

# Evaluation of the 'Communities In Crisis' Policy

Volume 1 - Evaluation Report

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# Executive Summary

## Background

SGS Economics and Planning Pty Ltd (SGS) were commissioned in early 2007 to evaluate the Communities in Crisis policy initiative. The Communities in Crisis (CIC) policy was announced as a strategy for whole of government intervention to address crisis in nominated, discrete Indigenous communities.

The specific objectives of the policy included:

*The approach requires the Commonwealth and State Governments to work together to address a number of objectives, while recognising the responsibilities of each level of government. The objectives, dependant on the need within individual communities, are:*

- *Stabilising communities (e.g. family violence, substance abuse, corruption)*
- *Re-establishing basic services*
- *Developing local plans of action*
- *Building governance, capacity and leadership*
- *Helping communities engage with government*
- *Improving service delivery*

A total of approximately \$9.0 million over 4 years was allocated to the policy.

## The purpose of the evaluation

SGS was engaged to:

*...conduct a formative evaluation of a selection of communities involved in the Communities in Crisis initiative. The participatory evaluation will look at what is working and what could be done better and will entail consultation with nominated community and government groups and individuals. The evaluation will also provide the Australian Government with options it might consider for continued positive change for the future, best practice inventions and ongoing performance measurement.*

There were four themes that were of key interest to the Department:

- The history (of the intervention);
- Is the intervention working?
- Working together; and
- Next steps.

These themes were explored via intensive analysis of the four case study communities of **Balgo** (WA), **Beagle Bay** (WA), **Kalumburu** (WA) and **Yalata** (SA).

## Key aspects of the method

The evaluation was guided by an evaluation framework, developed in conjunction with the Department. The evaluation framework adapted the Department's themes of key interest and associated questions into 5 research themes:

- Designing Australian & State Government policy, including whole of government arrangements in support of intervention;
- Setting up community governance arrangements in support of intervention;
- Backgrounding each intervention;
- Intervention planning & implementation processes; and
- Intervention outcomes.

SGS then gathered information according to these themes by:

- Reviewing background material supplied by the Department;
- Reviewing data provided by Australian and State Government agencies;
- Visiting and consulting with ICC offices and other agencies in the regions where the four case study communities were located; and
- Visiting, observing and consulting with the four case study communities of Balgo, Beagle Bay, Kalumburu and Yalata.

Baseline community profiles for the four case study communities were not in place prior to the implementation of the interventions. Current profiles were therefore developed during the course of this evaluation, and these are a major source of information about the intervention.

Once research was completed, findings and conclusions were organised according to three categories that follow the logic of the policy design and implementation process:

### **Policy design:**

- Identifying the issue
- Understanding the issue
- Choosing a policy response

### **Policy implementation:**

- Developing policy instruments
- Implementing policy

### **Supporting processes:**

- Consultation
- Coordination
- Monitoring and evaluation

# Findings

## Policy design

Findings about policy design were drawn from research, discussion and analysis of:

- How well the issue of crisis in Indigenous communities was first identified for policy attention, with reference to how crisis is defined, and causes of crisis in discrete Indigenous communities;
- How well the issue of crisis, once identified, was understood, with reference to the relationship between crisis and broader causes of disadvantage in the crucial areas of governance, physical infrastructure, health, education and economic security and development;
- How well the choice of policy response was made, with reference to the considerations made in the choice of the CIC policy and the effectiveness of these considerations.

The key findings about policy design were:

### Identifying the issue

- *Qualities common to social crisis are systemic and / or organisational failure, instability, urgency, and variability in degrees of predictability and response. Even though there is no singular definition of social crisis, the failure to accurately define a particular crisis and its causes will hinder the pursuit of an effective response.*
- *The CIC policy's identification of crisis as a policy issue was superficial. It was insufficient for the policy to merely recognise widespread dysfunction and disadvantage as an expression of crisis, without establishing objective intelligence and guidance about the range of possible causes of crisis across the context.*
- *The ultimate effect of this oversight on policy design was a focus on what was, in effect, a narrow set of short term and primarily administrative responses. The policy failed to expressly identify how crisis fundamentally relates to broad scale Indigenous disadvantage.*

### Understanding the issue

- *Crisis in Indigenous communities is caused by the combined effects of demography and across the board disadvantage in governance, physical infrastructure, health, education and economic security / development.*
- *Social dysfunction - observed in the form of high rates of alcohol and substance abuse, petrol sniffing, suicide, family violence, sexual assault and child abuse - is the effect or expression of social crisis. It becomes a compounding cause of crisis when the underlying causes of social*

### Understanding the issue

*crisis are not addressed.*

- *The CIC policy partly understood crisis and some of its causes, focussing as it did on the issues of governance & administration, restoring essential municipal services, and ongoing capacity building – all of which are important.*
- *However, it is also reasonable to conclude that if the design of the CIC policy was both supported by and communicated a deeper understanding of crisis and its causes, the policy may have been more comprehensive, broadly focussed, collaborative and better resourced.*

### Choosing a policy response

- *There are six uncertainties that call into question the sufficiency of the considerations made when choosing the CIC policy as the preferred policy response. These are:*
  - *Whether the content of the National Framework of Principles for Delivering Services to Indigenous Australians and the associated bilateral agreements was sufficient for the purposes of designing a crisis intervention policy;*
  - *A lack of effective performance measures for measuring progress made at the community level towards the resolution of crisis on communities;*
  - *A strong bias towards governance and administration at the expense of other areas such as physical infrastructure, health services, education services and economic security / development;*
  - *A lack of genuine force behind the principles, agreements and other mechanisms that were chosen as the basis for CIC policy;*
  - *The risk of ineffectiveness that is apparent in some of the chosen implementation mechanisms such as SRAs, RPAs and COAG trials; and*
  - *No apparent consideration of the relative merits of alternative approaches*

## Policy implementation

Findings about policy implementation were drawn from the detailed case studies of four interventions at the communities of Balgo, Beagle Bay, Kalumburu and Yalata.

The discussion and analysis of each case study involved:

- The development of current baseline community profiles (these were not established prior to interventions commencing in each community, significantly limiting the ability of this evaluation to measure change in a meaningful way);
- Describing each community;
- Describing the background to crisis in each community;
- Describing the nature of the intervention;
- Noting the outputs from the intervention;
- Assessing the outcomes of the intervention; and
- A discussion of further considerations.

Findings specific to each case study were summarised as set out on the following 4 pages.

**Yalata**

<b><i>What has been achieved?</i></b>
<ul style="list-style-type: none"> <li>o <i>Removal of the cause of mismanagement at YCI and the stabilisation of administration and governance.</i></li> <li>o <i>Re-establishment of essential and municipal services provision.</i></li> <li>o <i>Re-opening of the Yalata Store.</i></li> <li>o <i>Re-opening of the Women’s Centre.</i></li> </ul>
<b><i>What hasn’t been achieved?</i></b>
<ul style="list-style-type: none"> <li>o <i>Greater economic participation.</i></li> <li>o <i>Some housing and infrastructure needs upgrading.</i></li> <li>o <i>Persistent social dysfunction relating to families and youth.</i></li> </ul>
<b><i>Strengths of the intervention</i></b>
<ul style="list-style-type: none"> <li>o <i>Explicit reference to economic development as a priority theme.</i></li> <li>o <i>Good integration of State and Australian Government objectives in the early phases of the intervention.</i></li> <li>o <i>Use of on-site consultants to oversee local implementation and facilitate community engagement.</i></li> <li>o <i>Conscious attempt for to make intervention plans broad based and comprehensive.</i></li> </ul>
<b><i>Weaknesses of the intervention</i></b>
<ul style="list-style-type: none"> <li>o <i>Lack of authority to implement all aspects of the Comprehensive SRA.</i></li> <li>o <i>Lack of authority to ensure the co-ordination of critical State and Australian Government investments.</i></li> <li>o <i>Successes often dependent on personal relationship and individuals, rather than the quality of an agreed plan.</i></li> </ul>
<b><i>Has the crisis eased?</i></b>
<ul style="list-style-type: none"> <li>o <i>Catalysts to the Yalata crisis have been addressed, but nevertheless many of the underlying causes of disadvantage at Yalata remain. Education, health and economic participation outcomes remain poor and the influence of CIC policy in these areas is limited.</i></li> <li>o <i>Furthermore, although in the short term governance arrangements at Yalata appear to have been stabilised, the organisation remains vulnerable to a repeat of past events given the persistent influence on the board of certain personalities. Governance at Yalata also continues to be fragmented across multiple local boards.</i></li> </ul>

**Beagle Bay**

<b><i>What has been achieved?</i></b>
<ul style="list-style-type: none"> <li>○ <i>De facto closure of BBCI and the mitigation of immediate causes of the breakdown in governance.</i></li> <li>○ <i>Re-establishment of essential and municipal services.</i></li> <li>○ <i>Guarantee of funding for Human Services Directorate position.</i></li> </ul>
<b><i>What hasn't been achieved?</i></b>
<ul style="list-style-type: none"> <li>○ <i>The Human Services Directorate is not yet in place.</i></li> <li>○ <i>The factionalism underlying the break down in governance at Beagle Bay remains.</i></li> <li>○ <i>No SRAs have been signed.</i></li> </ul>
<b><i>Strengths of the intervention</i></b>
<ul style="list-style-type: none"> <li>○ <i>Consideration of options for long term local and regional governance arrangements.</i></li> <li>○ <i>Clear conceptual separation of community from government service delivery responsibilities.</i></li> <li>○ <i>Good integration of State and Australian Government objectives in the early phases of the intervention.</i></li> </ul>
<b><i>Weaknesses of the intervention</i></b>
<ul style="list-style-type: none"> <li>○ <i>Lack of accountability with respect to the delivery of essential and municipal services.</i></li> <li>○ <i>Inability to sustain the confidence of community residents.</i></li> <li>○ <i>Lack of authority to implement all aspects of the CIC action plan as interpreted by the ICC.</i></li> <li>○ <i>Lack of authority to ensure the consistency of State priorities throughout the intervention.</i></li> </ul>
<b><i>Has the crisis eased?</i></b>
<ul style="list-style-type: none"> <li>○ <i>The Beagle Bay crisis intervention made early and substantial progress, and is the only CIC intervention to consider more suitable local governance and service delivery options for the long term.</i></li> <li>○ <i>That said, the lack of authority afforded to the ICC to implement its plans has hampered progress and local confidence in the intervention has been put at risk.</i></li> <li>○ <i>Threats to the sustainability of the intervention are compounded by a lack of accountability mechanisms with regards to the delivery of essential and municipal services.</i></li> </ul>

**Balgo**

<b><i>What has been achieved?</i></b>
<ul style="list-style-type: none"> <li>○ <i>Stabilisation of finances at WAC.</i></li> <li>○ <i>Re-establishment of essential services.</i></li> <li>○ <i>Re-opening of the Balgo Store.</i></li> </ul>
<b><i>What hasn't been achieved?</i></b>
<ul style="list-style-type: none"> <li>○ <i>Housing maintenance and municipal services remain unstable.</i></li> <li>○ <i>The WAC advisory council has not been engaged.</i></li> </ul>
<b><i>Strengths of the intervention</i></b>
<ul style="list-style-type: none"> <li>○ <i>None</i></li> </ul>
<b><i>Weaknesses of the intervention</i></b>
<ul style="list-style-type: none"> <li>○ <i>Lack of a comprehensive plan to address the needs and priorities of the community.</i></li> <li>○ <i>Lack of local democratic input into implementation design and monitoring of implementation delivery.</i></li> <li>○ <i>Uncertainty regarding arrangements for the long term governance of the community.</i></li> <li>○ <i>Uncertainty surrounding plans for the COAG intervention, around which the CIC intervention has been implemented (in a subsequently reactive and piecemeal manner).</i></li> </ul>
<b><i>Has the crisis eased?</i></b>
<ul style="list-style-type: none"> <li>○ <i>Despite the level of attention participation in the COAG trial and CIC intervention has brought, the weight of evidence suggests that Balgo remains a community in crisis.</i></li> <li>○ <i>Governance and service delivery on the community is highly fragmented, no comprehensive planning takes place at the level where resources lie, and Indigenous residents have little input into the planning and monitoring process for physical services. The future role of WAC is uncertain and a failure to ensure that future arrangements provide for democratic input into planning and service monitoring functions, risks further alienating residents.</i></li> </ul>

## Kalumburu

### **What has been achieved?**

- *Stabilisation of administration and governance at KAC.*
- *Stabilisation of most aspects of municipal and essential services delivery.*
- *Re-opening of the Kalumburu store.*

### **What hasn't been achieved?**

- *The provision of some social and community services, around the aftermath of the child abuse intervention and the delivery of youth, men's and women's services.*

### **Strengths of the intervention**

- *Strong leadership at the community level.*

### **Weaknesses of the intervention**

- *Lack of a comprehensive community development plan and accordingly reactive and piecemeal interventions.*
- *Lack of a strategy for the long term governance of the community.*
- *Lack of authority to influence local agencies.*

### **Has the crisis eased?**

- *The confluence of circumstances at Kalumburu makes the community vulnerable to further crisis. Given the inexperience of the Governing Council, short term stability is highly dependent on the presence of individuals in the KAC administration, and on the quality of continued State and Australian Government responses to the aftermath of the recent child abuse intervention.*
- *Long term threats to the stability of Kalumburu continue to exert pressure and include the fragmented nature of local governance and the uncertain role of KAC. Failure to ensure future arrangements provide for democratic input into planning and service monitoring functions, combined with a lack of investment in economic development, risks further alienating residents.*

The key overall findings about policy implementation were then summarised as follows:

#### Overall findings about policy implementation

- *The implementation of the CIC policy at the community level suggests that a strong focus on stabilising governance, administration and service delivery is a necessary but insufficient means of achieving a sustained overcoming of crisis in Indigenous communities.*
- *The mere stabilisation of community-level Indigenous organisations, such as Aboriginal Corporations, is not sufficient to achieve the end of crisis, because the vast majority of these organisations have never been appropriately constituted, resourced and supported to determine the direction of and deliver local and regional governance and development in line with their self-determined needs and aspirations.*
- *The complex development task facing communities in crisis requires a strategic reorganisation of governance, service delivery and development that is purpose-built to achieve development outcomes in line with local and regional needs and aspirations. The task is too complex for local-level organisations to achieve.*
- *The flexible application of untied 'gap-filler' or 'glue' funding is, in principle, a sound approach to allowing interventions to be contextualised and responsive.*
- *However, in the absence of comprehensive planning for crisis intervention and the ongoing development of communities, many of the gaps are too wide and the glue not thick enough to hold together the resolution of crisis.*
- *The achievement of sustained service delivery (and of development generally) needs to be inclusively and comprehensively planned, and then delivered in accordance with a clearly articulated, binding plan that directs and guides the resources and actions of 'all-comers' to the Indigenous development task. In this context, disjointed and competing plans, programs and projects are more likely to sustain crisis than to resolve it.*

## Supporting processes

Findings about the supporting processes of consultation, coordination, and monitoring and evaluation were drawn from a description and assessment of how well these processes were used to support policy design and policy implementation.

Key findings about supporting processes were summarised as set out below:

### Consultation

#### Policy Design

- *A ground swell of knowledge and concern about the breakdown of numerous Indigenous communities created an understandable urgency when the CIC policy was being designed.*
- *Despite the urgency and regardless of how valuable informal consultation and knowledge exchange may have been, the CIC policy is likely to have been stronger, more appropriate and better understood if formal consultation with stakeholders at all levels was undertaken during the design of the policy.*

#### Policy Implementation

- *Consultation with communities at the outset of and during implementation has been broadly attempted. However, the effectiveness of consultation has been mixed.*
- *At Yalata, there has been continuing consultation from the development of intervention plans through to the implementation of them. The benefit of this has been greater community ownership of the intervention.*
- *At Balgo, Kalumburu and Beagle Bay the effectiveness of consultation has been limited by factors such as inconsistency, incapacity, lack of mechanisms and / or lack of follow through. The cost of this has been a loss of momentum in community engagement, and diminished community understanding of, involvement in and faith in interventions.*

## Coordination

### Policy Design

- *It is difficult to ascertain the amount of coordination that was required and undertaken during the design of the CIC policy. The degree of coordination required during policy design depends upon the amount of research and consultation engaged in at that time, and during the development of the CIC policy, research and consultation was limited.*

### Policy Implementation

- *Coordination between different levels of government and different agencies was attempted through a variety of means, with varying effectiveness.*
- *Coordination appears to have been most effective when strong, direct relationships between ICC managers and high level officers have been in place. These relationships have more often depended upon the personal efforts of individuals than on formal mechanisms, creating the risk of weak relationships where such efforts are not being made.*
- *Coordination of delivery has been limited. Even where strong relationships have existed, the changing or competing priorities of individual agencies have been primary; above those of CIC priorities.*
- *The lack of a sovereign plan (all levels / all agencies) with forward committed resources for addressing crisis has limited genuine coordination.*

## Monitoring & Evaluation

### Policy Design

- *It is difficult to determine the extent to which lessons arising from the monitoring and evaluation of previous Indigenous policy and crisis intervention policies from elsewhere were formally incorporated into the CIC policy.*
- *The CIC policy – and the Australian Government’s crisis intervention policy generally - has changed or evolved a number of times in a relatively short period with little demonstration of how new iterations of policy have captured lessons arising from ongoing monitoring and evaluation. Whilst some lessons may have been captured informally, without clear documentation of lessons and how the policy has captured them, it is not possible to determine the degree to which monitoring and evaluation is informing the ongoing development of the policy.*
- *Community baseline profiles were not established prior to implementation of the policy. This has made it impossible to objectively track post-implementation changes at the community level, a fundamental failing of the CIC policy’s monitoring and evaluation framework.*
- *Overall, the role of monitoring and evaluation in the design and ongoing development of the CIC policy has been superficial.*

### Policy Implementation

- *The benefit of setting up a coherent and consistent monitoring and evaluation mechanism at the outset of an intervention has been demonstrated at Yalata, where it is possible to track with precision the objectives and outcomes of the intervention over a number of years. This provides a base for ongoing and future efforts.*
- *The lack of such mechanisms elsewhere has undermined the linkage between day to day intervention efforts and longer term objectives. This has meant that, where they exist at all, performance measures have been vague and abstract, focussed upon project outputs rather than strategic outcomes.*
- *Long term measures such as those set out in the Overcoming Indigenous Disadvantage framework are not subtle enough to guide and measure short term, discrete efforts. For all interventions, there ought to be a set of practical ‘intermediate’ or transition measures that link to this higher level framework, for monitoring and evaluation to be based upon a meaningful evidence base.*

## Conclusions

The evaluation's conclusions were drawn with reference to the findings and to the original policy objectives. Conclusions were provided in this way for each of the case studies and for the policy overall.

## Case Studies

Case Study Outcomes				
<i>Policy Objective</i>	<b>Balgo</b>	<b>Beagle Bay</b>	<b>Kalumburu</b>	<b>Yalata</b>
<b><i>Stabilising communities</i></b>	The social and physical well-being of residents at Balgo remains unstable.	The social and physical well-being of residents at Beagle Bay is fragile but improved.	The social and physical well-being of residents at Kalumburu remains unstable.	The social and physical well-being of residents at Yalata is fragile but improved.
<b><i>Re-establishing basic services</i></b>	Essential services have been re-established, but some municipal and human services remain poor.	Essential and municipal services have been re-established. Human services are under review.	Essential services have been re-established, but some municipal and human services remain poor.	Essential and municipal services have been re-established and continue to improve, but human services remain poor.
<b><i>Developing local plans of action</i></b>	No comprehensive action plan is in place.	A comprehensive action has been developed but is still under-going implementation.	No comprehensive action plan is in place.	A comprehensive action is in place but lacks inter-agency support on some initiatives.
<b><i>Building governance, capacity and leadership</i></b>	Governance at Wirrimanu AC continues to lack meaningful participation from an organised residents group.	Governance capacity exists within individual leaders but is unconsolidated across the community.	Governance at Kalumburu AC is relatively stable but training and support continues to be needed.	Governance at Yalata Community Incorporated is relatively stable but training and support continues to be needed.
<b><i>Helping communities engage with government</i></b>	Meaningful engagement with residents has been limited and there is no representative body to 'do business' with.	Consultation has tended to occur on a family by family basis and in the absence of an active representative body, collective decision-making is constrained.	Meaningful engagement with residents has been limited and the capacity of the Council is under-developed.	Residents participate regularly at open meetings with government but the Council requires further support to continue its engagement with government.
<b><i>Improving service delivery</i></b>	The organisation of service delivery continues to be fragmented and reactive.	Improved arrangements for the re-organisation of service delivery have yet to be fully implemented.	The organisation of service delivery continues to be fragmented and reactive.	Aspects of locally organised service delivery are improved, but further improvements are required for higher order (complex and big budget) physical and human services.

## Overall

Overall Outcomes	
<i>Policy Objective</i>	
<b><i>Stabilising communities</i></b>	Although there are examples of a return to relative stability in some cases, at this stage none of the case study communities would remain stable without substantial on-going support. Where the development of local capacity has been consistently supported, communities have become increasingly stable.
<b><i>Re-establishing basic services</i></b>	Improvements to essential and municipal services have been achieved in some cases, where responsibilities for these have been transferred to appropriate agencies, where suitable staff have been recruited or retained and where transparent operational systems have been implemented.
<b><i>Developing local plans of action</i></b>	Genuine and appropriate action plans are either not in place or else lack broad scale inter-agency commitment. Where the scope of the CIC policy has been interpreted as requiring a whole of issue response and community members have been widely consulted, comprehensive local action plans have been developed.
<b><i>Building governance, capacity and leadership</i></b>	Efforts to build governance capacity have lacked traction, and further support for representative leadership development and governance training is needed. Where inter-community tensions have been settled and emergent leadership has been supported representative leadership groups have begun to emerge.
<b><i>Helping communities engage with government</i></b>	The narrow emphasis on strengthening governance through and within Aboriginal Corporations has had limited effect. Where individuals and groups have been empowered and their capacity to engage has been consistently supported, they have been able to engage with interventions.
<b><i>Improving service delivery</i></b>	The delivery, monitoring and evaluation of services remains fragmented in most cases. Where service provision has been comprehensively planned for, has been made accountable both the beneficiaries and to higher levels of government, services have improved. However, very few services are prioritised and resourced on the basis of objectively understood needs.

## An alternative approach

The evaluation concludes by setting out an alternative approach to the design and implementation of policies that target the resolution of crisis on Indigenous communities.

The need to recommend an alternative approach arose from the primary conclusion that the CIC policy has been a necessary but insufficient initiative for addressing crisis in Indigenous communities that while a number of weaknesses have been identified across all three areas of policy design, policy implementation and supporting processes, the major weakness has been in policy design. Weaknesses in policy design will inevitably flow through to implementation and compromise the effectiveness of supporting processes.

While the idea of direct intervention to overcome long term, continuing crisis is sound, in the case of the CIC policy, the practical means of pursuing that idea have been inadequate. This inadequacy can be traced back to a misunderstanding about the true nature of crisis in Indigenous communities.

The perilous circumstances and disadvantages suffered by Indigenous people require Australian policy-makers to go back to the basics of how to comprehensively plan for development that sustains a much better future for Indigenous people in the places they choose to live. Whether they were originally artificial or poorly conceived, Indigenous communities have now become human settlements to which people are committed for a range of reasons to which they are entitled. Many of these settlements are experiencing high rates of population growth. They are here to stay.

Thus, as for any other human settlement, strategic planning for and resourcing of long term development using a framework that is founded upon fundamental development principles is required. Policy development and administrative mechanisms should then be reformed or reorganised to address that logic, however politically challenging that may be. The approach set out in the remainder of this section demonstrates how to achieve this.

By proposing an alternative approach, all of the positive aspects arising from the CIC policy are captured. Despite its weaknesses, the policy has demonstrated some innovative and important techniques that are appropriate to the task of addressing crisis, such as flexibility.

### **Policy Design: a development approach for overcoming crisis**

The alternative approach is founded upon the pursuit of stable development at the community level by recognising the transitional nature of development and five foundations of stable development. Accordingly, the evaluation suggests that future crisis intervention policy should be designed upon the following basis:

- Recognising the need for a **long term development** approach, and therefore the primary goal of achieving conditions for stable development;
- Understanding the **transitional** nature of development – it takes time to move from unstable development conditions through to basic stability and on to stable development conditions;

- Understanding the role of **external versus local influence** in transitioning towards stable development;
- Recognising the **five foundations of stable development**, and making simultaneous, coordinated investments in each of these towards the meeting of local needs and achievement of local aspirations; and
- Pursuing the qualities of **planning, equity, empowerment** and **sustainability**.

The evaluation acknowledges that some aspects of this approach have been an implicit part of past and current policies that target the well-being Indigenous communities, including the CIC policy. However, the development approach supplies an *explicit* framework that can be used to guide the design of future interventions and Indigenous policy generally.

*It is a strong recommendation of this evaluation that the Australian Government design future intervention policy in line with the above framework.*

### **Policy Implementation: implementing the development approach**

The evaluation outlines 3 important considerations for the implementation of the development approach:

- Planning for stable development;
- Applying flexibility in the right place; and
- Coordinating the right knowledge and expertise.

### **Supporting Processes**

Finally, the evaluation discusses how the processes of consultation, coordination, monitoring and evaluation can be set up to support the development approach through:

- The use of appropriately representative reference or working groups from the very outset of any major intervention;
- Universal commitment by all actors and agencies to a single comprehensive, binding plan for development; and
- The use of a development index based upon a practical set of change measures to objectively monitor and evaluate the progress of interventions.

# 1 Introduction

In early 2007, SGS Economics and Planning Pty Ltd (SGS) were commissioned by the Australian Government Department of Families, Community Services and Indigenous Affairs (the Department) to evaluate the Communities in Crisis policy initiative. This is **Volume 1** of a two volume work. This volume contains the evaluation report. **Volume 2** contains detailed baseline community profiles for four case study communities that were the subjects of this evaluation.

## 1.1 What is the 'Communities in Crisis' initiative?

### Aims & objectives

The Communities in Crisis (CIC) initiative was announced as a strategy for whole of government intervention to address crisis in nominated, discrete Indigenous communities. Whilst the term 'community in crisis' was not specifically defined, according to the Department's tender documentation<sup>1</sup>:

*The Communities in Crisis initiative aims to help stabilise communities suffering from intolerable levels of alcohol, substance and child abuse, violence and high rates of suicide and self-harm. Due to the volatile and unstable environment, initial work focuses on stabilising the community. The work may also require the long-term presence of a community development coordinator/place manager, access to specialised services and may act as a catalyst for a more comprehensive response.*

The specific objectives of the policy initiative included<sup>2</sup>:

*The approach requires the Commonwealth and State Governments to work together to address a number of objectives, while recognising the responsibilities of each level of government. The objectives, dependant on the need within individual communities, are:*

- *Stabilising communities (e.g. family violence, substance abuse, corruption)*
- *Re-establishing basic services*
- *Developing local plans of action*
- *Building governance, capacity and leadership*
- *Helping communities engage with government*
- *Improving service delivery*

### Characteristics of communities in crisis

Designation as a 'community in crisis' primarily involved being nominated by the presiding Australian Government Minister for Indigenous Affairs, by the administrative arm of the Aboriginal and Torres Strait Islander Commission (ATSIC), or by an Indigenous Coordination Centre (ICC). However, some communities were also awarded funds as a continuation of previous ATSIC strategies to provide resources to disadvantaged communities.

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<sup>1</sup> Department of Families, Community Services and Indigenous Affairs (2006) *RFT for the provision of Consultancy Services for the Evaluation of Communities in Crisis* p.1

<sup>2</sup> *ibid.*

The current group of nominated 'communities in crisis' are eighteen rural and remote Indigenous communities.<sup>3</sup> Although each is culturally and socially distinct, common structural issues affecting them include: weak community governance and planning capabilities at a time when functional responsibilities and compliance pressures have increased; youthful population profiles combined with the breakdown of traditional practices for the transfer of knowledge; high levels of human and physical services need, in particular poor education outcomes, overcrowded and inadequate housing and poor environmental health infrastructure; and a dependence on government welfare in the absence of opportunities and capacities for greater economic participation. The effects of such disadvantage is frequently expressed in incidents of social dysfunction on communities, which in extreme cases can include high levels of domestic violence; alcohol and substance misuse; sexual abuse; suicide and self-harm; and the loss of individual and community identity, purpose and self-esteem.

### **Funding & management**

Initial funding of \$3 million for the initiative was sourced from a lapsed program called the *Community Participation Agreement Program*. This funding was to be allocated over two years for the development of local action plans for nominated communities in crisis. Following the dissolution of ATSIC in March 2005, the initial funding was amalgamated with a flexible pool of funds made available via the *Shared Responsibility Agreement Implementation Assistance Program*. This gave the Office of Indigenous Policy Coordination (OIPC) the flexibility to increase discrete allocations of CIC funding on an 'as required' basis. This flexibility effectively placed control over the design of CIC interventions in the hands of individual ICCs, making the delivery of the initiative delivery more flexible than that of other programs. It was also expected that further funds would flow to the initiative from the channelling of funds from other programs targeting disadvantage in Indigenous communities.

Overall, in 2003-04, \$0.5 million was provided for three CIC communities; in 2004-05, \$3.6 million was provided for eleven CIC communities; and in 2005-06, \$2.94 million was committed to nine CIC communities. This is a total of \$7.04 million over 3 years. A final amount of funding was allocated during 2006-07. The exact amount of funding for this year was not available at the time of this report but it is estimated to be approximately \$2.0 million. This equates to a total funding for the initiative of approximate \$9.0 million over 4 years or \$2.25 million per year.

The initiative was first managed by the former Department of Immigration and Multi-cultural and Indigenous Affairs (DIMIA) and relevant local Aboriginal and Torres Straight Services (ATSIS) offices. In July 2004, management of the initiative transferred to the OIPC and relevant ICCs, which were established under the new arrangements for Indigenous Affairs, post the dissolution of ATSIC. Since the departmental restructuring of January 2006, the initiative has continued to be managed by OIPC, but within the Department of Families, Community Services and Indigenous Affairs (FaCSIA). Individual ICCs, also now part of FaCSIA, remain integral to its implementation.

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<sup>3</sup> Including Warmun in addition to Balgo, Beagle Bay and Kalumbaru in Western Australia, and Gerard in addition to Yalata in South Australia.

