2006.

40 Minister for Immigration and Multicultural and Indigenous Affairs, *Long term leases the way forward for NT Aboriginal townships*, Media Release ID: vIPS 35/05, 5 October 2005.



<p><b>31 May 2006 (continued)</b></p> <p><i>Reforms to Aboriginal Land Rights (Northern Territory) Act 1976 introduced into Parliament.</i></p>	<p>The 2006-07 Budget allocated \$107.5 million to the expansion of the Indigenous Home Ownership on Indigenous Land Program and a Home Purchase Incentive Scheme on Community Title Land.<sup>41</sup> The new tenure arrangements contained in the Bill will enable Aboriginal people in the Northern Territory to access these new programs.<sup>42</sup></p>
<p><b>19 June 2006</b></p> <p><i>Forum on ending violence in Indigenous communities.</i></p>	<p>Australians for Native Title and Reconciliation (ANTaR) and the Human Rights and Equal Opportunity Commission (HREOC) host a forum on ending violence in Indigenous communities at Parliament House in Canberra.</p> <p>The event is supported by the Australian Indigenous Doctors Association (AIDA), Australian Medical Association (AMA), Oxfam Australia and the Australian Principals' Associations Professional Development Council (APAPDC).<sup>43</sup></p>
<p><b>21 June 2006</b></p> <p><i>The Australian Institute of Health and Welfare releases 'Australia's Health 2006'.</i></p>	<p>The Australian Institute of Health and Welfare releases <i>Australia's Health 2006</i>, a comprehensive report on the health status of the Australian population and the factors that influence it, including health services and expenditures.</p> <p>The report states that Australia's Indigenous population continues to have a poorer standard of health than other Australians and there is still too little evidence that the health of Aboriginal and Torres Strait Islander peoples is improving. Death rates of Indigenous infants remain approximately three times those of other Australian infants, and about 70% of Indigenous Australians die before reaching 65, compared with a little over 20% for other Australians.<sup>44</sup></p>

41 Office of Indigenous Policy Coordination, *ALR Reforms: Questions and Answers on complementary measures to assist Indigenous home ownership*, available online at [http://www.oipc.gov.au/ALRA\\_Reforms/QA\\_ComplimentaryMeasures.asp](http://www.oipc.gov.au/ALRA_Reforms/QA_ComplimentaryMeasures.asp) accessed 20 December 2006.

42 Minister for Families, Community Services and Indigenous Affairs, *Historic reforms to NT land rights*, Media Release, 31 May 2006.

43 ABC Message Stick, *National: Forum on Ending Violence in Indigenous Communities*, Media Release, 19 June 2006, available online at <http://www.abc.net.au/message/news/stories/s1666291.htm> accessed 21 December 2006.

44 Australian Government, Australian Institute of Health and Welfare, *Australia improves its health ranking*, Media Release, 21 June 2006.



<p><b>26 June 2006</b></p> <p><i>Intergovernmental Summit on Violence and Child Abuse in Indigenous Communities.</i></p>	<p>An Intergovernmental Summit on Violence and Child Abuse in Indigenous Communities is held involving Ministers from the Australian Government and all States and Territories. The Ministers agree that the levels of violence and child abuse in Indigenous communities warrant a comprehensive national response.</p> <p>The Communiqué released following the Intergovernmental Summit reconfirms the principles agreed by the Council of Australian Governments (COAG) in June 2004 under COAG's <i>National Framework on Indigenous Family Violence and Child Protection</i>, particularly that:</p> <ul style="list-style-type: none"> <li>• everyone has a right to be safe from family violence and abuse;</li> <li>• preventing family violence and child abuse in Indigenous families is best achieved by families, communities, community organisations and different levels of government working together as partners;</li> <li>• successful strategies to prevent family violence and child abuse in Indigenous families enable Indigenous people to take control of their lives, regain responsibility for their families and communities and to enhance individual and family wellbeing; and</li> <li>• the need to address underlying causes and to build strong and resilient families.<sup>45</sup></li> </ul>
<p><b>27 June 2006</b></p> <p><i>Inquiry into Child Sex Abuse in Aboriginal communities in the Northern Territory.</i></p>	<p>The Northern Territory Chief Minister announces an inquiry into child sexual abuse in NT Aboriginal communities.<sup>46</sup></p> <p>The Inquiry will:</p> <ul style="list-style-type: none"> <li>• examine the size, nature and fundamental causes of the sexual abuse of Aboriginal children;</li> <li>• identify barriers and issues associated with the provision of effective responses;</li> <li>• consider methods, policies, procedures and resources of NT government agencies; and</li> <li>• consider how the NT Government can help support communities effectively to tackle child sexual abuse.</li> </ul> <p>The Inquiry will report to the Chief Minister by the end of April 2007.<sup>47</sup></p>

45 Minister for Families, Community Services and Indigenous Affairs, Minister Assisting the Prime Minister for Indigenous Affairs, *Intergovernmental Summit on Violence and Child Abuse in Indigenous Communities Communiqué Safer Kids, Safer Communities*, Media Release, 26 June 2006.

46 Northern Territory Chief Minister, *Chief Minister orders inquiry into child sex abuse*, Media Release, 27 June 2006.

47 Northern Territory Chief Minister, *Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, available at <http://www.nt.gov.au/dcm/inquiryrsaac/> accessed 11 January 2007.



<p><b>28 June 2006</b></p> <p><i>Indigenous Legal Aid Service Provider for Tasmania announced.</i></p>	<p>The Attorney-General announces that the Tasmanian Aboriginal Centre Incorporated has been awarded the contract to provide legal aid services for Indigenous Australians in Tasmania.</p> <p>The Tasmanian Aboriginal Centre Incorporated has provided Indigenous legal aid services in Tasmania for more than 32 years.<sup>48</sup></p>
<p><b>29 June 2006</b></p> <p><i>United Nations Human Rights Council adopts the Declaration on the Rights of Indigenous Peoples.</i></p>	<p>The United Nations (UN) Human Rights Council adopts the Declaration on the Rights of Indigenous Peoples after more than twenty years of work by indigenous peoples and the UN system.<sup>49</sup></p> <p>On 28 November, the Third Committee of the General Assembly adopted a resolution that defers the Assembly's consideration of the Declaration until the end of its current session, which will conclude in September 2007.<sup>50</sup></p>

48 Attorney-General's Department, *Indigenous Legal Aid service provider announced for Tasmania*, News Release 122/2006, 28 June 2006.

49 Human Rights and Equal Opportunity Commission, *Social Justice Commissioner praises United Nations Human Rights Council for adopting the Declaration on the Rights of Indigenous Peoples*, Media Release, 30 June 2006 available online at [http://www.hreoc.gov.au/media\\_releases/2006/47\\_06.htm](http://www.hreoc.gov.au/media_releases/2006/47_06.htm) accessed 22 January 2007.

50 United Nations Permanent Forum available online at <http://www.un.org/esa/socdev/unpfii/en/declaration.html> accessed 22 January 2007. See also United Nations Department of Public Information, *Press Conference on Declaration of Indigenous Peoples' Rights*, Media Release, 12 December 2006, available online at [http://www.un.org/News/briefings/docs/2006/061212\\_Indigenous.doc.htm](http://www.un.org/News/briefings/docs/2006/061212_Indigenous.doc.htm) accessed 10 January 2007.





## Further information on events relating to the administration of Indigenous affairs: 1 July 2005 – 30 June 2006

This section includes specific text references from the Social Justice Commissioner and HREOC but primarily all of the narrative has been extracted from the original sources referred to and reproduced in abbreviated form. As Social Justice Commissioner I am not endorsing or qualitatively assessing any government policy or practice in this section other than what can be specifically credited to me or my office.

Qualitative analysis of the policies and practices will be recorded in other sections and chapters of the Social Justice Report 2006.

<p><b>1 July 2005</b></p> <p><i>NSW Government officials move into Australian Government Indigenous Coordination Centres.</i></p>	<p>Officials from the New South Wales Government will be placed in Indigenous Co-ordination Centres (ICC's) which are run by the Australian Government from today.<sup>51</sup></p>
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The Australian Government established 30 Indigenous Co-ordination Centres across Australia during 2004, the Minister for Immigration and Multicultural and Indigenous Affairs stated that having State Government officials working from the same premises as Australian Government officials in New South Wales will assist with co-ordination and service delivery under the new mainstream arrangements.<sup>52</sup>

<p><b>3 July 2005</b></p> <p><i>NAIDOC week 2005 commences.</i></p>	<p>NAIDOC Week celebrations commence with the theme of "Our future begins with solidarity". The Australian Government provides funding for the annual National NAIDOC Awards Ceremony and Ball.<sup>53</sup></p>
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NAIDOC celebrations are held throughout Australia in the first full week of July each year to celebrate the history, culture and achievements of Indigenous peoples. The theme for 2005 is "Our future begins with solidarity".<sup>54</sup>

51 Minister for Immigration and Multicultural and Indigenous Affairs, *Minister welcomes important step in cooperation with States*, Media Release ID: vIPS 24/05, 1 July 2005.

52 Minister for Immigration and Multicultural and Indigenous Affairs, *Minister welcomes important step in cooperation with States*, Media Release ID: vIPS 24/05, 1 July 2005.

53 Minister for Immigration and Multicultural and Indigenous Affairs, *Minister welcomes start of NAIDOC Week 2005*, Media Release ID: vIPS 23/05, 3 July 2005.

54 Minister for Immigration and Multicultural and Indigenous Affairs, *Minister welcomes start of NAIDOC Week 2005*, Media Release ID: vIPS 23/05, 3 July 2005.



The winner of the Lifetime Achievement Award was Arthur Murray. Arthur Murray is best known for his campaign to stop Aboriginal deaths in custody. He became a national figure in the fight for justice to stop Aboriginal deaths in custody after losing his son Eddie in the 1980's.

This year's female Elder of the Year goes to Mary Jane Ware from South Australia (SA). Mary is affectionately known throughout SA as *Nanna Mary*, she has been involved in Croc Fests and local NAIDOC Week celebrations. Mary Ware recently gained her Masters of Education in Aboriginal Education.

This year's male Elder of the Year is Albert Holt, a Queensland man who was instrumental in establishing the first Murri Court in Queensland and who continues to fight to reduce the number of Indigenous peoples who come into contact with the criminal justice system, including prison.<sup>55</sup> Details of other winners can be found at [http://www.naidoc.org.au/award\\_winners/default.aspx](http://www.naidoc.org.au/award_winners/default.aspx)

<p><b>11 July 2005</b></p> <p><i>Indigenous Disadvantage Report reinforces the need for change.</i></p>	<p>The Steering Committee for the Review of Government Services Provision (SCRGSP) releases the Overcoming Indigenous Disadvantage Report. The report highlights the unacceptable levels of disadvantage faced by Indigenous Australians.<sup>56</sup></p>
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The Overcoming Indigenous Disadvantage Report is the second report by the Steering Committee commissioned by the Council of Australian Governments and funded by the Australian Government. The report aims to provide indicators of Indigenous disadvantage 'that are of relevance to all governments and Indigenous stakeholders, and that can demonstrate the impact of programme and policy interventions'.

This report reveals mixed results. In some areas there have been improvements, but in others there has been little or no progress, or a backward trend is emerging.

Some economic indicators that show improvement include labour force participation, unemployment, and home ownership during the period 1994 to 2002. Social indicators that shows marked improvement during the same period are post secondary education participation and attainment.

In contrast, the report shows a concerning increase in relation to the following indicators: the proportion of Indigenous people who reported being victims of crime during the period 1994 to 2002, substantiated child protection notifications from 1999-2000 to 2003-2004, and imprisonment rates for Indigenous men and women during the period 2000-2004.

55 National NAIDOC week website, available on line at: <http://www.naidoc.org.au/gallery/2005/> accessed 21 December, 2006.

56 Minister for Immigration and Multicultural and Indigenous Affairs. *Indigenous Disadvantage Report reinforces the need for change*. Media Release ID: vIPS 27/05. 11 July 2005.



Overall, a significant gap remains between Indigenous peoples and the rest of the population in all of the headline indicators, including those where improvement has been made.<sup>57</sup> The headline indicators are: life expectancy at birth; rates of disability and/or core activity restriction; years 10 and 12 retention and attainment; labour force participation and unemployment; household and individual income; home ownership; suicide and self harm; substantiated child protection notifications; deaths from homicide; hospitalisations for assault; victims rates for crime and imprisonment; and juvenile detention rates.<sup>58</sup>

A summary of key findings from the report include:

- The life expectancy of Indigenous people is estimated to be around 17 years lower than that for the total Australian population. Life expectancy at birth is 59 years for an Indigenous male compared with 77 years for males in the total population, and 65 years for Indigenous females compared with 82 years for females in the total population.<sup>59</sup>
- The proportion of the Indigenous population aged 15 years and over, reporting a disability or a long-term health condition was 37%. These proportions remained steady through both remote and non-remote areas. This figure does not include people with a psychological disability. The proportion of the Indigenous population aged 18 years and over in non-remote areas reporting a disability, including a psychological disability, was 49%, one third of whom had a core activity limitation. The core activity limitation can range from profound (always needing help or supervision) to mild (uses aids to assist in performing core activities). After adjusting for age differences, Indigenous people aged 18 years and over in non-remote areas were 1.7 times more likely than non-Indigenous people to report a disability which impacted on their core activities.<sup>60</sup>
- There was an increase in the proportion of year 3 students who achieved the writing benchmark: 77% in 2002 compared with 67% in 1999 and 65% in 2000. The proportion of year 5 Indigenous students who achieved the reading benchmark increased from 59% in 1999 to 68% in 2002. Of the students who commenced year 11 in 2001, 55% went on to complete year 12 in 2002 compared to 49% who commenced year 11 in 2000 and completed in 2001. From 2000 to 2004, Indigenous retention rates to year 12 increased from 36 to 40%. Nationally in 2004, Indigenous students were half as likely to continue to year 12 as non-Indigenous students.<sup>61</sup>

57 Steering Committee for the Review of Government Service Provision, *Overcoming Indigenous Disadvantage Key Indicators 2005 Overview*, Productivity Commission, Canberra, 2005, p 1.

58 Steering Committee for the Review of Government Service Provision, *Overcoming Indigenous Disadvantage Key Indicators 2005 Overview*, Productivity Commission, Canberra, 2005, p 4.

59 Steering Committee for the Review of Government Service Provision, *Overcoming Indigenous Disadvantage Key Indicators 2005 Overview*, Productivity Commission, Canberra, 2005, p 5.

60 Steering Committee for the Review of Government Service Provision, *Overcoming Indigenous Disadvantage Key Indicators 2005 Overview*, Productivity Commission, Canberra, 2005, p 6.

61 Steering Committee for the Review of Government Service Provision, *Overcoming Indigenous Disadvantage Key Indicators 2005 Overview*, Productivity Commission, Canberra, 2005, p 7.



- The proportion of Indigenous people over 15 years of age participating in post secondary education increased from 6% in 1994 to 12% in 2002. From 1994 to 2002, the proportion of Indigenous people with a certificate level 3 or above doubled from 8% in 1994 to 16% in 2002.<sup>62</sup>
- Nationally, the labour force participation rate for all Indigenous people aged 18 to 64 years has increased from 57% to 64% in 2002. From 1994 to 2002 there was a significant decline in the Indigenous unemployment rate. Between 1994 and 2002 overall employment rates rose from 68% to 80% of the Indigenous labour force. This improvement essentially results from increases in part-time employment (largely CDEP) rather than full-time work; there were over 36,000 CDEP participants at 30 June 2004. The age standardised unemployment rate in 2002 was 3.2 times higher for Indigenous than for non-Indigenous people.<sup>63</sup>
- There has been a slight increase in equivalised Indigenous real gross weekly household incomes since 1994; in 1994 gross weekly equivalised household income was \$374 and in 2002 it was \$394. In 2002, both household and individual incomes were lower on average for Indigenous than for other Australians.<sup>64</sup>
- Between 1994 and 2002, the proportion of Indigenous people aged 18 or over who were living in a household owned, or being purchased, by someone in that household rose from 22 to 27%. However, this compares poorly with a rate of 74% amongst non-Indigenous Australians.<sup>65</sup>
- Between 2001-02 and 2002-03, the rate of admissions for Indigenous suicide attempts increased from 2.8 to 3.2 per 100 but stayed at 1.4 per 1000 for non-Indigenous peoples. Suicide death rates are much higher for Indigenous people, between 12 and 36 per 100,000 people, when compared with other people, between 11 and 16 per 100,000 people, in 1999-2003.<sup>66</sup>
- In 2003-04, the national rate of indigenous children who were the subject of protection because of abuse was three times the rate for other children.<sup>67</sup> Between 1999-2000 and 2003-2004 substantiated child protection notifications increased in most jurisdictions. It is not clear whether increased notifications result from increases in child abuse and/or more people reporting abuse.
- From 1999 to 2003 – in WA, South Australia, Northern Territory and Queensland (that is the five jurisdictions for which figures are available) – homicide rates for Indigenous people increased from six to 23 per 100,000, which was at least six times higher than for other Australians.