## 1.2 The purpose of this evaluation

SGS was engaged to:

*...conduct a formative evaluation of a selection of communities involved in the Communities in Crisis initiative. The participatory evaluation will look at what is working and what could be done better and will entail consultation with nominated community and government groups and individuals. The evaluation will also provide the Australian Government with options it might consider for continued positive change for the future, best practice inventions and ongoing performance measurement.*<sup>4</sup>

More specifically, the following was required:

*The evaluation of Communities in Crisis initiatives will initially cover a sample of communities where intensive work has already been undertaken: Balgo, Beagle Bay, Kalumburu and Yalata.*

*The evaluation will look at what is working, what is working well and what could be improved. The evaluations will document the approach taken in each location, noting that each intervention is tailored to the needs of each community's particular circumstances, and undertake a robust analysis of the effectiveness of communities in crisis intervention. The consultant will undertake a basic literature review of the site that contains past and current reports, plans of action and budget documentation.*

*The evaluation will involve the collection of qualitative information, which will be carried out by the consultant. The communities' collaboration will be required for the collection of qualitative information. This will require a visit to the communities, including public meetings and interviews with a cross-section of community members. This is essential to ensure that diversity of community views is taken into account while recognising that some communities may still not have the capacity to fully engage with the consultant.*

*The current community profile will contain a mixture of qualitative and quantitative information. The Commonwealth, State and Territory governments will provide quantitative information for the profile.*<sup>5</sup>

The tender documentation listed 4 themes and a series of questions associated with each theme. The four themes were:

- The history (of the intervention);
- Is the intervention working?
- Working together; and
- Next steps.

The lists of questions associated with each theme are extensive, and they have been included in **Appendix A**. These themes were explored via intensive analysis of the four case study communities of Balgo (WA), Beagle Bay (WA), Kalumburu (WA) and Yalata (SA). See Figure 1 for a map of where these communities are located.

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<sup>4</sup> *ibid.*

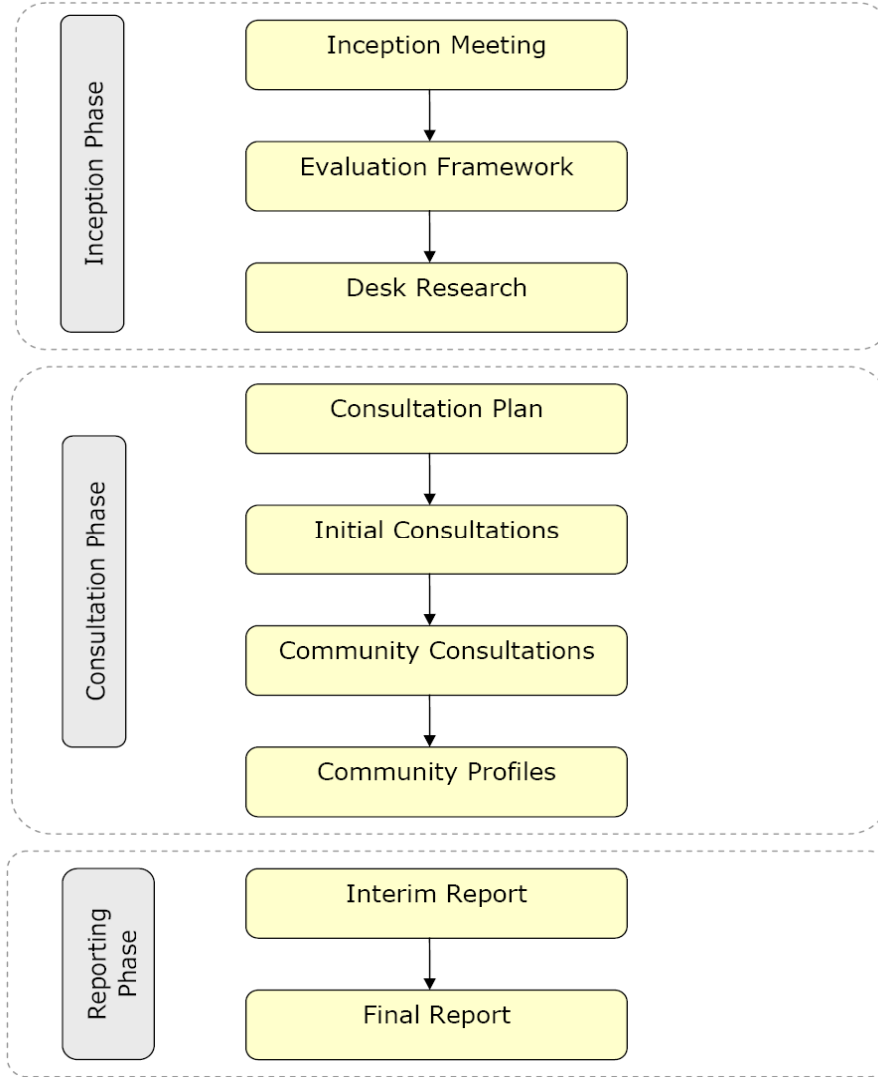
<sup>5</sup> *ibid.* pp. 1-2

**Figure 1.** The location of the four case study communities



### 1.3 An overview of our method

Building upon the purposes and themes set out in the tender documentation, SGS proposed a method that involved the following steps:



Each of these steps involved various tasks, in particular research tasks including participant observation, quantitative data collection and in-depth semi-structured interviews. Regional and community visits were the primary means through which qualitative information about the four case studies was gathered. The majority of quantitative information about the four case study communities was supplied by the Department and relevant state agencies. For further details of the research process for each community, please see the overview provided in the introduction to each Base-line Community Profile provided as Volume 2.

Assertions within the body of volume 1 are made on the basis of evidence triangulated from discussions and observations made during regional and community visits.

## 1.4 The structure of the report

Following this introductory section, this **Volume 1** report adopts the following structure:

**Section 2** provides further detail about some of the **key aspects of our method**

**Section 3** sets out our **findings and conclusions** with respect to **policy design**

**Section 4** sets out our **findings and conclusions** with respect to **policy implementation**

**Section 5** sets out our **findings and conclusions** with respect to the supporting processes of **consultation, coordination, and monitoring & evaluation**

**Section 6** sets out our **recommended alternative approach**, which builds upon the lessons learned through the evaluation.

There are three **Appendices** to the first volume, which provide information about the evaluation questions suggested by the Department, the evaluation framework, and agencies and individuals consulted with

**Volume 2** is a separate document that contains detailed baseline community profiles for the four case study communities.

## 2 Key Aspects of the Method

This section of the report provides an overview of key aspects of the evaluation method.

### **The evaluation framework**

Whilst the CIC policy was always to be the subject of evaluation via the Department's evaluation processes, an evaluation framework for the policy was not established at the time the policy was released for implementation. Therefore, at the outset of this project, SGS worked with the Department to establish an evaluation framework for the purpose of guiding the evaluation research. The evaluation framework had 4 components:

- Research themes;
- A set of research questions attached to each theme;
- Investigations of possible future directions with regard to each theme; and
- Research methods.

The complete evaluation framework is set out in **Appendix B**.

Rather than working through the detail of the evaluation framework, this section discusses three of the most important aspects of our research, namely:

- Research themes;
- Gathering information; and
- Organising findings and conclusions.

### 2.1 Research themes

To guide the research effort, research themes were distilled from a review of background material and the nature of the evaluation questions as they were proposed by the Department. As a result, five research themes were established.

#### **Designing Australian & State Government policy, including whole of government arrangements in support of intervention**

This research theme addressed matters of policy design, and the extent and nature of government integration during the intervention. Specific research tasks included:

- Documenting the policies, roles and responsibilities of the Australian Government, and the Western Australian and South Australian Governments, with respect to the CIC intervention;
- Where possible, identifying the direct contributions of these governments to the intervention;
- Where possible, identifying the mechanisms used to improve coordination between and within governments, and what difference they may have made with regard to the outcomes of the intervention;
- Where possible, identifying what has been achieved through government partnerships in respect of the outcomes of the intervention;

- Where applicable, identifying the strategies that state governments have developed and progressed to ensure law and order is restored to the community and what has been achieved through this approach; and
- Where possible, identifying the capacity of government service providers to deliver. Have government service providers had the opportunity to work with other intervention parties?

### **Setting up community governance arrangements in support of intervention**

This research theme addressed the role, if any, of community governance in the implementation of the intervention, including evidence of challenges and benefits. Specific research tasks included:

- Providing a broad overview of the community, its history, conditions and challenges;
- Identifying whether community capacity for governance, leadership and decision-making has improved during the intervention and why;
- Determining how well all parties to the intervention understand a capacity building approach and how it has been adopted by both governments and communities;
- Evaluating the extent to which the community has been able and willing to participate and negotiate as a genuine partner in the intervention;
- Evaluating the extent of inclusive and representative participation by community;
- Evaluating the extent to which women and youth have been willing and able to participate and negotiate as partners in the intervention;
- Identify where community capacity and existing skills have developed as result of the intervention; and
- Identify barriers to participation where they exist.

### **Backgrounding each intervention**

This research theme addressed the history and evolution of the interventions undertaken each case study community, including motivations, intervention design criteria, any frameworks that were used and the evidence-base supporting the intervention. Specific research tasks included:

- Documenting the history of each intervention – the purpose, objectives, constraints, key dates, agreements, significant events, specific initiatives and the stages or phases of the approach; and
- Identifying any major changes in the intervention since it began, including changes in geographic areas covered, governance arrangements, regional priorities and other reasons for these changes.

### **Intervention planning & implementation processes**

This research theme addressed the quality of intervention planning and implementation processes in each case study community, including intervention plan development, monitoring and evaluation, human and financial resource allocation and obstacles to implementation. Specific research tasks included:

- Assessing whether action plans for the intervention were suitable and feasible, and whether the intervention has been able to respond flexibly to changing circumstances;
- Assessing the extent of community involvement in setting the objectives and priorities for the intervention;
- Identifying the extent of understanding, the perceptions and support for the intervention within community;
- Determining if an ongoing evaluation mechanism is in place to monitor and evaluate the intervention to ensure that investments achieve outcomes, and whether participatory monitoring and evaluation was a feature of the plan;
- Determining whether community workers / change managers have the right skills, expertise and ability to plan and implement the intervention; and
- Determining whether community workers / change managers were able to be recruited, supported and retained to for CIC interventions.

### **Intervention outcomes**

This research theme addressed evidence of outcomes from the intervention, using *Overcoming Indigenous Disadvantage* indicators and other indicators of community development. Specific research tasks included:

- Identifying community views on the progress of the intervention, including views on possible future participation, objectives and development priorities. Is the intervention positively providing support for the local people in community? In particular, identifying drivers for positive change;
- Identifying to what extent the intervention brought about targeted change in the community and to the lives of people within it, and to what extent the root causes for intervention have been addressed;
- Determining whether incremental steps with measurable objectives that build on each other have been used and whether interventions have a long term and trans-generational focus;
- Determining whether there have been any unintended consequences, outcomes or changes, and whether, in order to achieve its objectives, the intervention should have focused on other issues;
- Identifying what was not addressed and what impact, if any, this had on the intervention;
- Assessing whether intervention outcomes are sustainable over the long term; and
- Evaluating the current state of essential and human services and changes that have been made since the intervention commenced. Is service provision effective? Where are the gaps?

## **2.2 Gathering information**

Quantitative and qualitative information for each of the research themes was gathered via the following means:

- Reviewing background material supplied by the Department;
- Reviewing data provided by Australian and State Government agencies;
- Visiting and consulting with ICC offices and other agencies in the regions where the four case study communities were located; and

- Visiting, observing and consulting with the four case study communities of Balgo, Beagle Bay, Kalumburu and Yalata.

Baseline community profiles for the four case study communities were not in place prior to the implementation of the interventions. Current profiles were therefore developed during the course of this evaluation, and these are a major source of information about the intervention. The four baseline community profiles are included in a separate volume accompanying this report.

A full list of the agencies and individuals consulted with throughout the evaluation is attached as **Appendix C**.

## 2.3 Organising findings and conclusions

To assist the presentation of our findings and conclusions, we have organised them according to three conceptual themes that follow the logic of the policy design and implementation process expounded by Peter Bridgeman and Glyn Davis.<sup>6</sup> The steps identified by Bridgeman and Davis are considered necessary components of 'good policy' and 'good implementation' and are used to structure the findings of this report. These steps are as follows:

### 1) Policy design:

- Identifying the issue
- Understanding the issue
- Choosing a policy response

### 2) Policy implementation:

- Developing policy instruments
- Implementing policy

### 3) Supporting processes:

- Consultation
- Coordination
- Monitoring and evaluation

In this logic framework, 'policy design' (understanding the context and policy problem) is separated conceptually from 'policy implementation' (mobilising the human, financial, legal and organisational resources and inputs required to effect the desired change) and 'supporting processes' (the relationships and analytical activities necessary to produce the policy design and policy implementation outputs). Although the framework provided by Bridgeman and Davis treats each phase independently, in reality a policy response may engage in each activity simultaneously, with development of the whole occurring in an iterative rather than sequential manner.

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<sup>6</sup> Adapted from Bridgeman, P & Davis, G (2004) *The Australian Policy Handbook 3rd Ed* Allen & Unwin

## 3 Policy Design

There are three fundamental aspects to the policy design process:

- Identifying the issue;
- Understanding the issue; and
- Choosing a policy response.

In this section, we discuss how the CIC policy was designed, outline our findings about policy design and point to important lessons about design for future policy-making in this area.

### 3.1 Identifying the issue

The CIC policy targeted the issue of Indigenous communities experiencing crisis, where crisis is evidenced by *intolerable levels of alcohol, substance and child abuse, violence and high rates of suicide and self-harm*.<sup>7</sup>

To assess the Department's identification of crisis as the issue addressed by the CIC policy, the following discussion:

- Considers definitions of 'crisis';
- Discusses some fundamental causes of crisis in discrete Indigenous communities; and
- Describes and assesses the appreciation of these in the process of designing the CIC policy.

#### 3.1.1 Defining crisis

There is a range of literature discussing definitions of crisis, addressing a number of different types of crisis – social, economic, conflict, natural disaster. In much of the literature, there is a common recognition that there is no singular definition of crisis. However, in the context of social crisis – which is most relevant to the CIC policy - key themes in the literature include:

- Failure of social systems so that vital living conditions are not delivered;<sup>8</sup>
- Unplanned or unexpected events and circumstances that cause instability, threaten organisational legitimacy / viability, and which suggest a pivotal period that is 'make or break', requiring urgent response;<sup>9</sup>
- Varying degrees of crisis:<sup>10</sup>
  - Conventional (predictable and readily influenced by effective responses);
  - Unexpected (unpredictable but readily influenced by effective responses);

<sup>7</sup> Department of Families, Community Services and Indigenous Affairs (2006) *RFT for the provision of Consultancy Services for the Evaluation of Communities in Crisis* p.1

<sup>8</sup> Quarantelli, E.L. and Dynes, R.R. (1977). "Response to social crisis and disaster." *Annual Review of Sociology* 3: 23-49

<sup>9</sup> Nathan, M. (2000). The Paradoxical Nature of Crisis. *Review of Business* 21 (3/4): 12-17

<sup>10</sup> Gundel, S. (2005). "Towards a New Typology of Crises." *Journal of Contingencies and Crisis Management* 13 (3): 106-115

- Intractable (may be predictable or unpredictable but difficult to respond to effectively);
- Fundamental (unpredictable and difficult to respond to effectively)
- Varying types of crisis response:<sup>11</sup>
  - No action – the effect of a crisis is negligible or contained without taking action;
  - Routine solutions – the effect of a crisis is contained through the application of standard responses;
  - Original or non-routine solutions – a crisis requires original or non-routine responses if the effects are to be contained.

Thus, the common qualities of social crisis appear to be systemic and / or organisational failure, instability, urgency, and variability in degrees of predictability and response. Further, whilst there is no singular definition of social crisis, the literature is unanimous that the absence of an effort to accurately define crisis as well as its causes will hinder an effective response.

### 3.1.2 Causes of social crisis in discrete Indigenous communities

Whilst there has been no definitive study of why and how social crisis emerges in discrete Indigenous communities in Australia, it is likely that the *original* causes of crisis are multiple and complex, involving matters such as history, environment, politics, culture, society, and economics.

However, arguably the primary *continuing* cause of day to day and long term crisis and instability in these communities must be the relative and often severe disadvantage Indigenous people living in many of these communities face across many fronts, compared to Australians living elsewhere.

The *Overcoming Indigenous Disadvantage* framework demonstrates the broad spectrum of disadvantage faced by Indigenous people in Australia, addressing an extensive range of headline indicators:

- Life expectancy at birth;
- Rates of disability and / or core activity restriction;
- Years 10 and 12 retention and attainment;
- Post secondary education - participation and attainment;
- Labour force participation and unemployment;
- Household and individual income;
- Home ownership;
- Suicide and self-harm;
- Substantiated child protection notifications;
- Deaths from homicide and hospitalisations for assault;
- Victim rates for crime; and
- Imprisonment and juvenile detention rates

It also lists diverse 'strategic areas for action':

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<sup>11</sup> Billings, R.S., Milburn, T.W. and Schaalman, M.L. (1980). A Model of Crisis Perception: A Theoretical and Empirical Analysis. *Administrative Science Quarterly* 25 (2): 300-316

- Early child development and growth;
- Early school engagement and performance (preschool to year 3);
- 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.

The overriding theme across the framework is development. Poor outcomes against any number of the headline indicators and the associated strategic areas for action would suggest that fundamental development processes within a community are being interrupted, and as long as this interruption continues, the chances of achieving a lasting stability are undermined. In time, the absence of a lasting stability creates and perpetuates the conditions for ongoing and periodic crisis.

It follows that crisis in discrete Indigenous communities should be responded to by targeting disadvantage through coordinated investments in broad-ranging, long term strategies that simultaneously target multiple development factors.

### 3.1.3 The CIC policy's identification of crisis as a policy issue

The CIC policy was established in 2003 as a strategic initiative to address the continuing issue of crisis in Indigenous communities in a whole of government manner. The initial format of the policy was the allocation of a small amount of new funding (\$3M) to be allocated over two years to the development of 'local action plans' for communities designated as being 'in crisis'. In 2005, the basic format of the policy stayed the same but the administration of the policy was transferred to the OIPC. This transfer increased the amount of funding available to the CIC policy (a further \$6M was allocated) and introduced a greater degree of flexibility in how funding could be used.

Despite the identification of crisis as an issue for discrete Indigenous communities, there appears to have been no framework within the CIC policy to provide a working definition of crisis and an outline of its potential causes in the context of Indigenous communities, beyond the basic recognition of wide ranging dysfunction in a community as an indicator of crisis. In the absence of this framework, communities that received CIC funding were simply nominated by relevant Ministers, ATSI and ICC offices, while others were awarded funds as a continuation of previous ATSI strategies established to provide resources for disadvantaged communities. This process must have been essentially *ad hoc* because there was no defined system for identifying, qualifying and analysing crisis and its causes at the community level.

The lack of a defined system for the identification of crisis is best demonstrated by the finding that within each of the regions where the evaluation's four case study communities are located, it has been possible to find at least one other community experiencing similar circumstances of instability and dysfunction but where the CIC policy has not been applied.

Neither was there any sophisticated analysis of the underlying causes of crisis at the community level. In general terms, local interventions involved the development of local action plans and mechanisms such as individual SRAs as part of varying attempts to realise goals like stabilised community administration, re-establishing human and physical services provision and generating greater capacity for local governance. Goals of this nature have certainly been important, but without reference to a set of clearly defined underlying causes of crisis, the relative priority of these goals as a first response to crisis in any given case is impossible to gauge. In the main and without more clearly defined guidance as to the nature of crisis and its causes, regional and local responses were left to adopt the assumption of the central policy that sustained stability would follow if a relatively narrow set of goals were achieved. That this assumption was misplaced has been found to be true – to varying degrees - at all four case study communities (this is discussed in more detail further on).

The design of the CIC policy and its various interventions could not explicitly be traced back to the development goals of the *Overcoming Indigenous Disadvantage* framework. Though there is little doubt this framework has carried implicit weight in a number of recent policies including the CIC policy, the lack of any express connection between the issue of crisis, Indigenous disadvantage as a primary and continuing cause of crisis and the design of the CIC policy was a major weakness in the identification of crisis as a policy issue.

### **In summary**

The CIC policy's identification of crisis as a policy issue was superficial. It was insufficient for the policy to merely recognise widespread dysfunction and disadvantage as an expression of crisis, without establishing objective intelligence and guidance about the range of possible causes of crisis across the context.

The ultimate effect of this oversight on policy design was a focus on what was, in effect, a narrow set of short term and primarily administrative responses. The policy failed to expressly identify how crisis fundamentally relates to broad scale Indigenous disadvantage. This is borne out in much of the analysis that follows.

## **3.2 Understanding the issue: crisis & Indigenous disadvantage**

Once a policy issue has been identified, the issue should be sufficiently understood before policy responses are developed and chosen.

The chances of understanding an issue sufficiently are strongly related to the degree to which the issue has been accurately identified in the first instance. As discussed above, in the case of the CIC policy a superficial identification of crisis as an issue limited the opportunity for developing a deeper understanding of crisis and its causes. Consequently, in the process of designing the CIC policy, the nexus between expressions of crisis, multiple causes and the opportunity for a much broader response to crisis was not fully established.

The following discussion considers the degree to which the CIC policy understood crisis in discrete Indigenous communities by:

- Providing a 'snapshot' understanding of a broader range of the causes of crisis; and
- Assessing the degree to which the design of the CIC policy understood these.

### 3.2.1 Crisis and disadvantage: a snapshot understanding of broader causes

It is beyond the scope of this evaluation to provide an in depth exploration of the causes of crisis in discrete Indigenous communities. However, by providing an overview of the four case study communities, it is possible to demonstrate how crisis in this context has multiple causes that are closely related to multiple fronts of disadvantage.<sup>12</sup> Discrete Indigenous communities across Australia, while heterogeneous in terms of language, culture and aspirations - with some exceptions - tend to be markedly similar in terms of the disadvantaged they experience. Notwithstanding variations in degree, the four case study communities of Yalata, Beagle Bay, Balgo and Kalumburu -- each exhibit similar characteristics with respect to the status of their demography, governance, physical infrastructure, health, education, and economic security / development.

#### **Demography**

Demographically, the populations of discrete Indigenous communities are characterised by very young population profiles, often with 60% or more of the population under the age of 25 years and less than 5% over the age of 65 years. Yalata, Beagle Bay, Kalumburu and Balgo are no exception. Despite very low life expectancies - males are not expected to live beyond 58 and females beyond 63 - high rates of fertility have contributed to a rapid population increase: 2.6% for all Indigenous Australians between 1996 and 2006, compared to just 0.8% for non-Indigenous Australians over the same period. Low life expectancies occur because of poor health, which often begins acutely in early childhood and becomes more chronic and more severe as people age. High rates of complex need therefore permeate the full spectrum of local populations.

#### **Governance**

These demographics present a significant challenge for the governance of Indigenous communities because they create an extreme range of needs and aspirations with respect to physical infrastructure, health services, education services, and economic security / development. In all four case study communities, existing governance structures at the local level have strived to meet this challenge, but have often failed. This is because of a range of factors such as a fundamental mismatch between the kinds of governance structures in place and the challenges of the context, constraints on the capacity of governance bodies and individual governors, and inadequate resourcing of and support for local governance.

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<sup>12</sup> It is important to note that the baseline community profiles (BCPs) documented in Volume 2 of this evaluation provide detailed further evidence of the following snapshot.

Typically, community-based governance structures that have been established to pursue the needs and aspirations of communities, have often by default taken on a range of functions normally undertaken by higher levels of government, without having the capacity or resources to do so.<sup>13</sup> In cases where Aboriginal corporations act as the primary governing entity (as has been the case in the four case study communities), these are subject to complex formal procedures for decision-making and reporting that are focussed upon corporate responsibilities rather than practical outcomes. Board members for whom English is often a second language have struggled to understand procedures and how these relate to the outcomes they are interested in achieving, including the purpose or value of the laws they are required to comply with. Further, the division of roles and responsibilities between executives and administrators has been unclear, leaving both strategic and administrative objectives largely unmet. This leads to a loss of confidence in governance amongst funding agencies, trade partners and residents alike.

These factors have caused governance instability and ineffectiveness in all four case study communities, and this is one cause of crisis at the community level.

### **Physical infrastructure**

Population growth and health concerns are driving demand for the provision of more and better physical infrastructure, such as housing, power, water, sewage, local roads and telecommunications, much of which is known to be already underprovided for on many discrete Indigenous communities.

Of deep concern is the condition of Indigenous housing on all four case study communities. Although major repairs and construction works have occurred or are occurring, the overall standard of housing remains poor. A high proportion of houses require some form of major repair in the interests of health and safety; others have been abandoned for lack of some major repair; and in most remaining cases, houses of three and four bedrooms are occupied by 14 people or more. Furthermore, some residents continue to live in temporary dwellings or 'dongas'. Liveable houses that are in a good state of repair, hygienic and occupied by no more than two persons per bedroom, remain largely the exception.

Out on the street the situation is little better. Internal roads are generally sealed, but because they often lack kerbs, channelling and storm water systems, they are prone to flooding and sedimentation, which has resulted in surface erosion and poor drainage. As documented in the BCPs, poor roads and drainage is an issue for all case study communities, and in particular Yalata, where flooding and sedimentation has blocked the drainage system. Blocked sewage pipes were additionally reported at Beagle Bay, both categories of infrastructure failure being clearly detrimental to environmental health. Interruptions to power and telecommunications services are also common: phone and internet connections failed at both Beagle Bay and Kalumburu during the evaluation's community visits and both communities had experienced at least one power cut within the previous 6 months.

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<sup>13</sup> Royal Commission Into Aboriginal Deaths in Custody (1991) *Regional Report of Inquiry into Underlying Issues in Western Australia*

The parlous state of physical infrastructure – and the interruption this causes for day to day community life, including threats to health and safety – adds to instability in the circumstances of the community and is therefore a second major cause of crisis.

## **Health**

At each case study community Indigenous persons suffer disproportionately from preventable or manageable diseases; including diabetes and chronic diseases of the heart, chest and digestive system among adult men; diseases of the urinary and reproductive systems among women; and diseases of the chest, throat and ears among children. These are complex, resource intensive expressions of social epidemiology, which are managed by local clinics but that also require regular evacuation of patients to distant regional and metropolitan hospitals for more complex treatments.

Poor health outcomes occur across the complete spectrum of age groups, so that young children regularly miss primary school, young adults periodically miss higher education and other training opportunities, and the participation of adults in local community life, economy and governance is regularly interrupted. The primary carers – mothers, fathers, grandparents and siblings – of those suffering chronic diseases also suffer from interrupted participation in local community life. Widespread poor health is a major cause of instability in the affairs of communities and therefore a third major cause of crisis.

## **Education**

Education outcomes are also poor, and - although the data provided for the BCPs is incomplete - it is widely reported that school attendance rates for a significant number of young people remain low, and that standards of attainment for those young people that are regularly attending school are also well below the national average. Basic numeracy and literacy rates remain relatively low, so the ability for young adults to take up post-school training and education in technical areas is limited. Amongst adults, a lack of access to skills and knowledge specific to various occupations limits employment and economic participation generally. Men in particular feel that they lack access to the skills and knowledge necessary to successfully take up economically rewarding activities.

Limited education outcomes limit the potential of community members to participate in vital community functions like governance and economy, which undermines stability. This is a fourth cause of crisis.

## **Economic security & development**

Communities with and without appropriate health, education and skills face further major structural obstacles to the achievement of economic security and development, such as lack of access to employment, or capital for private investment in businesses that may generate employment. Traditional lands owners may have access to substantial royalty and other payments arising from land-based business, but communities often lack financial structures and services that may assist traditional owners to channel investment into the development of local communities.

The economic opportunities available to residents are therefore limited, and the majority of working age adults in the four case study communities were registered as CDEP participants and / or welfare recipients. The impending abolition of the CDEP program will – at least in the short term - compound local limits on economic security by forcing many adults into a choice between receiving mainstream welfare or nothing. Individual median incomes are low (from \$150 to \$249 per week) and there is typically less than a dozen or so genuine jobs on any given community that are occupied by or accessible to Indigenous residents.

Individuals and families are not alone in the struggle for basic economic security and development (including food and shelter). At all four case study communities, governance bodies and local service agencies face chronic resource shortfalls and on-going uncertainty about funding flows. There is a major reliance upon administrative streams of funding, that is, one off or short term grants. This forces communities to focus expenditure on the achievement of short term, administrative objectives – often basic organisational survival - at the expense of long term developmental goals. This reliance on grants and the associated funding acquittal requirements prevent governance bodies and local service agencies from generating surpluses that might be reinvested back into the community economy in other ways.

The picture is therefore one of a struggle for basic economic security and stalled economic development, both creating and sustaining day to day uncertainty and instability. This is a fifth cause of crisis.

### **In summary**

Crisis in Indigenous communities is therefore caused by the combined effects of demography and across the board disadvantage in governance, physical infrastructure, health, education and economic security / development.

Social dysfunction - observed in the form of high rates of alcohol and substance abuse, petrol sniffing, suicide, family violence, sexual assault and child abuse - is the effect or expression of social crisis. It becomes a compounding cause of crisis when the underlying causes of social crisis are not addressed.

### **3.2.2 The CIC policy's understanding of crisis**

The CIC policy was not explicitly developed upon a comprehensive understanding of crisis and its causes. It wasn't the case that the need for an interventionist policy targeting crisis was first identified by in depth research. In fact, the policy was responding to a perceived need for some form of intervention as the number of communities apparently suffering from a breakdown of governance structures, service provision and other social norms was increasing. The need for some response was urgent and so it is understandable that, at the time of its implementation, the policy was not underpinned by detailed documentation of how the issue of crisis had been explored and how it was to be understood.

However, this urgency left both the issue of crisis and the CIC policy itself at risk of being misunderstood or misinterpreted. Because there was no detailed supporting study of crisis and its

causes, the policy was not released with much guidance or support for those who would implement it and those communities that would be the subject of it.

Notwithstanding the lack of an explicit statement of how the CIC policy understood crisis, the policy did implicitly demonstrate some understanding of crisis and some of its causes. Interventions at the four case study communities focussed on the themes of governance and administration, restoring essential municipal services, and ongoing capacity building. There was a much more limited interest in physical infrastructure, health and education services, and economic security and development.

Thus, the policy has had a useful but nonetheless quite limited primary focus on governance and capacity building, determined partly by perceptions of what kinds of intervention were required, and partly because these focus areas were, in the main, not subject to funding or management by other agencies or through other programs. Another factor that determined this focus was that these were areas that could be directly influenced by the Australian Government Indigenous Affairs portfolio (unlike education for example, or any other area that is usually the responsibility of other federal and state government agencies). The focus was also determined by a limited budget – the CIC policy global budget and the specific budgets available to regions and communities were not of a size sufficient to allow for more broadly focussed ‘whole of issue’ interventions.

The policy also allowed for a degree of flexibility as to how CIC funding might be used at the regional and local levels, understanding the potential for crisis to be expressed and addressed differently depending upon context. However, in the four case studies, this flexibility has met with mixed fortunes. In one case, Yalata, the flexibility was used effectively in an attempt to broker broadly focussed, deep down change for the community. In another case, Balgo, the flexibility amounted to a continuing, largely ineffective focus on one issue (governance). Thus, whilst making allowance for flexibility demonstrates an understanding of how causes and expressions of crisis may vary, there is a difference between guided and unguided flexibility.

### **In summary**

The CIC policy partly understood crisis and some of its causes, focussing as it did on the issues of governance and administration, restoring essential municipal services, and ongoing capacity building; all of which are important.

However, it is also reasonable to conclude that if the design of the CIC policy was both supported by and communicated a deeper understanding of crisis and its causes, the policy may have been more comprehensive, broadly focussed, collaborative and better resourced.

## **3.3 Choosing a policy response**

Once an issue has been identified and properly understood, the final stage of policy design is to consider and choose a response. The following discussion:

- Describes the main considerations made in the choice of the CIC policy; and
- Assesses the effectiveness of these considerations for choosing an appropriate policy response.

### 3.3.1 Considerations made in the choice of CIC policy

Although the CIC policy was conceived before the *National Framework of Principles* was published, and prior to the signing of either the South Australian or Western Australian bi-lateral agreements, the development and implementation of CIC policy has nevertheless occurred within the context of the overarching framework provided by the 'new arrangements in Indigenous Affairs'.

Post the abolition of ATSIC, national Indigenous affairs policy has principally been framed by the Council of Australian Governments' *National Framework of Principles for Delivering Services to Indigenous Australians*<sup>14</sup>. The Framework is based upon the following six principles:

- **Sharing Responsibility** - committing to cooperation and participation between all levels of Government and between Government and Indigenous communities and organisations;
- **Harnessing the Mainstream** - coordinating existing State and Territory resources more effectively;
- **Streamlining Service Delivery** - providing coordinated services rationally and more efficiently;
- **Establishing Transparency and Accountability** - ensuring that Government and Indigenous organisations are accountable and transparent to public scrutiny;
- **Developing a Learning Framework** - developing and sharing knowledge systematically; and
- **Focusing on Priority Areas** - improving planning arrangements to focus on priority areas identified within the *Overcoming Indigenous Disadvantage*<sup>15</sup> report.

In the pursuit of these principles, bi-lateral agreements have been negotiated between the Australian Government and most State / Territory Governments. For each jurisdiction, these agreements have intended to establish an agreed policy framework, including priorities for intergovernmental cooperation and enhanced effort in Indigenous affairs through:

- Strategic approaches to collaboration;
- Regional mechanisms for planning and delivery;
- Engagement of Indigenous stakeholders; and
- The implementation of a whole of government approach to service delivery.

How bi-lateral agreements have influenced the design and choice of the CIC policy can be demonstrated by reference to the *Bilateral Agreement on Indigenous Affairs*<sup>16</sup> for Western Australia and South Australia's *Overarching Agreement on Indigenous Affairs*<sup>17</sup>, and to the primary mechanisms for transferring national Indigenous affairs policy to the regional and local levels; namely Regional Partnership Agreements and Shared Responsibility Agreements. In the absence of

<sup>14</sup> Council of Australian Governments (2004) *National Framework of Principles for Delivering Services to Indigenous Australians*, June 2004 Communiqué Attachment B

<sup>15</sup> Steering Committee for the Review of Government Service Provision (2003) *Overcoming Indigenous Disadvantage: Key Indicators*

<sup>16</sup> *Bilateral Agreement on Indigenous Affairs Between The Commonwealth of Australia and The State of Western Australia 2006-10*, July 2006

<sup>17</sup> *Overarching Agreement on Indigenous Affairs between the Commonwealth of Australia and the State of South Australia*, November 2005

an overarching CIC policy document, these principle documents have informed the themes of CIC policy and the *modus operandi* of integrated government. Each of the case study interventions predates the South Australian and Western Australian agreements, but nevertheless policy initiatives designed after these agreements that have been associated with, or otherwise influenced the CIC initiative, have been framed by this policy context.

### **The *Bilateral Agreement on Indigenous Affairs for Western Australia***

Turning first to the *Bilateral Agreement on Indigenous Affairs for Western Australia*, this agreement makes specific reference to 'communities in acute crisis' and the need for government to improve its responsiveness to such communities if it is to deliver in priority areas. Particular activities referred to in support of this approach include the commencement of immediate efforts to identify and engage with community stakeholders, the negotiation of action plans in consultation with communities, and the development of well-defined performance indicators. Provisions are also made within the agreement to consider the implications of the regional context for local interventions, and for the roles and responsibilities of all actors to be clearly defined if coordination efforts are to succeed. The agreement also intends for any additional funding needed to support the action plans to be made available.

Additional priority areas covered by the agreement of particular relevance to the CIC intervention include 'Safer Communities', 'Housing, Infrastructure, Essential and Municipal Service Provision' and 'Strong Leadership and Governance'. With respect to creating safer Indigenous communities for families, women and children, the agreement's focus is on the provision of law and order through the implementation within Western Australia of the *National Framework for Preventing Family Violence and Child Abuse*<sup>18</sup> and the recommendations of the *Gordon Inquiry*<sup>19</sup>; both of which emphasise the need to deliver justice for women and children on Indigenous communities more effectively.

### **South Australia's *Overarching Agreement on Indigenous Affairs***

Turning next to South Australia's *Overarching Agreement on Indigenous Affairs*, although less specific in its reference to communities in crisis, this agreement states a similar commitment to joint services planning and delivery by government, improved service delivery standards, and greater engagement by Indigenous people in the planning process (with allowances for flexibility in implementation arrangements to reflect the priorities of Indigenous people). While 'governance' itself is not named as a priority area in the South Australian agreement, it explicitly refers to 'engagement with Indigenous People' as a priority, through the provision of support to interventions that encourage and strengthen organised grassroots engagement at local and regional levels. Again, as with the Western Australian agreement, the development of local governance capacity is seen as a critical component of such interventions, combined – where local capacity is weak – with the establishment of interim and transitional arrangements.

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<sup>18</sup> *National Framework for Preventing Family Violence and Child Abuse in Indigenous Communities*, June 2004

<sup>19</sup> *The Inquiry into the Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities*, July 2002

A focus on governance is also recognised within the agreement to be a component of 'Safer, Stronger Communities', a priority to be achieved not only through more effective law and order interventions, but by fostering effective community administration to ensure that the community overall is operationally functional.

### **Transferring national Indigenous affairs policy to the regional & local levels: RPAs and SRAs**

The primary mechanisms developed by the Australian Government for use by ICCs to transfer principles of the *National Framework* and the bilateral agreements to the regional and local levels are Regional Partnership Agreements (RPAs) and Shared Responsibility Agreements (SRAs).

RPAs aim to provide a coherent government intervention strategy across a region, and are intended as a means of eliminating overlaps or gaps in service delivery while coordinating delivery for maximum effect around an identified priority for a region. Three RPAs have been signed to date, including one addressing Indigenous employment in the East Kimberley to which the CIC community Warmun is a signatory. An obligation to deliver on particular areas of responsibility defined within the agreement applies to all parties - including all levels of government, Indigenous organisations, and the private sector where appropriate.

SRAs are negotiated by communities and ICCs directly, and as with RPAs place an emphasis on mutual obligation in the delivery of services to communities. As such, individual SRAs stipulate what each signatory will bring to a project in order to contribute to long-term improvements in community well-being. In general, government commitments are financial, while community commitments relate to on-site project implementation, or - in the case of more complex SRAs - a commitment to effect some behavioural change within a sub-group of the community.

Conceptually, three types of SRAs exist: 'capacity-building' SRAs relating to an on-going process of organisational or community development, 'limited issue' SRAs such as establishing a community facility; or 'whole of community or comprehensive' SRAs that link multiple activities around a broad community development goal. The complexity of new SRAs is expected to increase as the program sophisticates, and 'comprehensive SRAs' are emerging as a funding tool to help further progress the process of community development on communities. Since SRAs are the outcome of direct negotiation with communities, the precise content of individual SRAs will nevertheless vary, reflecting the voluntary and discretionary nature of the agreements.

### **3.3.2 Effectiveness of these considerations for choosing a suitable policy response**

On the face of it, the principles framework, the subsequent bi-lateral agreements appear to be instructive instruments for addressing crisis in Indigenous communities. They identify some of the fundamental causes and expressions of crisis such as governance, housing, law and justice, essential and municipal services as priority areas. They also acknowledge the importance of Indigenous engagement. However, the degree to which the principles and agreements are sufficient to inform the design and choice of an effective crisis intervention policy is uncertain.

The first uncertainty surrounds the question of whether, for the purposes of comprehensively addressing crisis, the content of the principles and agreements is sufficient. Whilst the principles and agreements make reference to many of the challenges facing Indigenous communities, the content places a strong focus upon rearranging the administrative arrangements for Indigenous policy, rather than offering clear, practical strategic directions that explicitly relate to crisis and its causes. This suggests that the principles and agreements are primarily administrative in purpose and character, that is, they are focused upon managing the context. By definition, successful crisis intervention ought to be strategic, that is, directed at changing the context. When the CIC policy was being designed or chosen as a policy response, this difference in character should have been considered and a crisis intervention framework should have been developed, offering clear, strategic directions that more directly communicate the practical actions and changes required at the community level to address crisis and its causes.

The second uncertainty follows on from the first and surrounds a lack of effective performance indicators for measuring progress in overcoming crisis. The principles and agreements do not contain specific, outcomes-based performance benchmarks, no indicative time frames and no specific funding commitments. The development of performance indicators by implementing agencies is referred to, but the determination of these is left to the particular agencies involved, again without comprehensive guidance about the kinds of strategic actions that might be required to achieve practical change at the community level. SRAs often supply broad performance criteria, but there is not always a clear connection between these criteria and higher level performance measures.

This second uncertainty introduced the risk that administrative or 'outputs-based' indicators would be developed, rather than indicators based upon accountability against a universal set of development indicators or outcomes. For example, to report that 5 houses have been built at Community X in 2006-07 is not the same as committing to reducing the shortage of houses on Community X by 50% within 2 years. There is a qualitative as well as potentially a quantitative difference. The principles do invoke the *Overcoming Indigenous Disadvantage* framework of indicators, but these are essentially pitched at the wrong scale for working with crisis at the community level. These indicators are important long term measures (from one to five years) and provide only a blunt measure of the effectiveness of any practical action taken in the short term. The design and choice of the CIC policy should have considered and addressed this weakness by developing practical performance indicators for measuring change at the community level.

The third uncertainty within the principles and agreements surrounds the strong bias towards governance. Under the current arrangements, rescuing and / or improving existing governance arrangements at all levels (including both local governance and higher level integrated government arrangements) has become an implied starting point for intervention, rather than a comprehensive simultaneous consideration of all causes of crisis and how governance relates to these. There appears to be an implicit assumption operating that Indigenous disadvantage would be solved if only local governance arrangements could be stabilised and higher level integrated government achieved. Such an assumption would immediately limit the range of possible strategic responses to crisis, creating the risk of underplaying the importance of other factors such as physical infrastructure, health services, education services, and economic security and development. When the CIC policy was being designed and chosen, this risk should have been considered and addressed.

The fourth uncertainty relates to the lack of statutory force behind the principles and agreements. The bi-lateral agreements are not legally binding. The mechanisms by which bi-lateral agreements are enforced are access to funding and Ministerial direction. These are no doubt compelling mechanisms and can be powerful when political agendas are consistent and bureaucracies are aligned, but they can also become weak when political agendas change and bureaucracies are in conflict. This lack of statutory force creates a number of risks that threaten the likelihood of the Western and South Australian bi-lateral agreements effectively addressing crisis:

- The potential for the agendas of Ministers and Departments to change as personnel changes;
- The potential for policy changes and other agreements to supersede or undermine bi-lateral agreements;
- Differences in the capacity of participating agencies to adhere to agreed protocols (should these exist); and
- The potential lack of horizontal and vertical absorption of the agreement into the policy-making of separate agencies, which may lead to inconsistencies in approach.

A lack of statutory prescription with respect to agreements, plans and performance benchmarks can of course be considered a strong point if one accepts that the detail of a policy should be left to those closest to the context. This can indeed be true, particularly with respect to the dynamic and varied circumstances of crisis. However, once comprehensive local analysis is undertaken, comprehensive planning and shared accountability to comprehensive planning ought to be formally (legally) committed to by all levels of government or agencies involved in addressing crisis. This amounts to a statutory commitment to delivering needs and aspirations determined at the local level, and this is likely to be the most effective way of ensuring that the efforts of government respect specified local causes of crisis. When considering the principles and agreements, the design of the CIC policy stops short of this, simply stating that 'local action planning' should occur, that roles should be clarified and that additional funding ought to be made available.

The fifth uncertainty concerns the effectiveness of a crisis intervention policy that relies upon SRAs, RPAs and COAG trials. Despite evidence of some successful SRAs, feedback from individual SRA reviews and the COAG sites which trialled the initial SRA process suggest that the issues of constrained community capacity and the ability of government to successfully administer service coordination through SRAs often limit their effectiveness. With reference to existing RPAs – most of which are new and complex - it is too early to tell whether these will also be constrained by the same issues. However, the previous and in some places still current regional approach - COAG trials - have been found to be at risk of failure because of the same issues. These issues are therefore likely to frustrate the CIC policy's reliance on SRAs, RPAs, and COAG trials (where they still operate) as a mechanism for the implementation of crisis intervention. This is particularly so where the policy and the mechanisms are mutually dependent, that is, where the capacity of community organisations to negotiate agreements is dependent on the outcomes of a CIC intervention.

The sixth and final uncertainty is the apparent failure to research and consider alternative responses for addressing crisis. Even if the principles, agreements and mechanisms upon which the CIC policy came to rely were outwardly sufficient, it would still have been good practice to canvass alternatives. In fact, an objective weighing up of the relative merits of alternatives is

usually the main method for refining policy choices. Even if the original policy idea becomes the preferred policy choice, it is usually strengthened through the process of comparison to other options.

**In summary**

There are six uncertainties about the effectiveness of the considerations made when choosing the CIC policy as a response to crisis in Indigenous communities:

- Whether the content of the *National Framework* of principles and the associated bilateral agreements was sufficient for the purposes of designing a crisis intervention policy;
- A lack of effective performance measures for measuring progress made at the community level towards the resolution of crisis on communities;
- A strong bias towards governance and administration at the expense of other areas such as physical infrastructure, health services, education services and economic security / development;
- A lack of genuine force behind the principles, agreements and other mechanisms that were chosen as the basis for CIC policy;
- The risk of ineffectiveness that is apparent in some of the chosen implementation mechanisms such as SRAs, RPAs and COAG trials; and
- No apparent consideration of the relative merits of alternative approaches.

These uncertainties call into question the sufficiency of the considerations made when choosing the CIC policy as the preferred policy response.

### 3.4 Summary of key findings about policy design

Table 1 summarises the key findings about policy design.

**Table 1.** Key findings about policy design

Identifying the issue
<ul style="list-style-type: none"> <li>○ <i>Qualities common to social crisis are systemic and / or organisational failure, instability, urgency, and variability in degrees of predictability and response. Even though there is no singular definition of social crisis, the failure to accurately define a particular crisis and its causes will hinder the pursuit of an effective response.</i></li> <li>○ <i>The CIC policy's identification of crisis as a policy issue was superficial. It was insufficient for the policy to merely recognise widespread dysfunction and disadvantage as an expression of crisis, without establishing objective intelligence and guidance about the range of possible causes of crisis across the context.</i></li> <li>○ <i>The ultimate effect of this oversight on policy design was a focus on what was, in effect, a narrow set of short term and primarily administrative responses. The policy failed to expressly identify how crisis fundamentally relates to broad scale Indigenous disadvantage.</i></li> </ul>
Understanding the issue
<ul style="list-style-type: none"> <li>○ <i>Crisis in Indigenous communities is caused by the combined effects of demography and across the board disadvantage in</i></li> </ul>

### Understanding the issue

*governance, physical infrastructure, health, education and economic security / development.*

- *Social dysfunction - observed in the form of high rates of alcohol and substance abuse, petrol sniffing, suicide, family violence, sexual assault and child abuse - is the effect or expression of social crisis. It becomes a compounding cause of crisis when the underlying causes of social crisis are not addressed.*
- *The CIC policy partly understood crisis and some of its causes, focussing as it did on the issues of governance & administration, restoring essential municipal services, and ongoing capacity building – all of which are important.*
- *However, it is also reasonable to conclude that if the design of the CIC policy was both supported by and communicated a deeper understanding of crisis and its causes, the policy may have been more comprehensive, broadly focussed, collaborative and better resourced.*

### Choosing a policy response

- *There are six uncertainties that call into question the sufficiency of the considerations made when choosing the CIC policy as the preferred policy response. These are:*
  - *Whether the content of the National Framework of principles and the associated bilateral agreements was sufficient for the purposes of designing a crisis intervention policy;*
  - *A lack of effective performance measures for measuring progress made at the community level towards the resolution of crisis on communities;*
  - *A strong bias towards governance and administration at the expense of other areas such as physical infrastructure, health services, education services and economic security / development;*
  - *A lack of genuine force behind the principles, agreements and other mechanisms that were chosen as the basis for CIC policy;*
  - *The risk of ineffectiveness that is apparent in some of the chosen implementation mechanisms such as SRAs, RPAs and COAG trials; and*
  - *No apparent consideration of the relative merits of alternative approaches*

## 4 Policy Implementation

The following section describes and assesses the interpretation and implementation of the CIC policy for each of the four case study communities.

For each case study an introduction to the community's geographical and historical context is provided, together with an overview of the events leading up to the community's listing as a 'community in crisis'.

The approach taken by the relevant ICC is then outlined and a description of the specific actions taken is provided. Following an assessment of the extent to which specific intervention objectives were achieved, the section concludes with an analysis of the opportunities and challenges facing those charged with responsibility for implementing the policy at the local level.

### 4.1 The Yalata intervention



The community of Yalata is located on the western coast of South Australia, 200km west of the nearest regional centre, Ceduna. It is sited within a 456,150 hectare parcel of land leased from the South Australian Aboriginal Lands Trust (SAALT), in the Wangka Wilurrara region of the Eyre Peninsula.

ICC estimates of Yalata's population vary from around 175 to close to 300 people, depending on the level of seasonal in-migration and out-migration to the community.

The people of Yalata are the descendents of the Pitjantjatjara Anangu, desert people from the north and north-west of the State who settled at Yalata's Lutheran mission, or else arrived after being forcibly relocated in the 1950s from the lands around Maralinga. As a displaced people the Yalata Anangu have struggled to maintain cultural connections to homelands, but many still speak a southern dialect of Pitjantjatjara, with some community members speaking Yankunytjatjara as a second language. Sections of the community also continue to practice traditional law and hunting activities.<sup>20</sup>

The Yalata Anangu have no native title over surrounding lands. However, when the Maralinga Tjarutja claim was upheld in 1985, many Anangu moved from Yalata to settle at Oak Valley, some 320km to the north. There continues to be a regular movement of Anangu between Yalata and the Oak Valley community.<sup>21</sup>

<sup>20</sup> Yalata community website <<http://www.yalata.org>> visited 2003

<sup>21</sup> Brady, M. (2003). Which Bloke Would Stand up for Yalata? *The Struggle of an Aboriginal Community to Control the Availability of Alcohol*. Australian Aboriginal Studies 43(3), pp: 62-71

### 4.1.1 Background to the Yalata crisis

According to ICC informants, Yalata has a significant history of cyclical social dysfunction caused by social and economic disadvantage. Petrol sniffing, alcohol abuse, youth vandalism, domestic violence and non-participation in CDEP activities were commonly cited by residents as local expressions of dysfunction.<sup>22</sup> However, events during the late 1990s and early 2000s that resulted in Yalata's listing as a community in crisis can be more directly attributed to issues about the management and governance of Yalata Community Incorporated (YCI).

YCI was incorporated in 1975 and constituted with seven councillors to administer public services and basic local government functions at Yalata, including municipal services, CDEP, land management, arts and culture, essential services, ranger services, housing maintenance, store facilities and other social programmes. Total public funds under management by YCI had reached approximately \$2.25 million by 2003-04.<sup>23</sup>

In May 2004, a comprehensive audit of YCI operations found there to be a large number of accounting irregularities, failures in duty of care and other indicators of poor governance likely to adversely affect the functioning of Yalata community.<sup>24</sup> These deficiencies included:

- No strategic or operational planning processes engaged in by council;
- Uncertainty as to whether members had been elected or appointed;
- Absentee or unfilled management positions;
- No contracts in place for council employees;
- Little work systematically undertaken by CDEP participants;
- Unclear and undocumented lines of communication and management; and
- Various irregularities in the administration of finances.

According to the audit, mismanagement of YCI during this period was considered to extend beyond YCI itself to include assets owned by YCI but not under the corporation's direct management; namely the community store, Yalata Road House and Head of Bight tourism enterprise. Communications between the former Ceduna ATSI office and state level ATSI management also referred to broader governance issues, including the domination of political life on the community by one family group and a lack of clarity regarding the division of responsibilities between the board of YCI and that of the Tullawon health clinic.

As a result of these complications, all service areas funded by ATSI and various state agencies were described by the auditor as either 'requiring significant improvement', 'poor' or 'extremely poor'. Of particular note was the state of community infrastructure and housing (funded by the Aboriginal Housing Authority) which is described within the report as in 'an extremely poor state of repair'. Issues of equity were also noted as a major area of concern. Those services not under the administration of YCI that deployed government officers locally (e.g. a Family and Youth Services

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<sup>22</sup> Yalata Aboriginal Community Camp Report (2004) *Mexican Hat*, October 2004

<sup>23</sup> Edwards Marshall (2004) *Major Review of Yalata Community Incorporated*, May 2004

<sup>24</sup> *Ibid*

'youth worker' and a Department of Human Services 'drug and alcohol worker') were described as faring better, but nevertheless not meeting mainstream standards.

The effect of the mismanagement of YCI had broad-scale ramifications for the people of Yalata at the time. According to ICC management, South Australian and Australian Government agencies had become cautious about committing public funds to the community, at a time when the quality and equity of service delivery was heavily compromised. Expressions of social dysfunction such as youth vandalism and domestic violence were also intensifying, with increasing numbers of people moving to Ceduna to take up residence at the Indigenous 'town camp' close to town.

In all, the audit made one hundred and seven recommendations about management structures and operational systems, planning processes, financial reporting and arrangements for members. During this period, provisional approval was sought by the Ceduna ATSSIS office for Yalata to be listed as a community in crisis, in order to provide funding for:

- The appointment of a community development co-ordinator to oversee YCI's administration;
- The establishment of a governance and community capacity-building project to review service provision;
- An increase in support for the Yalata night patrol; and
- The development of a choir project and community bus service.

#### 4.1.2 The nature of the intervention

The Yalata intervention was structured around the *Yalata Strategic Development Plan* developed by the Ceduna ICC. The plan was informed by the recommendations of the YCI 'Major Review' conducted in May 2004 and by the people of Yalata who endorsed the 'Major Review' at a community meeting held at Mexican Hat in October 2004. Broad priority areas identified within the strategic plan were:

- **Financial Management and Accountability** – Interventions to improve the governance of Yalata Community Incorporated by stabilising the community administration;
- **Re-establishment of Essential and Municipal Services** – Interventions to address some of the causes of social dysfunction by improving essential and municipal service provision delivered through YCI;
- **Community Capacity-Building** – Interventions to sustain and maximise the effects of the CIC initiative by investing in the development of the people, processes, local organisations and supporting infrastructure required to achieve the first two priorities; and
- **Economic Development** – Advocacy on behalf of the community to help secure economic benefits for Yalata residents and the development of a West Coast RPA, including Yalata, focussed on employment and enterprise development.

Funding mechanisms available to implement the action plan included:

- Existing program funds from both State and Australian Government agencies;
- Flexible CIC funds available to the ICC, and
- Additional flexible funds available as SRA and RPA monies.

The Yalata intervention was allocated close to \$0.8 million during 2004-05 to 2005-06 to develop the intervention strategy, to recruit administrative staff and employ community development consultants, to improve financial management and administrative systems at YCI, and to re-open the community store.

Several SRAs were signed, including:

- A 'Safer Community' SRA, developed to provide a twice weekly bus service to Ceduna and a community night patrol;
- A 'Women's Art Project' SRA, to support the women's group by upgrading the women's centre and recruitment of an arts administrator;
- A 'New Scout Troop for Kids' SRA, to upgrade school play facilities and establish a local scout troop through the Yalata police; and
- Fifty SRAs were signed by individual families addressing adherence to tenancy agreements for OAH housing.

The later initiative – still ongoing at the time of writing - supports previous investments in housing management and maintenance systems at Yalata with an attempt to ensure that individual households are aware of their obligations under tenancy agreements and are ready to commit to the responsibility.

To provide further operational structure for the strategic plan, a Comprehensive SRA has been recently developed, and an RPA, which includes Yalata in planning for regional economic development, is under negotiation. The Comprehensive SRA was intended to further develop the themes of effective administration, governance and services delivery within a long term framework, while the RPA intends to promote economic development links between Yalata and the region to help sustain change over the long term. The current intention of the Ceduna ICC is that the Comprehensive SRA will constitute a strategic and operational plan for the on-going development of Yalata around nine 'development themes':

- Law and order;
- Consistent, applied governance;
- Improving the social conditions of housing, health and welfare;
- Securing and retaining quality leadership and management;
- Transparent, effective, efficient administrative policies and procedures;
- Appropriate processes of communication between community and management;
- A common view of what constitutes a good Anangu person and sustainable community;
- Anangu taking leadership roles in work programs; and
- The development of sound financial enterprises

The objective is to clearly articulate community roles and responsibilities and to serve as a guide and as an accountability tool for future implementation efforts.

One objective of the proposed RPA would be to link activities and resources at West Coast communities with regional economic development opportunities, such as employment in mining activities or through the development of aquaculture and tourism enterprises. Approval has

already been granted for development of an 'economic action plan' to identify opportunities across the Eyre Peninsula and to develop a framework for collaboration and joint ventures with existing economic actors. The second component of the strategy is to engage consultants to help Indigenous communities (including Yalata) to negotiate specific RPAs around the opportunities identified, including infrastructure projects such as Ceduna Keys, the Iluka mine works and various arts enterprises. To facilitate this strategy the Ceduna ICC, along with an Indigenous economic development officer, are represented on the Eyre Regional Development Board (ERDB).

### 4.1.3 Outputs from the Yalata intervention

The implementation of CIC interventions began in December 2004, with the appointment of community development consultants STF Associates (STF). Their role was to facilitate community engagement in the CIC process and to manage its implementation on the ground. Key milestones to September 2005 centred on community governance and administration, including:

- A comprehensive assessment of YCI's management and governance structures;
- The development of new management structures and the preparation of new job descriptions;
- The appointment of senior personnel;
- The identification of training opportunities within YCI for Anangu people;
- The relocation of the YCI office;
- The development of the council's capacity to approve and dismiss staff; and
- The development of YCI planning documents.

The Yalata Round Table, discussed in greater detail in section 5 of this report, was the main local level whole of government mechanism established to drive implementation of the strategic intervention and related cross-agency initiatives. Comprised of Australian and State government agencies that provided high level oversight and coordination of funding, the group met every two weeks in the early stages of the intervention and then monthly after the first year.

#### **Financial management and accountability**

To improve management and administration at YCI a Community Development Manager (CDM) was appointed, with funding for this position provided by the OIPC in the latter half of 2005. As well as taking-on some financial and asset management responsibilities, the appointment was intended to maintain service provision in the period between the intervention's initiation and the removal of the pre-intervention management structures. It is anticipated that a new administration manager will be appointed via the comprehensive SRA to oversee the implementation of future finance, IT and administrative procedures. Options were also developed in 2005 for the relocation of management functions to a new office building, and for STF to develop more efficient administrative procedures.

An investigative audit of public funds received by YCI was also conducted in March 2005 by MLC Corporate, and following the presentation of the findings of the audit to the community, a funds controller was appointed in June, with funding provided by DEWR. The responsibilities of the funds controller included the re-establishment of proper financial management procedures, while a new accounting service provider was appointed in January 2006.

To bring about more balanced representational arrangements at Yalata, STF developed a new family-based electoral system for council, to ground local representation on a broader base of all of the community's family groupings or 'election groups', rather than on a narrow selection of members from a small number of families.

### **Re-establishment of essential and municipal services**

Another output from the organisational review of YCI was a revised organisational chart, which clarified roles within the corporation, and which is now used as the basis for more detailed job specifications. As well as a Community Development Manager, a Municipal Services Coordinator (MSC), CDEP manager, Store Manager and associated administrative positions were also appointed by September 2005. Council members were included on the selection panel. The intention is for support positions to be established alongside these roles, staffed by community residents.

A priority for municipal services delivery has been to re-locate the community dump, to contract for the removal of abandoned cars and to ensure that rubbish collection and disposal is a regular and effective undertaking of CDEP. Environmental health will also be part of any future comprehensive SRA, to fund landscaping, dust control and dog control projects, along with support to train Indigenous participants in these activities.

Improvements in housing and community infrastructure are to be achieved through an audit of community housing, the appointment of a builder to undertake immediate repairs, the creation of a housing and infrastructure maintenance schedule, and the implementation of a capital assets management system. To sustain these activities an Office of Aboriginal Housing (OAH) representative is running a community education programme to educate households on the need to collect rent and the purpose of tenancy agreements. New tenancy agreement signing and rent collection systems are consequently in process, with several new tenancy agreements signed. The ICC is coordinating negotiations with OAH and Housing South Australia for additional housing stock. As part of the community's infrastructure upgrade activities the ICC and the Department of Education and Children's Services (DECS) are also funding the upgrade of Yalata School and play ground.

Yalata store has also been re-established as part of the CIC intervention. Following the appointment of a new store manager the range and quality of stock has been improved in line with the Healthy Ways and Mai Wiru better foods programme. Store building repairs have also been undertaken.

### **Community Capacity Building**

Efforts to build capacity so that improvements to YCI management and service delivery might be sustained include the development by STF and Councillor's of strategic and operational plans for YCI and the development of management skills training programs for the CBM and MSO. More generally, YCI's council has agreed to work in partnership with government agencies to develop their own capacity with respect to staff appointments, attendance at Council meetings and participation in other governance and management training workshops. Options for YCI to be

dissolved and re-incorporated under Federal legislation, to benefit from ORAC (Office of Registered Aboriginal Corporations) training and other support are also under discussion.

Other community capacity-building interventions around the provision of enabling infrastructure include the provision of additional staff housing (two FaCSIA funded, one DEWR funded, one State funded duplex, and two further buildings for temporary staff) and the provision of increased employment training opportunities through the reinstatement of TAFE courses and the re-appointment of a TAFE lecturer.

As well as the 50 individual SRAs signed with families around housing, the Ceduna ICC has also negotiated 3 community SRAs in support of community capacity-building.