62 Steering Committee for the Review of Government Service Provision, *Overcoming Indigenous Disadvantage Key Indicators 2005 Overview*, Productivity Commission, Canberra, 2005, p 8.

63 Steering Committee for the Review of Government Service Provision, *Overcoming Indigenous Disadvantage Key Indicators 2005 Overview*, Productivity Commission, Canberra, 2005, p 9.

64 Minister for Immigration and Multicultural and Indigenous Affairs. *Indigenous Disadvantage Report reinforces the need for change*. Media Release ID: vIPS 27/05. 11 July 2005.

65 Minister for Immigration and Multicultural and Indigenous Affairs. *Indigenous Disadvantage Report reinforces the need for change*. Media Release ID: vIPS 27/05. 11 July 2005.

66 Titelius, R., 'Programs do little for Aboriginal life', *The West Australian*, Metro Section, 13 July 2005.

67 Titelius, R., 'Programs do little for Aboriginal life', *The West Australian*, Metro Section, 13 July 2005.



Nationally, in 2002-2003, Indigenous people were 12 times more likely to be hospitalised for assault injuries as non-Indigenous people.<sup>68</sup>

- The proportion of Indigenous people who reported being a victim of violence increased from 13 to 23% between 1994 and 2002. It is not clear whether increased rates of reporting reflect increases in crime and/or willingness to report. After adjusting for age differences between populations, both Indigenous men and women experienced more than double the victimisation rates of other men and women during 2002.<sup>69</sup>
- The rate of imprisonment for Indigenous women and men increased by 25% and 11% respectively over the period 2000 to 2004. As at 30 June 2004, the most serious offence of around one quarter of all Indigenous sentenced prisoners was 'acts intended to cause injury'.<sup>70</sup> Indigenous people were 11 times more likely than other Australians to be gaoled in June 2004 and Indigenous juveniles were 20 times more likely to be detained than other juveniles in June 2003.<sup>71</sup>

The Aboriginal and Torres Strait Islander Social Justice Commissioner, Reconciliation Australia and the Productivity Commission hosted a seminar, on 16 September 2005, on the Steering Committee for the Review of Government Service Provisions' report. All papers presented at the seminar along with pod casts of the proceedings are available online at: [http://www.hreoc.gov.au/social\\_justice/conferences.html](http://www.hreoc.gov.au/social_justice/conferences.html)<sup>72</sup>

<p><b>20 July 2005</b></p> <p><i>Indigenous Youth Leaders 2005 Announced.</i></p>	<p>The Australian Government appoints 17 Indigenous youth leaders to the National Indigenous Youth Leadership Group (NIYLG) 2005-06. The appointments were preceded by a call for nomination earlier in the year. The focus of the group will be the promotion of issues of relevance to young Indigenous Australians.<sup>73</sup></p>
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A new National Indigenous Youth Leadership Group (NIYLG) was announced by the Parliamentary Secretary for Children and Youth Affairs today. As the only Indigenous youth leadership group at the national level, members are consulted directly by the Australian Government about their experiences and perspectives on issues important to Aboriginal and Torres Strait Islander young people. The appointments followed a call for nominations in May 2005.

Young people are encouraged to develop their leadership skills and are provided with opportunities to develop mentoring relationships with high-profile Indigenous leaders. Through their participation in NIYLG, the members also promote positive

68 Titelius, R., 'Programs do little for Aboriginal life', *The West Australian*, Metro Section, 13 July 2005.

69 Minister for Immigration and Multicultural and Indigenous Affairs. *Indigenous Disadvantage Report reinforces the need for change*. Media Release ID: vIPS 27/05. 11 July 2005.

70 Minister for Immigration and Multicultural and Indigenous Affairs. *Indigenous Disadvantage Report reinforces the need for change*. Media Release ID: vIPS 27/05. 11 July 2005.

71 Titelius, R., 'Programs do little for Aboriginal life', *The West Australian*, Metro Section, 13 July 2005.

72 ABC Message Stick, Aboriginal and Torres Strait Islander Online, *National: Overcoming Indigenous Disadvantage, Key Indicators 2005*, 31 August 2005, available online at <http://www.abc.net.au/message/news/stories/s1450310.htm> accessed 21 December 2005.

73 Parliamentary Secretary for Children and Youth Affairs, *Indigenous Youth Leaders 2005 Announced*, Media Release, 20 July 2005.



images of Indigenous young people. Members of the group are drawn from across Australia including urban, regional and remote locations.

NIYLG members will work on projects based on their nominated areas of interest including youth leadership, cultural identity, education, employment and family violence. They will continue work with NIYLG in 2006 before presenting results and recommendations to the Australian Government at a later date.<sup>74</sup>

<p><b>27 July 2005</b></p> <p><i>Tri-State Disability Strategic Framework agreed to by three governments.</i></p>	<p>The Northern Territory, Western Australia and South Australia Governments sign off on an agreement to assist in the delivery of disability services to the Ngaanyatjarra Pitjantjatjara Yankunytjatjara (NPY) Lands.<sup>75</sup></p> <p>Through the establishment of this framework the three Governments aim to recognise and acknowledge the links between the Indigenous people of the NPY Lands and to further recognise that state and territory borders should not serve as an impediment to accessing disability services.</p>
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The Tri-State Disability Strategic Framework is a co-operative arrangement between the three Governments responsible for the provision of disability services to the people from the Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara (NPY) lands. The Framework will guide the operations of the three jurisdictions in delivering disability services to people of the region for the next four years.

The NPY lands are home to 6,000 people in more than 20 communities and homelands. This Strategic Framework comes out of the formation of the Tri-State Disability Services Group (TSDG) in 2004. A Memorandum of Understanding was developed which articulated the shared objectives of the group, this agreement was signed off in November 2004.<sup>76</sup>

The principles which underpin the agreement are: to work together in partnership; the streamlining of services; improving access; getting better results and building on what already exists. The framework has four objectives:

- to strengthen mechanisms for enabling collaboration and cooperation between Western Australian, South Australian and Northern Territory governments;
- to develop integrated systems to facilitate joint planning, development and funding of services;
- to establish and apply consistent definitions and criteria for eligibility and access to services; and
- to improve systems of accountability and performance management.<sup>77</sup>

74 Parliamentary Secretary, *Indigenous Youth Leaders 2005 Announced*, Media Release, 20 July 2005.

75 Northern Territory, Minister for Family and Community Services, *Northern Territory signs up to historic tri-State agreement*, Media Release, 27 July 2005.

76 Northern Territory, Minister for Family and Community Services, *Northern Territory signs up to historic tri-State agreement*, Media Release, 27 July 2005.

77 Tjulngula (we are together) Tri-State Disability Strategic Framework 2005-2008, available on line at [http://www.nt.gov.au/health/comm\\_svcs/aged\\_dis\\_ccs/disable\\_svcs/tda.rtf](http://www.nt.gov.au/health/comm_svcs/aged_dis_ccs/disable_svcs/tda.rtf), accessed 9 January 2007.



<p><b>12 August 2005</b></p> <p><i>First Australian Regional Partnership Agreement signed off.</i></p>	<p>The Ngaanyatjarra Council signs off on the first Regional Partnership Agreement (RPA) in Australia today. The RPA commits all parties that are signatories to work together to improve essential services. The agreement applies to twelve communities in the Ngaanyatjarra Lands.<sup>78</sup></p>
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The first Regional Partnership Agreement (RPA) in Australia has been negotiated between the Australian Government, the Western Australian Government and the Ngaanyatjarra Council. The RPA commits all parties to working together to improve essential services; develop a 20-30 year vision for the future; establish meaningful representative arrangements and reduce red tape. The RPA represents a commitment to twelve communities on the Ngaanyatjarra Lands.<sup>79</sup>

The agreement is designed to provide a mechanism for establishing a uniform Australian Government investment strategy across a region with respect to Indigenous affairs. The agreement is intended to provide a coordinated response to priorities identified for the region, thus eliminating duplication or gaps.

Regional Partnership Agreements (RPAs) form part of the Commonwealth Government's new arrangements for Indigenous affairs and service delivery. The terms of RPAs will comply with the 'Framework Principles for Government Service Delivery' agreed by the Council of Australian Government in June 2004.

<p><b>12 August 2005</b></p> <p><i>New Indigenous Employment Strategy for the Australian Public Service announced.</i></p>	<p>The Australian Government announces a new Indigenous Employment Strategy for the Australian Public Service. The strategy provides additional funding of \$2.15 million a year for three years to improve employment opportunities for Aboriginal and Torres Strait Islander peoples in the Australian Public Service (APS).<sup>80</sup></p>
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A new Indigenous Employment Strategy will receive additional funding of \$2.15 million over the next three years to assist in improving employment opportunities for Aboriginal and Torres Strait Islander peoples in the Australian Public Service (APS).

78 Minister for Immigration and Multicultural and Indigenous Affairs, *Minister Vanstone congratulates Ngaanyatjarra People on first Regional Partnership Agreement*, Media Release ID: vIPS 32/05, 12 August 2005.

79 Minister for Immigration and Multicultural and Indigenous Affairs, *Minister Vanstone congratulates Ngaanyatjarra People on first Regional Partnership Agreement*, Media Release ID: vIPS 32/05, 12 August 2005.

80 Prime Minister of Australia, *New Indigenous Employment Strategy for the Australian Public Service*, Media Release, 12 August 2005.





This new program is one part of the reforms to achieve the mainstreaming of Indigenous affairs that commenced in 2004. It is now vital that Indigenous Australians are amongst the public servants who are responsible for implementing the vastly changed arrangements which are administered through mainstream public service agencies.<sup>81</sup>

The strategy has five elements:

- supporting the whole of government approach to Indigenous affairs, by building public sector capability to do Indigenous business;
- providing pathways to employment by removing barriers to the effective employment of Indigenous Australians;
- supporting employees by maximising their contribution to the workplace;
- supporting employees by helping them to align their Indigenous Employment strategies with their workforce planning and capacity building; and
- developing and strengthening cross-agency partnerships to support working together to promote Indigenous employment.<sup>82</sup>

<p><b>7 September 2005</b></p> <p><i>Reforms to native title announced.</i></p>	<p>The Attorney-General announces reforms to the native title system which are designed to promote the resolution of native title issues through negotiation and agreement making rather than through litigation.</p> <p>There are six inter-connected aspects to the reforms:</p> <ol style="list-style-type: none"> <li>1. Native Title Representative Bodies (NTRBs) – measures to improve the effectiveness of NTRBs.</li> <li>2. Native title respondents – amending the guidelines for the financial assistance program to encourage agreement making rather than litigation.</li> <li>3. Technical amendments to the <i>Native Title Act 1993</i> (Cth) – preparation of draft legislation for consultation.</li> <li>4. Claims resolution process – an independent review.</li> <li>5. Prescribed Bodies Corporate (PBCs) – an examination of the current structures and processes.</li> <li>6. Increased dialogue and consultation with State and Territory governments to promote and encourage more transparent practices in the resolution process.<sup>83</sup></li> </ol>
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81 Prime Minister of Australia, *New Indigenous Employment Strategy for the Australian Public Service*, Media Release, 12 August 2005.

82 Australian Public Service Commission, *Employment and Capability Strategies for Aboriginal and Torres Strait Islander Employees*, August 2005, online <http://www.apsc.gov.au/indigenousemployment/strategy0805.pdf> accessed 16 January 2007.

83 Attorney General's Department, *Practical reforms to deliver better outcomes in Native Title*, Media Release 163/2005, 7 September 2005.





<p><b>7 September 2005 (continued)</b></p> <p><i>Reforms to native title announced.</i></p>	<p>The State and Territory Native Title Ministers Group will meet in Canberra later this month, with the Attorney-General to discuss the proposed changes.<sup>84</sup></p>
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This package of coordinated measures is aimed at improving the performance of the native title system under the *Native Title Act 1993* (Cth). The package has the goal of identifying and implementing improvements to processes for the recognition of native title and the resolution of disputes over land that may be subject to native title.

The reforms include:

1. Measures to improve the effectiveness of the Native Title Representative Bodies (NTRBs).

Eligibility for recognition as an NTRB will be extended to organisations incorporated under the *Corporations Act 2001* (i.e. ordinary companies, rather than the current requirement that the organisation be incorporated under the *Aboriginal Corporations and Associations Act*).

Currently, NTRBs, once recognised by the Government, are recognised indefinitely. In future, NTRB recognition will be for a fixed term from one to six years. There will also be a simplified process to allow the Minister to withdraw recognition of an NTRB that is not performing its statutory functions satisfactorily, or has serious financial irregularities.

Funding will be made available on a multi year basis, rather than for a single year. This will assist NTRBs with their strategic planning.<sup>85</sup>

In July 2007 all existing NTRBs will be automatically re recognised for fixed terms of up to six years. The terms will vary between NTRBs to allow future recognition processes to be staggered. This is to avoid system wide disruption.<sup>86</sup>

2. Amending the guidelines of the native title respondents financial assistance program to encourage agreement-making rather than litigation. It is proposed that reforms to the native title respondent funding program will strengthen its focus on resolution of native title issues through agreement making, in preference to litigation.

84 Attorney General's Department, *Native Title Ministers' Meeting*, Communiqué, 16 September 2005, Canberra, available online at [http://www.ag.gov.au/www/agd/agd.nsf/Page/Indigenoulawandnativetitle\\_Nativetitle\\_Nativetitleministersmeeting-communique-16September2005](http://www.ag.gov.au/www/agd/agd.nsf/Page/Indigenoulawandnativetitle_Nativetitle_Nativetitleministersmeeting-communique-16September2005) accessed 16 January 2007.

85 Office of Indigenous Policy Coordination, *Native Title Reforms*, available online at [http://www.oipc.gov.au/NTRB\\_Reforms/QA\\_NTRBarrange.asp](http://www.oipc.gov.au/NTRB_Reforms/QA_NTRBarrange.asp), accessed 9 January 2007.

86 Attorney-General's Department, *Native Title Reform*, available online at <http://www.ag.gov.au/native titlesystemreform>, accessed 22 November 2005.



A wide range of non-claimant parties (eg pastoralists, miners, local government and industry peak bodies) participate extensively in native title claims. However, given that the fundamentals of native title are settled, it is not necessary for non-claimant parties to litigate all stages of a legal matter where the law is not in dispute or their interests are already protected under the *Native Title Act* (Cth).

As with the other elements, any reforms to the existing arrangements for assistance to respondents will be directed towards securing improved performance from all elements of the system, and promoting agreement making wherever possible.<sup>87</sup>

3. Preparation of exposure draft legislation for consultation on possible technical amendments to the *Native Title Act 1993* (Cth) to improve existing processes for native title litigation and negotiation.

A discussion paper setting out the proposed technical amendments to the *Native Title Act 1993* (Cth) was released for public comment on 22 November 2005. Stakeholder comments on those proposals and further suggestions for the amendments were requested by 31 January 2006. The Government is currently considering the responses received, and expects to release an exposure draft of the technical amendments early in the 2006-07 financial year.<sup>88</sup>

4. An independent review of native title claims resolution processes.

The Claims Resolution Review was established by the Attorney-General to consider the process by which native title applications are resolved. The Review examined the roles of the National Native Title Tribunal (NNTT) and the Federal Court and considered measures for the more efficient management of native title claims within the existing framework of the *Native Title Act 1993* (Cth).

The Attorney-General appointed two independent consultants, Mr Graham Hiley QC and Dr Ken Levy RFD, to undertake the Claims Resolution Review. Mr Hiley is a Queen's Counsel with extensive experience in native title and Aboriginal land rights law. Dr Levy is currently a part-time member of the Administrative Appeals Tribunal and was previously the Director-General of the Queensland Department of Justice.

The consultants were overseen by a Steering Committee comprising a member of the NNTT, the Registrar of the Federal Court, an officer of the Australian Government Attorney-General's Department and an officer of the Office of Indigenous Policy Coordination in the Department of Families, Community Services and Indigenous Affairs.

The Claims Resolution Review commenced in October 2005. The consultants provided their report to the Attorney-General on 31 March

87 Attorney-General's Department, *Assistance to respondents in native title claims*, available on line at [http://www.ag.gov.au/www/agd/agd.nsf/Page/Indigenoulawandnativetitle\\_NativeTitle\\_Assistancetorespondentsinnativetitleclaims](http://www.ag.gov.au/www/agd/agd.nsf/Page/Indigenoulawandnativetitle_NativeTitle_Assistancetorespondentsinnativetitleclaims), accessed 9 January 2007.

88 Attorney-General's Department, *Native Title Reform: Practical reforms to deliver better outcomes in native title*, Media Release, 7 September 2005, available online at <http://www.ag.gov.au/agd/WWW/MinisterRuddockHome.nsf/AllDocs/75298785CC03B8B8CA257075001E522A?OpenDocument>, accessed 9 January 2007.



2006. The Government released the Report of the Claims Resolution Review and the Government response to the Claims Resolution Review on 21 August 2006.

The consultants undertook extensive consultation with a broad range of native title stakeholders including Native Title Representative Bodies, State and Territory governments and respondent bodies including industry and pastoral representatives.

Written submissions to the Review were also invited. The closing date for submissions was 1 December 2005.<sup>89</sup>

5. An examination of current structures and processes of Prescribed Bodies Corporate (PBC's).

An examination of the current structures and process of PBCs will take place between November 2005 and February 2006. The consultations will target the functions and governance model of PBCs with a range of stakeholders including existing PBCs, NTRBs, State and Territory governments and industry bodies taking part. This consultation process will seek to identify the needs and functions of PBCs and to assess the appropriateness of the current governance model for PBCs. The examination will also take into account the effect of the *Corporations (Aboriginal and Torres Strait Islander) Bill 2005*.

Interested stakeholders are invited to contact the Native Title Unit in the Attorney-General's Department for more information on these consultations. The consultations will be facilitated by a steering committee, which comprises staff from the Office of Indigenous Policy Coordination, the Office of the Registrar of Aboriginal Corporations, and the Attorney-General's Department.<sup>90</sup>

6. Increased dialogue and consultation with State and Territory governments to promote and encourage more transparent practices in the resolution process.

Government parties are major players in the native title system and have a major impact on how the system operates. States and Territories have day-to-day responsibility for land management and are the first respondents to the majority of native title claims. The Australian Government has overarching responsibility for the *Native Title Act 1993* (Cth). There is scope to improve the manner in which governments interact with each other and with other stakeholders in the native title system. The Australian Government believes that improved communication and transparency will have flow-on benefits for the system as a whole and will lead to faster and more affordable native title outcomes.

89 Attorney-General's Department, *Native Title Reform: Practical reforms to deliver better outcomes in native title*, Media Release, 7 September 2005, available online at <http://www.ag.gov.au/agd/WWW/MinisterRuddockHome.nsf/AllDocs/75298785CC03B8B8CA257075001E522A?OpenDocument>, accessed 9 January 2007.

90 Attorney-General's Department, *Prescribed Bodies Corporate (PBCs)*, available online at [http://www.ag.gov.au/www/agd/agd.nsf/Page/Indigenoulawandnativetitle\\_Nativetitle\\_Prescribedbodiescorporat e\(PBCs\)](http://www.ag.gov.au/www/agd/agd.nsf/Page/Indigenoulawandnativetitle_Nativetitle_Prescribedbodiescorporat e(PBCs)), accessed 10 October 2006.



On 16 September the Attorney-General will convene a meeting of all State and Territory ministers with native title responsibilities. The Native Title Ministers' Meeting will provide an opportunity for the Australian Government to promote the benefits of positive and transparent behaviours by other jurisdictions.<sup>91</sup>

<p><b>12 September 2005</b></p> <p><i>\$9.5 million to tackle petrol sniffing announced by Australian Government.</i></p>	<p>The Australian Government announces a \$9.5 million boost in funding to tackle petrol sniffing in Central Desert Indigenous communities. Senior policing, justice, health and community services officials from the governments of the Northern Territory, South Australia and Western Australia support an eight point plan proposed by the Australian Government.<sup>92</sup></p>
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Federal, State and Territory agencies are working together to better co-ordinate and utilise services across the region. A key aspect involves listening to Indigenous communities to hear their ideas about how to stop petrol sniffing.

The new strategic approach agreed between the Australian Government and the South Australian, Western Australian and Northern Territory Governments involves an 8 point plan which covers:

- Consistent legislation – the Northern Territory, South Australia and West Australia will make it an offence to sell or supply volatile substances for sniffing.
- Appropriate levels of policing – including zero tolerance for traffickers.
- Further roll-out of non-sniffable petrol – such as *Opal* fuel, which does not give sniffers a 'high'.
- Alternative activities for young people.
- Treatment and respite facilities.
- Communication and education strategies.
- Strengthening and supporting communities.
- Evaluation – capturing and reviewing what works so that it can be applied elsewhere.

There are an estimated 600 Indigenous people in Central Australia believed to be petrol sniffers. Services will be targeted towards the needs of individual communities to address the range of ways petrol sniffing can impact on a community. *Opal* fuel is currently in 52 Indigenous communities.<sup>93</sup>

91 Attorney-General's Department, *Consultation with State and Territory Governments*, available online at [http://www.ag.gov.au/www/agd/agd.nsf/Page/Indigenouslawandnativetitle\\_Nativetitle\\_Consultationwithstateandterritorygovernments](http://www.ag.gov.au/www/agd/agd.nsf/Page/Indigenouslawandnativetitle_Nativetitle_Consultationwithstateandterritorygovernments), accessed 9 January 2007.

92 Minister for Immigration and Multicultural and Indigenous Affairs, *Government Announces an Extra \$9.5 Million to Combat Petrol Sniffing*, Media Release ID: vIPS 33/05, 12 September 2005.

93 Minister for Immigration and Multicultural and Indigenous Affairs, *Government Announces an Extra \$9.5 Million to Combat Petrol Sniffing*, Media Release ID: vIPS 33/05, 12 September 2005.



<p><b>19 September 2005</b></p> <p><i>Inaugural meeting of the National Indigenous Youth Leadership Group.</i></p>	<p>The Parliamentary Secretary for Children and Youth hosts the inaugural meeting of the National Indigenous Youth Leadership Group (NIYLG) that was formed in July 2005.<sup>94</sup></p> <p>The NIYLG brings together 17 Indigenous young people aged 18 to 24 years, from diverse backgrounds, employment, location and interests, to meet with the Australian Government to discuss their unique experiences and their expectations of the group.</p>
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The inaugural meeting of the National Indigenous Youth Leadership Group (NIYLG) was an orientation meeting which provided members with a background on government processes and the skills required for progressing important Indigenous youth issues with the Australian Government.

Members met with a former Parliamentary Secretary for Children and Youth Affairs and were also consulted by the Minister for Local Government, Territories and Roads about the Australian Government's position on the Tent Embassy. Guest speakers included two National Indigenous Council Members; government representatives from the Indigenous Coordination Centres and the Office of Indigenous Policy Coordination.

Members formed topic groups and nominated areas of interest, which they will progress during their term. The areas of interest including youth leadership, cultural identity, education, employment and family violence.<sup>95</sup>

<p><b>4 October 2005</b></p> <p><i>Australian and Northern Territory Governments fund family violence projects.</i></p>	<p>The Australian and Northern Territory Governments jointly provide \$3.2 million for three new projects to tackle family violence and abuse in Indigenous communities.</p> <p>The projects include:</p> <ul style="list-style-type: none"> <li>• <i>Interventions for Children</i>, a program to develop and deliver therapeutic interventions for children exposed to family violence;</li> <li>• <i>Jiban Gubalewei (Peace at Home)</i>, which will establish a new integrated Police and Community Services centre addressing family violence and child abuse in the Katherine and Borroloola region; and</li> <li>• <i>Empowering Indigenous Communities</i>, which will pilot a method to monitor and respond to changing levels of local violence in six remote communities.<sup>96</sup></li> </ul>
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94 Parliamentary Secretary for Children and Youth, *Fresh new look at young Indigenous issue*, Media Release, 19 September 2006.

95 National Indigenous Youth Leadership Website, available online at [http://www.thesource.gov.au/involve/NIYLG/whats\\_new.asp](http://www.thesource.gov.au/involve/NIYLG/whats_new.asp) accessed 12 December 2006.

96 Minister for Community and Family Services, *Australian and NT Governments step up the battle against Indigenous family violence*, Media Release, 4 October 2005.



The projects are explained in more detail below:

- *Interventions for Children* will develop and deliver therapeutic interventions for children exposed to family violence and train workers in women's shelters, teachers and other service providers assisting children. The Australian Government is providing \$200,000 during the next three years and the NT Government will provide \$100,000.
- *Jiban Gudbalawei (Peace At Home)* will establish a new integrated Police and Community Services centre addressing family violence and child abuse in the Katherine and Borroloola region. The NT Government will provide \$1.7 million in kind over three years to this project and the Australian Government will contribute \$1 million.
- *Empowering Indigenous Communities* will pilot a method to monitor and respond to changing levels of local violence in six remote communities. The Australian Government has committed \$60,000 over three years to the project and the NT Government will provide \$100,000.<sup>97</sup>

<p><b>5 October 2005</b></p> <p><i>Initiatives to support home ownership on Indigenous land announced.</i></p>	<p>The Australian Government announces initiatives to support home ownership on Indigenous land throughout Australia. The initiatives include:</p> <ul style="list-style-type: none"> <li>• An initial allocation of a \$7.3 million addition to the Home Ownership Programme run by Indigenous Business Australia (IBA) for a new programme targeted to Indigenous Australians living on communal land. Under this program people can borrow money from the IBA at concessional interest rates.</li> <li>• An initial allocation of up to \$5 million from the Community Housing and Infrastructure Programme to reward good renters with the opportunity to buy the community house they have been living in at a reduced price.</li> <li>• Use of the Community Development Employment Project (CDEP) to start building houses, support home maintenance, and to maximise employment and training opportunities.</li> </ul> <p>These Australia wide measures add to the changes to tenure arrangements on Aboriginal land in the Northern Territory which were also announced today.<sup>98</sup></p>
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97 Minister for Community and Family Services, *Australian and NT Governments step up the battle against Indigenous family violence*, Media Release, 4 October 2005.

98 Minister for Immigration and Multicultural and Indigenous Affairs, *Initiatives support home ownership on Indigenous land*, Media Release ID: vIPS 34/05, 5 October 2005.



These programs will be available to all States that follow the Australian and Northern Territory Government's lead to enable long term individual leases on Aboriginal land under the *Aboriginal Land Rights (Northern Territory) Act 1976*. The programs are expected to commence in 2005-06 with full implementation from 2006-07.<sup>99</sup>

<p><b>5 October 2005</b></p> <p><i>Changes to Aboriginal Land Rights (Northern Territory) Act 1976 announced.</i></p>	<p>The Minister for Immigration and Multicultural and Indigenous Affairs announces changes to the Aboriginal Land Rights (Northern Territory) Act 1976. The stated aim of the changes is to help Aboriginal peoples to get greater economic benefit from their land.</p> <p>The changes will introduce tenure arrangements over entire township areas which are on Aboriginal owned land. The scheme will be a voluntary one.<sup>100</sup></p>
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The changes to the *Aboriginal Land Rights (Northern Territory) Act 1976* involve the introduction of a model similar to that which was proposed by the Northern Territory Government and supported by the National Indigenous Council. The changes include:

- The Northern Territory Government will establish an entity to talk with the Traditional Owners and the Land Council of a particular town area to obtain 99-year head-leases over township areas.
- The entity can issue long term sub-leases to town users without the need to negotiate on a case by case basis with Traditional Owners and Land Councils.
- The terms of the head-lease will be negotiated with the Traditional Owners and Land Councils, except for a statutory ceiling (five per cent of the land's value) on the annual rent payable to the Traditional Owners.<sup>101</sup>

<p><b>9 November 2005</b></p> <p><i>Indigenous Economic Development Strategy launched.</i></p>	<p>The Australian Government launches the Indigenous Economic Development Strategy, a scheme to assist Indigenous Australians achieve economic independence. The strategy focuses on two key areas: work, and asset and wealth management.</p> <p>Under the work component of the strategy, the Government will promote a <i>Local Jobs for Local People</i> initiative. Indigenous communities, employers and service providers will work together to identify local employment and business opportunities and the training needed for jobseekers.</p>
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99 Minister for Immigration and Multicultural and Indigenous Affairs, *Initiatives support home ownership on Indigenous land*, Media Release ID: vIPS 34/05, 5 October 2005.

100 Minister for Immigration and Multicultural and Indigenous Affairs, *Long term leases the way forward for NT Aboriginal townships*, Media Release vIPS 35/05, 5 October 2005.

101 Minister for Immigration and Multicultural and Indigenous Affairs, *Long term leases the way forward for NT Aboriginal townships*, Media Release vIPS 35/05, 5 October 2005.



<p><b>9 November 2005 (continued)</b></p> <p><i>Indigenous Economic Development Strategy launched.</i></p>	<p>Other initiatives in this area include:</p> <ul style="list-style-type: none"> <li>• developing targeted industry strategies to address regional employment needs;</li> <li>• continuation of the Community Development Employment Project (CDEP) reforms which began earlier this year;</li> <li>• improving linkages between Indigenous communities and vocational education and training bodies; and</li> <li>• training and support for local Indigenous business entrepreneurs.</li> </ul> <p>Asset and wealth management initiatives include:</p> <ul style="list-style-type: none"> <li>• increasing Indigenous home ownership;</li> <li>• increasing personal and commercial financial skills; and</li> <li>• exploring ways to increase economic development on Indigenous land.<sup>102</sup></li> </ul>
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A key finding of the *Overcoming Indigenous Disadvantage Key Indicators 2003 Report* is that economic development is central to the well-being of Indigenous Australians.<sup>103</sup>

A stated goal of the Australian Government's Indigenous policy is to increase Indigenous economic independence through reducing dependency on passive welfare and through stimulating employment and economic opportunities for Indigenous Australians.

The Indigenous Economic Development Strategy is a whole-of-government approach to removing barriers to Indigenous peoples achieving economic independence. The strategy aims to increase the level of Indigenous employment, self-employment and business development and to assist Indigenous Australians to participate in the broader economy.

The strategy will focus on two primary areas:

- Work - the strategy will aim to expand job opportunities for Indigenous Australians; and
- Asset and wealth management – through the provision of access to economic development opportunities, the expansion of home ownership programs and opportunities, changed land utilisation arrangements, and training in effective wealth management skills.

102 Steering Committee for the Review of Government Service Provision, *Overcoming Indigenous Disadvantage Key Indicators 2003*, Council of Australian Governments (COAG), November 2005. Data from the report related to 2001 Census data, available online at <http://www.pc.gov.au/gsp/reports/indigenous/keyindicators2003/keyindicators2003.pdf> accessed 20 accessed 9 February 2006.

103 Minister for Immigration and Multicultural and Indigenous Affairs, *Indigenous Economic Development Strategy Launched*, Media Release ID: vIPS 38/05, 9 November 2005.