- **The 'Safer Community' SRA** was developed to provide a twice weekly bus service from Yalata to Ceduna and to improve community safety through linkages to a night patrol service. The commitment made by YCI was to provide CDEP places for trainee transport marshals and night patrol staff, to work with individuals on the community to develop rules for the use of the bus service, and to provide a project meeting place. The responsibilities of Government were to fund equipment, training and wages (OIPC and the Attorney General's Department), and to provide in-kind support in the form of training (South Australian Police) and a commitment to seek on-going funding for the bus service (Department of Family and Community Services).
- **The 'Women's Art Project' SRA** was intended to support the development of a stronger and more pro-active women's group and to provide opportunities for art and craft production enterprises, achieved through an upgrade to the women's centre and the implementation of an arts and crafts program; to include exhibition and curatorial training as well as technical skills training. YCI and the women's group committed to the SRA by providing labour to renovate the centre, assist in the organisation of exhibitions and workshops, and support the arts facilitator with accommodation. Government contributed through a commitment to fund the catering costs of workshops (OIPC), the costs of the arts facilitator (Department of Information, Technology and the Arts, DCITA; and Country Arts South Australia) and the cost of upgrading the women's centre (DEWR).
- **The 'New Scout Troop for Kids' SRA** sought to improve school attendance, improve the well-being of children and their relationship with police, through the implementation of a Scout program and the upgrade of school play facilities and outdoor spaces. As part of the agreement the community committed to providing CDEP labour to train as scout leaders and help upgrade facilities, while the Government committed to funding the upgrade of courts (OIPC), funding the provision of uniforms and equipment (DCITA) and to providing in-kind support for police officers to train as scout leaders (South Australian Police).

## Economic Development

The realisation in 2005 that YCI's lease over the Head of the Bight was technically void, presented the Ceduna ICC with the opportunity to remove the existing tenants (associated with financial mismanagement at YCI) and to tender for management of the Head of the Bight tourism enterprise to be outsourced. As a result of this process IBA was selected as the preferred partner in a joint venture with the ALT. Investments to upgrade the facility have not yet commenced, but an advisory group, including YCI, has been established to oversee the development of a strategic plan.

Other interests include the Yalata Road House and licenses for fishing off beaches on Yalata lands. As part of a separate process, the future of the Yalata Road House (now closed and certified unsafe) has been placed under review. The lease for the asset is currently held by the ALT, while access by IBA has been granted to assess environmental concerns with the site and to consider its economic feasibility. The ICC has also assisted the land care officer at Yalata, to advocate for control over the management of fishing licenses to be handed back to YCI from interim managers, IBA.

A broader, ICC led intervention, is found in the Regional Economic Development RPA for the Eyre Peninsula. To commence this initiative an economic development strategy is being developed through ERDB, to identify and realise employment, training and enterprise development opportunities across the region. Recent investments by the Ceduna ICC in the Yalata Women's Centre will contribute. Now serviceable as a location for craft production, products made can be marketed through administrative and distribution processes established under the RPA.

CDEP is also of course a prominent feature of the economic development landscape for Yalata, and as with essential and municipal services, the program has been re-activated – outsourced to new management - since the intervention commenced. Some initial successes have resulted, with individual participant training and employment programs in train and 11 individuals moving to paid jobs in 2006. Facilitated by the Ceduna ICC, attempts have also been made to integrate the Yalata and Oak Valley CDEP programs. The Yalata and Oak Valley communities have submitted a proposal to DEWR for a joint CDEP program, but no funds were approved in 2007 for the necessary capacity-building support required (around governance and financial and asset management, etc.).

#### 4.1.4 Assessment of intervention outcomes

The main objectives of the Yalata CIC intervention have been to stabilise governance and administration at YCI, to re-establish the municipal and essential services YCI is responsible for and to further develop community capacity – both socially and economically – by contributing to State driven programs or by addressing service delivery gaps. Observation and discussions with staff and residents indicate that in terms of its local implementation the intervention has been highly successful, but it remains incomplete with several identified risks to its long-term sustainability.

With respect to governance and administration, implementers of the CIC intervention successfully isolated and removed the causes of mismanagement at YCI through a combination of forensic financial investigation, the appointment of interim financial management, and the appointment of a temporary Community Development Manager, capable of driving further organisational changes forward in often difficult circumstances. These interim measures remained in place until more developmental arrangements could be established, specifically a new accounting service, a renovated office and re-engineered office systems, several new YCI staff and the introduction of a new electoral system. Parallel capacity-building interventions also occurred, including training for elected members regarding the YCI constitution and procedures.

The Yalata Council is now widely recognised to be a relatively stable and representative group following the intervention; members seem aware of their responsibilities and are eager to implement their own community development vision. Key organisational functions and roles have been filled by committed and competent staff, enabling both entities to work productively together. Council meetings continue to require external support, but are reportedly nevertheless compliant and productive.

Throughout these organisational changes the Ceduna ICC employed experienced community development consultants to help devise implementation strategies, coordinate grass-roots implementation and to communicate with the YCI council and Anangu people. The role of community development consultants has been particularly important: providing a consistent independent presence to advocate for Anangu; to communicate concepts to them appropriately; to maintain local accountability and to manage day to day intervention logistics. Anangu have participated in the organisational development process, leading the selection panel process for new staff, and fulfilling an administrative officer position.

The relative stability brought to YCI, as intended, has contributed to the re-establishment of functional essential and municipal services; both directly through the clarification of roles and systems and the appointment of quality staff, and indirectly, through the development of government confidence in the capacity of YCI to deliver. As described in the Yalata BCP, municipal service delivery is much improved at Yalata since the intervention: waste management and recycling is performed regularly; internal roads have been graded; machinery is fixed where possible; and *ad hoc* activities to repair and maintain public spaces are regularly undertaken. Essential services performed through YCI are also stable, with no issues reported to the consultants regarding power, lighting, sewage and water.

Some success can also be identified in the priority area of housing and community infrastructure. A housing management committee and associated housing management policy is now in place to allocate housing, educate residents around their responsibilities as tenants and to advocate for an improved repairs and maintenance program. Improvements to the housing stock have been made and a rental deductions scheme is in process. As part of YCI's review of fixed assets on the community, the Ceduna ICC also provided funds to paint Yalata School buildings and to supply new play ground equipment. The Yalata Store has also been renovated and the ICC has worked with the new store manager to restock the store and improve the range of nutritious and affordable products.

The net effect has been an improvement in community confidence and well-being, evidenced in social indicators such as reductions in crime, increases in school attendance and increased participation in community based activities. The Anangu response to individual SRA's has been fruitful. Several individual SRAs around tenant responsibilities have been signed; participation in women's group activities is good; Scout Troop SRA activities were well attended when the intervention was active, while the bus service – although its continuation is uncertain – has been frequently used.

Through its inclusion of economic development among the intervention themes for Yalata, the Ceduna ICC has recognised that greater economic participation among Yalata residents is essential for the sustained delivery of outcomes on the community. Some specific successes have been

achieved, including an increase in recorded profits at the Head of the Bight, and the passing of control over the management of fishing on Yalata beaches from IBA to YCI, under the auspices of the Yalata Land Management program.

Negotiations around the RPA and Yalata's interest in the Head of the Bight and Yalata Road House are on-going and what the people of Yalata might perceive to be benefits (jobs, money and decision-making control) have, as yet, not been forthcoming. The issue of the Head of the Bight is indicative. The ALT's and IBA's interest in the asset has enabled a cycle of investment to occur, so that over the medium to long term (5 to 10 years) the residents of Yalata can benefit financially. Unsure of the legal and financial implications of being 'tenants in goodwill' (YCI's lease was technically void, but the interest YCI holds has nevertheless been recognised) and of having 'unrealised assets', many Anangu feel ostracised and deeply suspicious of the venture; a fact that is causing considerable anxiety for residents.

Ceduna ICC has little influence over the process, but could possibly advocate for the Head of the Bight enterprise development process to be approached as a 'development' rather than a purely financial project. This means investing in the development of Anangu understanding and in the identification of opportunities for Anangu to be involved. No employment and training outcomes for Anangu people are currently part of the enterprise development plan.

As a result the community continues to rely heavily on the CDEP program, which given the scarcity of current demand for jobs will likely find it more and more difficult to transition participants into paid employment each year. Current successes have been largely limited to community services positions, rather than jobs within economic driver and export industries that fuel growth (such as the mining, tourism and manufacturing sectors). Opportunities to create jobs in industries where Yalata residents have a competitive advantage have also not yet been developed, most notably relating to land care and coastal management.

#### 4.1.5 Further considerations

The Yalata CIC intervention has had undeniable successes, but nevertheless several weaknesses can be identified that put the sustainability of the intervention at risk. Weaknesses in the policy's development and design – for instance limitations in the scope of the intervention with respect to economic development, and the unsuitability of policy devices such as SRAs for achieving comprehensive community development aims - are discussed in section 4.2 of the report. Suffice to say that the intervention is on-going. Aspects of community governance, administration and service delivery are much improved, but a great deal more needs to be done in the areas of housing and infrastructure, economic development and education if the community is to be sustainable. The degree to which the Ceduna ICC can influence these outcomes will ultimately be partial without a sovereign intervention plan.

The purpose of this section is consequently limited, namely to identify threats to the sustainability of the CIC intervention as it has actually been implemented. Existing threats (already identified by Ceduna ICC) include:

- Insufficient provisions for attracting and retaining high calibre local staff – Much of the success of the Yalata intervention can be attributed to the skill and commitment of those

ICC and community based staff involved. Given this dependency, the lack of funding available for succession planning and localised staff training leaves much to chance. There is no professional body for training and accrediting staff working on Indigenous communities. Several proven staff will soon be leaving and without a systematic transition for their replacements, much of what they have learnt will be lost or else will take time to 'rediscover'. Support to staff in terms of mentoring and housing is also woefully inadequate and contributes to high rates of burn out.

- Insufficient succession planning and capacity-building for Anangu leaders – Assuming a future role for the Aboriginal Corporation model, a range of capacity-building interventions have been initiated or advocated for by the Ceduna ICC. The capacity of council members for legal compliance has undoubtedly increased, and discussions with members indicate a strong sense of responsibility and vision. However, the council are not at the point of 'responsible independence' and training ought to be continued for a leadership pool, rather than specific council members.

Without a deeper and more widespread understanding of the value of good governance it is not unimaginable that removing CIC support could see a return to the previous state of dysfunction. An unscrupulous Community Development Manager and impressionable council member might be all it takes. Uncertainty surrounding funding for ongoing mentoring and independent advisory support from community development consultants will likely compound this problem; as will uncertainty surrounding the interpretation of the role of Community Development Manager. A community development professional, responsible for identifying and coordinating the development of council capacity, may be a more appropriate recruit than a traditional town clerk (seeking to control most aspects of administration and decision-making functions).

- Insufficient succession planning and capacity-building for potential Anangu employees – The Ceduna ICC has committed to the development of Anangu staff but so far few opportunities for paid employment have been realised. As with governance and staff training, there appears to be little funding available for mentoring and on-going one to one support. Only one Anangu person is in an administrative position at YCI at any one time. There is also a potential for the Ceduna ICC to play a role in advocating for and funding the facilitation of greater Anangu involvement in the Head of the Bight venture. Productive roles for Anangu could be identified and independent (legal and capacity-building) support could be given to Anangu representatives on the advisory committee.

**Table 2.** Summary of the Yalata intervention

<b>What has been achieved?</b>
<ul style="list-style-type: none"> <li>○ <i>Removal of the cause of mismanagement at YCI and the stabilisation of administration and governance.</i></li> <li>○ <i>Re-establishment of essential and municipal services provision.</i></li> <li>○ <i>Re-opening of the Yalata Store.</i></li> <li>○ <i>Re-opening of the Women's Centre.</i></li> </ul>
<b>What hasn't been achieved?</b>
<ul style="list-style-type: none"> <li>○ <i>Greater economic participation.</i></li> <li>○ <i>Some housing and infrastructure needs upgrading.</i></li> <li>○ <i>Persistent social dysfunction relating to families and youth.</i></li> </ul>
<b>Strengths of the intervention</b>
<ul style="list-style-type: none"> <li>○ <i>Explicit reference to economic development as a priority theme.</i></li> <li>○ <i>Good integration of State and Australian Government objectives in the early phases of the intervention.</i></li> <li>○ <i>Use of on-site consultants to oversee local implementation and facilitate community engagement.</i></li> <li>○ <i>Conscious attempt to make intervention plans broad based and comprehensive.</i></li> </ul>
<b>Weaknesses of the intervention</b>
<ul style="list-style-type: none"> <li>○ <i>Lack of authority to implement all aspects of the Comprehensive SRA.</i></li> <li>○ <i>Lack of authority to ensure the co-ordination of critical State and Australian Government investments.</i></li> <li>○ <i>Successes often dependent on personal relationships and individual personalities, rather than the quality of an agreed plan.</i></li> </ul>
<b>Has the crisis eased?</b>
<ul style="list-style-type: none"> <li>○ <i>Catalysts to the Yalata crisis have been addressed, but nevertheless many of the underlying causes of disadvantage at Yalata remain. Education, health and economic participation outcomes remain poor and the influence of CIC policy in these areas is limited.</i></li> <li>○ <i>Furthermore, although in the short term governance arrangements at Yalata appear to have been stabilised, the organisation remains vulnerable to a repeat of past events given the persistent influence on the board of certain personalities. Governance at Yalata also continues to be fragmented across multiple local boards.</i></li> </ul>

## 4.2 The Beagle Bay Intervention



Beagle Bay is a community of approximately 200 people, located near the western coast of the Dampier Peninsula approximately 125 kilometres north of Broome. The community has a complex history of settlement, being home to members of the Stolen Generation who were settled at Beagle Bay mission during the 1940s, as well as being claimed as the traditional home of the Nyul Nyul people (native title claimants over lands surrounding Beagle Bay).

The community was first established as a Catholic mission in the 1890s and by the 1940s had become an established settlement with a productive cattle farm, horticultural operation and other local enterprises; including a bakery and soft-drink factory that exported goods to Broome.

In the 1970s, following the dissolution of Beagle Bay mission, governance of the settlement was handed over to its residents; a mix of displaced people and a once traditional people who had moved to the mission from country. Those who had benefited from a western education under the mission ‘over night’ became its leaders. These people, under the auspices of Beagle Bay Community Incorporated (BBCI), managed community functions until late 2005, when a combination of community tensions and the alleged mismanagement of BBCI operations precipitated the CIC intervention.

Since the intervention assets held by BBCI have been retained by the Aboriginal Lands Trust (ALT), while the municipal and essential services functions have been managed by the Department for Indigenous Affairs (DIA).

### 4.2.1 Background to the Beagle Bay Crisis

The catalyst for Beagle Bay’s listing as a community in crisis in 2005 and the subsequent intervention by government, was the collapse of BBCI following failed attempts by its council to hold constitutionally valid elections. Tensions between the Stolen Generation and Native Title Claimants resident on the community underlay this crisis of legitimacy. Against a background of inter-family factionalism on the community, the collapse of community governance functions had a severe and detrimental effect on service delivery, such that municipal and essential service functions under the auspices of BBCI were no longer being provided.

A second, underlying motivation, for the intervention has its basis in the management and control of leases held by BBCI from the ALT. As the lessee of reserve lands R1834, R22615 and part of R1012, BBCI is the largest leaseholder of ALT lands within the ‘central zone’ of the Dampier Peninsula. Two issues regarding BBCI’s interests in this land have prompted government attention in recent years.

The first issue is the question of whether or not it is ethically defensible for town residents at Beagle Bay to control a lease that is not part of the town area. Can an association whose members must be residents of a township surrounded by but not a part of the land subject to the lease legitimately hold an interest? Other groups, for example, which may have a legitimate interest in leases R1834, R22615 and R1012 include the Nyul Nyul, Jabirr Jabirr and Nimanburr land groups, represented by the Gundarargin Aboriginal Corporation. The second issue is that the collapse of sound governance at Beagle Bay has meant that incorporated bodies wishing to obtain an interest in part of these lands (often for the purpose of establishing a family operated tourism enterprise) have been unable to do so while BBCI has been administratively incapable or unwilling to execute the agreement.

Uncertainty surrounding the election process and the extent to which BBCI was compliant with the Western Australian *Associations Incorporation Act* (1987) enabled the Act's administrators, the Department of Consumer and Employment Protection (DOCEP), to conduct an administrative and financial audit of the organisation; with a view to finding reasonable grounds for its dissolution and the possible transfer of BBCI assets and functions to an alternative, more suitable, body (perhaps incorporated under Commonwealth, rather than State, Aboriginal Corporations legislation).

Although the outcomes of the financial and administrative investigation by DOCEP have yet to be finalised (as of August 2007) the intervention nevertheless presented DIA and the then OIPC with an opportunity to consider the underlying governance issues affecting Beagle Bay more broadly. What might a more effective and legitimate model of community governance at Beagle Bay look like? And how can Indigenous governance arrangements be improved, to better manage the service delivery function and ensure a more representative and stable negotiation of interests? From the outset, DIA and the ICC in Broome recognised that in order to find answers to these questions a broader examination of governance arrangements was required; away from a narrow focus on financial and administrative compliance, to the testing of alternative policy approaches for Indigenous governance reform.

#### 4.2.2 The ICC's Approach

After the operational and financial review of Beagle Bay Community Incorporated (BBCI) in August 2005, and following consultation with residents, Broome ICC developed a 'Four Point Action Plan' to respond to the Beagle Bay crisis. Priority themes identified within the plan include:

- **Provision of Essential and Municipal Services** - To appoint a non-governmental resource agency capable of providing infrastructure and physical services to Beagle Bay and to co-ordinate delivery of these services through a Government Services Manager that provides a direct interface between residents, government and other service providers.
- **Development of Sound Governance to Manage the Community Business Activity** - To develop a governance model that separates provision of public services (government responsibilities) from community governance, so that roles and responsibilities can be unpacked and each dimension can be dealt with more effectively.
- **Establishment of a Human Services Directorate** – Establishment of a human services directorate to assist in the coordination of human services and the appointment of a human services manager to liaise between service providers and the Beagle Bay community; and

- **The Development of Shared Responsibility Agreements (SRAs)** - To establish a series of SRAs based on agreed needs and intervention priorities that are consistent with the existing government interventions.

Planning and coordination for the delivery on these initiatives, while led by a partnership between the Broome ICC and DIA (the Beagle Bay Futures Group), has involved high-level inter-agency cooperation through a Joint Government Action Plan or planning group (JGAP). The JGAP is constituted by a multi-agency forum of State and Federal government departments, functioning as a *de facto* regional authority for the Dampier Peninsula as a whole. The JGAP provides a forum for the high level inter-agency discussion of issues and the subsequent prioritisation and coordination of responses.

Beagle Bay was allocated close to \$0.25 million from the flexible funding pool during 2004-05 to 2005-06 through the Broome ICC for the development of the CIC action plan, to stabilise financial management and administration at BBCI, to consider the development of new governance arrangements, and to consider models for the coordination and delivery of physical and human services. At the time of writing (in September 2007) no SRAs had been signed.

### 4.2.3 Intervention Outputs

The CIC intervention for Beagle Bay has focused on addressing the causes of the collapse in local governance, which came to a head in 2004. Since then the intervention has undertaken to close BBCI and to develop alternative local governance arrangements that will provide the necessary organisational structure for the continued delivery of physical and human services and a satisfactory vehicle for managing diverse interests in land.

#### **Development of Sound Governance**

The objective of Broome ICC and the Department for Indigenous Affairs (DIA) is to design and implement a governance model for Beagle Bay that separates 'government' from 'community' roles and responsibilities. The intervention theme has two broad phases: work to wind up existing arrangements and work to design and establish a functional and legitimate alternative.

As part of the first phase, a financial and administrative review of Beagle Bay Community Incorporated (BBCI) has been conducted, under the auspices of the Department for Employment and Consumer Protection (DOCEP). Much of the work undertaken by DOCEP since 2005 has focussed on ascertaining whether or not BBCI is insolvent and to research what alternative entity can legitimately take possession of BBCI assets. Broome ICC and DIA have worked with community members and leadership to develop an understanding of the context, review options and keep individuals updated. Although not yet officially wound up, the activities of BBCI have ceased and the membership (or council) has been disbanded. All BBCI assets are currently being held, through DIA, with the Aboriginal Lands Trust.

In parallel with this response is the commencement of 'phase two', an exploratory initiative to design and implement alternative governance arrangements. Research into appropriate governance models was commissioned by DIA and Broome ICC in late 2006. The report produced

recommends a new 'hybrid' form of governance for Beagle Bay, within a regional Statutory Development Corporation structure. The ideas contained within the proposal have been accepted in principle by the regional DIA and ICC officers concerned - community leaders have been consulted - but the process of advocating for its implementation remains on-going.

At the local level the hybrid model proposed provides for communities and associated outstations to participate in assisted planning exercises to identify and prioritise local needs and aspirations. All local residents above the age of 18 would periodically vote for a 'planning council', mandated to make decisions about local priority issues, which are 'handed up' in the form of a local plan to the regional implementing body.

At the regional level, the Development Corporation, led by a representative board, would be constitutionally bound and appropriately resourced to implement local plans, to develop regional plans and to make decisions about regional level plan implementation. Representative and service delivery arrangements are separated to the necessary extent. Whilst the regional implementation body makes decisions about the implementation of strategies at the local level, it does not decide those strategies. Regional strategies would be created by the regional implementation body, based upon a proper identification of shared priorities and aspirations across the region, using knowledge captured objectively at the local level.

### **Re-establishment of Essential and Municipal Services**

The second objective of the 'four point plan' is to appoint a service provider for infrastructure and physical services delivery to Beagle Bay, and for the range of essential and municipal services to be coordinated by a Government Services Manager (GSM). An on-site GSM was appointed in mid-2006 (under the auspices of DIA, with part funding from the Department of Housing and Works) and the resource agency, Mamabulanjin, has been contracted as the service provider. The role of the GSM is to assume responsibility for the provision and continuation of municipal and essential services and to provide a direct interface between residents, government and other service providers. Key responsibilities are to:

- Monitor service providers' compliance with the terms and conditions of contracts and service level agreements;
- Advocate for improvements in essential and municipal services where deficiencies in provision are identified;
- Liaise with community representatives to identify gaps in essential and municipal services and to improve DIA's understanding of need;
- Provide a point of contact for recipients of essential and municipal services (should a maintenance issue arise, for example) and to inform recipients of their rights and responsibilities regarding these services;
- Provide a point of contact for essential and municipal services providers operating on the community; and, where possible to
- Source funding and identify essential and municipal services providers wherever gaps in need are identified.

## Establishment of a Human Services Directorate

Whereas the GSM is responsible for essential and municipal services (physical services), the function of the Human Services Directorate is to assist in the on-site coordination of human services such as health, education, training, employment, law and order, youth, family, welfare and communications. No Directorate or human services coordination function has to date been established, but following a review of options (undertaken in consultation with agency stakeholders and community members) an agreement with State agencies has been reached and funding for a human services manager position has been secured.

The details of how the function might operate are still under negotiation, but in recognition of the complexity of human as opposed to physical services delivery, a structured planning framework has been proposed. The 'Strategic Planning Model' is driven by strategic and operational planning cycles for human services provision, founded upon the documentation of community articulated aspirations for human services provision, and a comprehensive assessment of human services needs (undertaken by those who control the resources and processes through which local aspirations are delivered). The functions of the Directorate under the proposed model are as follows.

- **Needs Assessment** - Defining priority human service areas that pursue strategic directions; developing a comprehensive baseline assessment of need in these areas; and informing higher level strategic planning processes about human service priorities and needs.
- **Strategic Planning** - Setting specific strategies, actions and timeframes in line with need; and identifying areas of human service provision that lend themselves to local capacity development.
- **Operational Planning** - Defining and coordinating specific service areas; defining standards required for specific service areas; defining performance benchmarks; managing, negotiating and procuring service provider efforts so that they align with strategic and operational plans; and managing the monitoring and review of service provision levels.

Within this framework a Strategic Plan would stipulate the community vision and broad service delivery goals, while the Operational Plan would detail specific service provision action plans and the ongoing requirements for performance monitoring and needs assessment. The role of service provider agencies in this model is to acknowledge the goals set out in human services planning, to design and negotiate service provision around these goals, and to accept formal accountability against them.

## The Development of Shared Responsibility Agreements

The mutual obligation component of the four point intervention plan includes the development of one or more SRA. To date no SRAs have been signed for Beagle Bay, but a series of issues including economic development and child and family safety have been identified in consultation with community members. Negotiations with a women's group around playground facilities and renovation of the women's centre have commenced.

#### 4.2.4 Assessment of Intervention Outcomes

The state of governance at Beagle Bay is undeniably more stable now than in 2005 when community factionalism divided families and threatened the delivery of services. Extreme expressions of unrest have now dissipated and as a result of the intervention there is a widespread acceptance that BBCI ought not to be resurrected. There is also an emerging consensus among the various community leadership groups around the type of alternative arrangements to put in place, with the regional Development Corporation model proposed gaining a degree of grassroots traction.

Given the slow pace of developments towards alternative governance arrangements however, there remains a distinct gap in civic life on the community. The institutions necessary for democratic participation in plan making and representative decision making at the local level do not yet exist, and there are signs that community members are becoming increasingly frustrated.

'Reference groups' for physical and human service functions were intended, in part, to fill the gap in local governance; but the human services committee has not yet been established, and - due to a lack of clarity around the role of the advisory group in relation to the GSM - the committee for essential and municipal services has had little practical effect. The role of advisory committees is more restricted than that of the 'local planning councils' proposed (in the Development Corporation and Human Services Directorate models). Their input into plan making (defining needs and informing strategies) is less structured and they have no special powers to bring service providers to account. They are after all an unelected group of citizens with no formally constituted powers who, through the filter of the GSM, can do little more than offer their opinion regarding the status of service provision.

Despite the absence of democratic institutions to inform and monitor service delivery, a degree of normalisation has been brought to essential and municipal services delivery at Beagle Bay (compared to the situation that existed in 2004-05). Essential and municipal services are on the whole functioning: homes receive power and water, a housing management and maintenance program is in place, environmental health checks are undertaken and efforts to provide waste disposal services have been made. That said, there are significant outstanding issues (identified within the BCP), notably the alleged failure of the service provider to properly maintain internal roads and sewage system; a failure to repair housing defects that pose a risk to health; and the alleged failure to comply with requirements for the management of the town dump.

Although individual relationships and organisation culture are blamed by residents, it would appear that there are inherent weaknesses within the system of checks and balances for service provision that a democratic planning framework could challenge. Key weaknesses identified include:

- Low potential for improved service design because of the lack of an overarching, needs based, integrated plan for services delivery;
- Lack of local accountability to a representative executive power and a lack of local participation in service planning and monitoring; and
- Lack of upwards accountability because of the absence of Service Level Agreements; while the quality and level of service – in the period between contract negotiations – is

effectively controlled by the priorities of provider agencies and the government services manager, which may or may not accord with those of community members.

In the context of Beagle Bay's vacuum in governance being experienced, the net effect has been an elevation of the discretionary powers of the GSM, at the expense of community participation. While no such arguments can currently be levelled at the Human Services Directorate model, a similar mix of quality in the provision of human services is evident. In the absence of a HSD the organisation of service delivery across the region tends to be fragmented. And looked at from a whole of community or whole of issue perspective (rather than the perspective of discrete agencies and their operations) it is clear that much of the existing provision is uncoordinated and unplanned, lacking a clear evidence base to track and inform future responses.

The Broome ICC has recognised this problem. Work undertaken to assess the need for a Directorate found that services are often delivered without reference to other complementary delivery; families and individuals are reportedly confused as to which service provider is responsible for what; while services tend to be delivered without reference to objectively defined needs, comprehensively researched and specified within local development plans. Thanks to the initiatives on governance so far, some areas of basic provision are already much improved: the former BBCI office is operational and residents now benefit from regular postal, Job Futures, CDEP and CentreLink services.

The human impact of these circumstances is variable and complex. For some families the debate has simply moved on; the relative stability of governance and service delivery has laid the basis for a new-found focus on personal and economic development. It has created the space for some individuals to find jobs in the mining industry, for children to be sent to district schools, for tourism ventures to be invested in and for an interest in home ownership to be expressed. For those who have invested most in the Beagle Bay of the past however, the perceived lack of delivery on governance and service provision is a live and contentious issue. Rumours and allegations are rife and personalities not processes are blamed. For some residents the intervention is in danger of losing its traction.

Broome ICC is acutely aware of the issues, but lacks the scope of influence to respond. The problem of governance is only part solved, but implementation of its proposed solution requires a State legislative process; the re-establishment of essential and municipal services is under pressure, but its short term 'fix' is a State management issue; the proposed HSD is in process, but requires the agreement of State agencies to implement. Without the preconditions for appropriate governance and planning arrangements in place to sustain them, the slow progress on SRAs is arguably commendable.

#### 4.2.5 Further Considerations

The delivery of governance outcomes in complex and dynamic environments is likely to be a slow and protracted process because of the need to undertake comprehensive research to develop suitable strategies and plans; the need to lobby partner agencies; the need to persuade higher levels of government of the validity of a course of action; and most importantly, the need to work

within the capacity of those whose lives are affected by the outcomes. All of this takes time and is likely to be uncertain.

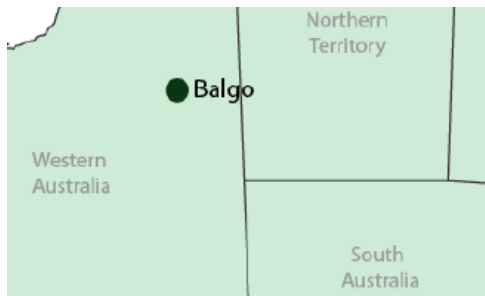
The risk faced of course is that without further, tangible progress, disillusionment among residents will set in, making the implementation of future initiatives problematic. Introduction of the HSD will go some way towards tackling the problem, but to mitigate the risk the conversation with residents ought to be kept going (for residents to receive detailed feedback on progress to date with initiatives). A community facilitation and communication function would seem beyond the scope of the essential and municipal services manager role, but the pending human services coordinator could conceivably fill this gap, if the necessary checks on accountability are in place; namely prescribed performance benchmarks set within SLAs, and some form of local representative input.

Information sessions would need to be held with a suitably constituted group. Public meetings at Beagle Bay are still considered to be tense and a formal election process is possibly premature. The physical and human services reference group(s) could provide a suitable vehicle over the short to medium term. This means working to organise these groups and to clarify their roles as a priority.

**Table 3.** Summary of the Beagle Bay intervention

<b><i>What has been achieved?</i></b>
<ul style="list-style-type: none"> <li>○ <i>De facto closure of BBCI and the mitigation of immediate causes of the breakdown in governance.</i></li> <li>○ <i>Re-establishment of essential and municipal services.</i></li> <li>○ <i>Guarantee of funding for Human Services Directorate position.</i></li> </ul>
<b><i>What hasn't been achieved?</i></b>
<ul style="list-style-type: none"> <li>○ <i>The Human Services Directorate is not yet in place.</i></li> <li>○ <i>The factionalism underlying the break down in governance at Beagle Bay remains.</i></li> <li>○ <i>No SRAs have been signed.</i></li> </ul>
<b><i>Strengths of the intervention</i></b>
<ul style="list-style-type: none"> <li>○ <i>Consideration of options for long term local and regional governance arrangements.</i></li> <li>○ <i>Clear conceptual separation of community from government service delivery responsibilities.</i></li> <li>○ <i>Good integration of State and Australian Government objectives in the early phases of the intervention.</i></li> </ul>
<b><i>Weaknesses of the intervention</i></b>
<ul style="list-style-type: none"> <li>○ <i>Lack of accountability with respect to the delivery of essential and municipal services.</i></li> <li>○ <i>Inability to sustain the confidence of community residents.</i></li> <li>○ <i>Lack of authority to implement all aspects of the CIC action plan as interpreted by the ICC.</i></li> <li>○ <i>Lack of authority to ensure the consistency of State priorities throughout the intervention.</i></li> </ul>
<b><i>Has the crisis eased?</i></b>
<ul style="list-style-type: none"> <li>○ <i>The Beagle Bay crisis intervention made early and substantial progress, and is the only CIC intervention to consider more suitable local governance and service delivery options for the long term.</i></li> <li>○ <i>That said, the lack of authority afforded to the ICC to implement its plans has hampered progress and local confidence in the intervention has been put at risk.</i></li> <li>○ <i>Threats to the sustainability of the intervention are compounded by a lack of accountability mechanisms with regards to the delivery of essential and municipal services.</i></li> </ul>

## 4.3 The Balgo Intervention



Balگو Hills is located on the boundary of the Great Sandy Desert and the Tanami Desert, 280km south of Halls Creek and 850km north-west of Alice Springs. It has an Indigenous population of approximately 400 people, the majority of whom are Kutjungka people from the Kukatja, Djaru, Ngarti, Warlpiri, Walamjarri, Wangkajunga and Pintupi language groups<sup>25</sup>. Balگو is the largest settlement of the Kutjungka region, which comprises Wirrimanu (Balگو), Malarn (Mulan) and Kururrungku (Billiluna).