There are twelve initiatives under this strategy:

1. *Local jobs for local people* will aim to ensure that Indigenous Australians, particularly those in remote or rural communities, will have an equal chance to compete for and win local employment. *Local jobs for local people* will bring together all stakeholders in a local area to increase employment opportunities for local people.
2. Targeted industry strategies will aim to link Indigenous communities with high unemployment with industries which are operating within their region.
3. CDEP reform as outlined earlier this year in *Building on Success: CDEP Future Directions*.
4. The employment service performance initiative will aim to improve the ability of employment service providers to achieve better employment outcomes for Indigenous Australians, through the various job networks and through the establishment of Indigenous Employment Centres.
5. The Vocational Education and Training (VET) linkages initiative aims to make better use of the providers of education and training in structuring training and education that is matched to employer needs and requirements.
6. Developing enterprise opportunities, focused on areas of importance in communities, such as community stores, the initiative will encourage business development by Indigenous Australians.
7. The business leader initiatives will help Indigenous Australians by providing financial literacy training and by showcasing and promoting successful Indigenous businesses and business people.
8. General business support will be offered through the provision of a range of 'business tools' which will help Indigenous people to act on business opportunities and start up businesses.
9. Private sector involvement in home ownership and business development. This is one part of the strategy to increase home ownership on Indigenous land through increasing the involvement of the private sector in facilitating home ownership and small business formation.
10. Coordinated economic development on land. This a strategy aims to improve government coordination and to provide better access to economic development for Indigenous Australians.
11. Investment rules to improve returns from trusts and encourage investment of income from land. This initiative aims to help Indigenous Australians to obtain equity in larger local commercial opportunities and will hopefully lead to more effective use of land rights and native title. This links with the reforms to native title that were announced earlier in the year.
12. Skills to realise economic outcomes. In line with the reforms to native title, this initiative aims to improve economic development outcomes by improving the skills base of NTRB's, Land Councils and PBC's.<sup>104</sup>

104 Steering Committee for the Review of Government Service Provision, *Achieving Indigenous Economic Independence, Indigenous Economic Development Strategy*, An Australian Government Initiative, available online at [http://www.workplace.gov.au/NR/rdonlyres/B7206570-9BFD-4403-B4A3-6649065FAE5A/0/IEDStrategyBooklet\\_revised\\_FINAL.pdf](http://www.workplace.gov.au/NR/rdonlyres/B7206570-9BFD-4403-B4A3-6649065FAE5A/0/IEDStrategyBooklet_revised_FINAL.pdf), accessed 9 January 2007.



<p><b>18 November 2005</b></p> <p><i>Reforms to the Aboriginal Land Rights (Northern Territory) Act 1976.</i></p>	<p>The Minister for Immigration and Multicultural and Indigenous Affairs announces changes to the <i>Aboriginal Land Rights (Northern Territory) Act 1976</i>.<sup>105</sup></p> <p>The key elements of the reform are:</p> <ul style="list-style-type: none"> <li>• facilitating economic development;</li> <li>• improving the mining provisions of the Act including devolving some powers from the Australian Government to the Northern Territory Government;</li> <li>• allowing for local Indigenous people to have more say over their affairs;</li> <li>• moving to performance based funding for Land Councils;</li> <li>• ensuring royalty payments are made in a transparent and accountable way; and</li> <li>• disposing of land claims which cannot legally proceed or would be inappropriate to grant.<sup>106</sup></li> </ul>
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Following consultation with stakeholders, reforms are to be introduced into the *Northern Territory Aboriginal Land Rights Act* which will enable greater economic development on Aboriginal land. The stated goal is to attain better economic outcomes for Traditional Owners, other Aboriginal people, the mining industry and Territorians in general.

The key elements of the reform are:

- Facilitating economic development.
- Improving the mining provisions of the Act including devolving some powers from the Australian Government to the Northern Territory Government.
- Allowing for local Indigenous people to have more say over their affairs.
- Moving to performance based funding for Land Councils.
- Ensuring royalty payments are made in a transparent and accountable way; and
- Disposing of land claims which cannot legally proceed or would be inappropriate to grant.<sup>107</sup>

<p><b>20 November 2005</b></p> <p><i>Secretaries Group on Indigenous Affairs releases its Annual Report on Indigenous Affairs 2004-05.</i></p>	<p>The Secretaries Group on Indigenous Affairs releases its Annual Report on Indigenous Affairs for 2004-05. The focus of activities for the Group in the last year have been:</p> <ul style="list-style-type: none"> <li>• setting parameters for local engagement with Indigenous communities based on shared responsibility;</li> </ul>
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<sup>105</sup> Minister for Immigration and Multicultural and Indigenous Affairs, *Reforming the NT Aboriginal Land Rights Act*, Media Release vIPS 40/05, 18 November 2005.

<sup>106</sup> Minister for Immigration and Multicultural and Indigenous Affairs, *Reforming the NT Aboriginal Land Rights Act*, Media Release vIPS 40/05, 18 November 2005.

<sup>107</sup> Minister for Immigration and Multicultural and Indigenous Affairs, *Reforming the NT Aboriginal Land Rights Act*, Media Release vIPS 40/05, 18 November 2005.



<p><b>20 November 2005 (continued)</b></p> <p><i>Secretaries Group on Indigenous Affairs releases its Annual Report on Indigenous Affairs 2004-05.</i></p>	<ul style="list-style-type: none"> <li>• providing high-level guidance and oversight of Indigenous Co-ordination Centres;</li> <li>• developing an integrated Single Indigenous Budget Submission for consideration by the Ministerial Taskforce for Indigenous Affairs (MTF); and</li> <li>• establishing a performance monitoring and evaluation framework.<sup>108</sup></li> </ul>
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The Annual Report contains commentary on the new arrangements in Indigenous affairs which are being led by the Ministerial Taskforce on Indigenous Affairs (MTF). The MTF is chaired by the Minister for Immigration and Multicultural and Indigenous Affairs and comprises 10 ministers with lead responsibility in Indigenous affairs.

The MTF has set three key priorities for its work, in consultation with the National Indigenous Council (NIC). These priorities are:

- Early childhood intervention: a key focus will be improved mental and physical health, and in particular primary health and early educational outcomes.
- Safer communities: this includes issues of authority, law and order, but also focuses on dealing with issues of governance to ensure that communities are functional and effective.
- Building Indigenous wealth, employment and entrepreneurial culture: this is integral to boosting economic development and reducing poverty and passive welfare.

In their first year the Secretaries Group have focussed on key strategies, including:

- setting parameters for local engagement with Indigenous communities based on shared responsibility;
- providing high level guidance and oversight of Indigenous Coordination Centres;
- developing an integrated Single Indigenous Budget Submission for consideration by the MTF; and
- establishing a performance monitoring and evaluation framework.

As a practical means of harnessing both mainstream and Indigenous-specific programs, agencies are identifying portfolio experts to support whole-of-government work in ICC's.

The Department of Employment and Workplace Relations has appointed Solution Brokers at every ICC location. They are responsible for promoting and implementing innovative employment, participation, and training and enterprise opportunities for Indigenous Australians in their ICC region. These Solution Brokers work in a whole-of-government environment to contribute to the development of Shared Responsibility Agreements.

<sup>108</sup> Secretaries' Group on Indigenous Affairs, *Annual Report on Indigenous Affairs 2004-05*, 20 November 2005, available online at: [http://www.oipc.gov.au/performance\\_reporting/sec\\_group/ar2005/OIPC\\_Sec\\_Report05.pdf](http://www.oipc.gov.au/performance_reporting/sec_group/ar2005/OIPC_Sec_Report05.pdf) accessed 21 December 2006.



Over the next year the Secretaries Group will continue to reform processes across policy development, project management and service delivery.<sup>109</sup>

<p><b>22 November 2005</b></p> <p><i>Indigenous Legal Aid Services announced for the Northern Territory.</i></p>	<p>The Attorney-General announces two successful tenderers for the provision of legal aid services for Indigenous Australians in the Northern Territory.</p> <p>The North Australian Aboriginal Justice Agency Ltd is the successful tenderer for the North Zone and the Central Australian Aboriginal Legal Aid Service Incorporated is the successful tenderer for the South Zone. Tenders were called for in August of this year.<sup>110</sup></p>
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The North Australian Aboriginal Justice Agency Ltd is the successful tenderer for the North Zone – covering the Darwin, Nhulunbuy, Jabiru and Katherine regions. The organisation is an amalgamation of the three Aboriginal and Torres Strait Islander Legal Services in the northern regions of the Northern Territory – the North Australian Aboriginal Legal Aid Service (Darwin), Miwatj Aboriginal Legal Service Aboriginal Corporation (Nhulunbuy) and the Katherine Regional Aboriginal Legal Aid.

The Central Australian Aboriginal Legal Aid Service Incorporated is the successful tenderer for the South Zone – covering the Alice Springs, Tennant Creek and Apatula regions.

Both organisations have provided high quality and culturally sensitive services to Indigenous Australians within their regions for many years.

Organisations forming the North Australian Aboriginal Justice Agency have a combined total of 61 years experience and the Central Australian Aboriginal Legal Aid Service has been operating for 32 years.

The Central Australian Aboriginal Legal Aid Service offers a flexible model of service delivery to outreach communities such as Elliott, Ali-Curung and Ti Tree. This includes an after hours service, visiting clients in 'town camps', a 'drop-in' office environment and an 1800 free call number. The North Australian Aboriginal Justice Agency will similarly use outreach arrangements to service 15 'bush courts' in locations such as Maningrida, Borroloola and Groote Eylandt.

These organisations are best placed to provide culturally sensitive legal aid services to their respective zones and to respond to the complex challenges and changes affecting Indigenous Australians.

109 Secretaries' Group on Indigenous Affairs, *Annual Report on Indigenous Affairs 2004-05*, 20 November 2005, available online at: [http://www.oipc.gov.au/performance\\_reporting/sec\\_group/ar2005/OIPC\\_Sec\\_Report05.pdf](http://www.oipc.gov.au/performance_reporting/sec_group/ar2005/OIPC_Sec_Report05.pdf) accessed 8 January 2007.

110 Attorney-General, *Indigenous Legal Services Announced for NT*, Media Release 210/2005, 22 November 2005.



<p><b>23 November 2005</b></p> <p><i>Delivering Better Outcomes in Native Title – Update on Government’s Plan for Practical Reform.</i></p>	<p>The Attorney-General and Minister for Immigration and Multicultural and Indigenous Affairs issue a joint statement to outline more details about the changes to the administration of the native title system.</p> <p>The changes relate specifically to Native Title Representative Bodies (NTRB). The changes for NTRBs are designed to:</p> <ul style="list-style-type: none"> <li>• enhance the quality of service by broadening the range of organisations that can undertake activities on behalf of claimants;</li> <li>• streamline the process for withdrawing recognition from poorly performing NTRBs and appointing a replacement;</li> <li>• put a time limit on the recognised status of NTRBs to ensure a focus on outcomes; and</li> <li>• provide NTRBs with multi-year funding to assist their strategic planning.</li> </ul> <p>Consultations are to be undertaken with NTRBs and stakeholders before the changes are formally introduced into Parliament next year.<sup>111</sup></p>
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The Australian Government also released a consultation draft of proposed guidelines for the Native Title Respondents’ Financial Assistance Scheme to strengthen the focus of the scheme on agreement making over litigation. Submissions are encouraged from native title stakeholders, state and territory governments and respondent bodies before 10 February 2006.<sup>112</sup>

<p><b>5 December 2005</b></p> <p><i>Bilateral Agreement on Service Delivery to Aboriginal and Torres Strait Islanders in Queensland signed.</i><sup>113</sup></p>	<p>The Prime Minister and the Premier of Queensland announce a five-year bilateral agreement committing both governments to improving service delivery to Indigenous Queenslanders.</p> <p>The agreement commits the Australian and Queensland Governments to work together with Indigenous communities on service planning and delivery, investment and performance evaluation, and to reduce the bureaucratic load on communities.</p>
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111 Minister for Immigration and Multicultural and Indigenous Affairs, *Delivering Better Outcomes in Native Title – Update on Government’s Plan for Practical Reform*, Media Release ID: vIPS 42/05, 9 November 2005.

112 Minister for Immigration and Multicultural and Indigenous Affairs, *Delivering Better Outcomes in Native Title – Update on Government’s Plan for Practical Reform*, Media Release ID: vIPS 42/05, 9 November 2005.

113 Australian Government and Queensland Government, *Agreement on Aboriginal and Torres Strait Islander Service Delivery Between The Commonwealth of Australia and The Government of Queensland 2005-2010*, available online at <https://www.oipc.gov.au/publications/PDF/IndigenousAffairsAgreementQLD.pdf>, accessed 16 January 2007.



**5 December 2005  
(continued)**

*Bilateral Agreement on Service Delivery to Aboriginal and Torres Strait Islanders in Queensland signed.*

Under the agreement, the governments will work towards shared priorities, including those identified in the *Overcoming Indigenous Disadvantage Report*. These include:

- early childhood development and growth;
- early school engagement and performance;
- positive childhood and transition to adulthood;
- substance use and misuse;
- functional and resilient families and communities;
- effective environmental health systems; and
- economic participation and development.<sup>114</sup>

This is the second bilateral agreement signed under the Council of Australian Governments (COAG) Indigenous Service Delivery Framework. It builds on existing arrangements and bilateral agreements. The agreement establishes arrangements to engage with Aboriginal and Torres Strait Islander communities in Queensland and strengthens the partnership between the Queensland and Australian Governments.

Under the agreement, the governments will work towards shared priorities, including those identified in the *Overcoming Indigenous Disadvantage Report*, such as:

- early childhood development and growth;
- early school engagement and performance;
- positive childhood and transition to adulthood;
- substance use and misuse;
- functional and resilient families and communities;
- effective environmental health systems; and
- economic participation and development.

In addition, Australian and Queensland Government officials will be expected to coordinate their efforts at the state, regional and local level. This agreement will make it easier for communities to work with the Commonwealth and Queensland governments by establishing joint forums for engagement. Negotiation tables will continue to be the primary engagement mechanism for Indigenous communities in Queensland, as they allow direct communication between community members and governments about the major issues communities face.

Increased engagement between the governments and communities provides an opportunity for communities and governments to develop Shared Responsibility Agreements (SRAs) and thereby clarify agreed priorities and commitments.

The governments will streamline processes, increase funding flexibility and better target services to the Lockhart River community. Other locations that need concerted, coordinated action will be progressively identified.<sup>115</sup>

<sup>114</sup> Prime Minister of Australia, *Bilateral Agreement on Service Delivery to Aboriginal and Torres Strait Islanders in Queensland*, Media Release, 5 December 2005.

<sup>115</sup> Prime Minister of Australia, *Bilateral Agreement on Service Delivery to Aboriginal and Torres Strait Islanders in Queensland*, Media Release, 5 December 2005.



<p><b>15 December 2005</b></p> <p><i>National Indigenous Council releases its inaugural Report Card.</i></p>	<p>The National Indigenous Council (NIC) releases its Inaugural Report to the Australian Government. The report is a requirement of the terms of reference that established the NIC.</p> <p>The report summarises the work undertaken by the NIC from December 2004 to December 2005.</p> <p>The report has five main discussion areas:</p> <ul style="list-style-type: none"> <li>• a brief analysis of the new arrangements, the Ministerial Taskforce on Indigenous Affairs (MTF) and the Secretaries Group on Indigenous Affairs;</li> <li>• the role and meetings of the NIC throughout the previous year;</li> <li>• strategic advice given and partnerships entered into during the last twelve months by the NIC;</li> <li>• individual NIC members' reports; and</li> <li>• concluding remarks which provide a summary of the year's work.<sup>116</sup></li> </ul>
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The report outlines the work undertaken by the NIC during its first year of operation. The report reiterates that the NIC was established as an intrinsic element of the new arrangements in Indigenous affairs, and that its main function is to provide advice to the Government through the Ministerial Taskforce on Indigenous Affairs. The NIC has assisted the Ministerial Taskforce on Indigenous Affairs in reviewing its priorities.

<p><b>15 December 2005</b></p> <p><i>\$23 million boost for training for Indigenous youth from remote communities.</i></p>	<p>The Australian Government launches the Indigenous Youth Mobility Programme. \$23.1 million has been allocated to provide 600 young Indigenous Australians with the opportunity to relocate to a major regional centre and train for a career by undertaking pre-vocational training, a new apprenticeship or tertiary level education.<sup>117</sup></p> <p>The objectives of the Indigenous Youth Mobility Programme are to:</p> <ul style="list-style-type: none"> <li>• improve access to training and employment opportunities in major centres for young Indigenous Australians from remote communities;</li> </ul>
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116 National Indigenous Council, *Report to Government December 2004 to December 2005*, available online at <http://www.atsia.gov.au/NIC/communique/PDFs/ReportCard2005.pdf>, accessed 16 January 2007.

117 Minister for Education, Science and Training, *\$23 Million Boost for Training Indigenous Youth from Remote Communities*, Media Release: MIN 2053/05, 15 December 2005.



<p><b>15 December 2005 (continued)</b></p> <p><i>\$23 million boost for training for Indigenous youth from remote communities.</i></p>	<ul style="list-style-type: none"> <li>• increase the number of young Indigenous Australians participating in accredited training;</li> <li>• increase the number of Indigenous people employed in occupations in particular areas of community need such as trades, nursing, accountancy, business management and teaching, and;</li> <li>• support economic development in remote communities by building the capacity of local Indigenous youth to take up skilled jobs in their communities.<sup>118</sup></li> </ul>
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The new Indigenous Youth Mobility Programme is one part of the Government's Indigenous Australians Opportunity and Responsibility Commitment. It will assist Indigenous youth from remote Australia to receive training and employment opportunities to help them achieve their full potential.

The training opportunities could lead to occupations in high demand throughout remote Australian communities, such as trades, nursing, accountancy, business management and teaching. Participants may choose to return to their own communities to take up skilled jobs that are often filled by non-Indigenous workers, or pursue their careers elsewhere.

The new programme will try to ensure participants are provided with a comprehensive support network including safe accommodation (to be delivered by Aboriginal Hostels Limited), mentors, training and assistance in maintaining contact with their own communities.

The new providers will be based in Cairns, Townsville, Toowoomba, Newcastle, Dubbo, Canberra, Shepparton, Perth and Darwin.

The Foundation for Young Australians has been appointed as the programme administrator for the new Indigenous Youth Leadership Programme to support the education of 250 talented Indigenous young people. The Government has committed \$12.9 million to the programme, which will incorporate the new National Indigenous Elders Advisory Group (NIEAG) to support the cultural integrity of the programme, and help design a mentoring strategy involving other Indigenous Australians.

Funding committed to these programmes is part of the Federal Government's \$2.1 billion package for Indigenous education for 2005-08. The funding package is a 22.3% increase over the previous four year funding period.<sup>119</sup>

118 Indigenous Youth Mobility Programme, Australian Government, Department of Education, Science and Training, available on line at: [http://www.dest.gov.au/sectors/indigenous\\_education/programmes\\_funding/programme\\_categories/iymp/#](http://www.dest.gov.au/sectors/indigenous_education/programmes_funding/programme_categories/iymp/#) accessed 20 December 2006.

119 Minister for Education, Science and Training, *\$23 Million Boost for Training Indigenous Youth from Remote Communities*, Media Release, 15 December 2005, MIN 2053/05.





<p><b>22 December 2005</b></p> <p><i>Over \$250 million in new Agreement on Indigenous housing and infrastructure.</i></p>	<p>The Australian and Northern Territory Governments announce their <i>Agreement for the Provision of Housing and Infrastructure to Indigenous People in the Northern Territory 2005-2008</i>. The agreement provides that from 1 July 2006, the Northern Territory will manage the funding for Indigenous housing and housing infrastructure.</p> <p>The agreement forms the basis of a three year program worth \$254 million that will for the first time combine the Australian and Northern Territory (NT) Governments' Indigenous housing resources to help provide better housing alternatives for Indigenous families across the NT.<sup>120</sup></p>
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The agreement provides that the Australian Government will invest \$200 million in Indigenous housing, while the Northern Territory Government will be responsible for building new homes and upgrading existing homes in those communities where the demand is greatest. New homes will be designed to be safe, functional, sustainable and suitable for local conditions.

The agreement also places an emphasis on substantial upgrades, repairs and maintenance to ensure families have a safe and healthy environment in which to raise their children. The Governments believe that the pooling of their housing resources will streamline program delivery and enable the Territory Government to be more strategic and effective in the delivery of Indigenous housing services.<sup>121</sup>

<p><b>23 January 2006</b></p> <p><i>Indigenous Legal Aid Services announced for South Australia.</i></p>	<p>The Attorney-General announces that the Aboriginal Legal Rights Movement Incorporated is the successful tenderer for the provision of legal aid services to Indigenous Australians in South Australia.</p> <p>The Aboriginal Legal Rights Movement Incorporated has provided Indigenous legal aid services in the State since it's incorporation in 1973.<sup>122</sup></p>
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120 Minister for Family and Community Services and Northern Territory Minister for Housing, *Over \$250 Million in new Agreement on Indigenous Housing and Infrastructure*, Joint Media Release, 22 December 2005. Available at [http://www.facs.gov.au/internet/minister1.nsf/content/22dec\\_housing\\_agreement.htm](http://www.facs.gov.au/internet/minister1.nsf/content/22dec_housing_agreement.htm), accessed 12 January 2007.

121 Minister for Family and Community Services and Northern Territory Minister for Housing, *Over \$250 Million in new Agreement on Indigenous Housing and Infrastructure*, Joint Media Release, 22 December 2005. Available at [http://www.facs.gov.au/internet/minister1.nsf/content/22dec\\_housing\\_agreement.htm](http://www.facs.gov.au/internet/minister1.nsf/content/22dec_housing_agreement.htm), accessed 12 January 2007.

122 Attorney-General, *Indigenous Legal Services announced for South Australia*, Media Release 005/2006, 23 January 2006.



The Aboriginal Legal Rights Movement Incorporated services a large geographical area that includes major towns and outlying communities in South Australia, such as Adelaide, Murray Bridge, Port Lincoln and Port Augusta. It also visits circuit and bush courts in locations such as Maitland, Berri and Yalata. The ALRM Incorporated is to commence providing legal aid services under the new contract from 1 February 2006.

<p><b>24 January 2006</b></p> <p><i>Indigenous Affairs moves to a new Federal Department (FaCSIA).</i></p>	<p>The Prime Minister announces changes to the Ministry and the Administrative Arrangements Order. As part of the change the Office of Indigenous Policy Coordination is moved to the Family and Community Services Portfolio and a new Ministerial portfolio will be created to encompass Indigenous affairs.<sup>123</sup></p> <p>The new Minister will head the newly formed Department of Families, Community Services and Indigenous Affairs (FCaSIA). This department was formerly known as the Department of Family and Community Services.</p>
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The Office of Indigenous Policy Coordination will move to the Family and Community Services (FaCS) portfolio because of the concurrence with other FaCS programmes. The portfolio will be renamed Families, Community Services and Indigenous Affairs (FaCSIA) and the current portfolio of Immigration, Multicultural and Indigenous Affairs will be renamed Department of Immigration and Multicultural Affairs.

The Minister for Families, Community Services and Indigenous Affairs will also become Minister Assisting the Prime Minister for Indigenous Affairs. The swearing in ceremony will be held on 27 January 2006.<sup>124</sup>

The primary changes in the last twelve months involved the abolition of ATSIC and the transfer of \$1.1 billion of ATSIC programmes to mainstream departments; the appointment of the National Indigenous Council (NIC); the preparation of a single budget submission by the Ministerial Taskforce on Indigenous Affairs (MTF); the establishment of 30 Indigenous Co-ordination Centres (ICC's); the completion of 120 Shared Responsibility Agreements (SRA's); the introduction of legislation to modernise the *Aboriginal Councils and Associations Act 1976* to improve governance and accountability; and significant changes to the *Aboriginal Land Rights(Northern Territory) Act 1976*.<sup>125</sup>

123 Prime Minister of Australia, *Ministerial Changes*, Media Release, 24 January 2006.

124 Prime Minister of Australia, *Ministerial Changes*, Media Release, 24 January 2006.

125 Minister for Immigration and Multicultural and Indigenous Affairs, *The Indigenous Affairs landscape has changed irrevocably and for the better*, Media Release, 24 January 2005.



<p><b>February 2006</b></p> <p><i>The passage of the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth) delayed until October 2006.</i></p>	<p>The passage of the <i>Corporations (Aboriginal and Torres Strait Islander) Act 2006</i> (Cth) through Parliament is delayed until October 2006.</p> <p>The Bill will commence on 1 July 2007 to coincide with the start of the 2007-08 financial year.<sup>126</sup></p>
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An independent review of the *Aboriginal Councils and Associations Act 1976* (Cth) (the ACA Act) was commissioned by the Registrar in 2001. The review began in February 2001, and led to the *Corporations (Aboriginal and Torres Strait Islander) Bill 2006* being developed.

There were several rounds of consultations and two workshops in Alice Springs. In addition, questionnaires were sent to all associations incorporated under the ACA Act and to 345 Indigenous organisations incorporated under other national, state and territory legislation. There was extensive advertising in local and rural media, information sheets and consultation papers.

The Bill will replace the *Aboriginal Councils and Associations Act 1976* (Cth). Corporations will have up to two years to make the necessary changes to comply with the new law. This period will be known as the 'transitional period'.

The Bill allows for flexibility so that corporations can tailor their corporate governance practices to better suit their members and communities. Most corporations are likely to use the internal governance framework built into the bill, others will choose to modify it. Support and training will be available through the Office of the Registrar of Aboriginal and Torres Strait Islander Corporations, to help them through the process where it is needed.

The Bill will give corporations the option to accept a minority of non-Indigenous members, and also to appoint or elect a minority of non-Indigenous people to the board. This will be a choice for members to make when they develop their constitutions.

The Bill includes increased rights for members, consistent with the *Corporations Act 2001* (Cth), and provides greater opportunities for members to act to protect their own interests. In addition, the Registrar will be able to act on behalf of members in circumstances where they are unable to do so, for example, in the case of an oppressed minority.

To protect the members of corporations, funding bodies and ultimately the Australian taxpayer, a range of offences are covered in the Bill. The offences largely reflect those set out in the *Corporations Act 2001* (Cth) and have been developed on the principle that similar obligations should attract similar consequences.<sup>127</sup>

126 Australian Government, Registrar of Aboriginal Corporations, *The Corporations (Aboriginal and Torres Strait Islander) Act 2006*, available on line at: [http://www.orac.gov.au/about\\_orac/legislation/reform\\_act.aspx](http://www.orac.gov.au/about_orac/legislation/reform_act.aspx) accessed 21 December 2006.

127 Senator for Queensland, Santo Santoro – Minister for Ageing, *Corporations (Aboriginal and Torres Strait Islander) Bill 2005*, Monday, 16 October 2006, available online at <http://www.santosantoro.com/news/article.aspx?ID=615>, accessed 16 January 2006.



<p><b>15 February 2006</b></p> <p><i>Social Justice and Native Title Reports 2005 tabled in Parliament.</i></p>	<p>The Attorney-General tables the <i>Social Justice Report 2005</i> and the <i>Native Title Report 2005</i> in Parliament.</p> <p>The reports were prepared by the Aboriginal and Torres Strait Islander Social Justice Commissioner.<sup>128</sup></p>
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The *Social Justice Report 2005* provides an overview of the work of the Social Justice Commissioner and the major issues that have impacted on Indigenous peoples over the preceding 12 months. One focus of the report is on progress over the last year in the government's implementation of its new arrangements for the administration of Indigenous affairs. To assist in the implementation of the new arrangements, the report outlines what constitutes a human rights based approach to engagement with Indigenous communities. This is designed to ensure the effective participation of Indigenous peoples in all levels of decision making and service delivery that affect their lives.

Another focus of the report is Indigenous health. One of the report's chapters provides a human rights based approach to addressing Aboriginal and Torres Strait Islander health equality. The report also proposes a campaign for achieving health equity between Indigenous and non-Indigenous Australians within a generation.

In accordance with the functions set out in section 46C(1) (a) of the *Human Rights and Equal Opportunity Commission Act 1986* (Cth), the report includes 5 recommendations: – 3 in relation to achieving health equality for Aboriginal and Torres Strait Islander peoples, and 2 in relation to the new arrangements in Indigenous affairs. The report also contains 5 follow up actions that the Social Justice Commissioner will undertake over the next twelve months in relation to the new arrangements. These and the recommendations are reproduced here:

Achieving Aboriginal and Torres Strait Islander health equality within a generation  
– A human rights based approach

**Recommendation 1**

That the governments of Australia commit to achieving equality of health status and life expectation between Aboriginal and Torres Strait Islander and non-Indigenous people within 25 years.

**Recommendation 2**

a) That the governments of Australia commit to achieving equality of access to primary health care and health infrastructure within 10 years for Aboriginal and Torres Strait Islander peoples.

b) That benchmarks and targets for achieving equality of health status and life expectation be negotiated, with the full participation of Aboriginal and Torres Strait Islander peoples, and committed to by all Australian governments. Such benchmarks and targets should be based on the indicators set out in the *Overcoming Indigenous Disadvantage Framework* and the *Aboriginal and Torres Strait Islander Health Performance Framework*. They should be made at the national, state/ territory and regional levels and account for regional variations in health

128 Attorney-General's Department, Media Release 013/2006, *Tabling of the Social Justice and Native Title Reports*, 15 February 2006.



status. Data collection processes should also be improved to enable adequate reporting on a disaggregated basis, in accordance with the *Aboriginal and Torres Strait Islander Health Performance Framework*.

c) That resources available for Aboriginal and Torres Strait Islander health, through mainstream and Indigenous specific services, be increased to levels that match need in communities and to the level necessary to achieve the benchmarks, targets and goals set out above. Arrangements to pool funding should be made, with states and territories matching additional funding contributions from the federal government.

d) The goal and aims of the *National Strategic Framework for Aboriginal and Torres Strait Islander Health* be incorporated into the operation of Indigenous Coordination Centres and the new arrangements for Indigenous affairs. This includes through reliance on the outcomes of regional planning processes under the Aboriginal Health Forums.

### **Recommendation 3**

That the Australian Health Minister's Conference agree to a National Commitment to Achieve Aboriginal and Torres Strait Islander Health Equality and that bi-partisan support for this commitment be sought in federal Parliament and in all State and Territory parliaments.

This commitment should:

- acknowledge the existing inequality of health status enjoyed by Aboriginal and Torres Strait Islander peoples;
- acknowledge that this constitutes a threat to the survival of Aboriginal and Torres Strait Islander peoples, their languages and cultures, and does not provide Aboriginal and Torres Strait Islander peoples with the ability to live safe, healthy lives in full human dignity;
- confirm the commitment of all governments to the *National Strategic Framework* and the *National Aboriginal Health Strategy* as providing over-arching guidance for addressing Aboriginal and Torres Strait Islander health inequality;
- commit all governments to a program of action to redress this inequality, which aims to ensure equality of opportunity in the provision of primary health care services and health infrastructure within ten years;
- note that such a commitment requires partnerships and shared responsibility between all levels of government, Aboriginal and Torres Strait Islander peoples and communities, non-government organisations and the private sector;
- acknowledge that additional, special measures will be necessary into the medium term to achieve this commitment;
- acknowledge that significant advances have been made, particularly in levels of resourcing, since 1995 to address this situation;
- commit to celebrate and support the success of Aboriginal and Torres Strait Islander peoples in addressing health inequality;
- accept the holistic definition of Aboriginal and Torres Strait Islander health and the importance of Aboriginal community controlled health services in achieving lasting improvements in Aboriginal and Torres Strait Islander health status;



- commit to continue to work to achieve improved access to mainstream services, alongside continued support for Aboriginal community controlled health services in urban as well as rural and remote areas; and
- acknowledge that achieving such equality will contribute to the reconciliation process.

Progress in implementing the new arrangements for the administration of Indigenous affairs – Ensuring the effective participation of Aboriginal and Torres Strait Islander peoples in decision-making processes

#### **Recommendation 4**

That the federal government, in partnership with state and territory governments, prioritise the negotiation with Indigenous peoples of regional representative arrangements. Representative bodies should be finalised and operational by 30 June 2006 in all Indigenous Coordination Centre regions.