Old Balگو Hills, 20km from the present day community, was established as a mission in 1939, and in 1965 was relocated to its present day site at Balگو Hills. Although the Parish remains a feature of the institutional landscape of the settlement, following the introduction of self-government in the 1970s, the Wirrimanu Aboriginal Corporation was established (in 1984) to provide a range of essential and municipal services; including airstrip maintenance, housing repairs and maintenance, various recreational activities and a CDEP program. WAC is the lessee of over 2 million hectares of ALT reserve land surrounding the community. Land occupied by the Parish and Parish school are excised from the reserve.

In addition to the Parish and WAC, other organisations with a physical presence on the community include a store, a petrol pump, a BRACs centre, a Catholic school to year eight, an adult education centre, a clinic, an Aboriginal medical service, a basketball court and oval, and an arts and cultural centre. As part of Western Australia’s response to the Gordon Inquiry, a police multi-functional centre has also been built, with a Department for Child Protection office.

Of note in terms of the nexus between local cultural life and community organisation is the Warlayirti Artists Aboriginal Corporation. Balگو has approximately 20 renowned artists in the fine art market, with associated financial success. Warlayirti artists have been recognised through Indigenous art industry awards and in 2004 the corporation itself was nominated for an Indigenous Governance Award in “recognition of its achievements in developing corporate governance in the organisation”<sup>26</sup>.

### 4.3.1 Background to the Balگو Crisis

Balگو was listed as a community in crisis in 2003 by the then ATSI office in Kununurra. The criteria for CIC funding included expressions of social dysfunction such as petrol sniffing, alcohol

<sup>25</sup> Watson, C. (1997). Re-embodiment sand drawing and re-evaluating the status of the camp: The practise and iconography of women’s public sand drawing in Balگو, WA. *The Australian Journal of Anthropology* 8(1), pg 104

<sup>26</sup> Balگو Artists – <http://www.balگوart.org.au> 24/4/07

abuse, inter-family violence, suicide, and the neglect or abuse of children; all of which have been features of life in Balgo since self-government. Since 1984, when the Kutjungka mission relinquished control of community governance to Wirrimanu Aboriginal Corporation (WAC), the consensus of opinion has been that the prevalence of such incidents has increased and that general crime, including vandalism and break-ins, has become increasingly common. Prior to 1984 the social order imposed by the mission provided more day-to-day structure, with working life for locals structured around a functioning cattle station and market garden, amongst other activities.

In response to such social dysfunction, which in October 2003 culminated in a spate of self-harm and suicide attempts by at risk male youths, State and community-based agencies formed the Balgo Local Response Group. The group's purpose was to advocate for resources to tackle the circumstances of disadvantage at Balgo and to help address the lack of local organisational capacity available there to deal with the problem.

The difficulty of sustaining an organisation responsible for the delivery of a wide range of physical and human services to a remote Indigenous community should not be under-estimated (the cost of housing management and associated repairs and maintenance alone has historically made organisation's taking on this function financially unviable<sup>27</sup>). Nevertheless, it became apparent during this period that financial and administrative circumstances at WAC were not conducive to the proper coordination and delivery of crisis services, and that long-term incapacity at WAC had likely contributed to the problem. The turnover of CEO and other administrative staff at WAC was high and residents reportedly had little confidence in the ability of WAC to provide quality services equitably.

Prompted by an October 2004 ORAC funded audit of WAC, which revealed the organisation to be insolvent, the issue of local capacity was taken up by ATSIIS. In addition to financial records being in disarray, asset controls being non-existent and taxation obligations unmet<sup>28</sup>, there was no CDEP program or management (to the obvious detriment of municipal services delivery), the store was heavily in debt and elections for the governing committee were deemed invalid. As with service provision, governance arrangements for community government type corporations such as WAC are widely recognised to be problematic, given the difficulties faced by often illiterate council members in their attempts to make decisions in a complex environment; as well as negotiate various forms of administrative mismanagement.

In November 2003, ORAC intervened directly to dissolve the governing committee and place WAC under administration. The focus of CIC funding since has been on the development of this organisation.

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<sup>27</sup> See SGS's report on the 'Financial Viability of Aboriginal and Torres Strait Islander Housing Organisations' prepared for the then Commonwealth and State Working Group on Indigenous Housing in 1998.

<sup>28</sup> ORAC Media Release MR0607-06.

### 4.3.2 The ICC's Approach

The CIC intervention at Balgo cannot be understood in isolation from parallel State and COAG initiatives intended to stabilise and develop the community. Although Balgo began to receive more focused attention from the Australian Government in 2003 onwards, what could be called 'crisis' interventions were first initiated by the government of Western Australia, when the State responded to the recommendations of the *Gordon Inquiry* in its November 2002 'action plan' for addressing family violence and child abuse on Indigenous communities.<sup>29</sup> With a focus on law and order and family safety, this saw the posting of two police officers and a Department of Community Development (DCD) child protection worker on the community, based out of the multi-functional police centre opened in July 2005.

Implementation of the action plan was the government of Western Australia's main contribution to the East Kimberly COAG trial, which commenced in July 2003. Still running, the focus of the COAG trial has been to address the symptoms of social disadvantage on Indigenous communities throughout the East Kimberley, through attempts to improve the coordination and implementation of existing State and Australian Government interventions.

Lead agencies for the trial are the Department of Transport and Regional Services (DoTARS) and the Department of Indigenous Affairs (DIA), both of whom have committed regional place managers to oversee the local implementation of the trial. These agencies are responsible for a range of coordination and enabling activities around the development of local community capacity and infrastructure for trial communities. State and Australian Government agencies contribute to the trial on project by project basis and through existing mainstream programming and using SRAs and other flexible funds available.

In the context of the COAG intervention the role of the CIC initiative has been essentially twofold: to strengthen the administrative function of WAC so that it might participate in the regional COAG trial and continue to deliver services effectively, and to contribute to the overall alleviation of symptoms of disadvantage on the community. According to ICC funding submissions this was to be achieved through efforts to:

- **Stabilise Community Governance and Administration** – Through the appointment of a CEO and deputy CEO at Wirrimanu Aboriginal Corporation and the delivery of governance training to the erstwhile WAC council (or Advisory Body);
- **Stabilise Municipal Services Delivery** – By transferring responsibility for the delivery of municipal services to the Shire of Halls Creek and responsibilities for housing and capital works to Department of Housing and Works (a mechanic service was also to be established as part of this initiative to stabilise municipal services); and
- **Develop Community Capacity** – Through the establishment of a community watch program and community greening project, intended to encourage community engagement and affect immediate change while administrative and governance issues are resolved. A 'Structured Activities for Young People' SRA was also developed to provide after-school and weekend activities for youth.

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<sup>29</sup> The Western Australian State Government's Action Plan for Addressing Family Violence and Child Abuse in Aboriginal Communities, November 2002.

Balgo was allocated \$1 million during 2003-04 to 2005-06 for this response. Next steps, identified in WAC's business plan, include the ramping up of employment and training initiatives within the administration and the introduction of additional State services around youth and child and family safety. CIC funding will support WAC with funding until appropriate longer-term funding is secured and following the transfer of municipal services provision to the Shire of Halls Creek.

### 4.3.3 Intervention Outputs

CIC interventions for Balgo, designed to support the implementation of the East Kimberley COAG trial, have centred on attempts to stabilise local governance and to re-establish those services WAC has been responsible for. Specific interventions are detailed in this section of the report.

#### **Community Governance and Administration**

The first suite of interventions, focusing on the stabilisation of community administration and governance, respond to the effective dissolution of Wirrimanu Aboriginal Corporation (WAC) and the subsequent passage of administrative and decision-making functions to an administrator, appointed by the Office of the Registrar of Aboriginal Corporations (ORAC) in 2003. Having passed these powers to an administrator, the goal through the CIC initiative is to develop the capacity of the organisation's administration and governing council to effectively engage with government (for example, in the negotiation of SRAs and in its role as a participant in the East Kimberley COAG trial) and to take a lead in the planning of Balgo's ongoing need for services.

The administrator has appointed an interim CEO and deputy CEO to achieve this and ongoing governance training provided by ORAC is available to the governing council. CIC funding contributes to the salaries of the CEO and deputy, as well as office assistance and some operating costs. The short-term goal is to stabilise the administration so that services can continue to be delivered, including additional CIC specific SRAs.

As part of the 'exit strategy' for the transfer of control from the administrator back to the Corporation's governing council sometime in 2008, ORAC is running a series of corporate governance training workshops for residents. Community members have already participated in corporate governance training held in Mirrilingki in May 2006 (along with residents from Mulan, Bililuna and Ringer Soak). The exit strategy involves supporting the re-design of Corporation rules, the transfer of responsibilities for municipal services to the Shire of Halls Creek, and the development of a more appropriate governance structure for meeting the Corporation's requirements under the new Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act).

#### **Delivery of Municipal and Other Services**

Essential services, including power, water, sewage and airstrip maintenance, are now delivered under contract by a service provider. Based upon monitoring of these services undertaken for the Balgo BCP, delivery appears to have been normalised. Delivery of municipal services and housing management is more limited. The long term intention is that responsibility for delivery of municipal

services will be transferred to the Shire of Halls Creek, while responsibility for housing and capital works will pass to the Department of Housing and Works (or auspiced contractor). The process is not expected to be complete until mid-2008.

In the meantime, the delivery of municipal services and housing management services are a 'caretaker responsibility' of WAC. With assistance from CDEP labour, an irregular waste management program is kept running, while housing management and responsive repairs and maintenance activities appear to be more neglected under the interim arrangements. According to the WAC CEO the function is not funded, although a limited service, based upon responsibilities outlined in the WAC housing management plan, continues to be provided using limited rental collection funds. WAC has also continued to manage CDEP participants, although the full CDEP program (in terms of the development of training and employment plans for participants) is not fully operational.

As part of the CIC intervention in its early stages a mechanic service was also funded, to support the continuance of municipal services delivery over the short to medium term. The position is no longer funded and although WAC retains access (and has repaired some municipal vehicles and machinery) the former WAC works depot is mainly used by the new essential services provider.

### **Community Capacity Building Projects**

Given WAC's position as owners, after WAC itself, the Balgo Store has been a focus of the CIC initiative. Through WAC a new store manager has been installed and efforts have been underway to bring the enterprise out of debt and to improve the range and nutritional value of produce. In an effort to improve relations with residents the store's complaints procedures have also been revised.

Additional community focused activities funded under the CIC initiative include a 'Structured Activities for Young People' SRA and community watch and beautification projects. The "Structured Activities for Young People" SRA involved the provision of equipment to for after-school and weekend activities, in an effort to increase the number of productive diversionary activities available. As part of the agreement community members have been responsible for helping plan specific activities, for managing equipment purchases and for ensuring that activities are supervised and that a record of attendance is kept. The Australian Government, through the Attorney General's Department and the Kununurra ICC provided establishment funding.

Community watch and beautification projects were also funded by the ICC to provide for a greater level of community engagement, both through the implementation of the projects themselves, and through their potential to immediately affect positive short term outcomes whilst administrative and governance issues are resolved.

#### **4.3.4 Assessment of Intervention Outcomes**

The transfer of responsibilities from WAC to alternative service provider arrangements is on-going, and although in its fourth year, it would be unfair to conclude that an incomplete process has categorically failed. That said, there are two central issues of concern, firstly with regards to the quality of transitional arrangements in place for maintaining services in the interim, and secondly

around the suitability of the resulting governance arrangements once the transition of physical services to alternative providers is complete.

On the first issue, although administration has brought financial stability to WAC, it does not appear to have brought about stability with respect to the delivery of those services WAC has retained short to medium term responsibility for. As evidenced in the BCP for Balgo, provisions for municipal services and housing management are limited – cut back to waste collection and *ad hoc* responsive repairs and maintenance – and even for activities that continue to be carried-out, WAC's capacity to provide at mainstream standards is low. According to the current CEO, housing repairs and maintenance is simply not officially provided for or funded, while taking waste management as an example: there is no purpose built garbage truck for collecting rubbish; there are a shortage of household bins; and a new town dump site needs constructing.

Four to 5 years of sub-standard municipal services and housing repairs would be a poor outcome. A range of personnel issues facing WAC throughout the period will have undoubtedly contributed to the persistence of the problem (there have been four administrators and as many CEOs and deputy CEOs since 2003), but nevertheless threats to the disruption of services during the period of transition ought to have been better planned for.

Uncertainties around the interim objectives for WAC are reflected in the fluidity of CEO and deputy CEO roles. Appointments in 2003 were for a Community Development Officer (CDO) and CEO, with the former focussing on the development of the dissolved Council's governance capacity and the latter focussing on physical service delivery issues. According to agency heads based at Balgo these arrangements were relatively successful. However, both appointees reportedly 'burnt out' and following resignation of the CDO (and the appointment of a Department for Child Protection (DCP) officer) the position was no longer funded. In place of the CDO a deputy CEO was recruited to assist with physical service delivery and associated administrative functions.

The change in emphasis in personnel and the resulting shift in WAC's focus has had implications for the development of WAC's advisory or interim council; since without a CDO function investments in the development of Council capacity have been incomplete. The Council is not currently active and objectives around participation in regional COAG reference groups and local inter-agency meetings have unfortunately not been achieved. This point brings us round to issue two in this analysis, namely the future role of WAC's members once the service provision transition is complete.

Again, on this issue there is uncertainty: some investments in Council governance capacity have already been made and there is interest from within the Kununurra ICC on re-invigorating this aspect of the intervention. There are strong arguments in favour of funding a new capacity-building position, particular from the point of view of government, which needs a stable representative entity to engage with in order to avoid the resource intensive alternative of consulting family by family. What remains unclear is WAC's role in such a development. The functions of WAC are being peeled back and it would seem pointless to invest in the development of the governance of an organisation with no function. If all goes to plan only CDEP and 'shop-front' (CentreLink) services will remain, of which – if developments in the NT are anything to go by - even the former is uncertain.

This is not to say that development of local governance capacity is not a worthwhile investment. Without it new arrangements for physical services delivery will lack local planning input and local accountability. The policy question is whether or not investments are best made through WAC, or through some other purpose designed alternative. The weight of evidence in this assessment suggests the latter, and warrants consideration of governance as a broad based community representational issue; not circumscribed by the powers and functions of WAC. Indeed if new service delivery arrangements are to have a democratic input, *ipso facto* this can only be achieved through an alternative governance arrangement. Staff at Kununurra ICC are considering this issue in more detail, but in terms of the past and current CIC blue-print for Balgo, it can be argued that investments in governance at WAC have been somewhat misplaced.

In comparison to concerns around governance and administration, other CIC intervention initiatives are perhaps less significant for the purpose of this analysis. Success with the Balgo store should be acknowledged, but due to weaknesses in WAC's governance the WAC-based community watch program never really gained traction; while the youth SRA and community beautification projects were short lived (and have been taken-up by the Parish Church and Palyalatju Maparnpa Health Committee respectively).

#### 4.3.5 Further Considerations

Service delivery and governance outcomes at Balgo are uncertain and the current state of affairs is less than desirable. Paraphrasing one interviewee based at the community, the effect of existing interventions so far has merely been to prolong the inevitable demise of WAC; at the expense of investments in more appropriate governance alternatives and short to medium term service delivery outcomes.

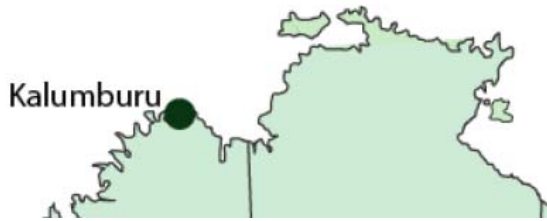
Risks the community faces should current circumstances persist are twofold: that municipal services and housing management and maintenance services will continue to be sub-standard and that avenues for representative engagement will remain closed or unexplored. Both outcomes are a threat to future engagement and to the physical and social well-being of residents.

This evaluation recommends that the strategy for WAC's future be clarified; that alternative arrangements for community governance be investigated (with a view to establishing a local representative planning and service monitoring, rather than service delivery focussed, council); and that interim arrangements be put in place (such as a municipal services and housing maintenance 'task-force') lift service delivery up to mainstream standards until such time as the transition of these functions is complete.

**Table 4.** Summary of the Balgo intervention

<b><i>What has been achieved?</i></b>
<ul style="list-style-type: none"> <li>○ <i>Stabilisation of finances at WAC.</i></li> <li>○ <i>Re-establishment of essential services.</i></li> <li>○ <i>Re-opening of the Balgo Store.</i></li> </ul>
<b><i>What hasn't been achieved?</i></b>
<ul style="list-style-type: none"> <li>○ <i>Housing maintenance and municipal services remain unstable.</i></li> <li>○ <i>The WAC advisory council has not been engaged.</i></li> </ul>
<b><i>Strengths of the intervention</i></b>
<ul style="list-style-type: none"> <li>○ <i>None</i></li> </ul>
<b><i>Weaknesses of the intervention</i></b>
<ul style="list-style-type: none"> <li>○ <i>Lack of a comprehensive plan to address the needs and priorities of the community.</i></li> <li>○ <i>Lack of local democratic input into implementation design and monitoring of implementation delivery.</i></li> <li>○ <i>Uncertainty regarding arrangements for the long term governance of the community.</i></li> <li>○ <i>Uncertainty surrounding plans for the COAG intervention, around which the CIC intervention has been implemented (in a subsequently reactive and piecemeal manner).</i></li> </ul>
<b><i>Has the crisis eased?</i></b>
<ul style="list-style-type: none"> <li>○ <i>Despite the level of attention participation in the COAG trial and CIC intervention has brought, the weight of evidence suggests that Balgo remains a community in crisis.</i></li> <li>○ <i>Governance and service delivery on the community is highly fragmented, no comprehensive planning takes place at the level where resources lie, and Indigenous residents have little input into the planning and monitoring process for physical services. The future role of WAC is uncertain and a failure to ensure that future arrangements provide for democratic input into planning and service monitoring functions, risks further alienating residents.</i></li> </ul>

## 4.4 The Kalumburu Intervention



Kalumburu is a remote Western Australian community in the far northern Kimberley, approximately 550km by road from Kununurra and Wyndham. It is accessible on a year round basis by air only (Kununurra is 60 minutes away by air) and access by road is uncertain for more than 180 days per year.

Kalumburu is situated on the banks of the King Edward River and the country around the community is home to the Wunambal and Kwini language groups. The first settlement in the area was established in the 1890s at the Drysdale River Mission at Pago, 30km away from the present day site of Kalumburu. In 1927 the community was relocated to its current location, known for its plentiful water supply, which was needed to support the community’s growing population.

Kalumburu played an important role during WWII where two airfield landing strips were built using Aboriginal labour. Soon after the War, in 1951, the Kalumburu Mission was established and the settlement grew in size to support a variety of local industries, including horticulture and cattle farming. Indigenous persons from across the northern region of the Kimberley settled at the community.

Following independence in the 1970s residents at Kalumburu began to re-embrace traditional practices banned by the Mission. Encouraged by the Homelands Movement a number of families left Kalumburu during the 1980s to occupy outstation small-holdings; many of which have since been abandoned. Lacking employment and institutional structure, the remaining townsite residents have suffered high levels of family violence, child abuse and substance misuse throughout the 1990s to this day.

### 4.4.1 Background to the Kalumburu Crisis

The decision to designate Kalumburu a community in crisis cannot be traced to one particular catalytic event, but rather to a set of disadvantageous social outcomes around child abuse, alcohol and substance abuse and poor governance.

Kalumburu was designated a CIC community in June 2004, having earlier been identified by the 2002 *Gordon Inquiry* as a community in acute need. The State’s response around child protection and policing was intended to tackle social issues on the community, while CIC monies were intended to strengthen the State’s intervention by ensuring the continued delivery of municipal, essential services and housing (the physical services dimension). To this end, the Police and then Department for Community Development required a stable local agency to work with, while contractually compliant delivery of physical services required a stable community administration. As a result, CIC monies disbursed by the Australian Government at Kalumburu have focused on the stabilisation of Kalumburu Aboriginal Corporation (KAC), but as part of a State driven community law and order initiative.

The decision to fund the appointment of a deputy CEO for KAC was consequently made in order to address the increased burden placed on the CEO as a result of the State's requirement to implement the recommendations of the *Gordon Inquiry*. According to the Kununurra ICC documentation, the provision of two police officers and a child protection worker at Kalumbaru, along with a project to establish a rural transaction centre had significantly increased the administrative burden on the CEO. This risked affecting outcomes in existing core areas such as infrastructure and community planning, as well as compromising existing activities such as the development of the Governing Council and the re-opening of the community store; issues that needed to be tackled as part of the stabilisation process.

#### 4.4.2 The ICC's Approach

CIC interventions at Kalumburu, which commenced in June 2004, support the State's response to the 2002 *Gordon Inquiry*. Crisis funding – often through individual SRAs – was initially provided to effect improvements across three areas of community functioning:

- **Administration and Governance** – Funding for a CEO and deputy CEO to stabilise municipal and essential services provision, and the provision of governance training to Council.
- **Law and Order** – Establishing a warden and community justice program; and
- **Environmental Health** – Establishing landscaping and tidy homes programs.

Kalumbaru was allocated just over \$0.5 million during 2004-05 to 2005-06 to fund the employment of a new CEO and deputy CEO at Kalumburu Aboriginal Corporation (KAC), to develop a Community Justice Program and to undertake the landscaping and Tidy Homes program.

The decision to fund the appointment of a deputy CEO at Kalumburu was made in order to address the increased burden placed on the CEO as a result of the State's requirement to implement the recommendations of the *Gordon Inquiry*. According to the Kununurra ICC documentation, the provision of two police officers and a child protection worker at Kalumburu, along with a project to establish a rural transaction centre (as part of a project supported by DoTARs and the Department of Local Government and Regional Development, DLGRD) had significantly increased the administrative burden on the CEO. This risked affecting outcomes in existing core areas such as infrastructure and community planning, as well as compromising new activities such as the development of the Governing Council and the re-opening of the community store.

Appointment of a deputy CEO was intended to free-up the CEO's time to re-focus on these activities, to assist in the negotiation and administration of individual SRAs and to further develop the administrative capacity of KAC (through the recruitment of Indigenous administrative support). The then Department of Family and Community Services funded the salary for the position, while DEWR has part funded the salary of the CEO.

As a primary focus of the *Gordon Inquiry*, CIC funding at Kalumburu has been used to strengthen new arrangements for law and order on the community through funding for a community justice (or circle sentencing) program and the provision of community wardens. Although coordinated by the ICC, both projects have required multi-agency support either in-kind (from the Western

Australian Police) or financial (from the Attorney General's Department). The establishment of landscaping and tidy homes programs was intended to address specific environmental health needs identified at Kalumburu. Three SRAs have also been developed, with an SRA around governance serving as the primary mechanism for addressing capacity issues at KAC. Two other SRAs contribute to interventions around community health and safety, namely a Breakfast Club and work to re-open the Kalumburu store.

Other initiatives dealing with crisis issues at Kalumburu include construction of a playgroup facility and the prioritisation of a need for a men's group to tackle domestic violence and male unemployment. Following a high level of community interest in the playgroup, work to establish a young mothers' group, women's centre and crisis accommodation was begun in March 2006, and with assistance from the Australian Government's Indigenous Women's Leadership Program, the ICC has initiated women's leadership training activities.

### 4.4.3 Intervention Outputs

As with other case study interventions, the intervention at Kalumburu has emphasised local governance and administration. Other intervention themes described include 'law and order' and 'environmental health'. For the purposes of the following section the discussion of interventions in support of these themes has been grouped under the general heading of 'capacity-building'. This is because law and order and environmental health at Kalumburu have been the responsibility of the State and local government, and the purpose of the CIC intervention seems to be to support the engagement of Indigenous residents in these activities rather than interventions which - in a direct sense - take primary responsibility for the delivery of these services.

#### **Administration and Governance**

Outputs of CIC interventions around administration and governance include the appointment of a CEO, deputy CEO and infrastructure services manager. These roles are responsible for capacity-building interventions, CDEP management and delivery of some housing and municipal services respectively. As documented in the BCP for Kalumburu, essential services including power, water and sewage are now provided by a contractor, while some municipal services including roads and environmental health are provided by the Shire of Wyndham East Kimberly. In addition to management of the CDEP program, the functions of KAC are now limited to 'shop front' services for Centrelink and post; housing management and responsive housing maintenance; waste management; and a mix of human services including sport and recreation, meals for the elderly, and a women's group (producing arts and crafts).

In addition to investments in personnel in order to stabilise specific service delivery functions, the appointed CEO has been responsible for the development of the Council's governance capacity and for the implementation of SRAs. Incorporated under Federal legislation, elected KAC members have received ORAC sponsored governance and compliance training, as well as training designed and delivered by KAC staff. As part of an ICC funded 'Governance SRA' the governing council has received conflict resolution training, procedures for meetings and decision-making have been documented and training has been provided to clarify the relationship and protocols for interaction between Council members and KAC administrative staff. By-elections held after the arrest of

several council members in April 2007 replaced the majority of the Council. Further governance training for the benefit of new members is scheduled.

### **Community Capacity-Building**

Initiatives designed to engage community members and contribute to priority areas such as law and justice, and environmental and social health have included the establishment of a warden and community justice program; the re-launch of the community store; the establishment of a breakfast club; and the implementation of a tidy homes and gardens project. Although often developed in partnership with other local agencies, each initiative has largely depended on KAC for its implementation.

- The community justice and warden program was developed by KAC and the Kalumburu police. Indigenous wardens undertake regular patrols of the community, and police KAC by-laws around alcohol consumption, etc. Although disrupted by the arrest of wardens in April 2007, the scheme is still functioning.
- The 'Kalumburu Store SRA', developed to re-open the community store, was designed to help improve the community's diet and to ensure future store profits are appropriated for community projects. The SRA established a framework for developing the store based on the appointment of a new manager, the payment of creditors and the implementation of a business plan. Indigenous Business Australia (IBA) guaranteed the business loan, the Office of Aboriginal Economic Development (OAED) (through the Wirrimanu Aboriginal Corporation and the Wunan Foundation) provided business consulting advice, while the OIPC coordinated and funded the business plan's development and purchase of the store assets.
- The 'Breakfast Club SRA', designed to help improve school attendance, is an initiative to encourage parents to learn new food preparation and nutrition skills while providing their children with a school meal. Under the agreement, parents and KAC are responsible for the day to day management and delivery of the program. OIPC provided funds to establish the scheme while St Vincent de Paul has assisted with food and associated transport costs.
- The Kalumburu landscaping program, inspired by the need to clear trees damaged by Cyclone Ingrid, was intended to provide a training opportunity for CDEP participants as well as contribute to the enhancement of local pride in the look of the community. The Tidy Homes program was designed to bolster existing Fixing Houses for Better Health (FHBH) interventions by educating households on the relationship between clean houses and health outcomes, using competitive incentives to keep homes tidy.

#### **4.4.4 Assessment of Intervention Outcomes**

The main focus of the CIC intervention at Kalumburu has been the governance and administration of Kalumburu Aboriginal Corporation (KAC), so that the provision of municipal, CDEP and other community services provided through KAC might be stabilised. A level of normalisation has been brought to the delivery of most services (provided or previously provided by KAC). Given the paucity of outcomes in some areas however, it is evident that further human and financial investments are required which are beyond the scope of the CIC intervention as it is currently interpreted.

A high level of stability has been brought to the administration of KAC. The CEO and other staff have been in their present positions for 2 years or more; there are several Indigenous administrative staff members and essential office administrative systems are functional. The administration and governance of KAC is now compliant and although relatively young and inexperienced, the governing Council is stable and growing in confidence in terms of its vision for the community and relationship with administrative staff.

Stabilisation of administration and governance has brought about improvements in those areas of community functioning KAC has maintained responsibility for: a housing management and repairs plan is being implemented; waste collections occur regularly; and a variety of community services (sport and recreation, meals for the elderly, the women's group and CentreLink services) are successfully provided through KAC.

Yet despite improvements in aspects of these areas, the overall quality of outcomes at Kalumburu remains poor; as if the relative stabilisation of these services has occurred in spite of, rather than because of, the overarching response to the policy challenge. As the BCP for Kalumburu shows, a housing management plan is in place, but there continues to be an acute shortage of liveable housing; the CDEP program continues to operate, but resources for training participants (to improve their chances of becoming employable) are minimal; and the various social and community services provided by KAC are delivered without adequate facilities. Meals for the elderly are cooked in the KAC staff tea room; the women's group meets in the KAC meeting room; the oval is in disrepair; and the cramped layout of the KAC building makes it unsuitable for public access of shop-front services.

Various other community services are considered by local agencies to be under provided for (and for which KAC plays an advocacy role), in particular adult training and education, drug and alcohol rehabilitation, and a variety of therapeutic and social services associated with the aftermath of the recent intensive child abuse intervention. The ability of KAC to address these and other service provision issues is structurally limited since it lacks the funds and necessary jurisdictional control. Issues with the provision of environmental and some municipal services transferred to the Shire of Wyndham East Kimberly provide further evidence of this state of affairs (documented in the Kalumburu BCP) but perhaps the most indicative example is the issue of land use and the control of local enterprises on the Kalumburu town site: it makes no economic sense for a community of Kalumburu's size to have two competing stores (especially when the community owned store is in difficulty), while freehold lands owned by the Parish contain the best available land for housing and a new School site, yet no local authority is capable of ensuring the release of land.

As a consequence of these structural limitations the KAC administration and council are becoming increasingly frustrated, and despite their appetite for change, the new governing Council seem unaware of the limitations to their remit. On this issue the future direction of developments at KAC seem uncertain, with some Council members hoping for an increase in the scope of KAC functions and powers, in accordance with the development of local capacity to govern; while the preferred option for KAC managers is for KAC to play a purely social and economic, rather than a physical services delivery function. The strongest likelihood is that KAC functions and powers will continue to be rolled back, as the momentum towards normalisation gains pace.