#### **Recommendation 5**

That the Office of Indigenous Policy Coordination, in consultation with the Aboriginal and Torres Strait Islander Social Justice Commissioner, agree to Guidelines to ensure that Shared Responsibility Agreements comply with human rights standards relating to the process of negotiating SRAs and the content of such agreements.<sup>129</sup>

<p><b>8 March 2006</b></p> <p><i>Boost in Indigenous school retention rates.</i></p>	<p>The Australian Bureau of Statistics releases the <i>Schools Report 2005</i> which shows that school retention rates among Indigenous students have climbed significantly over the past five years.<sup>130</sup></p>
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In 2005 there were 135,097 Indigenous full time students, representing a 3.5% increase since 2004. Almost 58% of these students attended schools in New South Wales or Queensland in 2005. There were 3,427 Indigenous full time students in Year 12 across all States and Territories in 2005, compared to 2,620 five years earlier.

Apparent retention rates for Indigenous full-time school students from Year 7/8 to both Year 10 and Year 12 have continued to rise over the last five years. The rate to Year 10 increased from 83% in 2000 to 88.3% in 2005, and the rate to Year 12 increased from 36.4% to 39.5% in the same period. These Indigenous retention rates are lower than the comparable rates for non-Indigenous students. In 2005, the rate to Year 10 for non-Indigenous students was 98.6%, while the rate to Year 12 was 76.6%.<sup>131</sup>

129 Aboriginal and Torres Strait Islander Social Justice Commissioner, *Social Justice Report 2005*, Report No. 3/2005 Human Rights and Equal Opportunity Commission, Sydney, 2006.

130 Minister for Families, Community Service and Indigenous Affairs, *Boost in Indigenous school retention rates*, Media Release ID 09/06, 8 March 2006.

131 Australian Bureau of Statistics, *Schools 2005 4221.0*, available online at [http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/2D8FFEDFC0C6F32ACA25711D00DFEB8/\\$File/42210\\_2005.pdf](http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/2D8FFEDFC0C6F32ACA25711D00DFEB8/$File/42210_2005.pdf), accessed 16 January 2006.



<p><b>28 March 2006</b></p> <p><i>Public Service boosts its intake of Indigenous graduates.</i></p>	<p>The Australian Public Service has markedly increased its intake of Indigenous graduates following the success of the first year of the Australian Public Service Commission's Indigenous graduate recruitment initiative.<sup>132</sup></p>
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Twenty-nine Indigenous graduates have recently commenced on mainstream public service graduate programmes as a direct result of the Australian Public Service Commission's inaugural Indigenous graduate recruitment initiative, where graduates will complete a year of work placements and training. The program will run again in 2007.

The Government's strategy was announced by the Prime Minister on 12 August 2005 and included additional funding of \$6.45m over three years to support the Australian Public Service Commission's Employment and Capability Strategy for Aboriginal and Torres Strait Islander Employees. The funding is to be used for Indigenous employment initiatives that will:

- support a whole-of-government approach by building public sector capability to do Indigenous business;
- provide pathways to employment by removing barriers to the effective employment of Indigenous Australians;
- support employees by maximising their contribution to the workplace;
- support employers by helping them to align their Indigenous Employment Strategies with their workforce planning and capacity building; and
- develop and strengthen cross-agency partnerships to support working together to promote Indigenous employment.<sup>133</sup>

<p><b>12 April 2006</b></p> <p><i>National Aboriginal and Torres Strait Islander Health Survey indicates that Indigenous unemployment has fallen.</i></p>	<p>The 2004-05 National Aboriginal and Torres Strait Islander Health Survey (NATSIHS), indicates that national unemployment for Indigenous persons aged 15 years and over has fallen to 15.4 per cent for 2004-2005. This result represents a fall of 7.5 percentage points, compared to the 2002 survey when Indigenous unemployment was measured at 22.9 per cent.<sup>134</sup></p>
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132 Minister for Employment and Workplace Relations, Minister Assisting the Prime Minister for the Public Service, *Public Service Boosts Its Intake of Indigenous Graduates*, Media Release 409/06, 28 March 2006.

133 Minister for Employment and Workplace Relations, Minister Assisting the Prime Minister for the Public Service, *Public Service Boosts Its Intake of Indigenous Graduates*, Media Release 409/06, 28 March 2006.

134 Minister for Employment and Workplace Relations, Minister Assisting the Prime Minister for the Public Service, *Indigenous Unemployment Falling*, Media Release 086/06, 12 April 2006.



<p><b>12 April 2006 (continued)</b></p> <p><i>National Aboriginal and Torres Strait Islander Health Survey indicates that Indigenous unemployment has fallen.</i></p>	<p>The survey was conducted in remote and non-remote areas of Australia, and was designed to collect a range of information from Indigenous Australians about health related issues, including health status, risk factors and socio-economic circumstances.<sup>135</sup></p>
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The 2004-2005 National Aboriginal and Torres Strait Islander Health Survey (NATSIHS) recorded a fall of 7.5 percentage points in the national unemployment rate for Indigenous persons aged 15 years and over from high of 22.9 per cent in 2002. Over the same period, employment for Indigenous Australians grew by 10.3 per cent.

The national employment to population ratio for Indigenous persons aged 15 and over improved from 46.2 per cent in 2002 to 49.0 per cent in 2004-05. The comparable 2004-05 employment to population rate for all Australians was 60.8 per cent.

The key findings contained in the report indicate that:

- the Aboriginal and Torres Strait Islander population at 30 June 2001 was estimated to be 458,500, or 2.4% of the total Australian population;
- around one in four Indigenous people (26%) were living in remote areas compared with only one in fifty non-Indigenous people (2%);
- the Indigenous population is quite young, with a median age of 21 years compared with 36 years for the non-Indigenous population;
- Indigenous people overall were twice as likely as non-Indigenous people to report their health as fair or poor;
- a higher proportion of the Indigenous population reported feeling restless (12%) and/or that everything was an effort all or most of the time (17%) (Questions were asked for the first time in this survey about the social and emotional well being of the Indigenous population and further analytical work is being undertaken by the ABS to assess their suitability for understanding the well being of Indigenous people).
- a higher proportion of Indigenous Australians than non-Indigenous Australians reported more than one long term health condition in the age groups between 25-54 years. However, after adjusting for the age difference between the two populations, Indigenous and non-Indigenous Australians were equally likely to report a long term health condition;

135 Australian Bureau of Statistics, *National Aboriginal and Torres Strait Islander Health Survey 2004-05*, 11 April 2005, available online at [http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/B1BCF4E6DD320A0BCA25714C001822BC/\\$File/47150\\_2004-05.pdf](http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/B1BCF4E6DD320A0BCA25714C001822BC/$File/47150_2004-05.pdf) accessed 20 December 2006.





- consistent with results from 2001, asthma was reported by around one in seven Indigenous Australians (15%) in 2004-05, this is a finding of 1.6 times more prevalence in the Indigenous population than in the non-Indigenous population;
- the Indigenous population were 1.3 times more likely than non-Indigenous people to report heart disease and/or circulatory problems;
- rates of hearing loss were higher amongst Indigenous people than non-Indigenous people in all ages groups up to 55 years of age;
- Indigenous people were more than three times as likely as non-Indigenous people to report some form of diabetes;
- rates of kidney disease were much higher in the Indigenous population;
- Indigenous people were 1.3 times more likely than non-Indigenous people to have been hospitalised in the 12 months prior to interview;
- Indigenous people were equally as likely as non-Indigenous people to have visited a doctor, one and a half times more likely to have consulted an 'other' health professional, and more than twice as likely to have visited the casualty or out patients department of a hospital in the two weeks before the survey;
- in the 2004-05 NATSIHS, the ABS collected information for the first time about the oral health of Indigenous people. Of Indigenous people aged 15 and over, 11% had never visited a dentist or other health professional about their teeth;
- for both men and women, smoking was more prevalent among Indigenous than non-Indigenous adults in every age group;
- after adjusting for age differences, the proportion of Indigenous adults who reported drinking at risky/high levels (15%) was similar to that of non-Indigenous adults (14%);
- the patterns of risky/high alcohol consumption were different for men and women;
- many of the principal causes of ill-health among Aboriginal and Torres Strait Islander people are nutrition related diseases, such as heart disease, Type II diabetes and renal disease. In 2004-05 the majority of Indigenous people aged 12 years and over reported eating vegetables (95%) and/or fruit (86%) daily;
- in non remote areas, the intake of vegetables was broadly similar between Indigenous and non-Indigenous people;
- the proportion of Indigenous people in non-remote areas who were sedentary or engaged in low level exercise in the two weeks prior to interview was higher in 2004-05 (75%) than in 2001 (68%);
- the proportion of Indigenous people in non-remote areas who were overweight or obese in 1995 was 48% increasing to 56% in 2004-05. Indigenous Australians were 1.2 times more likely to be overweight obese than non-Indigenous Australians. In each group the disparity between Indigenous and non-Indigenous people was greater for females than for males;



- in 2004-05, the majority of Indigenous women aged 18-64 who had had children, reported having breastfed them (84%);
- in 2004-05, around nine in ten Indigenous children under seven years of age in non-remote areas were reported as being fully immunised against diphtheria, tetanus, whooping cough, polio, hepatitis B, measles, mumps, rubella and haemophilus influenza type B (HIB);
- older Indigenous people in remote areas were more likely (80%) than those in non-remote areas (52%) to have been recently vaccinated for influenza, and were more than twice as likely to have received a vaccination against pneumonia (56% compared with 26%); and
- just over half of Indigenous women aged 18 years and over reported having regular pap smear tests and the reported use of common contraceptives by Indigenous women ages 18-49 years has changed very little since 2001.<sup>136</sup>

<p><b>17 April 2006</b></p> <p><i>Bilateral Agreement on Service Delivery to Indigenous communities in South Australia signed.</i></p>	<p>The Prime Minister and the Premier of South Australia sign a five-year bilateral agreement committing both governments to improving service delivery to Indigenous communities in South Australia.</p> <p>This is a formal agreement which commits the Commonwealth and South Australian Governments to work together with Indigenous communities on service planning, delivery, investment and performance evaluation, and to reduce the bureaucratic load on communities.</p> <p>Under the agreement, the governments will work towards shared priorities, including those identified in the Overcoming Indigenous Disadvantage Report, as well as other identified priority areas including:</p> <ul style="list-style-type: none"> <li>• safer communities;</li> <li>• housing and infrastructure;</li> <li>• health and education;</li> <li>• homelessness;</li> <li>• economic development;</li> <li>• land, environment and culture; and</li> <li>• service delivery.<sup>137</sup></li> </ul>
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The Overarching Agreement on Indigenous Affairs between the Australian and the South Australian Governments, also known as the *Bilateral Agreement on Service Delivery to Aboriginal and Torres Strait Islanders in South Australia*, is a five year agreement which aims to enhance the health and welfare of Indigenous South Australians. The agreement will be in place from 17 April 2006 until 2011.

<sup>136</sup> Australian Bureau of Statistics, *National Aboriginal and Torres Strait Islander Health Survey 2004-05*, 11 April 2005, available online at [http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/B1BCF4E6DD320A0BCA25714C001822BC/\\$File/47150\\_2004-05.pdf](http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/B1BCF4E6DD320A0BCA25714C001822BC/$File/47150_2004-05.pdf) accessed 20 December 2006.

<sup>137</sup> Prime Minister of Australia, *Bilateral Agreement on Service Delivery to Aboriginal and Torres Strait Islanders in South Australia*, Media Release, 17 April 2006.



This is the third agreement to result from the Council of Australian Governments' (COAG) *National Framework of Principles for Delivering Services to Indigenous Australians* which was endorsed in June 2004. The agreement is a response to issues identified in the *Overcoming Indigenous Disadvantage Report*.

The aim of the agreement is to enhance cooperation between the two governments in regard to service delivery through the streamlining of bureaucratic processes and the reduction of red tape. Another aim of the agreement is to reduce the duplication of service delivery in Indigenous communities.<sup>138</sup>

<p><b>17 April 2006</b></p> <p><i>Bilateral Agreement on Service Delivery to Indigenous peoples in New South Wales signed.</i></p>	<p>The Australian and New South Wales Governments sign a five-year bilateral agreement committing both governments to improving service delivery to Indigenous communities in NSW.</p> <p>This is a formal agreement commits the Australian and NSW Governments to work together with Indigenous communities on service planning and delivery, investment and performance evaluation, and to reduce the bureaucratic load on communities.</p> <p>Under the agreement, the governments will work towards shared priorities, including those identified in the <i>Overcoming Indigenous Disadvantage Report</i>, as well as other identified priority areas including:</p> <ul style="list-style-type: none"> <li>• building Indigenous wealth and employment;</li> <li>• promoting an entrepreneurial culture in Indigenous communities;</li> <li>• improving living conditions, health and social outcomes across a range of areas including early childhood health and intervention, improving literacy and numeracy, increasing school retention rates, reducing incarceration and the level of family violence; and creating safer communities.</li> </ul> <p>This is the fourth bilateral agreement to be signed under the Council of Australian Governments (COAG) Indigenous Service Delivery Framework.<sup>139</sup></p>
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The Overarching Agreement on Aboriginal Affairs between the Australian and New South Wales Governments, also referred to as the *Bilateral Agreement on Service Delivery to Aboriginal and Torres Strait Islanders in New South Wales*, is a five year agreement which aims to enhance the health and welfare of Indigenous people in New South Wales. The agreement is one element of the implementation of *Two Ways Together: the NSW Aboriginal Affairs Plan 2003-2012*.

138 The full text of the *Bilateral Agreement on Service Delivery to Aboriginal and Torres Strait Islanders in South Australia* can be found at [http://www.oipc.gov.au/publications/PDF/NSW\\_IndigAgreement.pdf](http://www.oipc.gov.au/publications/PDF/NSW_IndigAgreement.pdf) accessed 11 January 2007.

139 Prime Minister of Australia, *Bilateral Agreement on Service Delivery to Aboriginal and Torres Strait Islanders in New South Wales*, Media Release, 17 April 2006.



This is the fourth bilateral agreement to result from the Council of Australian Governments' (COAG) *National Framework of Principles for Delivering Services to Indigenous Australians* which was endorsed in June 2004. The agreement is a response to issues identified in the *Overcoming Indigenous Disadvantage Report*. The agreement is effective from 2005-2010.

A stated aim of the agreement is to better integrate government services to Indigenous communities and the implementation of the agreement will be supervised by the Intergovernmental Aboriginal Affairs Group, which has been established specifically for this purpose. The agreement includes planned action in the areas of 'safer communities; housing and infrastructure; health and education; homelessness; economic development; land, environment and culture; and service delivery'.

The major aim of the agreement is to enhance cooperation between the two governments in regard to service delivery through the streamlining of bureaucratic processes and the reduction of red tape. A second related aim of the agreement is to reduce bureaucratic overlap and the duplication of service delivery in Indigenous communities.<sup>140</sup>

<p><b>28 April 2006</b></p> <p><i>New provider for NSW Indigenous legal aid services.</i></p>	<p>The Attorney-General announces the Aboriginal Legal Service (NSW/ACT) Ltd. as the successful tenderer to provide Indigenous legal aid services in NSW and the Australian Capital Territory.</p> <p>The new Aboriginal Legal Service (NSW/ACT) Ltd merges the six existing Aboriginal and Torres Strait Islander Legal Services in New South Wales.<sup>141</sup></p>
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The newly formed Aboriginal Legal Service (NSW/ACT) Ltd. merges the six pre-existing Aboriginal and Torres Strait Islander Legal Services in New South Wales. Those services are the Sydney Regional Aboriginal Corporation Legal Service; Many Rivers Aboriginal Legal Service; Kamilaroi Aboriginal Legal Service Incorporated; Central Southern Aboriginal Corp for Wiradjuri Aboriginal Legal Service; Wagga Wagga South Eastern Aboriginal Legal Service Incorporated; and Western Aboriginal Legal Service Ltd.

The merger of the six organisations brings together over 100 years of experience in delivering culturally appropriate legal services to Indigenous Australians in the New South Wales region. The original tender to supply legal services to Indigenous Australians in NSW and ACT was submitted by the Coalition of Aboriginal Legal Services NSW, who formed the new organisation Aboriginal Legal Service (NSW/ACT) Ltd when the tender was granted to them.<sup>142</sup>

140 The full text of the *Bilateral Agreement on Service Delivery to Aboriginal and Torres Strait Islanders in New South Wales* can be found at [http://www.oipc.gov.au/publications/PDF/NSW\\_IndigAgreement.pdf](http://www.oipc.gov.au/publications/PDF/NSW_IndigAgreement.pdf) accessed 11 January 2007.