Given their focused and limited scope in the face of broad structural limitations, other aspects of the CIC intervention are in some sense less consequential. That said, within the scope of each intervention some success has undeniably been achieved. The community store intervention is arguably the most significant, given the dependence of residents on this service. The financial position of the store is improving, probity concerns have been settled and the quality and range of stock has reportedly improved.

As mentioned, the wardens' program is on-going and despite the recent arrest, the presence of local wardens has, according to Kalumburu Police, helped broker improved Police and community relations. Outcomes for the tidy homes and gardens program are more mixed but a proportion of spaces have been upgraded and there is evidence that for some homes the new and improved standard has been maintained. The breakfast club was also largely successful in that meals were prepared by parents to standard and provided to a small proportion of children that might not otherwise have attended school.

#### 4.4.5 Further Considerations

The main risk associated with the Kalumburu CIC intervention is that uncertainty surrounding the role of KAC in the future development of the community will result in the disengagement of local participants. Although KAC has received the majority of CIC funding, its organisational, financial and legal capacity to steer change is limited and the visions of the various stakeholders for the organisation's future are regrettably disconnected. Unsure of alternative options, governing Council members have expressed a desire for greater control over the provision of government services (in an attempt to influence the outcomes of the process); frustrated by the lack of progress in some service delivery areas, the wish of the CEO is to narrow the Corporation's focus (in order to specialise in the provision of social, rather than physical services); meanwhile the vision of the Australian Government is unspecified, but based upon recent developments, there has been a reduction in KAC functions, but without the suggested refocus on social development activities.

The absence of coherent plans for KAC as an organisation, suggests the absence of a plan for Kalumburu's on-going development as a community, since the social, economic and physical dimensions of community each need to be considered and should incorporate arrangements for local accountability and coordination (that is, local governance). The effect of current CIC interventions for Kalumburu has been to 'patch up' KAC's caretaker functions, but without the scope within the CIC intervention (as it is currently interpreted) to give due consideration to legitimate and workable alternatives.

What arrangements are under consideration to provide for local planning and beneficiary accountability as the role of KAC is reduced? This question will become increasingly pressing as responsibility for municipal service provision and housing maintenance is transferred to higher levels of government, or else as the aspirations of residents develop and emphasise processes of economic development and social development, which (locally) disenfranchised residents lack the institutional capacity to influence.

**Table 5.** Summary of the Kalumburu intervention

<b><i>What has been achieved?</i></b>
<ul style="list-style-type: none"> <li>○ <i>Stabilisation of administration and governance at KAC.</i></li> <li>○ <i>Stabilisation of most aspects of municipal and essential services delivery.</i></li> <li>○ <i>Re-opening of the Kalumburu store.</i></li> </ul>
<b><i>What hasn't been achieved?</i></b>
<ul style="list-style-type: none"> <li>○ <i>The provision of some social and community services, around the aftermath of the child abuse intervention and the delivery of youth, men's and women's services.</i></li> </ul>
<b><i>Strengths of the intervention</i></b>
<ul style="list-style-type: none"> <li>○ <i>Strong leadership at the community level.</i></li> </ul>
<b><i>Weaknesses of the intervention</i></b>
<ul style="list-style-type: none"> <li>○ <i>Lack of a comprehensive community development plan and accordingly reactive and piecemeal interventions.</i></li> <li>○ <i>Lack of a strategy for the long term governance of the community.</i></li> <li>○ <i>Lack of authority to influence local agencies.</i></li> </ul>
<b><i>Has the crisis eased?</i></b>
<ul style="list-style-type: none"> <li>○ <i>The confluence of circumstances at Kalumburu makes the community vulnerable to further crisis. Given the inexperience of the Governing Council, short term stability is highly dependent on the presence of individuals in the KAC administration, and on the quality of continued State and Australian Government responses to the aftermath of the recent child abuse intervention.</i></li> <li>○ <i>Long term threats to the stability of Kalumburu continue to exert pressure and include the fragmented nature of local governance and the uncertain role of KAC. Failure to ensure future arrangements provide for democratic input into planning and service monitoring functions, combined with a lack of investment in economic development, risks further alienating residents.</i></li> </ul>

## 4.5 Key implementation findings

For each case study community the initial focus of the CIC intervention has been the community corporation and its administration and governing council. For Yalata and Beagle Bay the CIC intervention has been – in its initial stages at least – informed by the financial and organisational review of Yalata and Beagle Bay Community Incorporated; and for Balgo and Kalumburu the intervention has focused on funding staff positions within both the Wirrimanu and Kalumburu Aboriginal Corporations.

Given the important role these organisations are meant to play in the governance of communities, and in the administration, coordination and delivery of essential, municipal and even some social services to communities, this would seem to be an appropriate starting point. Stabilising community governance arrangements is a necessary step for addressing any intra-community tensions and for improving the quality and integrity of decision-making over the use of collective resources. Stabilising administrative functions on communities is another necessary step for attempting to re-establish the delivery of services that existing corporation bodies are expected to deliver.

There has also been a financial imperative for emphasising the stabilisation of community governance and administration when implementing the CIC policy. Funding agencies have made investments in fixed assets and services that they wish to secure through community corporations and – in the absence of place-based officers – have no alternative mechanism for ensuring that local service delivery can take place. Further, the CIC policy targeted issues – such as the governance and administration of corporations – that other agencies overlook.

Nonetheless, whilst the implementation of the CIC policy has targeted the necessary stabilisation of community governance and administration, this focus in itself has not been sufficient to achieve a sustained overcoming of crisis in the case study communities. The following commentary explains why.

### **Critique of the emphasis on stabilising Aboriginal corporations**

The functions performed by community corporations and the significance of these bodies as representational entities is fluid, and often vary according to the local context and the capacity of the organisation to effect change. At Balgo, for example, there appears to be little enthusiasm among community members for revitalising WAC (in its current form at least) as the legitimate negotiating body for the community. Even in the case of higher capacity organisations such as YCI (with a functioning administration and council) the scope of the organisation's functions and powers and its capacity to perform them has structural and operational limits.

The issue of housing provision and related infrastructure delivery is a good example of these limits. This is an issue of major interest and importance to all communities and community governors. However, the cost of housing management and associated repairs and maintenance has historically

made Aboriginal Corporation's taking on this function financially unviable,<sup>30</sup> whilst the magnitude of the physical infrastructure investment required to bring Indigenous communities up to standard cannot realistically be achieved by a low-capacity, low-resourced Aboriginal Corporation. This is not only a question of human resources; they are simply the wrong type of corporation for the task. Unlike local government, they cannot raise rates to invest in service delivery. Their funding is tied and surpluses cannot be carried forward for re-investment. Lacking fungible assets they have little means of raising capital, securing lines of credit or of offering security to investors.

The crucial point is that making investments in existing arrangements for community governance is not a sufficient strategy for securing the sustained development of Indigenous communities - if this is the end goal of crisis intervention policy - because local Aboriginal Corporations are not designed or resourced for the extraordinarily challenging development task that is required. According to United Nations definitions, 'self-government is a continuing process which evolves over time in accordance with local needs and regional aspirations'.<sup>31</sup> Self-determination as an Australian Government policy of the 1970s and 1980s aimed to provide Indigenous people with sufficient independence to maintain a distinct cultural identity and to provide a limited suite of services, but community-level Indigenous organisations have never been appropriately constituted, resourced or supported to determine the direction of and deliver local and regional governance and development in line with their self-determined needs and aspirations. That is, they have inadvertently been set up to fail.

Nonetheless, the limitation of Aboriginal Corporations as vehicles for steering the development process has been recognised to varying degrees within individual CIC responses. In each case the emphasis has been on the 'stabilisation' of governance and administration, implying an initial phase in a strategy or the commencement of some longer term consideration of the problem.

### **Moving towards an alternative**

Part of the intervention strategy for Yalata has been to consider options for the re-incorporation of YCI under alternative (perhaps Federal) legislation, but only so that it might access ORAC governance training within the existing scope of requirements for an Aboriginal Corporation. The strategy for Balgo has been to peel back the functions of Wirrumanu Aboriginal Corporation, with the intention of, post-stabilisation, transferring responsibilities for municipal services to mainstream local government. However, the issue of housing maintenance functions remains uncertain, while representational arrangements for Balgo within the Shire of Halls Creek model have yet to be fully thought out. In the case of Kalumburu Aboriginal Corporation the strategy is more limited; essential service functions have been transferred to non-government providers, but the expectation is that KAC will continue to take responsibility for the delivery of municipal services.

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<sup>30</sup> See SGS's report on the 'Financial Viability of Aboriginal and Torres Strait Islander Housing Organisations' prepared for the then Commonwealth and State Working Group on Indigenous Housing in 1998.

<sup>31</sup> Kamien, T. (1995) *Implementing Self-government: An Examination of the Aboriginal Communities Act (Western Australia)*, Murdoch University Electronic Journal of Law, Vol.2, No.1

In the case of Beagle Bay the issue of community governance has been considered head on. The CIC policy framework has been interpreted more broadly and the CIC intervention strategy is accordingly bold. For Beagle Bay, rather than a focus on efforts to stabilise a flawed organisation, the strategy has been to dissolve Beagle Bay Community Incorporated completely, thereby creating the opportunity for alternative community governance arrangements to be explored. A principle of this approach is that lines of responsibility have been unequivocally drawn, so that the function of 'community business' (the social, cultural and economic realm) is clearly separated from that of 'government business' (the delivery of essential, municipal, housing and other mainstream public services). Both dimensions of community are nevertheless planned for.

Within the Beagle Bay model, responsibility for the delivery of physical and human services has been designated the responsibility of a Government Services and Human Services Directorate manager, with responsibility for the coordination of services across all participating State, Australian Government, local government and non-government agencies. The intention is that these functions will no longer be the responsibility of a poorly resourced, low capacity Aboriginal Corporation, but of a higher level government in touch with the local context. As under mainstream circumstances, professional officers and not local residents would be accountable for the delivery of public services. The service provider would be accountable to the citizen, whose role is to receive services and to communicate future needs and aspirations within an ongoing planning cycle. In an effort to ensure this happens, the model provides for community advisory groups – not councils – to monitor agreed services and to participate in service delivery planning.

Discussions are under way as to how these principles might be scaled-up and formalised within a regional governance model for the entire Dampier Peninsula, whereby service delivery and service delivery planning is auspiced by a regional statutory development corporation (a particular form of intermediary local government, purpose-built for the development task). The extent to which the implementation of the strategy has so far been successful is discussed earlier in Section 4.3 of the report. This demonstrates it is best regarded for now as an emerging approach, which needs to be proven. However, its prospects are promising.

What distinguishes Broome ICC's approach from the other approaches taken is its strategic commitment to the creation of governance arrangements that can steer a whole of community process of development, tackling the full range of physical, human, governance and economic development needs and aspirations within a comprehensive planning framework. It acknowledges that the problem of governance and development is a much broader issue than can be tackled by stabilising a community government council alone. It recognises that the issue is a long term whole of community and even regional development problem, requiring regional scale investments and an appropriately incorporated, representative and accountable planning and service delivery body.

Unable to take on this broader development vision, the strategies for Balgo and Kalumburu are accordingly narrower and more reactive in nature, lacking the scope to proactively shape the context and to rationalise service delivery across the full range of needs. The intervention designs for Balgo and Kalumburu are more restrictive still, borne out of a need to respond to and support a State or COAG driven strategy, which has circumscribed the scope for a broader interpretation of CIC policy.

The 'organisational development' response developed for Yalata has generated a promising initial strategic response to the dysfunction of Yalata Community Incorporated and the community generally, but given the complex development task that still lies ahead, the circumstances of the past could be repeated once current support for YCI is removed and it becomes overwhelmed by the complexities of the development task in the face of the limitations described above.

### **Moving from governance to planning for service delivery**

Lacking the organisational framework to institute more comprehensive planning arrangements, the Ceduna and Kununurra ICCs have been left with weaker devices for coordinating service delivery according to local needs and aspirations. Yalata has used a Strategic Development Plan and Comprehensive SRA process to identify priority areas and give structure to the intervention process, but without a higher level organisational or statutory framework to deliver this, the sustained success of the intervention will inevitably be uncertain. There is no single, sovereign plan that **binds** all existing and future funding streams together within a cohesive blueprint for development.

The Yalata, Balgo and Kalumburu interventions each provide examples which illustrate the limitations of SRAs as a substitute for a comprehensive and long term intervention plan. At Yalata, a successful community bus service has been established but funding for fuel and on-going maintenance is uncertain. At Balgo, funding for various specific activities for youth was allocated, but without funding for a continuing youth program to draw individual activities together, youth initiatives have been fragmented. At Kalumburu, an SRA successfully helped to re-open the community store, yet the viability of the store is threatened by the continued out-migration of residents caused by the major law and order intervention.

Having designed and funded some quite successful interventions to stabilise governance at YCI, the Ceduna ICC can do little more than play an advocacy role on behalf of the community for concerns beyond governance, or else try to seize piecemeal opportunities as they arise to implement broader development. A swimming pool is under construction, at a time when there is insufficient housing. A lack of vocational training for adults has been identified as a barrier to economic development, but TAFE services have been discontinued. The 'Safer Communities' SRA has commenced, but a lack of funds at YCI is threatening the implementation of services to support this. Physical and human services have been re-established, but there is a lack of staff housing for personnel. The risk of policy failure (i.e. an inability to address the policy challenge) is high.

The situation at Kalumburu and Balgo is similar, in that the absence of a sovereign plan has rendered the CIC strategy reactive and lacking long term guarantees to deliver. Unlike the Yalata example however, no whole of community strategic development vision has been documented, to identify when and what to deliver should the opportunity arise. A whole of issue response is beyond the capacity of the Yalata CIC intervention strategy, but at least a strategic framework exists to provide some guidance. Breakfast Club, Store, and Tidy Gardens SRAs for Kalumburu all seem worthwhile activities, but how these interventions have been prioritised within a broader community development framework remains unarticulated. The intervention has been designed to track and support a suite of state initiatives and not with direct reference to the development problem.

At Balgo one might expect that a comprehensive development framework would exist given the regional scope of the COAG response and the depth of context analysis undertaken for the Munjurla scoping study. However, early indications from the COAG trial's formative evaluation are that the trial has been hampered by difficulties in developing a regional approach in which roles and responsibilities between agencies are clear, and in which each agency's input is consistent with the regional plan. According to the consultant's report, negotiations between agencies have occurred at the program level, but not with respect to priorities existing outside of these operations, making it difficult to meet some of the trial objectives stated in the joint government action plan. Within the limits of available funding, flexible CIC funds can in principle meet these gaps, but inevitably what is selected will depend upon the quality of planning and the limits of jurisdictional responsibility. Housing, economic development, early child development, youth, women and families are all high priorities for Balgo yet the CIC intervention has remained narrow, focussed upon the governance of a local Aboriginal Corporation, the salary of a works depot mechanic, some tree planting and a \$10K SRA.

The charge of necessary but not sufficient applies equally to RPAs, which although broader in scope than SRAs (both geographically and in terms of the number and variety of stakeholders) nevertheless struggle to address either the full range of opportunities available, or the preconditions necessary for maximising the chances of success. The RPA under negotiation for the Eyre Peninsula is an excellent initiative insofar as the Ceduna ICC has identified economic development to be an essential CIC theme if the development of Yalata is to be sustained. If successful the RPA should provide for employment and training and enterprise development outcomes, particularly with respect to work on mine sites and the production and sale of arts and crafts. However, it will not influence outcomes regarding three of the most significant economic assets on Yalata lands, namely: the Head of the Bight tourism enterprise, the Yalata Roadhouse and land care. Uncertainty surrounding lease issues and the scale of investments required to realise these opportunities are simply beyond the scope of the initiative.

Despite the promising movement towards reorganised arrangements for governance and service delivery at Beagle Bay, and that the opportunity is already presenting for better planning for the delivery of services, there is still some way to go before this translates into sustained outcomes for local needs and aspirations. Once a plan is in place, funding agencies need to respect the plan and ensure follow-through. Otherwise, planning is a wasted effort.

### **Further Considerations**

What is evident from this analysis is that without a sovereign, comprehensive and binding plan, backed by appropriate organisational and statutory instruments, the extent to which the implementation of CIC interventions can meet the broader development challenge that is the key to overcoming crisis will inevitably be limited. A focus on governance and some aspects of service delivery is too narrow, if the intention is to do more than just find ways to strengthen the delivery of pre-existing Australian and State Government programs. The main sources of funds and the policy tools available continue to be fragmented; structured around program and departmental priorities rather than according to clearly identified and articulated whole of community needs. The \$3.5 million to \$4 million spent by the three ICCs on the four case study communities (since 2004) is simply not up to filling the gap sufficiently to address crisis in a sustained manner.

While there are some similarities between the four case studies in terms of the intervention themes, the context within which action plans were developed and in the application of policy instruments such as SRAs, substantive differences in the approaches taken indicate that some degree of flexibility has been afforded to ICCs in their interpretation of the policy. Given the local, complex, dynamic and often unpredictable context within which they are working, the principle of flexible response to circumstances as they arise is inherently positive, and one would expect that the closer to the context the decision-maker is, the more appropriate the response might be. However, this flexibility should not occur in a vacuum. The means of achieving an outcome can vary according to context, but clear guidance must be given about what the outcome is, how to measure its achievement, and tactics for achieving it.

The question of where decision-making control actually lies within the scope of the 'negotiated' rather than 'prescribed' policy framework provided is an issue explored in greater detail in next section of this report.

## 4.5.1 Summary of key findings about policy implementation

Table 6 summarises the key findings about implementation.

**Table 6.** Key findings about policy implementation

Overall
<ul style="list-style-type: none"> <li>○ <i>The implementation of the CIC policy at the community level suggests that a strong focus on stabilising governance, administration and service delivery is a necessary but insufficient means of achieving a sustained overcoming of crisis in Indigenous communities.</i></li> <li>○ <i>The mere stabilisation of community-level Indigenous organisations, such as Aboriginal Corporations, is not sufficient to achieve the end of crisis, because the vast majority of these organisations have never been appropriately constituted, resourced and supported to determine the direction of and deliver local and regional governance and development in line with their self-determined needs and aspirations.</i></li> <li>○ <i>The complex development task facing communities in crisis requires a strategic reorganisation of governance, service delivery and development that is purpose-built to achieve development outcomes in line with local and regional needs and aspirations. The task is too complex for local-level organisations to achieve.</i></li> <li>○ <i>The flexible application of untied 'gap-filler' or 'glue' funding is, in principle, a sound approach to allowing interventions to be contextualised and responsive.</i></li> <li>○ <i>However, in the absence of comprehensive planning for crisis intervention and the ongoing development of communities, many of the gaps are too wide and the glue not thick enough to hold together the resolution of crisis.</i></li> <li>○ <i>The achievement of sustained service delivery (and of development generally) needs to be inclusively and comprehensively planned, and then delivered in accordance with a clearly articulated, binding plan that directs and guides the resources and actions of 'all-comers' to the Indigenous development task. In this context, disjointed and competing plans, programs and projects are more likely to sustain crisis than to resolve it.</i></li> </ul>

## 5 Supporting Processes

This section of the report evaluates the 'consultation', 'coordination' and 'monitoring and evaluation' processes that support the policy design, implementation and review phases of the CIC policy. The purpose of these supporting processes is self evident. Consultation supports the exchange of ideas and experience, coordination brings together and directs diverse efforts and monitoring and evaluation provides for the review and further development of policy.

The chapter begins by describing and assessing these supporting processes with reference to the national level policy design of the CIC intervention.

In the second part the mechanisms used within the local level policy planning and implementation stages of each case study intervention are discussed. It then goes on to assess their implications for practices such as democratic and meaningful Indigenous participation and efficient and effective intervention planning.

### 5.1 Policy design

#### 5.1.1 Consultation during policy design

##### **Description**

There appears to have been no formal consultation process during the design of the CIC policy. However, it is clear that there was a growing awareness within central Australian Government of the need for an intervention-based policy. Initially, this awareness would have been developed through the COAG trials, and through discussions with / feedback from ATSIC representatives and ATSIS officers. The decision to maintain the CIC policy would have been strengthened when the OIPC and the ICC network replaced the ATSIC / ATSIS system.

The COAG trials set up formal mechanisms for Australian and State / Territory Government discussion and planning, and these mechanisms were also intended to undertake and respond to consultation with Indigenous localities and regions. It has been found elsewhere that the degree to which the COAG trial mechanisms achieved effective discussion, planning and consultation at all of these levels was limited. Nonetheless, in terms of the design of the CIC policy, it is likely that the COAG mechanisms provided information and the impetus for targeted interventions, even if there was no specific or formal consultation process during the design of the CIC policy.

Discussion with and feedback from ATSIC representatives and ATSIS officers are likely to have reinforced the perceived need for targeted interventions. Concerns about certain communities 'breaking down' in ATSIC regions would have been urgent and powerfully put through reports, meetings and informal discussions. In certain cases, local and regional media attention may also

have generated the flow of feedback from the regions into central government about the need for some form of intervention.

The introduction of the new arrangements for Indigenous affairs, after just the first year of the CIC policy, established the OIPC and ICCs. This system inherited central and regional Indigenous affairs policy. Whilst the transition was quick, all of the programs and much of the staff transferred into this system came directly from the abolished ATSIC / AT SIS system, providing for some continuation of knowledge and exchange about perceptions of crisis in certain communities. Technically, these changing arrangements came after the CIC policy was design and first implemented, but they did provide an impetus for some further thinking about and review of the policy. This is likely to have been a main factor in the maintenance and expansion of the CIC policy beyond 2004.

## Assessment

The lack of a formal consultation process during the design of the CIC policy was understandable from the perspective of urgency. The Australian Government may also have been reasonably confident that the design of the policy was taking into consideration the views of many stakeholders because of the informal consultation channels as described above.

However, the lack of formal consultation during policy design always carries the risk of misunderstanding the issue a policy is seeking to address, and the policy itself once its implementation is underway. This misunderstanding can develop in two directions: towards the top insofar as a government may misunderstand the issue; and towards the bottom insofar as lower level, decentralised, and local stakeholders (including both implementers and target groups) may misunderstand the policy. Consultation is thus an important part of the research process required to develop policy.

In the case of the CIC policy, formal consultation across all levels may have strengthened the policy by, for example:

- Confirming the presence, extent and characteristics of crisis in nominated communities;
- Clarifying the types of intervention required in varying contexts; and
- Developing intervention policy through partnership with all stakeholders, so that all parties would understand and take ownership of the policy approach.

These benefits would have supported each of the three stages of policy design – identifying the issue, understanding it, and choosing an appropriate policy response. As found earlier, all of these areas of CIC policy design needed strengthening.

It is impossible to tell the degree to which the informal processes described above provided these benefits nonetheless. Formal consultation is often documented so it can later be assessed for quality and accuracy in translation. Informal consultation is not documented – at least not in a structured way that would allow for easy review.

It is acknowledged that the CIC policy was an initiative designed to encourage consultation as part of the process of implementation, rather than during policy design. However, it still stands that

the initiative is likely to have been stronger if formal consultation was conducted when the issue of crisis and how it might be best addressed was first being considered.

## 5.1.2 Coordination during policy design

### Description

The role of coordination in the policy design phase is the facilitation of research, consultation, policy development and sign off. There was no formal process for coordination specific to the design of the CIC policy. However, it is likely that there were intra-agency policy-making protocols for coordination when the CIC policy was being developed, and there are formal and informal mechanisms for coordination of Australian Government policy development in general. These protocols and mechanisms are likely to have been followed for the purposes of the Department's internal processes.

### Assessment

Coordination is an important supporting process during policy design because it brings together objective research and the views of stakeholders inside and outside the agency, and guides the inclusion of relevant information gained from these sources in the policy development process. Thus the degree of coordination required during policy design depends upon the degree and rigour of research, consultation and policy development. As discussed previously, the design of the CIC policy did not involve any extensive structured or formal research and consultation. There may have been some research and consultation undertaken within the Department in accordance with Departmental policy-making protocol, but the evaluation has not been able to access or find much evidence of this. It is therefore likely that the degree of structured coordination during the policy design process was limited. This is a reflection of the way in which this policy was designed, meaning that there was no major need for extensive coordination.

## 5.1.3 Monitoring and evaluation during policy design

### Description

For the purposes of the policy design process, monitoring and evaluation as a supporting process is relevant in two ways:

- Bringing into the design of new policy any lessons that have been learned from the monitoring and evaluation of the government's preceding policies or the policies of governments elsewhere; and
- Monitoring and evaluating the policy response for the purposes of ongoing policy review.

The design of the CIC policy does not appear to have involved a formal process for bringing in lessons from previous policies or those operating elsewhere. However, the process is likely to have

incorporated some lessons of past and recent policy experience through informal consultation. The monitoring and evaluation of the CIC policy response is an ongoing, iterative process, guided by the Department's research and evaluation protocol. This 'formative' evaluation is part of that process.

## Assessment

This evaluation has been unable to source any background documentation that would allow a meaningful assessment of how lessons arising from the monitoring and evaluation of previous Australian Government policy or the crisis intervention policies of governments elsewhere have been incorporated into the CIC policy. Whilst it may be the case that some lessons have been captured through informal or iterative means, without documentation of how this has occurred it cannot be concluded that this happened effectively during policy design.

In terms of the monitoring and evaluation of the CIC policy and how this might be informing design changes to the Australian Government's crisis intervention policy, it is telling that at least three variations of crisis intervention policy have been produced since the CIC policy was introduced.

The first 'change' in design related to changing arrangements in the administrative structure of Indigenous Affairs port folio, specifically the incorporation of the OIPC into the Department of Families, Community Services and Indigenous Affairs. The effect of this was to re-centralise higher level oversight of CIC interventions into the Department's state-level structures, causing a reduction in the flexibility with which ICC managers had been able to work. As discussed in the previous section, this flexibility was an important and effective aspect of tailoring interventions for specific regional and local contexts.

The second change to a policy of 'strategic intervention' appears to have occurred well before this evaluation was commissioned. Strategic interventions purport to be broader and more intensive than CIC policy interventions. So long as they have been designed well, this has the potential to be an improvement. However, it would have been impossible for the change to strategic intervention to capture the lessons of a formal independent evaluation of CIC policy, and thus there is a risk that the strategic intervention policy has weaknesses that may have been avoided if the outcomes of this evaluation were waited for and captured.

The third change has been towards a policy of large scale Australian Government intervention in Indigenous communities, commenced in July this year. This policy is only operating in the NT at present, as part of the so called 'national emergency intervention'. However, the Australian Government has asked other state governments to consider adopting the policy. This is another scaling up of crisis intervention policy that may not have captured the lessons arising from the monitoring and evaluation of previous crisis intervention policy, including this one.

Further, the monitoring and evaluation of the CIC policy has been made less meaningful by the absence of well-developed, comprehensive community base line profiles at the time the policy was first implemented. One of the tasks of this evaluation has been to track changes arising in the four case study communities during crisis intervention – an essential task. This has been practically impossible to with any quantitative certainty because this evaluation has itself been required to build the required base line community profiles using disparate data sets, trying to project

backwards to pre-intervention circumstances. This is a fundamental failing of the CIC policy's monitoring and evaluation framework. Tracking complex change is an essential part of attempting to address crisis, or any developmental policy.

Thus, overall, whilst there is a commitment to monitoring and evaluation as part of improving the design of crisis intervention policy, this commitment appears to have so far been primarily superficial.

## 5.2 Policy implementation

### 5.2.1 Description of supporting processes at the community level

#### **Yalata**

The circumstances at YCI which precipitated the CIC intervention initially required a swift and direct intervention by government, but attempts were made early on to engage the broader Yalata community. Following the Major Review of YCI, community members were encouraged to meet collectively to discuss the review's implications and to determine community priorities. At the 'Mexican Hat' meeting community members committed to developing a 'safe and sustainable community' through improvements to 'governance, management, administration, accountability and [service delivery] outcomes... undertaken by all tiers of government in partnership with us, the Yalata people and community.' The meeting served two possible functions: to broker community endorsement of the impending CIC process and to capture community inspired needs and aspirations.

The Mexican Hat vision for Yalata was then brought to State and Australian Government representatives, for discussion at a multi-agency forum. To respond to the overarching priorities endorsed, three enabling roles were assumed for Government: for State and Australian Government agencies to form the Yalata Working Group to fund initiatives; for the Ceduna ICC to develop a strategic framework for the coordination of activities; and for community development consultants to monitor and implement interventions on the ground. Regular monthly meetings have continued through the Yalata 'Cross Agency Round Table', with representatives from community level, State and Australian Government agencies.

The initial output of the Yalata Working Group was a Strategic Development Plan, written to document CIC objectives and to guide implementation of the plan (that is, specify activities and assign stakeholder responsibilities). In support of the delivery of the plan four sets of SRA's have been signed that have engaged community members directly: the 'Safer Community', 'Women's Art Project' and 'New Scout Troop for Kids' SRA's signed with YCI and individual housing SRA's signed with individual families. An RPA is also under way, with Ceduna ICC currently representing the Yalata community on the Eyre Regional Development Board (ERDB).

## Beagle Bay

Supporting processes for the Beagle Bay intervention exist at the regional level and within higher level State and Australian Government forums. At the apex is the Joint Government Action Plan (JGAP), a multi-agency forum of State and Australian Government departmental managers, specifically constituted to address the crisis at Beagle Bay. This group initially endorsed the Beagle Bay 'four point plan' with an in principle commitment to coordinate investments in an attempt to deliver on plan priorities. The Kimberley Inter-Agency Working Group (KIAWG) exists alongside this initiative; also a high level forum of agencies, established to coordinate the priorities of government generally and to integrate localised investments. Where use of the JGAP has not been successful, issues have been raised in KIAWG forums.

Facilitating this high level group of departmental managers, and responsible for overseeing the development of the action plan, was the Beagle Bay Futures Group (BBFG). This localised working group or 'task force' consists of the Broome ICC and the Department for Indigenous Affairs (DIA). The anticipated role of the BBFG was to coordinate the implementation of localised government investments and to provide a bridge between the community and JGAP.

Early meetings of the BBFG were attended by the Department of Consumer and Employment Protection (DoCEP) and a firm of planning and governance consultants. The BBFG group was initially itself facilitated by a professional mediator, hired to provide group impetus and to mediate during community consultations. The themes of the 'four point plan' plan were influenced by community stakeholders, consulted at public meetings and through a small group of selected community leaders.

In terms of local plan implementation, the Government Services Manager (GSM) for essential and municipal services has since played the role of local facilitator; acting as a local contact for Government and to coordinate the provision of physical services at the community level. A Human Services Directorate manager is expected to perform a similar function for the human services component of the intervention. The GSM and HSD managers are both expected to monitor local needs, and to liaise with community beneficiaries organised into community reference groups.