141 Attorney-General's Department, *New provider for NSW Indigenous legal services*, News Release 069/2006, 28 April 2006.

142 The web site is [www.alsnswact.org.au](http://www.alsnswact.org.au) accessed 11 January 2007.



Indigenous legal aid services are provided in accordance with priorities laid down in the Policy Directions for the Delivery of Legal Aid Services to Indigenous Australians (Policy Directions).<sup>143</sup>

The new process for access to legal aid services for Indigenous Australians includes a means test which aims to ensure that limited funds available are allocated to those who need them most. The Indigenous Justice and Legal Assistance Division of the Attorney General's Department may also provide funding for a range of test cases. Applicants must address the Indigenous Test Case Guidelines which set out the criteria for obtaining funding, the application procedure, and the conditions upon which funding is granted.<sup>144</sup>

<p><b>9 May 2006</b></p> <p><i>Federal Budget 2006-07.</i></p>	<p>Funding to Indigenous affairs, in the 2006-07 Federal Budget, will total \$3.3 billion. This is the result of allocating close to \$500 million over five years in this Budget, with twenty four new initiatives across six portfolios.<sup>145</sup></p> <p>The key budget measures within the Indigenous portfolio address four themes:</p> <ol style="list-style-type: none"> <li>1. Measures Investing in People: these programs will include using sport to improve Indigenous young people's education and life prospects; the reform of the delivery capacity of Indigenous corporations; Indigenous community leadership; a family and community networks initiative; an Indigenous tutorial assistance scheme; an Indigenous boarding college and the establishment of a National Indigenous Scouting Programme.</li> <li>2. Measures Addressing Economic Independence: measures will include improving the sustainability of community stores; the Home Ownership Program; enhanced opportunities for employment and participation in remote communities; extending the Family Income Management Programme; improving Indigenous health worker employment; continuing and expanding funding to the Remote Area Servicing, through ten established centres and two new centres; Cape York Institute welfare reform project; and Cape York Digital Network.</li> </ol>
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143 This document is available online at [http://www.ag.gov.au/www/agd/rwpattach.nsf/VAP/\(03995EABC73F94816C2AF4AA2645824B\)~Policy+Directions-+May+2006\[1\].pdf/\\$file/Policy+Directions-+May+2006\[1\].pdf](http://www.ag.gov.au/www/agd/rwpattach.nsf/VAP/(03995EABC73F94816C2AF4AA2645824B)~Policy+Directions-+May+2006[1].pdf/$file/Policy+Directions-+May+2006[1].pdf) accessed 11 January 2007.

144 The *Indigenous Test Case Guidelines* can be found online at [http://www.ag.gov.au/www/agd/rwpattach.nsf/VAP/\(1E76C1D5D1A37992F0B0C1C4DB87942E\)~Indigenous+Test+Case+Guidelines+November+2006.DOC.pdf/\\$file/Indigenous+Test+Case+Guidelines+November+2006.DOC.pdf](http://www.ag.gov.au/www/agd/rwpattach.nsf/VAP/(1E76C1D5D1A37992F0B0C1C4DB87942E)~Indigenous+Test+Case+Guidelines+November+2006.DOC.pdf/$file/Indigenous+Test+Case+Guidelines+November+2006.DOC.pdf) accessed 11 January 2007.

145 Minister for Families, Community Services and Indigenous Affairs, *Budget delivers new opportunities for Indigenous Australians*, Media Release ID: 33/6, 9 May 2006.



<p><b>9 May 2006</b></p> <p><i>Federal Budget 2006-07.</i></p>	<p>3. Measures Tackling Pressing Problems: funding will be allocated to reducing substance abuse; Indigenous Family Violence Prevention Legal Services; improving Indigenous access to health care services; additional Indigenous aged care places; Northern Territory Indigenous Interpreter Services; and improving the capacity of health workers in Indigenous communities; and</p> <p>4. Other Measures: funding will be allocated to Reconciliation Australia; developing the 1967 referendum anniversary activities; and flexible funds for shared responsibility and agreement making.<sup>146</sup></p>
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The key Budget measures and resources within the Indigenous affairs portfolio are:

Measures Investing in People

- \$19.6 million to extend the successful school-based Clontarf Football Academy model to 20 other locations across Australia.
- \$28.1 million to assist Indigenous corporations improve their governance capacity and their ability to deliver more effective services on the ground.
- \$23.0 million to support communities through the development of emerging leaders and the provision of outside assistance to build their capacity to negotiate with governments.
- \$10.7 million to maintain the Family Community Networks Initiative.
- \$21.8 million to support Indigenous vocational education and training students by providing an estimated 20,000 places for tutorial assistance for up to 2 hours per week.
- \$15.6 million to provide up to four hours of tuition per week for up to 32 weeks a year for Indigenous Year 9 students.
- \$10.0 million under a Shared Responsibility Agreement to fund the construction of a community-managed secondary college in the Tiwi Islands.
- \$2.0 million for Scouts Australia to develop a culturally specific leadership and community development programme for young Indigenous people.

Measures Addressing Economic Independence

- \$48.0 million to Indigenous Business Australia to establish a subsidiary company, 'Outback Stores', which will provide a framework for group discount purchasing and better managerial, supply chain, food handling, nutrition and financial arrangements.
- \$21.6 million to expand the Home Ownership Programme, providing access to finance for up to 140 Indigenous people who may otherwise not be able to obtain finance from private-sector financial institutions.

<sup>146</sup> Minister for Families, Community Services and Indigenous Affairs, *Summary of Indigenous Measures*, Media Release ID: 33/6 Attachment, 9 May 2006.



- \$107.5 million to support and develop Indigenous home ownership on Indigenous land. Up to 460 Indigenous families living in remote Indigenous community towns will be able to access affordable home loans. 45 new houses earmarked for home ownership will be constructed and measures introduced to encourage saving for a home loan deposit.
- \$17.9 million to reduce passive welfare through employment-focused programmes which will allow remote area exemptions from the activity test to be lifted for people receiving income-support payments.
- \$16.6 million to extend the existing Family Income Management programme, which provides education and assistance to Indigenous families in remote communities to better manage their incomes.
- \$20.5 million to convert 130 full-time equivalent community-based Indigenous health care and substance abuse worker positions currently supported through the Community Development Employment Projects Scheme into real jobs.
- \$6.9 million to improve Indigenous access to Centrelink services through continued funding for 10 established Remote Area Service Centres and for two new centres.
- \$3.0 million will be made available to the Cape York Institute to undertake research into the ways that Indigenous communities interact with the welfare system and to design incentives to encourage employment and education.
- \$0.75 million to ensure the continued operation of the Cape York Digital Network, which provides telecommunications services for many remote Indigenous communities in Cape York.

#### Measures Tackling Pressing Problems

- \$55.2 million to tackle substance abuse and petrol sniffing. This measure builds on the Government's regional approach in central Australia, increases availability of Opal (non-sniffable petrol) and education and alternative activities for youth.
- \$23.6 million to create five new Family Violence Prevention Legal Services and to extend the services available in the 26 existing services to include preventative work.
- \$39.5 million to improve access to mainstream health services in urban and regional areas and to provide funding for 40 more medical professionals to work in remote area health services.
- \$0.8 million for the creation of 150 new aged care places for older Indigenous Australians in rural and remote areas.
- \$5.1 million to maintain interpreter services in the Northern Territory to improve access to government services.
- \$20.8 million over 5 years to train Indigenous health workers to identify and address mental illness in Indigenous communities, as part of the Australian Government contribution to the separate Council of Australian Government's Mental Health Package.

#### Other Measures

- \$0.5 million to mark the 40th anniversary of the 1967 referendum by providing funding to Reconciliation Australia to promote a greater understanding of reconciliation.



- The Government is furthering its commitment to the development of Shared Responsibility Agreements. Key portfolios will be required to contribute at least \$75.0 million over four years to the development of Shared Responsibility Agreements, with Ministers to report on achievements each year.<sup>147</sup>

<p><b>18 May 2006</b></p> <p><i>National plan for action against Indigenous violence and child abuse.</i></p>	<p>The Australian Government will invite State and Territory Governments to a summit to develop a national action plan to address community safety in Indigenous communities.<sup>148</sup></p>
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The Australian Government will invite all State and Territory Governments to a summit to develop a national action plan to address community safety in Indigenous communities following the recent media reports on violence within Aboriginal communities.<sup>149</sup>

<p><b>23 May 2006</b></p> <p><i>OIPC releases a coordination evaluation plan for 2006-2009.</i></p>	<p>The Office of Indigenous Policy Coordination (OIPC) releases a coordination evaluation plan for the whole of government activities in Indigenous affairs for 2006-2009.</p> <p>The paper provides an overview of the planned evaluation activities to be conducted during 2006-2009 by OIPC.<sup>150</sup></p>
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The foundations of the evaluation plan evolved from the launch of the Government's new arrangements in Indigenous affairs. Accountability is one of the primary foundation principles. Evaluation is an integral part of accountability and this plan sets out a framework under which evaluation of the whole of government approach will occur.

The evaluation plan is organised over three broad themes, which tend to overlap:

- policy outcomes – covering whole of government outcomes, coordination and gaps;
- place – dealing with local arrangements and partnerships; and
- process – the actual implementation of the new arrangements.

147 Minister for Families, Community Services and Indigenous Affairs, *Summary of Indigenous Measures*, Media Release ID: 33/6 Attachment, 9 May 2006.

148 Minister for Families, Community Services and Indigenous Affairs, *National plan for action against Indigenous violence and child abuse says Brough*, Media Release ID: 33/6, 9 May 2006.

149 Minister for Families, Community Services and Indigenous Affairs, *National plan for action against Indigenous violence and child abuse says Brough*, Media Release ID: 33/6, 9 May 2006.

150 Office of Indigenous Policy Coordination, *Evaluation Plan for Whole-of-Government Activities in Indigenous Affairs*, 23 May 2006, available on line at: [http://www.oipc.gov.au/documents/OIPC\\_EvaluationPlan\\_23May.pdf](http://www.oipc.gov.au/documents/OIPC_EvaluationPlan_23May.pdf) accessed 21 December 2006.



Activities which will take place in 2005-06 will include:

- red tape evaluation;
- a formative evaluation of the eight COAG trial sites; and
- a review of individual Shared Responsibility Agreements.<sup>151</sup>



<p><b>31 May 2006</b></p> <p><i>Reforms to Aboriginal Land Rights (Northern Territory) Act 1976 introduced into Parliament.</i></p>	<p>The Minister for Immigration and Multicultural and Indigenous Affairs introduces amendments to the <i>Aboriginal Land Rights (Northern Territory) Act 1976</i> into Parliament. The amendments were announced in October 2005.</p> <p>The changes to the <i>Aboriginal Land Rights (Northern Territory) Act 1976</i> will allow long term leases to be held over entire township areas; change the current processes for land development; and impact on the performance and accountability of Land Councils and royalty bodies.<sup>152</sup></p> <p>The 2006-07 Budget allocated \$107.5 million to the expansion of the Indigenous Home Ownership on Indigenous Land Program and a Home Purchase Incentive Scheme on Community Title Land.<sup>153</sup> The new tenure arrangements contained in the Bill will enable Aboriginal people in the Northern Territory to access these new programs.<sup>154</sup></p>
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The new model proposed under these changes is similar to a proposal put forward by the NT Government and supported by the National Indigenous Council:

- The NT Government will establish an entity to talk with the Traditional owners and the Land Council of a particular town area to obtain 99 year head leases over township areas.
- The entity can issue long term sub leases to town users without the need to negotiate case by case with Traditional Owners and Land Councils.
- The terms of the head lease will be negotiated with the Traditional Owners and Land Councils, except for a statutory ceiling (five per cent of the land's value) on the annual rent payable to the Traditional Owners.<sup>155</sup>

The Home Ownership on Indigenous Land Programme will allow eligible Indigenous people to borrow money at affordable rates to help them to get their own

151 Office of Indigenous Policy Coordination, *Evaluation Plan for Whole-of-Government Activities in Indigenous Affairs*, 23 May 2006, available on line at: [http://www.oipc.gov.au/documents/OIPC\\_EvaluationPlan\\_23May.pdf](http://www.oipc.gov.au/documents/OIPC_EvaluationPlan_23May.pdf) accessed 21 December 2006.

152 Minister for Immigration and Multicultural and Indigenous Affairs, *Long term leases the way forward for NT Aboriginal townships*, Media Release ID: vIPS 35/05, 5 October 2005.

153 Office of Indigenous Policy Coordination, *ALR Reforms, Questions and Answers on complementary measures to assist Indigenous home ownership*, available online at [http://www.oipc.gov.au/ALRA\\_Reforms/QA\\_ComplimentaryMeasures.asp](http://www.oipc.gov.au/ALRA_Reforms/QA_ComplimentaryMeasures.asp) accessed 20 December 2006.

154 Minister for Families, Community Services and Indigenous Affairs, *Historic reforms to NT land rights*, Media Release, 31 May 2006.

155 Minister for Immigration and Multicultural and Indigenous Affairs, *Long term leases the way forward for NT Aboriginal townships*, Media Release ID: vIPS 35/05, 5 October 2005.



home on Indigenous land. Indigenous Business Australia (IBA) will be responsible for the Home Ownership on Indigenous Land Programme.

The Home Purchase Incentive Scheme on Community Title Land will provide a discount on the purchase price of community owned housing for Indigenous peoples have a good rental history. The Australian Government Department of Family and Community Services (FaCS) will be responsible for this Scheme.<sup>156</sup>

<p><b>19 June 2006</b></p> <p><i>Forum on ending violence in Indigenous communities.</i></p>	<p>Australians for Native Title and Reconciliation (ANTaR) and the Human Rights and Equal Opportunity Commission (HREOC) host a forum on ending violence in Indigenous communities at Parliament House in Canberra.</p> <p>The event is supported by the Australian Indigenous Doctors Association (AIDA), Australian Medical Association (AMA), Oxfam Australia and the Australian Principals' Associations Professional Development Council (APAPDC).<sup>157</sup></p>
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The forum on ending violence in Indigenous Communities was not open to the public or media, however a press conference was held following the event.

The Aboriginal and Torres Strait Islander Social Justice Commissioner and a representative from Flinders University of South Australia provided the contextual background to both the nature of the problem and potential solutions. The Social Justice Commissioner opened the proceedings with a speech that stated:

***"... first, let me state upfront and unequivocally that family violence in Indigenous communities is abhorrent and has no place in Aboriginal society.***

Family violence is a scourge that is causing untold damage and trauma among Indigenous communities. It is damaging Indigenous cultures and it is causing untold damage to our women and children.

Indigenous men, women and children are entitled to live their lives in safety and full human dignity. This means without fear of family violence or abuse. **This is their cultural and their human right.**

Violence and abuse is also in breach of criminal laws across the country. I am on record several times stating that if an Indigenous person commits these types of offences they should be dealt with by the criminal justice system just as any other person would be. There should also be swift intervention from care and protection systems to ensure that the best interests of the child are the primary consideration. Government officials and community members should be fearless and bold in reporting suspected incidents of violence and abuse. This means addressing the code of silence that exists in many Indigenous communities about these issues. And it means government officers meeting their statutory obligations, meeting their duty of care and taking moral responsibility in the performance of their duties as public officials. Many do already. Regrettably, some do not.

156 Office of Indigenous Policy Coordination, *ALR Reforms. Questions and Answers on complementary measures to assist Indigenous home ownership*, available online at [http://www.oipc.gov.au/ALRA\\_Reforms/QA\\_ComplimentaryMeasures.asp](http://www.oipc.gov.au/ALRA_Reforms/QA_ComplimentaryMeasures.asp) accessed 15 February 2005.

157 ABC Message Stick, *National: Forum on Ending Violence in Indigenous Communities*, Media Release, 19 June 2006, available online at <http://www.abc.net.au/message/news/stories/s1666291.htm> accessed 21 December 2006.



**Let me also state upfront that Aboriginal customary law does not condone family violence.**

Family violence and abuse of women and children has no place in Aboriginal culture. Customary law cannot be relied upon to excuse such behaviour.