## Balgo

Early planning for the COAG trial provided comprehensive intelligence regarding the social, cultural and institutional lives of trial communities. Following an initial scoping phase (the Munjurla Scoping Study of April 2004) a whole of government Joint Action Plan was produced (in February 2005), to be followed (in August 2005) by a '100 Day Implementation Plan' to better plan and coordinate short-term implementation activities. The plans are steered by a Regional Reference Group consisting of two representatives from each community plus the heads of participating agencies, together with a management group consisting of DoTARS, DIA and the Kununurra ICC. Place managers contribute to regional coordination and local implementation of COAG objectives, namely a DoTARS Community Initiatives Coordinator (appointed in June 2003) and a DIA project officer appointed in January 2005.

At the community level arrangements for consultation, review and coordination include the Balgo inter-agency working group comprised of the heads of community-based agencies, and a nascent

WAC community advisory group. Regional events organised through COAG have also provided opportunities for community members to participate. For example, both the community watch and beautification projects were initiated as a result of priorities identified at the 'Grog and Justice Summit' of September 2004, while Balgo residents have been directly involved in DoTARS sponsored school and women's trips and a regional youth summit.

### **Kalumburu**

Like Beagle Bay, Kalumburu is included in the Kimberley Inter-agency Working Group (KIAWG) jurisdiction, which includes a Human Services Managers Group component. Being led by the State the main CIC coordinating instrument for Kalumburu is the Department for Indigenous Affairs, whose intervention strategy guides the ICC approach. The two agencies meet on a regular basis to discuss the intervention strategy and how responses can be coordinated.

Along with DIA the Kununurra ICC is viewed as the mediator between community agencies and State and Australian Government departments. An inter-agency group including DIA, DCP, the Police, the Kununurra ICC and other non-government agencies has also been convened since the child abuse intervention. This forum continues to meet and has engaged with local community agencies, who themselves meet on a regular basis. Below this strata is the community itself, who communicate to the ICC and DIA through the CEO and Governing Council.

## **5.2.2 Assessment of consultation during implementation**

For each intervention, consultation with Indigenous residents can occur at intervention design and planning stages and during intervention implementation. Consultation, as a process for achieving 'participation', exists on a spectrum of intensity and involvement: from mere information sharing with beneficiaries at one end of the spectrum, to beneficiary ownership and control of the entire intervention process. Each of the four case studies exist somewhere within this range, depending on the requirements of the intervention during any particular stage and on the capacity of the community to engage.

At Yalata it is apparent that during the Mexican Hat meeting the majority of residents had an early opportunity to digest the findings of the forensic audit of YCI and to contribute to the planning for the proceeding intervention. The event was initiated in response to information emerging from the financial and administrative phase of the CIC intervention and, in a process driven by members of the community, enabled the residents of Yalata to broaden the analysis of crisis and develop their own set of 'whole of issue' intervention priorities. These priorities informed the ICC's Strategic Development Plan and subsequent Comprehensive SRA.

Having secured the services of local level community development facilitators at Yalata, the day to day involvement of community members has been encouraged. Engagement has occurred through a reinvigorated council who have willingly negotiated SRAs and through various public discussions with residents. Informed dialogue with government has therefore been on-going and elected members continue to represent residents at Yalata Round Table meetings.

A similar chain of events characterises planning for the Beagle Bay intervention, in that an initial phase of financial and administrative investigations were accompanied by a series of consultation efforts – assisted by a professional mediator - to inform community members about the inquiry and to develop a strategic intervention plan for the long term. Unlike the Mexican Hat meeting for Yalata however, the disunity at Beagle Bay prevented a self-generated and collective statement of intent from being written. Lacking a coherent community identity, consultations at Beagle Bay have inevitably been more piecemeal. Residents have had no formal representation on either the JGAP or BBFG which have overseen the intervention and consultations have generally focused on the *de facto* leadership of the two factions, to the possible exclusion of alternative voices.

At Balgo, the scope of initial consultations during the Munjurla Scoping Study was wide-ranging, with broad-scale and in-depth consultations conducted at the household level. However, much of this work has not been referred to within subsequent COAG and CIC planning (which has tended to focus on improving the allocative effectiveness of existing government investments, rather than on direct consideration of the development challenge). There is little evidence to suggest that Balgo's residents had an input into the design of the overarching objectives for either the COAG or CIC interventions. Lacking governance capacity and unsure of WAC's role and legitimacy, Balgo's representation on the Regional Reference Group has been limited. Although residents participated in the 'Grog and Justice Summit', the stated priorities around youth and landscaping appear to have been developed in isolation from any strategic dialogue about the community's on-going governance and development.

Indigenous participation in planning for the Kalumburu intervention was also limited. As far as the consultants are aware there is no community endorsed development vision, and no evidence of community council input into the development and prioritisation of intervention themes. This is reflected in the level of engagement during the intervention's implementation, whereby a young and inexperienced community council acts unguided by any overarching strategic direction. Lacking the necessary direction and experience, both the strategic and day to day implementation of CIC initiatives tends to significantly rely upon the KAC CEO.

Comparable circumstances exist at Balgo and Beagle Bay, where the absence of a functioning governing council has constrained the community's on-going participation in the intervention's implementation. With respect to Balgo, residents seem to have little or no awareness of the impending transfer of WAC's municipal services functions to the Shire of Halls Creek. Community participation in projects identified during the 'Grog and Justice Summit' has reportedly been poor, while indicatively, local negotiation for the implementation of these initiatives has often been led by agencies other than WAC. This is not to say that the capacity for engagement at Balgo is necessarily poor. The Community Justice initiative failed to be established through WAC, but has nevertheless gained traction with facilitation by the Parish Church. The decision to appoint a DIA community development facilitator at Balgo should provide a mechanism for greater participation, but some notable opportunities for engagement have unfortunately already been lost.

At Beagle Bay the situation is more promising, but so far has yet to be realised. Although lacking a formally constituted governing council, a system of community reference groups has been envisaged, to advise on the physical and human service delivery aspects of the intervention. Due to a lack of facilitation at the community level however, the physical services reference group is

not - in any operational sense - in place, and engagement around service delivery implementation has tended to proceed on a selected individual basis.

### 5.2.3 Assessment of coordination during implementation

Government coordination occurs at both the planning and implementation phases of CIC interventions. According to some commentators<sup>32</sup> the rationale for coordination are twofold: enhanced capabilities to respond to a range of related beneficiary needs; and gains in managerial and economic efficiencies as a result of sharing resources and systems (achieving economies of scale and economies of scope). Potential risks associated with attempts at the integration of government service provision depend on the extent and nature of integration - from joint provision, to direct collaboration on a single program, to more distanced arrangements around partnership agreements – but there are however, some common risks associated with greater integration of any kind. These include: <sup>33</sup>

- The potential to confuse lines of responsibility and accountability both within and between organisations, thus hampering successful delivery at the local level;
- An unwillingness of agencies to ultimately relinquish sovereignty over an issue or bureaucratic process;
- An inability to negotiate and agree on shared priorities and resource allocations;
- The absence of shared protocols and systems both within and between organisations (necessary to implement integration plans);
- A potential tension between improvements in organisation at the local level, and diminishing overall departmental capacity at the regional, state or national level;
- The lack of 'enforcement' mechanisms to ensure that agreed plans are adhered to;
- The absence of comprehensive strategic and operational planning frameworks around which integration can occur; and
- The potential for integration to increase administrative over-heads and uncertainty, with implications for the long-term viability of the project.

In the examples of Beagle Bay and Yalata, it is evident that cooperation at the state level in the early phases of the intervention was critical to enabling a comprehensive view of the policy challenge to be taken. For Beagle Bay, regional managers at DIA and the Broome ICC were able to successfully advocate for the endorsement of the 'four point plan' by State and Australian Government departmental managers participating in the Joint Government Action Plan (JGAP) forum. For Yalata, a close working relationship between the OIPC State manager and the Director of the Aboriginal Affairs and Reconciliation Division (of the powerful Department of Premier and Cabinet) was influential in driving early CIC initiatives. In both case studies these high level relationships, from the ICC 'up', contributed to significant intervention outputs, including the

<sup>32</sup> See Morgan Disney & Associates (2004) Integrated Government a Preliminary Literature Review.

<sup>33</sup> See Farland, T. (2004) A Question of Balance: Reflections on the Public Sector Management of Whole of Government Issues, Public Administration Today September-November, pp: 41-48; Audit Commission (2004) People, places and prosperity: Delivering government programmes at the local level, United Kingdom Audit Commission; and State Service Commission (1999) Integrated Service Delivery, Occasional Paper No.12, State Services Commission, New Zealand.

placement of housing and economic development issues on the agenda in the case of Yalata, and a commitment by all relevant State and Australian Government departments to the Government Services Manager model in the case of Beagle Bay.

Lacking statutory compulsion however, the benefits of these relationships have been a challenge for ICC managers to sustain, and without some form of binding commitment, changes in departmental agendas and personalities have the potential to compromise CIC priorities. Although governance and human services have continued to be issues of concern for those working on behalf of Beagle Bay, members of the JGAP no longer meet to coordinate responses to these issues. The CIC agenda is now generally considered at the regional rather than the State level, to the detriment of the intervention in circumstances where approval from Perth or Canberra must be granted. Having a Senior Executive Service officer of FaCSIA based in Broome has likely helped in some situations, but it has not always been sufficient to secure a mandate and funding for delivery across all priority areas.

A similar change in fortune has occurred for the Yalata intervention, whereby the intensity of the high level relationship between the Aboriginal Affairs & Reconciliation Division and FaCSIA has lessened since the amalgamation of OIPC and FaCSIA. The suggestion is that the absorption of an Indigenous specific agency into a mainstream department has made the one time focus on Yalata less of a departmental priority.

In the absence of a statutory mandate to deliver against agreed strategic and operational plans (as through a Statutory Corporation for example) the dependence of ICC wishes on such high level relationships cannot be underestimated, since the scale of investments required often cannot be approved at the regional level. The story of the eventual decision to appoint a CEO at Balgo who has adopted a capacity-building focus provides one example of the importance of such relationships, having been made on the basis of a chance conversation between an OIPC official and the Balgo Parish, but the point remains generally valid: the decision may well have been the right one (without associated monitoring and evaluation we cannot be certain), but without adherence to a needs-based plan, the process is highly fragmented and leaves much to chance.

In contrast to the Balgo example, the Ceduna ICC has developed a Comprehensive SRA for Yalata as a mechanism for delivering on intervention priorities, but lacks any certainty that various aspects of the plan can ever be delivered. For example:

- Staff housing has been identified as a pressing CIC issue, but no agency will fund this;
- A plan to coordinate the delivery of CDEP at Yalata and Oak Valley has been developed but funding for joint community capacity building around the plan has not been approved; and
- While education and training is an RPA priority, the TAFE facility at Yalata will be kept in service (perhaps) by volunteers.

The role of the ICC in these circumstances is more about advocacy and relationship management than about the rational coordination of services to meet locally identified needs and priorities.

The same can be said for departmental relationships at the regional level. The Beagle Bay Futures Group worked closely in the initial phases to sophisticate planning for the delivery of the Beagle Bay four point plan, but priorities have not necessarily been kept in sync. The Government

Services Manager role was implemented in the early phases with a high degree of cooperation. While cooperation around the Human Service Directorate and regional governance model has continued, emergent priorities of DIA have focussed on clarifying interests in land, which has contributed to the slow pace of progress.

The Balgo and Kalumburu interventions appear to have lacked high level integration from the outset. The lead agency for the COAG trial, DoTARS, is not an Indigenous specialist agency and the trial gave no particular priority focus to the needs and aspirations of Balgo. Although it has defined the scope for CIC interventions at Balgo, delivery of the COAG trial has itself been highly fragmented.

Indications from the trial's formative evaluation are that the trial has been hampered by difficulties in developing a regional approach in which roles and responsibilities are clear at all levels and in which each agency's input is consistent with the regional plan. According to that evaluation, negotiations between agencies have occurred at the program level, but not with respect to priorities existing outside of these operations, making it difficult to meet some trial objectives stated in the joint government action plan. There also appears to be uncertainty regarding the exit plan for DoTARS at the end of 2007 – in particular, which Australian Government agency will take over, the resources they might bring and the responsibilities they will be required to adopt.

High level coordination forums for the Kimberley such as the Kimberley Inter-Agency Working Group (KIAWG) have reportedly not tabled issues for Kalumburu. Led by the State's strategy, inter-agency cooperation has been limited to FaCSIA, intra-ICC and DIA discussions, in which the role of the ICC is primarily to identify and advocate that funds be allocated to respond to gaps as they emerge. The process therefore tends to be reactive, and because it is unsubscribed by a plan, delivery is often reliant on personal dynamics and the departmental agendas of the day. In circumstances where the KAC CEO has felt that local priorities are not being responded to, direct negotiation with agencies has occurred, outside of the ICC's orbit.

Mechanisms at the local levels for Balgo and Kalumburu are similarly reactive. Inter-agency meetings of community-based agencies occur at the community level but inputs from FaCSIA tend to be irregular, rather than grounded in a comprehensive intervention plan. More rigorous place management by DIA at Balgo may in the future improve this situation, but since the intervention's outset no such local coordination and monitoring capacity has been in place.

A local coordination and implementation role has been used to good effect at Yalata, where community development consultants with a close relationship to both the ICC and YCI have overseen day to day policy implementation. To ensure strategic continuity this has been done with reference to the Strategic Development Plan and Comprehensive SRA, which have guided implementation and served as a device to manage coordination. The coordinating and monitoring role of community development consultants exists in parallel with regular Round Table meetings of local and other relevant State and Australian Government agencies, attended by the ICC and community residents, to further ensure stakeholder cooperation at the community level.

A similar local coordinating role, corporately separate and independent from the local community administration, has been envisaged at Beagle Bay for both physical and human service delivery functions (namely a Government Services Manager for essential and municipal services and a

human services manager). The responsibilities of these positions include the requirement to develop local coordination systems - for documenting all existing services, working with residents to define needs, identifying gaps in services and ensuring that overlaps do not occur. Clearly, implementation of these arrangements requires a degree of authority and planning so that agencies are bound to comply with plans once they are set in place. Auspicing the GSM role under DIA has been of some value, but clearly the closer an agency is to high level political and financial power, the more powerful the role.

In the absence of more compelling coordination mechanisms at both the high level managerial and the local implementation levels, the organisation of service provision for Indigenous communities will inevitably tend to be fragmented.

That is, services will be delivered by a range of Federal, State and non-government providers under various program and funding arrangements. The likely result of this a high degree of inefficiency and overlap, coupled with the absence of systems for identifying gaps and responding to need. The result is a 'service' rather than a 'needs based' approach to services delivery, with an emphasis on program outputs over local and regional outcomes, program co-ordination over integrated planning, centralised control over localised democratic decision-making, and local administrative accountability over standards of implementation. The standard of service provision may also be inequitable, both within and between communities.

These threats to effective service delivery are not simply 'managerial' and cannot necessarily be tackled through improved coordination within the existing service delivery structure. Services are generally funded through discrete and centrally designed Government programs - each with their own monitoring and evaluation components - rather than delivered with reference to, and assessed against, objective needs specified within local and regional development plans that all agencies are compelled to adhere to.

#### 5.2.4 Assessment of monitoring & evaluation during implementation

With strategic and operational plans in place from the outset, the Yalata intervention has possessed a statement of long and short term objectives against which implementation of the intervention can be tracked and evaluated. The benefit of committing to this process is that a set of complimentary reporting documents exists, which can be used to assess the progress of the intervention over time with reference to specific outputs and objectives. Although this is no substitute for an independent evaluation, the monitoring and evaluation reports written during the implementation will be invaluable guides for any future interventions, since they document what has been achieved, what remains to be done and areas of continuing threat or risk.

Monitoring and evaluation processes for the interventions at Balgo, Beagle Bay and Kalumburu have been less systematically documented and largely exist within initiative by initiative reports against funding, or else within the minds of those ICC managers overseeing the implementation. This is in part an effect of the 'looseness' or flexibility of the overarching CIC policy, but if specific CIC investments are to be coherently linked to long term project objectives, then a programmatic record of outputs and outcomes nevertheless ought to exist, to provide the necessary strategic integrity and cohesion.

An initiative to document the Beagle Bay case study by the Broome ICC has commenced, but nothing of this kind is intended for the Balgo and Kalumburu interventions. As previously discussed, the scope of the CIC interventions on these communities is more limited, and having been shaped by State or COAG-led initiatives, a cohesive narrative of seemingly discrete CIC projects was not perceived to be necessary.

A consequence of not fully considering the relationship between strategic and operational objectives is to make performance measures accordingly vague and abstracted, often leaping from the specification of discrete project outputs to assumptions regarding matters of longer term impact.

Limits upon the use of *Overcoming Indigenous Disadvantage* indicators are instructive (if the intention is that they be used to track the impact and progress of individual CIC interventions generically). For example, outputs of the Kalumburu intervention include a breakfast club project, but it would seem problematic to draw conclusions about overall school attendance on an annualised basis as a result of this investment. Were those children who consumed breakfast the ones who ordinarily failed to attend school? What proportion of children taking breakfast remained in school for the rest of the day? The application of more specific and directly relevant indicators (how many meals were consumed and what is the pattern of attendance of those children who consumed them?) would seem to be a more direct measure of the success of that particular intervention. The range of influencing factors is otherwise too great and the relationship between cause and effect too complex. This is not simply an issue with the quality and accuracy of data collection, but rather the scale of the indicators used and their frequency of measurement.

This is not to say that the OID indicators do not have their place as long term measures of disparity, but rather that they should be accompanied by additional 'intermediate', localised, practical measures, specific to an intervention and monitored on an on-going basis. Only with this evidence base in place can the impact of the initiative on longer term strategic objectives be realistically assessed.

During the design of the Beagle Bay intervention attempts have been made to address this issue, and while OID indicators are referred to within plans for the Human Services Directorate, a suite of intervention specific indicators have also been suggested for local monitoring and evaluation purposes. A similar framework has been envisaged for the physical services aspect of the Beagle Bay model, although at the time of writing the Service Level Agreements within which performance measures are defined had not been implemented. No such reporting framework was identified by for Balgo or Kalumburu with respect to the SRAs and physical services supported by the CIC intervention.

### 5.3 Summary of key findings about supporting processes

Table 7 summarises the key findings about the supporting processes of consultation, coordination and monitoring and evaluation.

**Table 7.** Key findings about supporting processes**Consultation****Policy Design**

- *A ground swell of knowledge and concern about the breakdown of numerous Indigenous communities created an understandable urgency when the CIC policy was being designed.*
- *Despite the urgency and regardless of how valuable informal consultation and knowledge exchange may have been, the CIC policy is likely to have been stronger, more appropriate and better understood if formal consultation with stakeholders at all levels was undertaken during the design of the policy.*

**Policy Implementation**

- *Consultation with communities at the outset of and during implementation has been broadly attempted. However, the effectiveness of consultation has been mixed.*
- *At Yalata, there has been continuing consultation from the development of intervention plans through to the implementation of them. The benefit of this has been greater community ownership of the intervention.*
- *At Balgo, Kalumburu and Beagle Bay the effectiveness of consultation has been limited by factors such as inconsistency, incapacity, lack of mechanisms and / or lack of follow through. The cost of this has been a loss of momentum in community engagement, and diminished community understanding of, involvement in and faith in interventions.*

**Coordination****Policy Design**

- *It is difficult to ascertain the amount of coordination that was required and undertaken during the design of the CIC policy. The degree of coordination required during policy design depends upon the amount of research and consultation engaged in at that time, and during the development of the CIC policy, research and consultation was limited.*

**Policy Implementation**

- *Coordination between different levels of government and different agencies was attempted through a variety of means, with varying effectiveness.*
- *Coordination appears to have been most effective when strong, direct relationships between ICC managers and high level officers have been in place. These relationships have more often depended upon the personal efforts of individuals than on formal mechanisms, creating the risk of weak relationships where such efforts are not being made.*
- *Coordination of delivery has been limited because, even where strong relationships have existed, changing or competing priorities amongst individual agencies have persisted.*
- *The lack of a binding all levels / all agencies plan with forward committed resources for addressing crisis has been a major limit upon genuine coordination.*

## Monitoring & Evaluation

### Policy Design

- *It is difficult to determine the extent to which lessons arising from the monitoring and evaluation of previous Indigenous policy and crisis intervention policies from elsewhere were formally incorporated into the CIC policy.*
- *The CIC policy – and the Australian Government's crisis intervention policy generally - has changed or evolved a number of times in a relatively short period with little demonstration of how new iterations of policy have captured lessons arising from ongoing monitoring and evaluation. Whilst some lessons may have been captured informally, without clear documentation of lessons and how the policy has captured them, it is not possible to determine the degree to which monitoring and evaluation is informing the ongoing development of the policy.*
- *Community baseline profiles were not established prior to implementation of the policy. This has made it impossible to objectively track post-implementation changes at the community level, a fundamental failing of the CIC policy's monitoring and evaluation framework.*
- *Overall, the role of monitoring and evaluation in the design and ongoing development of the CIC policy has been superficial.*

### Policy Implementation

- *The benefit of setting up a coherent and consistent monitoring and evaluation mechanism at the outset of an intervention has been demonstrated at Yalata, where it is possible to track with precision the objectives and outcomes of the intervention over a number of years. This provides a base for ongoing and future efforts.*
- *The lack of such mechanisms elsewhere has undermined the linkage between day to day intervention efforts and longer term objectives. This has meant that, where they exist at all, performance measures have been vague and abstract, focussed upon project outputs rather than strategic outcomes.*
- *Long term measures such as those set out in the Overcoming Indigenous Disadvantage framework are not subtle enough to guide and measure short term, discrete efforts. For all interventions, there ought to be a set of practical 'intermediate' or transition measures that link to this higher level framework, for monitoring and evaluation to be based upon a meaningful evidence base.*

## 6 Conclusions

### 6.1 Overall conclusions

This report was commissioned to:

*...conduct a formative evaluation of a selection of communities involved in the Communities in Crisis initiative. The participatory evaluation will look at what is working and what could be done better... The evaluation will also provide the Australian Government with options it might consider for continued positive change for the future, best practice interventions and ongoing performance measurement.*

The specific objectives of the CIC policy initiative was to:

*The approach requires the Commonwealth and State Governments to work together to address a number of objectives, while recognising the responsibilities of each level of government. The objectives, dependant on the need within individual communities, are:*

- *Stabilising communities (e.g. family violence, substance abuse, corruption)*
- *Re-establishing basic services*
- *Developing local plans of action*
- *Building governance, capacity and leadership*
- *Helping communities engage with government*
- *Improving service delivery*

In Section 5 of this report, the analysis and findings of the evaluation have been set out in some detail.

Tables 8 and 9 on the following pages provide the overall conclusions of the evaluation against the 6 stated objectives of the CIC policy.

**Table 8.** Overall conclusions about case studies against policy objectives

Case Study Outcomes				
Policy Objective	Balgo	Beagle Bay	Kalumburu	Yalata
<b>Stabilising communities</b>	The social and physical well-being of residents at Balgo remains unstable.	The social and physical well-being of residents at Beagle Bay is fragile but improved.	The social and physical well-being of residents at Kalumburu remains unstable.	The social and physical well-being of residents at Yalata is fragile but improved.
<b>Re-establishing basic services</b>	Essential services have been re-established, but some municipal and human services remain poor.	Essential and municipal services have been re-established. Human services are under review.	Essential services have been re-established, but some municipal and human services remain poor.	Essential and municipal services have been re-established and continue to improve, but human services remain poor.
<b>Developing local plans of action</b>	No comprehensive action plan is in place.	A comprehensive action has been developed but is still under-going implementation.	No comprehensive action plan is in place.	A comprehensive action is in place but lacks inter-agency support on some initiatives.
<b>Building governance, capacity and leadership</b>	Governance at Wirrimanu AC continues to lack meaningful participation from an organised residents group.	Governance capacity exists within individual leaders but is unconsolidated across the community.	Governance at Kalumburu AC is relatively stable but training and support continues to be needed.	Governance at Yalata CI is relatively stable but training and support continues to be needed.
<b>Helping communities engage with government</b>	Meaningful engagement with residents has been limited and there is no representative body to 'do business' with.	Consultation has tended to occur on a family by family basis and in the absence of an active representative body, collective decision-making is constrained.	Meaningful engagement with residents has been limited and the capacity of the Council is under-developed.	Residents participate regularly at open meetings with government but the Council requires further support to continue its engagement with government.
<b>Improving service delivery</b>	The organisation of service delivery continues to be fragmented and reactive.	Improved arrangements for the re-organisation of service delivery have yet to be fully implemented.	The organisation of service delivery continues to be fragmented and reactive.	Aspects of locally organised service delivery are improved, but further improvements are required for higher order (complex and big budget) physical and human services.

**Table 9.** Overall conclusions about the CIC policy against policy outcomes

<b>Overall Outcomes</b>	
<b><i>Policy Objective</i></b>	
<b><i>Stabilising communities</i></b>	Although there are examples of a return to relative stability in some cases, at this stage none of the case study communities would remain stable without substantial on-going support. Where the development of local capacity has been consistently supported, communities have become increasingly stable.
<b><i>Re-establishing basic services</i></b>	Improvements to essential and municipal services have been achieved in some cases, where responsibilities for these have been transferred to appropriate agencies, where suitable staff have been recruited or retained and where transparent operational systems have been implemented.
<b><i>Developing local plans of action</i></b>	Genuine and appropriate action plans are either not in place or else lack broad scale inter-agency commitment. Where the scope of the CIC policy has been interpreted as requiring a whole of issue response and community members have been widely consulted, comprehensive local action plans have been developed.
<b><i>Building governance, capacity and leadership</i></b>	Efforts to build governance capacity have lacked traction, and further support for representative leadership development and governance training is needed. Where inter-community tensions have been settled and emergent leadership has been supported representative leadership groups have begun to emerge.
<b><i>Helping communities engage with government</i></b>	The narrow emphasis on strengthening governance through and within Aboriginal Corporations has had limited effect. Where individuals and groups have been empowered and their capacity to engage has been consistently supported, they have been able to engage with interventions.
<b><i>Improving service delivery</i></b>	The delivery, monitoring and evaluation of services remains fragmented in most cases. Where service provision has been comprehensively planned for, has been made accountable both the beneficiaries and to higher levels of government, services have improved. However, very few services are prioritised and resourced on the basis of objectively understood needs.

## 6.2 Why recommend an alternative approach?

The analysis, findings and overall conclusions of this evaluation suggest that the CIC policy has been a necessary but insufficient initiative for addressing crisis in Indigenous communities. While a number of weaknesses have been identified across all three areas of policy design, policy implementation and supporting processes, the major weakness has been in policy design. Weaknesses in policy design will inevitably flow through to implementation and compromise the effectiveness of supporting processes.

By targeting the issue of crisis on Indigenous communities through direct intervention, the CIC policy was required to fully comprehend the true nature and complexity of crisis and its causes. The greatest risk of not doing this was to set up incomplete interventions that could ultimately add a further layer of complexity and confusion to an already severely strained context. While the idea of direct intervention to overcome long term, continuing crisis is sound, in the case of the CIC policy, the practical means of pursuing that idea have been inadequate. This inadequacy can be traced back to a misunderstanding about the true nature of crisis in Indigenous communities.

This section recommends an alternative approach to crisis intervention in Indigenous communities that is based upon the understanding that crisis and its causes are the result of a continuing development challenge that faces most discrete Indigenous communities in Australia. This alternative approach rejects any assumption that Australia's governments can address crisis through primarily administrative means that adjust a few policy levers here and there.

The perilous circumstances and disadvantages suffered by Indigenous people require Australian policy-makers to go back to the basics of how to comprehensively plan for development that sustains a much better future for Indigenous people in the places they choose to live. Whether they were originally artificial or poorly conceived, Indigenous communities have now become human settlements to which people are committed for a range of reasons to which they are entitled. Many of these settlements are experiencing high rates of population growth. They are here to stay.

Thus, as for any other human settlement, strategic planning for and resourcing of long term development using a framework that is founded upon fundamental development principles is required. Policy development and administrative mechanisms should then be reformed or reorganised to address that logic, however politically challenging that may be. The approach set out in the remainder of this section demonstrates how to achieve this.

By proposing an alternative approach, all of the positive aspects arising from the CIC policy are captured. Despite its weaknesses, the policy has demonstrated some innovative and important techniques that are appropriate to the task of addressing crisis, such as flexibility.

## 6.3 Policy design: a development approach for overcoming crisis

The first step of the alternative approach is to adopt a development approach for overcoming crisis during policy design. The following discussion sets out and explains the development approach.

### 6.3.1 Pursuing stability: the development continuum

#### **The need for a development approach to Indigenous communities and regions**

Development is a broad concept, and one that can mean different things depending upon the context in which it is applied. In the context of disadvantaged Indigenous communities and regions experiencing crisis, development should at least mean long term progress away from current levels of heavily entrenched disadvantage, towards circumstances that support the well-being of Indigenous people in the places where they choose to be. This is what is meant by development in this context. Australia should adopt a development approach to communities and regions that have significant and increasing populations of Indigenous people, because the disadvantage experienced by most Indigenous people living in these communities and regions is expressed so strongly that anything other than a long term commitment to objectively sound development of these places is unlikely to adequately address the underlying causes of disadvantage.

To explain the development approach further, the following discussion outlines:

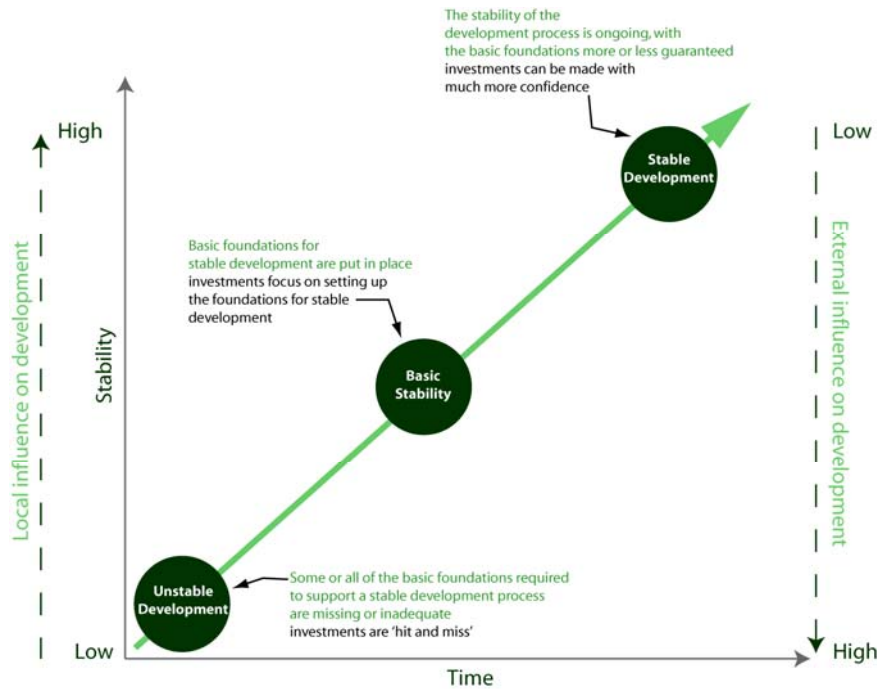
- The transitional nature of development; and
- The foundations of stable development.

### 6.3.2 The transitional nature of development

Development is a continuing process so when the achievement of stable development is discussed, this means achieving a stable set of conditions that supports the continuing process of development. This requires an understanding of the transitional nature of development.

Because it is a continuing process, development is transitional - it is not possible to leap from unstable development conditions to stable development conditions in a single bound. Instead, development conditions progress from instability to stability over time. Figure 2 demonstrates this by summarising the development continuum:

**Figure 2.** The development continuum



The development continuum demonstrates that there are two important aspects of the development process:

- The relative stability of the development process, and how this effects the nature of investment; and
- The relative level of local versus external influence upon the development process.

**The relative stability of development & how this effects the nature of investment**

The green ‘circles’ along the development continuum represent 3 conditions of stability. The presence of each of these conditions in any community or region can be identified, and any change in these conditions can be measured. The type of investment required also changes depending upon which conditions are present.

***Unstable development***

The strongest indication that the development process is unstable is when the achievement of sustained positive outcomes from the investment of resources tends to be ‘hit and miss’. This condition arises because some or all of the foundations that are required for stable development are missing or weak.

Unstable development can be identified by characteristics such as:

- Unstable and ineffective governance, best evidenced by fragile decision-making structures and poor decision-making;

- A lack of physical infrastructure, or the presence of poor quality or inappropriate infrastructure;
- Negative and declining health outcomes for a population;
- Negative and declining education outcomes for a population; and
- Declining or no economic security and / or private investment.

### ***Basic stability***

The condition of basic stability is present when there is a base upon which broader development investments can start to rely. This condition arises when the foundations for development have been established.

Movement from unstable development to basic stability is necessary before stable development can be achieved. Initial investment of resources should directly provide or support the provision of foundations for stable development.

Basic stability can be identified by characteristics such as:

- Improving governance, best evidenced by the sustained presence of a robust and legitimate decision-making structure;
- The building and / or repair of essential physical infrastructure and related essential services;
- Stabilised and improving health outcomes for a population;
- Stabilised and improving education outcomes for a population;
- Increasing economic security and / or private investment.

### ***Stable development***

When the development process is stable, sustained positive outcomes from the investment of resources tend to be much more predictable and achievable. Diverse investments in development can be made with confidence. This condition arises when the foundations of stable development are effectively guaranteed and positive change is steady and continuing.

To move from the condition of basic stability to stable development, resources should be invested in strategies that support the continuing provision of the foundations of stable development. Resources can also be invested in strategies that increase the diversity of development opportunities.

Stable development can be identified by characteristics such as:

- Stable and effective governance, best evidenced by continuing, sound and accurate decision-making;
- The ongoing development, maintenance and further improvement of physical infrastructure;
- Sustained positive health outcomes a population;

- Sustained positive education outcomes a population;
- Sustained economic security and / or and diversifying private investment.

### **The relative degree of local versus external influence upon development**

The second important part of the development continuum is the relative degree of local versus external influence upon the development process. In this context, *local* means influence coming from within a community or region, and *external* means influence coming from outside the community or region. There will always be a mix of local and external influences impacting upon the development of places, but as places establish a stable development process, local influence tends to increase and external influence tends to decrease.

When development is stable, there is a higher degree of local influence upon development. Local influence (or independency) can come in various forms. A relevant example is the decision-making of a local government body. An effective local government body makes decisions that take accurately take into account a community's own needs and aspirations. These decisions then influence local development accordingly. An effective local government body can also make decisions that foresee, respond to and manage the potential impacts on the region of external influences. Greater local influence means that positive external influences can be embraced, and negative external influences can be minimised. In this way, the impacts of external influence is therefore moderated and reduced. It is important to also note that a high degree of local influence can sometimes lead a community's development astray, if that influence is not properly informed and administered.

It follows that when the development process is unstable there is a higher degree of external influence upon development. External influence (or dependency) can also come in various forms. A relevant example is the policy of an external government. When an external government changes its policies, the impact of this change upon communities experiencing unstable development is more likely to be high. It is much harder for a community to manage the impacts of change. If the change is positive, this may have a beneficial influence but if the change is negative, this may exacerbate instability. Whatever the case, the community is not well placed to make the best of positive change, or avoid the worst of negative change.

Therefore, as a community transitions from unstable to stable development, local influence upon development should gradually increase and improve. Whilst some form of positive external influence such as an intervention that brings a major investment of resources is often necessary to kick-start this transition, the independence that comes with gradually increasing local influence should be a fundamental goal of any investment in the development process.

### **6.3.3 The five foundations of stable development**

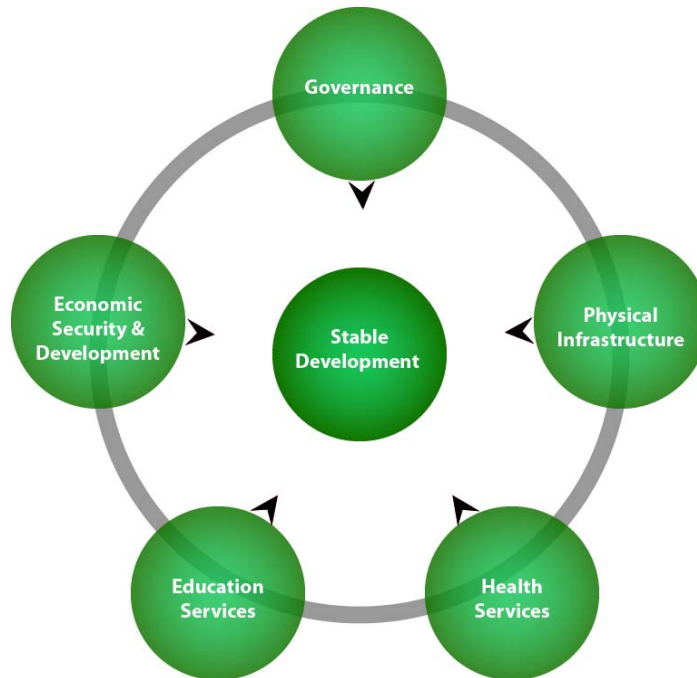
As demonstrated above, the presence of conditions of unstable development, basic stability and stable development depends upon the degree to which foundations of stable development are in place.

There are five foundations that are fundamental to the development of human settlements. These five foundations are not new. They are fundamental elements readily identifiable in stable human settlements of all kinds. These foundations are also more or less implicit in much of the current Indigenous policy in Australia, such as *Overcoming Indigenous Disadvantage* framework. These foundations are also strongly interrelated with each other, such that a lack of attention to any one of them diminishes the effectiveness and success of all of them. If just one of these foundations is missing or weak, the achievement of stable development conditions is at risk. Table 10 describes these foundations.

**Table 10.** The five foundations of stable development

<b><i>Governance</i></b>
Accurately identifying and prioritising needs and aspirations in the pursuit of the foundations of stable development, then making good decisions about meeting and achieving needs and aspirations.
<b><i>Physical infrastructure</i></b>
Building, maintaining, and improving the physical infrastructure that is required to meet needs and achieve aspirations. Understood in its broadest sense, physical infrastructure includes needs such as housing, public utilities, transport (roads), as well as public utilities and facilities
<b><i>Health Services</i></b>
Managing and improving the physical health of populations so that they are able to, as far as possible, participate in meeting their own needs and aspirations as well as those of their community
<b><i>Education Services</i></b>
Acquiring, managing and developing knowledge to enable the meeting of needs and the achievement of aspirations
<b><i>Economic security and development</i></b>
Acquiring, securing, managing and developing resources to enable the meeting of needs and the achievement of aspirations

Figure 3 demonstrates the interrelationship between the five foundations.

**Figure 3.** The foundations of stable development

### The qualities of successful development actions

It is not only important to identify and work with the full range of necessary foundations for achieving stable development conditions. The qualities within actions taken towards these foundations are also important. Coordinated investments in actions that simultaneously pursue the foundations of stable development should demonstrate the following qualities:

**Planning** – All actions should be planned and coordinated in relation to each of the foundations. Every action should be in some way connected to every foundation. For example, actions to improve *physical infrastructure* should also find opportunities to provide benefits for:

- *Governance* (e.g. provide education and training that enables the local community to be involved in the making of sound decisions about physical infrastructure priorities and provision)
- *Health services* (e.g. ensure that physical infrastructure investment will meet health and safety standards; place a priority on physical infrastructure investments that will provide facilities that are crucial for local health care and management)
- *Education services* (e.g. provide for training in the construction and maintenance of physical infrastructure; provide for education about how to make good decisions about physical infrastructure planning, delivery and maintenance)
- *Economic security and development* (e.g. provide for local employment opportunities in the construction and maintenance of physical infrastructure).

**Equity** – All actions should be demonstrably and transparently *needs-based*, and local involvement in the achievement of actions should be *accessible* to all. Local communities should have representation structures that are *inclusive* of all needs groups. The different interests of different groups on communities should also be acknowledged during planning, so that these can be considered.

**Empowerment** – All actions should include elements that empower the community, such as *direct involvement* in achieving them, *oversight*, *partnerships*, etc. Empowerment should also allow for *local accountability*, but how this occurs should *respect* the present *capacity* of the local community. For example, making a local community solely and fully accountable for a major investment may not be viable, but making them accountable for a manageable part of it may be.

**Sustainability** – All actions should demonstrate and be *resourced* for sustainability. For example, a one off grant for the construction of a youth facility such as a basketball court may not be sustainable if the ongoing maintenance of the facility is not planned for, or if there is no ongoing, structured youth program in place that will regularly use the court for activities.

#### 6.3.4 In summary

Thus, to achieve the stable development of Indigenous communities, intervention policies should be designed upon the following basis:

- Recognising the need for a **long term development** approach, and therefore the primary goal of achieving conditions for stable development;
- Understanding the **transitional** nature of development – it takes time to move from unstable development conditions through to basic stability and on to stable development conditions;
- Understanding the role of **external versus local influence** in transitioning towards stable development;
- Recognising the **five foundations of stable development**, and making simultaneous, coordinated investments in each of these towards the meeting of local needs and achievement of local aspirations; and
- Pursuing the qualities of **planning, equity, empowerment** and **sustainability**.

Some aspects of this approach have been an implicit part of past and current policies that target the well-being Indigenous communities, including the CIC policy. However, the development approach outlined above supplies an *explicit* framework that can be used to guide the design of future interventions and Indigenous policy generally.

*It is a strong recommendation of this evaluation that the Australian Government design future intervention policy in line with the above framework.*

The remaining discussion recommends how to apply the development approach during policy implementation and supporting processes.

## 6.4 Policy implementation: implementing the development approach

There are 3 important considerations for the implementation of the development approach:

- Planning for stable development;
- Applying flexibility in the right place; and
- Coordinating the right knowledge and expertise.

### 6.4.1 Planning for stable development

The development framework outlined above provides guidance about how to achieve stable development. This is a condition that must be explicitly planned for because it is virtually impossible to achieve stability through fragmented experimentation. The quality of planning has also been discussed above, and the most essential point made within that discussion is the need to develop actions in relation to each the five foundations for stable development.

The process for planning for stable development in Indigenous communities would involve the following steps:

**Step 1 – Analysing and understanding the local or regional context** so as to objectively determine needs and aspirations in the foundational areas of governance, physical infrastructure, health services, education services and economic security / development. This step also involves the identification of context-specific drivers or causes of disadvantage, other strengths and weaknesses, and emerging opportunities. This step also highlights priorities that are specific to context. Detailed documentation of the present context is required before any intervention commences, and this assists with the setting of practical change measures.

**Step 2 – Developing appropriate strategies and actions** for meeting needs and achieving aspirations in the foundational areas. The development of strategies and actions should transparently demonstrate the qualities for successful development actions – planning, equity, empowerment and sustainability. Accordingly, community members and other stakeholders should be directly involved in the development of strategies and actions. Appropriate strategies and actions are adapted to the specifics of the context, that is, they directly address the identified drivers / causes of disadvantage, local strengths, local weaknesses and emerging opportunities that are specific to a place.

**Step 3 – Allocating timeframes, resources, roles, responsibilities and change measures** so that all strategies and actions can be tracked and monitored. Timeframes should be realistic, reflecting the scale of the activity and / or the change that is required. Resources for actions should be fully quantified even if all resources required cannot be fully committed upfront. Roles and responsibilities must be clearly defined. Change measures based on outcomes (e.g. percentage reduction in overcrowding) rather than outputs (e.g. number of houses built) must be developed. These measures must not be abstract (and therefore hard to apply) but practical.

**Step 4 – Committing to and undertaking comprehensive implementation of strategies and actions** in line with what has been planned, regularly monitoring change and setting fixed periods of 3 – 5 years for detailed review of strategies and actions. The performance of development actions undertaken by all actors and agencies operating in the community must be accountable to a single, comprehensive development plan. Administrative arrangements between different levels of government and between different government agencies should be structured to reflect the development plan. It is a fundamental error to change the plan to reflect administrative structures.

Planning is cyclical. During detailed review periods, the process outlined above is repeated, always coming back to the quest for definable progress in the areas of governance, physical infrastructure, health services, education services and economic security & development.

### 6.4.2 Applying flexibility in the right place

One of the strengths of the CIC policy has been allowance for flexibility at the regional and local level so that responses could be tailored to the local context. This is an important principle for implementation and it is not excluded by a rigorous planning-based approach to development. However, unguided flexibility is a risk.

Therefore, flexibility (adaptability, agility) is best applied only during the selection and delivery of contextually-appropriate local actions that target the fixed overarching goal of demonstrable improvements in the 5 foundations of stable development. In this way, flexibility is guided by a fixed framework, and is not left to guess work and experimentation. There may be myriad ways to achieve the overarching goal depending on the context, but the goal itself is clear and not flexible.

Change measures should not be flexible; otherwise there is no meaningful way of comparing contexts before and after plans and actions have been implemented

Flexibility, adaptability and agility are also appropriate during review periods. As a context changes, there is the need to change strategies and actions to reflect the emerging context. The principles of the planning-based approach to development should not change, and reviews should not be so regular that plans themselves change too frequently to be effective.

### 6.4.3 Coordinating the right knowledge and expertise

The right knowledge and expertise is required at a number of levels if the development approach is to be correctly implemented. This is because the task of development planning and delivery is technical. A broad range of knowledge and expertise needs to be acquired, simultaneously coordinated, and sourced from the following areas:

- Planning and management or facilitation of the development process;
- Governance analysis and development;
- Physical infrastructure assessment, design, construction and maintenance;
- Health services design and delivery;
- Education services design and delivery; and

- Economic development planning.

Interventions should be led by teams comprised of this expertise that are required to inform and coordinate development planning efforts in partnership with community representatives. Government officials in charge of interventions should be qualified or trained in development planning, and not merely administrators or administrative experts. Community members should be given opportunities to be trained in these areas of expertise and to work alongside experienced practitioners.

## 6.5 Supporting processes

The supporting processes of consultation, coordination and monitoring / evaluation can also be designed to support the development approach.

### 6.5.1 Consultation: reference groups

To support the development approach, consultation should be highly structured. It should also be informed by a common understanding at all levels of what the development approach is.

The first step in setting up appropriate consultation is the establishment of an appropriate reference group. This group should combine community representation with the necessary knowledge and expertise, and, where appropriate, representation from key government agencies. The reference group would be regularly consulted with and reported to during planning, implementation and review phases. It would act as a working group throughout the development process and it would be facilitated by a development planning expert.

At the outset of development planning, the reference group would be introduced to the principles of the development approach, and consultation tasks would be structured accordingly. For example, the group would be consulted about strategies for addressing each of the five foundations for stable development.

Reference groups may be established at the local and regional level for the purposes of policy implementation. However, a national reference group may also be assembled for the purposes of overseeing policy design.

### 6.5.2 Coordination: committing to the plan

The best device for coordination of the development approach is a single, comprehensive plan against which all development actions and actors are accountable. The plan should be given the highest possible status, with statutory force the preference, and all actors and agencies should be required to work with the plan in the same way that they are required to work with, for example, land use plans for local government areas across the country.

Communities and regions that are subject to major interventions should be mapped and prescribed as development zones so that all public and private interests can be clear about where

development plans apply and where coordination is mandatory. The key public and private interests of a region are also likely to be represented on the reference group, a further tool for coordination.

### 6.5.3 Monitoring & evaluation: using a development index

The monitoring and evaluation of interventions that adopt the development approach should be based upon a development index that measures change over time at the community and / or regional level. An index contains specified indicators that are measured before an intervention commences, and which are then monitored throughout the intervention or development process. This allows for an objective comparison as development advances.

Appropriate indicators should be developed to measure change in each of the five foundations for stable development. In this way, the index can be used to measure aggregated progress (i.e. the sum of all progress in all areas) and progress with respect to individual foundations. This enables weak foundations to be easily recognised and readily prioritised.

While the setting up of the precise mechanics for the development index is a technical task that is beyond the scope of this evaluation, a basic outline of how it might work is provided. Indicators would be developed at the same time as change measures are being developed for the purposes of development planning. Each foundation may have a number of actions and each action should have its own change measure. The sum of these change measures provides an indicator of progress towards each foundation, and the sum of each foundation's indicator provides an index for development overall. These would first be measured prior to the commencement of any intervention and the sum of the starting measures would represent a base index, against which change over time can be compared.

The development index should be practical, appropriate to the particular context, and measurement should be comparatively straight forward so that the index can be regularly updated. In principle, a development index for a particular community or region could be linked to a longer term measurement framework such as the *Overcoming Indigenous Disadvantage* indicators. However, the difficulty with many of these indicators is that they do not lend themselves to short term measurement of change.

# Appendix A

## Evaluation questions as proposed by the Department<sup>34</sup>

### The History

- Provide a broad overview of the community, conditions and challenges.
- Document the history of the intervention – the purpose, objectives, constraints, key dates, agreements, significant events, specific initiatives and the stages or phases of the approach.
- Identify any major stage/changes in the intervention since it began, including changes in geographic areas covered, governance arrangements and regional priorities and reasons for these changes.

### Is The Intervention Working?

- Assess if action plans, strategies and structures for the intervention are realistic.
- Have incremental steps that build on each other with measurable objectives delivered outcomes? Do they have a long term and trans-generational focus?
- Have the root causes for intervention been addressed?
- What has not been addressed and what impact has this had on the intervention?
- In order to achieve its objectives, should the intervention have focused on other issues?
- Has the intervention been able to respond flexibly to changing circumstances?
- To what extent has the intervention brought about targeted change in the community as a whole and to the lives of people within it?
- Determine whether there have been any (good or bad) unintended consequences, outcomes or changes.
- Determine whether the proposed commitments and undertakings are likely to achieve the agreed objectives and priorities and are they appropriate for the circumstances.
- Assess whether the intervention strategy is sustainable over a longer timeframe.
- Identify the actual contribution from governments and other parties.
- Identify the strategies State and Territory governments have developed and progressed to ensure law and order is restored to the community and what has been achieved through this approach (where applicable).
- What was the extent of involvement of the community in setting the objectives and priorities for the intervention?
- Evaluate the current state of essential services and changes that have been made since the intervention commenced and where changes need to be made in the future.
- Identify the local service provision arrangements; are they effective? Have service providers had the opportunity and capacity to work with intervention parties?
- Identify where local service provision arrangements are not working, the associated factors and if there is an intervention strategy to improve effectiveness.

<sup>34</sup> Department of Families, Community Services and Indigenous Affairs (2006) *RFT for the provision of Consultancy Services for the Evaluation of Communities in Crisis* p.2-5

- Identify whether community capacity for governance, leadership and decision making has improved and why?
- Identify whether community capacity for governance, leadership and decision making can be improved and how?
- Do the community workers/change managers involved have the right skills, expertise and ability to manage and go forward with capacity building strategies and interventions, as well as the ability to transfer their skills to community?
- Are community workers / change managers able to be recruited, supported and retained to for CIC interventions? Are there any examples where the community workers / change managers resign their positions? What happens in communities after a community worker / change manager resigns?

### **Working Together**

- Document the roles and responsibilities of the Commonwealth, State and local government, steering committees and other management structures and partnerships in the intervention.
- Identify what has been achieved through these partnerships in respect of service delivery, shared responsibility, funding and how effectively the parties have worked together.
- Identify the extent of Whole of Government collaboration, the mechanisms in place to improve coordination between and within governments and what difference they have made?
- Identify what has and has not worked with the Commonwealth and State agencies arrangements and why?
- Determine how well the parties understand a capacity building approach and how it has been adopted by both governments and communities.
- Evaluate the extent to which the community has been able and willing to participate and negotiate as a genuine partner.
- Evaluate the extent of inclusive and representative participation by community.
- Evaluate the extent to which women have been able and willing to participate and negotiate as a genuine partner.
- Identify the benefits women's participation has brought to the intervention process.
- Identify the extent of understanding, the perceptions and support for the intervention within community.
- Identify community views on the progress of the invention and their views on possible future participation, objectives and development priorities
- Determine what has worked and not worked from the community's perspective and why it has worked or not worked.
- Identify where community capacity and existing skills have developed as result of the intervention.
- Is the intervention providing support for the local people in community? In particular, identifying drivers for positive change.
- Identify barriers to participation where they exist and areas for improvement.

### **Next Steps**

- Capture a current community profile and baseline data. Compare the current community profile with circumstances that existed at the commencement of the intervention.
- Investigate ways to improve participation, cooperation and Whole of Government arrangements.
- Provide the Australian Government with options it might consider, such as:

- Whether the community should continue to receive special attention, as either a CIC or a priority community, or through other means including SRAs?
- How can sustained positive targeted change occur over a longer time frame?
- What can enhance whole-of-government collaboration and results?
- Identify the overall development practice lessons and areas that could be replicated elsewhere.
- Identify areas for improvement and how to achieve better coordination.
- Identify possible strategies to mitigate risks and constraints to the intervention.
- Where action plans are developed, determine if they are still relevant, what's not working, what's working well and what could be improved.
- Determine if an ongoing evaluation plan is in place to monitor and evaluate interventions and grant funding arrangements to ensure that investments achieve real outcomes while not increasing dysfunction within community.
- Is participatory monitoring evaluation a feature of the plan?

## Appendix B

### The evaluation framework

Communities in Crisis Research Themes			
Research Theme	Research Question	Future Directions	Research Methods
<p><b>State &amp; Australian Government Policy Environment &amp; Whole of Government Arrangements</b></p> <p><i>The extent and nature of government integration at all levels and its contribution to the intervention.</i></p>	<ul style="list-style-type: none"> <li>○ Identify the actual contribution from governments and other parties.</li> <li>○ Document the roles and responsibilities of the Commonwealth, State and local government, steering committees and other management structures and partnerships in the intervention.</li> <li>○ Identify what has been achieved through these partnerships in respect of service delivery, shared responsibility, funding and how effectively the parties have worked together.</li> <li>○ Identify the extent of whole of Government collaboration, the mechanisms in place to improve coordination between and within governments and what difference they have made.</li> <li>○ Identify the strategies State governments have developed and progressed to ensure law and order is restored to the community and what has been achieved through this approach (where applicable).</li> <li>○ What's the capacity of service providers to deliver? Have service providers had the opportunity to work with other intervention parties?</li> </ul>	<ul style="list-style-type: none"> <li>○ Identify what has and has not worked with the Commonwealth and State agencies arrangements and why?</li> <li>○ Investigate structures and processes to improve whole of government arrangements.</li> </ul>	<ul style="list-style-type: none"> <li>○ Grey literature review.</li> <li>○ Discussions with ICCs, State agencies and other service providers where appropriate.</li> <li>○ Community profile (including qualitative discussions and assessment).</li> </ul>

Research Theme	Research Question	Future Directions	Research Methods
<p><b>Community Governance Arrangements</b></p> <p><i>The role of community governance in plan implementation, including evidence of challenges and benefits.</i></p>	<ul style="list-style-type: none"> <li>○ Provide a broad overview of the community, its social history conditions and challenges.</li> <li>○ Identify whether community capacity for governance, leadership and decision making has improved and why?</li> <li>○ Determine how well the parties understand a capacity building approach and how it has been adopted by both governments and communities.</li> <li>○ Evaluate the extent to which the community has been able and willing to participate and negotiate as a genuine partner.</li> <li>○ Evaluate the extent of inclusive and representative participation by community.</li> <li>○ Evaluate the extent to which women and youth have been able and willing to participate and negotiate as a genuine partner.</li> <li>○ Identify where community capacity and existing skills have developed as result of the intervention.</li> <li>○ Identify barriers to participation where they exist.</li> </ul>	<ul style="list-style-type: none"> <li>○ Identify whether community capacity for governance, leadership and decision making can be improved and how?</li> <li>○ Identify the benefits that the participation of women and youth has brought to the intervention process and ways in which this can be supported.</li> <li>○ Identify structures and processes for improving representation and participation.</li> </ul>	<ul style="list-style-type: none"> <li>○ Discussions with ICCs and State agencies where appropriate.</li> <li>○ Discussions with community representatives and groups.</li> <li>○ Community profile (including qualitative discussions and assessment).</li> </ul>

Research Theme	Research Question	Future Directions	Research Methods
<p><b>Background to Localised CIC Planning &amp; Implementation</b></p> <p><i>The history and evolution of the initiative, including its motivations, design criteria/frameworks and evidence base.</i></p>	<ul style="list-style-type: none"> <li>○ Document the history of the intervention – the purpose, objectives, constraints, key dates, agreements, significant events, specific initiatives and the stages or phases of the approach.</li> <li>○ Identify any major stage/changes in the intervention since it began, including changes in geographic areas covered, governance arrangements and regional priorities and reasons for these changes.</li> <li>○ Determine whether the proposed commitments and undertakings are likely to achieve the agreed objectives and priorities and are they appropriate for the circumstances.</li> </ul>	<ul style="list-style-type: none"> <li>○ Whether the community should continue to receive special attention, as either a CIC or a priority community, or through other means including SRAs?</li> </ul>	<ul style="list-style-type: none"> <li>○ Grey literature review.</li> <li>○ Discussions with OIPC/FaCSIA programme and policy staff.</li> <li>○ Discussions with ICCs and State agencies where appropriate.</li> </ul>

Research Theme	Research Question	Future Directions	Research Methods
<p><b>Localised CIC Planning &amp; Implementation Processes</b></p> <p><i>The quality of intervention planning in each local context, including plan development, monitoring and evaluation, issues around human and financial resources and obstacles/constraints to plan implementation.</i></p>	<ul style="list-style-type: none"> <li>○ Assess if action plans, strategies and structures for the intervention are suitable and feasible. Has the intervention been able to respond flexibly to changing circumstances?</li> <li>○ What was the extent of involvement of the community in setting the objectives and priorities for the intervention?</li> <li>○ Identify the extent of understanding, the perceptions and support for the intervention within community.</li> <li>○ Determine if an ongoing evaluation plan is in place to monitor and evaluate interventions and funding arrangements to ensure that investments achieve real outcomes while not increasing dysfunction within community. Is participatory monitoring and evaluation a feature of the plan?</li> <li>○ Do the community workers/change managers involved have the right skills, expertise and ability to manage and go forward with capacity building strategies and interventions, as well as the ability to transfer their skills to community?</li> <li>○ Are community workers / change managers able to be recruited, supported and retained to for CIC interventions? What happens in communities after a community worker / change manager resigns? Is there succession planning?</li> </ul>	<ul style="list-style-type: none"> <li>○ How can sustained positive targeted change occur over a longer time frame?</li> <li>○ Identify possible strategies to mitigate risks and constraints to the intervention.</li> <li>○ Where action plans are developed, determine if they are still relevant, what's not working, what's working well and what could be improved.</li> <li>○ Determine what has worked and not worked from the community's perspective and why it has worked or not worked.</li> <li>○ Identify the overall development practice lessons and areas that could be replicated elsewhere.</li> </ul>	<ul style="list-style-type: none"> <li>○ Grey literature review.</li> <li>○ Discussions with ICCs, State agencies and other service providers where appropriate.</li> <li>○ Discussions with community representatives and groups.</li> </ul>

Research Theme	Research Question	Future Directions	Research Methods
<p><b>Intervention Outcomes</b></p> <p><i>Evidence of beneficial outcomes from the intervention, including the use of OID indicators/indicators of community development.</i></p>	<ul style="list-style-type: none"> <li>○ Identify community views on the progress of the invention and their views on possible future participation, objectives and development priorities. Is the intervention providing support for the local people in community? In particular, identifying drivers for positive change.</li> <li>○ To what extent has the intervention brought about targeted change in the community as a whole and to the lives of people within it? Have the root causes for intervention been addressed?</li> <li>○ Have incremental steps that build on each other with measurable objectives delivered outcomes? Do they have a long term and trans-generational focus?</li> <li>○ Determine whether there have been any (good or bad) unintended consequences, outcomes or changes. In order to achieve its objectives, should the intervention have focused on other issues?</li> <li>○ What has not been addressed and what impact has this had on the intervention? Assess whether the intervention strategy is sustainable over a longer timeframe.</li> <li>○ Evaluate the current state of essential and human services and changes that have been made since the intervention commenced. Are service provisions effective? Where are the gaps?</li> </ul>	<ul style="list-style-type: none"> <li>○ How might service delivery outcomes be improved?</li> <li>○ How might the development, measurement, monitoring and evaluation of indicators be improved?</li> </ul>	<ul style="list-style-type: none"> <li>○ Community profile (including qualitative discussions and assessment). Grey literature review.</li> <li>○ Discussions with ICCs, State agencies and other service providers where appropriate.</li> <li>○ Discussions with community representatives and groups.</li> </ul>

# Appendix C

## Agencies consulted

Members of the Balgo Community  
Members of the Beagle Bay Community  
Members of the Kalumburu Community  
Members of the Yalata Community  
Australian Government Department of Employment & Workplace Relations  
Australian Government Department of Education, Science & Training  
Australian Government Department of Families, Community Services & Indigenous Affairs  
Australian Government Department of Health and Aging  
Australian Government Department of Transport and Regional Services  
Broome Indigenous Coordination Centre  
Ceduna Indigenous Coordination Centre  
Kununurra Indigenous Coordination Centre  
Western Australian Government Department of Attorney General  
Western Australian Government Department of Community Development  
Western Australian Government Department of Corrective Services  
Western Australian Government Department of Health  
Western Australian Government Department of Housing & Works  
Western Australian Government Department of Indigenous Affairs  
Western Australian Police  
Aboriginal Legal Service of Western Australia  
Balgo Parish  
Beagle Bay Community Incorporated  
Beagle Bay Parish  
Catholic Education Office of Western Australia  
District Council of Ceduna  
Eyre Regional Development Board Incorporated  
Garnduwa (Sport & Recreation)  
Kalumburu Aboriginal Corporation  
Kalumburu Parish  
Kalumburu Remote Area Health Service  
Kalumburu School  
Kimberley Aboriginal Medical Service  
Kimberley Community Legal Service  
Kimberley Tafe  
Marnja Jarndu Outreach Service  
Palyalatju Mapampa  
South Australian Government Department of Premier and Cabinet  
South Australian Aboriginal Lands Trust  
Warlayirti Artists  
Wirrimanu Aboriginal Corporation  
Yalata Community Development Employment Program

Yalata Women's Group  
Yawuru Jarndu Outreach Service