That is not the customary law that I know. Perpetrators of violence and abuse **do not respect customary law and are not behaving in accordance with it.**<sup>158</sup>

A facilitated panel discussion then discussed specific programs that are already in existence and working well with regard to tackling violence in Indigenous communities.<sup>159</sup>

The Aboriginal and Torres Strait Islander Social Justice Commissioner prepared a paper on the key issues entitled "*Ending family violence and abuse in Aboriginal and Torres Strait Islander communities*". The paper provides an overview of research and findings by the Human Rights and Equal Opportunity Commission from 2001-2006 and is released on 21 June 2006.<sup>160</sup>

<p><b>21 June 2006</b></p> <p><i>The Australian Institute of Health and Welfare releases 'Australia's Health 2006'.</i></p>	<p>The Australian Institute of Health and Welfare releases <i>Australia's Health 2006</i>, a comprehensive report on the health status of the Australian population and the factors that influence it, including health services and expenditures.</p> <p>The report states that Australia's Indigenous population continues to have a poorer standard of health than other Australians and there is still too little evidence that the health of Aboriginal and Torres Strait Islander peoples is improving. Death rates of Indigenous infants remain approximately three times those of other Australian infants, and about 70% of Indigenous Australians die before reaching 65, compared with a little over 20% for other Australians.<sup>161</sup></p>
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The report states that Indigenous peoples continue to suffer greater ill health than all other Australians. The average age of death remains younger than other Australians and they are more likely to suffer from a disability and a reduced quality of life due to general ill health.

Collected data indicates that the Indigenous population is disadvantaged across a range of socioeconomic factors and that this impacts on the health of the population. During 2002, Indigenous peoples reported lower incomes, higher rates of unemployment, lower educational attainment and a much lower rate of home

158 Aboriginal and Torres Strait Islander Social Justice Commissioner and Acting Race Discrimination Commissioner, *Addressing family violence in Aboriginal and Torres Strait Islander Communities – Key issues*, Address to Ending Violence in Indigenous Communities Forum, Monday 19 June 2006, Parliament House, Canberra, available online at [http://www.hreoc.gov.au/speeches/social\\_justice/violence20060619.html](http://www.hreoc.gov.au/speeches/social_justice/violence20060619.html) accessed 21 December 2006.

159 ABC Message Stick, *National: Forum on Ending Violence in Indigenous Communities*, Media release, 19 June 2006, available online at <http://www.abc.net.au/message/news/stories/s1666291.htm> accessed 21 December 2006.

160 Aboriginal and Torres Strait Islander Social Justice Commissioner, *Ending family violence and abuse in Aboriginal and Torres Strait Islander communities – Key issues*, Human Rights and Equal Opportunity Commission, Sydney, June 2006, available at [http://www.humanrights.gov.au/social\\_justice/family\\_violence/family\\_violence2006.html](http://www.humanrights.gov.au/social_justice/family_violence/family_violence2006.html) accessed 11 January 2007.

161 Australian Government, Australian Institute of Health and Welfare, *Australia improves its health ranking*, Media Release, 21 June 2006.



ownership than other Australians. There are other factors which contribute to their poorer health statistics such as smoking and the misuse of alcohol and other substances, along with poor housing and much greater exposure to violence.

Overall there is a sense of reduced control and autonomy that is experienced by Indigenous peoples over their own lives, and this helps to explain their generally poorer state of health.<sup>162</sup>

The report also examines a number of measures of health status including: self assessed health status; social and emotional well-being; prevalence of conditions; consultations with general practitioners; hospitalisations; disability; mortality and trends in mortality; health risk factors such as smoking and illicit drug use, obesity and poor nutrition; housing and living conditions.

<p><b>26 June 2006</b></p> <p><i>Intergovernmental Summit on Violence and Child Abuse in Indigenous Communities.</i></p>	<p>An Intergovernmental Summit on Violence and Child Abuse in Indigenous Communities is held involving Ministers from the Australian Government and all States and Territories. The Ministers agree that the levels of violence and child abuse in Indigenous communities warrant a comprehensive national response.</p> <p>The Communiqué released following the Intergovernmental Summit reconfirms the principles agreed by the Council of Australian Governments (COAG) in June 2004, under COAG's <i>National Framework on Indigenous Family Violence and Child Protection</i>, particularly that:</p> <ul style="list-style-type: none"> <li>• everyone has a right to be safe from family violence and abuse;</li> <li>• preventing family violence and child abuse in Indigenous families is best achieved by families, communities, community organisations and different levels of government working together as partners;</li> <li>• successful strategies to prevent family violence and child abuse in Indigenous families enable Indigenous people to take control of their lives, regain responsibility for their families and communities and to enhance individual and family wellbeing; and</li> <li>• the need to address underlying causes and to build strong and resilient families.<sup>163</sup></li> </ul>
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The Intergovernmental Summit reconfirmed the principles agreed by the Council of Australian Governments (COAG) in June 2004, under COAG's *National Framework on Indigenous Family Violence and Child Protection*. These principles include that:

162 Australian Institute of Health and Welfare, *Australia's Health 2006: The tenth biennial health report of the Australian Institute of Health*, Canberra, p221, available online at <http://www.aihw.gov.au/publications/aus/ah06/ah06.pdf> accessed 11 January 2007.

163 Minister for Families, Community Services and Indigenous Affairs; Minister Assisting the Prime Minister for Indigenous Affairs, *Intergovernmental Summit on Violence and Child Abuse in Indigenous Communities Communiqué Safer Kids, Safer Communities*, Media Release, 26 June 2006.



- everyone has a right to be safe from family violence and abuse;
- preventing family violence and child abuse in Indigenous families is best achieved by families, communities, community organisations and different levels of government working together as partners;
- successful strategies to prevent family violence and child abuse in Indigenous families enable Indigenous people to take control of their lives, regain responsibility for their families and communities and to enhance individual and family wellbeing; and
- the need to address underlying causes and to build strong and resilient families.

All jurisdictions agreed to put the action strategy to COAG for consideration and decision on 14 July 2006.<sup>164</sup>

<p><b>27 June 2006</b></p> <p><i>Inquiry into Child Sex Abuse in Aboriginal communities in the Northern Territory.</i></p>	<p>The Northern Territory Chief Minister orders an inquiry into child sexual abuse in NT Aboriginal communities.<sup>165</sup></p> <p>The Inquiry will:</p> <ul style="list-style-type: none"> <li>• examine the size, nature and fundamental causes of the sexual abuse of Aboriginal children;</li> <li>• identify barriers and issues associated with the provision of effective responses;</li> <li>• consider methods, policies, procedures and resources of NT government agencies; and</li> <li>• consider how the NT Government can help support communities effectively to tackle child sexual abuse.</li> </ul> <p>The Inquiry will report to the Chief Minister by the end of April 2007.<sup>166</sup></p>
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The Terms of Reference for the NT *Inquiry into the Protection of Aboriginal Children from Sexual Abuse* provide that:

The purpose of the Inquiry is to find better ways to protect Aboriginal children from sexual abuse. The Inquiry is aiming to report to the Chief Minister by April 2007. An expert reference group will be appointed to assist the Inquiry including providing advice and facilitate communication with community members, stakeholders and others as required.

The Inquiry's task will be to:

- Examine the extent, nature and contributing factors to sexual abuse of Aboriginal children, with a particular focus on unreported incidences of such abuse.

164 Minister for Families, Community Services and Indigenous Affairs; Minister Assisting the Prime Minister for Indigenous Affairs, *Intergovernmental Summit on Violence and Child Abuse in Indigenous Communities Communiqué Safer Kids, Safer Communities*, Media Release, 26 June 2006.

165 Northern Territory Chief Minister, *Chief Minister orders inquiry into child sex abuse*, Media Release 27 June 2006.

166 Northern Territory Chief Minister, *Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, available online at <http://www.nt.gov.au/dcm/inquirysaac/> accessed 11 January 2007.



- Identify barriers and issues associated with the provision of effective responses to and protection against sexual abuse for Aboriginal children.
- Consider practices, procedures and resources of NT Government agencies with direct responsibilities in this area (Family & Children's Services and Police).
- Consider how all tiers of government and non-government agencies might contribute to a more effective protection and response network.
- Consider how the NT Government can help support communities to effectively prevent and tackle child sexual abuse.

The Inquiry will make recommendations to Government on these issues. The Inquiry will research and examine information relevant to both successful and unsuccessful strategies and responses relative to the protection of children from sexual abuse. As a part of this process will seek information from:

- Members of the community;
- Territory Government employees;
- Non-government organisations; and
- Independent experts.

While the Inquiry is established under the *Inquiries Act*, 1991 and has the authority and protection afforded by it, the examination of these issues will be conducted in a co-operative and informal manner.

It is anticipated that the majority of discussions will be voluntary as the purpose of the Inquiry is to provide a blue print for future action.

Individuals who wish to speak to the Inquiry confidentially on a one to one basis will be able to do so.

Information provided to the Inquiry relating to specific cases of alleged child abuse will be passed onto the relevant authorities.<sup>167</sup>

<p><b>28 June 2006</b></p> <p><i>Indigenous Legal Aid Service Provider for Tasmania announced.</i></p>	<p>The Attorney-General announces that the Tasmanian Aboriginal Centre Incorporated has been awarded the contract to provide legal aid services for Indigenous Australians in Tasmania.</p> <p>The Tasmanian Aboriginal Centre Incorporated has provided Indigenous legal aid services in Tasmania for more than 32 years.<sup>168</sup></p>
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This announcement marked the finalisation of the Australian Government's move to *Contracts for Service* for the provision of legal aid services for Indigenous Australians nationally.

The Tasmanian Aboriginal Centre Incorporated joins eight other Indigenous legal aid service providers already appointed in other States and the Northern Territory.

<sup>167</sup> Northern Territory Chief Minister, *Inquiry into Protection against sexual abuse of Indigenous children, Terms of Reference*, Media Release, 27 June 2005.

<sup>168</sup> Attorney-General's Department, *Indigenous Legal Aid service provider announced for Tasmania*, Media Release 122/2006, 28 June 2006.



The Tasmanian Aboriginal Centre Incorporated will commence services on 1 July 2006.<sup>169</sup>

Eligibility service provision for Indigenous peoples is governed by clear criteria, and will be fairly applied to all applicants. Guidelines have been drawn up to ensure that all Indigenous Australians in Tasmania are able to access these services. These guidelines rely on self-identification and acknowledgement of that person within the Indigenous communities of Tasmania.

<p><b>29 June 2006</b></p> <p><i>United Nations Human Rights Council adopts the Declaration on the Rights of Indigenous Peoples.</i></p>	<p>The United Nations (UN) Human Rights Council adopts the Declaration on the Rights of Indigenous Peoples after more than twenty years of work by Indigenous peoples and the UN system.<sup>170</sup></p> <p>On 28 November 2006, the Third Committee of the UN General Assembly adopted a resolution that defers the Assembly's consideration of the Declaration until the end of its current session, which will conclude in September 2007.<sup>171</sup></p>
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The UN Human Rights Council adopted the Declaration on the Rights of Indigenous Peoples on 29 June 2006. The preamble to the Declaration, which sets out the rationale for its elaboration, is provided below.<sup>172</sup>

*Affirming* that indigenous peoples are equal to all other peoples, while recognizing the right of all peoples to be different, to consider themselves different, and to be respected as such,

*Affirming* also that all peoples contribute to the diversity and richness of civilizations and cultures, which constitute the common heritage of humankind,

*Affirming further* that all doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin, racial, religious, ethnic or cultural differences are racist, scientifically false, legally invalid, morally condemnable and socially unjust,

*Reaffirming* also that indigenous peoples, in the exercise of their rights, should be free from discrimination of any kind,

*Concerned* that indigenous peoples have suffered from historic injustices as a result of, inter alia, their colonization and dispossession of their lands, territories and resources, thus preventing them from exercising, in particular, their right to development in accordance with their own needs and interests,

169 Attorney-General's Department, *Indigenous Legal Aid service provider announced for Tasmania*, Media Release 122/2006, 28 June 2006.

170 Human Rights and Equal Opportunity Commission, *Social Justice Commissioner praises United Nations Human Rights Council for adopting the Declaration on the Rights of Indigenous Peoples*, Media Release, 30 June 2006. See also the website of the United Nations Permanent Forum on Indigenous Issues available online at <http://www.un.org/esa/socdev/unpfii/en/declaration.html>

171 Human Rights and Equal Opportunity Commission, *Social Justice Commissioner praises United Nations Human Rights Council for adopting the Declaration on the Rights of Indigenous Peoples*, Media Release, 30 June 2006. See also the website of the United Nations Permanent Forum on Indigenous Issues available online at <http://www.un.org/esa/socdev/unpfii/en/declaration.html>

172 Human Rights Council, *Report to the General Assembly on the First Session of the Human Rights Council*, United Nations, Geneva, 30 June 2006, A/HRC/1/L.10, p56-73.





*Recognizing* the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources,

*Further recognizing* the urgent need to respect and promote the rights of indigenous peoples affirmed in treaties, agreements and other constructive arrangements with States,

*Welcoming* the fact that indigenous peoples are organizing themselves for political, economic, social and cultural enhancement and in order to bring an end to all forms of discrimination and oppression wherever they occur,

*Convinced* that control by indigenous peoples over developments affecting them and their lands, territories and resources will enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs,

*Recognizing also* that respect for indigenous knowledge, cultures and traditional practices contributes to sustainable and equitable development and proper management of the environment,

*Emphasizing* the contribution of the demilitarization of the lands and territories of indigenous peoples to peace, economic and social progress and development, understanding and friendly relations among nations and peoples of the world,

*Recognizing in particular* the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child,

*Recognizing also* that indigenous peoples have the right freely to determine their relationships with States in a spirit of coexistence, mutual benefit and full respect,

*Considering* that the rights affirmed in treaties, agreements and constructive arrangements between States and indigenous peoples are, in some situations, matters of international concern, interest, responsibility and character,

*Also considering* that treaties, agreements and other constructive arrangements, and the relationship they represent, are the basis for a strengthened partnership between indigenous peoples and States,

*Acknowledging* that the Charter of the United Nations, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights affirm the fundamental importance of the right of self-determination of all peoples, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development,

*Bearing in mind* that nothing in this Declaration may be used to deny any peoples their right of self-determination, exercised in conformity with international law,

*Convinced* that the recognition of the rights of indigenous peoples in this Declaration will enhance harmonious and cooperative relations between the State and indigenous peoples, based on principles of justice, democracy, respect for human rights, non-discrimination and good faith,

*Encouraging* States to comply with and effectively implement all their obligations as they apply to indigenous peoples under international instruments, in particular those related to human rights, in consultation and cooperation with the peoples concerned,

*Emphasizing* that the United Nations has an important and continuing role to play in promoting and protecting the rights of indigenous peoples,





*Believing* that this Declaration is a further important step forward for the recognition, promotion and protection of the rights and freedoms of indigenous peoples and in the development of relevant activities of the United Nations system in this field,

*Recognizing and reaffirming* that indigenous individuals are entitled without discrimination to all human rights recognized in international law, and that indigenous peoples possess collective rights which are indispensable for their existence, well-being and integral development as peoples,

*Solemnly proclaims* the following United Nations Declaration on the Rights of Indigenous Peoples as a standard of achievement to be pursued in a spirit of partnership and mutual respect.

During the sixty first session of the UN General Assembly (GA), the GA's Third Committee adopted a resolution on 28 November 2006 that defers consideration of the Declaration on the Rights of Indigenous Peoples until the end of the GA's current session, which will conclude in September 2007. The deferment provides additional time for consultations about the text of the Declaration. The resolution reads:

The General Assembly

2. *Decides* to defer consideration and action on the United Nations Declaration on the Rights of Indigenous Peoples to allow time for further consultations thereon;
3. *Also decides* to conclude its consideration of the Declaration before the end of its sixty-first session.<sup>173</sup>

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173 Sixty-First Session General Assembly, Third Committee Resolution A/C.3/61/L.57/Rev.1, 21 November 2006, available online at <http://daccessdds.un.org/doc/UNDOC/LTD/N06/625/20/PDF/N0662520.pdf?OpenElement>, accessed 12 January 2007.

