



Council of Social Service of New South Wales

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The Hon. Victor Dominello MP
Minister for Aboriginal Affairs
Level 37 Governor Macquarie Tower
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SYDNEY NSW 2000

Dear Minister

Response to the Ministerial Taskforce on Aboriginal Affairs

NCOSS supports the establishment of the Taskforce, the community consultations it is undertaking and its objectives to improve outcomes for the Aboriginal people in NSW. NCOSS notes the Minister's Statement in the Taskforce *Community Discussion Paper* that while the focus of the Taskforce is on improvements in service delivery, educational and employment outcomes, other issues 'such as juvenile detention rates, health and housing' should also be addressed.

NCOSS is concerned that this latter message will be missed with the focus on the three subject areas and the specific questions in the discussion papers guiding the consultation on the three subject areas. The focus of the discussion papers may cause important sections of the community sector to believe the consultation is not relevant to their specialised interests because they are not directly involved in employment or education services. If this were to occur, the Taskforce may then make conclusions and recommendations without the full range of information available with the result that the strategy has significant gaps and fails to address the needs of the whole Aboriginal community. Sections of the community cannot engage in education and employment, without first addressing their health, housing and transport need, as well as their interaction with the justice system.

Prior to the recent election, NCOSS released the publication '*Vote 1 Fairness in NSW*'. The report was the result of consultations with NCOSS networks about the policies and programs that were needed to address the symptoms and causes of disadvantage. It was a call for all politicians to support measures that would contribute to a fairer, more just and sustainable society. A copy is enclosed; it can also be located at: <http://www.ncoss.org.au/content/view/3206/194/>.

NCOSS submits that the Task Force should consider the relevant sections of that report. In summary these are:

- a fully funded plan to establish autonomous Aboriginal services;
- equitable access to Aboriginal Home and Community Care clients;
- a reduction in Aboriginal people, particularly young people inappropriately remanded in custody;

- domestic violence prevention programs delivered by Aboriginal women, focusing on healing and respect;
- increase funding to Aboriginal Legal Services to match current and future demand;
- increase funding for services that provide prison post release services to Aboriginal people, particularly those servicing people with dual or multiple diagnoses;
- implementation of a homelessness action plan to reduce the number of Aboriginal people that are homeless by one third;
- improve collection of oral health data for Aboriginal people across the state;
- improve planning for health services for Aboriginal regional and remote communities, including access to transport to services; and
- a reduction in the eligibility age for Aboriginal people to access the Seniors' Card to 45 years.

This list demonstrates the need to look at the broad scope of issues that affect the Aboriginal community, including the interests of its members that are not in a position to consider education or employment at particular stages of their lives. Three examples that the Taskforce could consider in more detail are transport, housing and justice issues. These are areas that require specific attention across portfolios. The broad base of the government representation on the Taskforce places it in a unique position to consider these issues. It would be unfortunate if the opportunity was not taken to consider the implications of these and other issues that may be viewed as peripheral to employment and education. Attached is a statement that describes in more detail the significance of these examples to the Aboriginal population.

Implementation

The Community Discussion Paper does not provide details on how the Taskforce recommendations will be progressed and whether any funding will be available. It is also silent on what agency will take responsibility for implementation and reporting, whether the Ministers involved in the Taskforce will have an ongoing role or what reports will be made on progressing the recommendations. The Audit Office performance report of *Two Ways Together – NSW Aboriginal Affairs Plan*, highlights the need for government agencies to be publicly accountable. The Office noted that in terms of targets in the plan 'agencies have not been accountable for achieving them' and recommends that agency heads include reports in their Annual Reports. NCOSS believes that for a whole of government approach to work there must be Ministerial responsibility and authority that can provide direction across Departments. The Government should make annual reports to Parliament on the progress of the Taskforce recommendations. There is concern that in the current NSW Departmental structure resulting in condensed Annual Reports for agencies, would lead to reports that are superficial and fail to give results the appropriate level of attention.

The Audit Report and the Community Discussion Paper do not refer to funding of services as a significant issue, rather the reports focus on the management and competency of government agencies and their relationship with Aboriginal communities. NCOSS supports this view in part, understanding that how a program is implemented in the community will influence its take up and success. However, adequate funding for programs and particularly ongoing funding for successful

programs should be considered by Ministers and the Taskforce. NCOSS receives many reports of successful community programs that are short term and have no guarantee of continuing once the pilot period is complete. The NSW Government should commit to funding programs that are proven to be successful.

Congratulations on taking this timely review and providing an opportunity for senior Ministers, Aboriginal leaders and their community to engage in this process.

Yours sincerely

A handwritten signature in black ink that reads "Alison Peters". The signature is written in a cursive, flowing style.

Alison Peters
Director

EXAMPLES OF ISSUES OF CONCERN TO THE COMMUNITY SOCIAL SERVICE SECTOR

Transport

Many Aboriginal communities face extreme transport disadvantage, yet the role of transport in ensuring Aboriginal people are able to access services, to take up opportunities for education and employment, and to maintain social and cultural networks has long been overlooked. For example, the Australian Government report 'Closing the Gap on Indigenous Disadvantage' does not mention mobility and access through transport anywhere in the report.

Aboriginal communities have not received an equitable share of the benefits resulting from investment in transport. They are disproportionately impacted by the negative consequences of the transport system, for example, Indigenous people are 2.9 times more likely to die from a road accident than non-indigenous people, and 1.4 times more likely to be seriously injured.

Addressing Aboriginal transport disadvantage will require numerous strategies and approaches. In particular, it will be important to ensure that Aboriginal people are involved in transport planning and decision-making activities at every level. This will require fostering and resourcing the capacity of the Aboriginal community to meaningfully engage in transport issues.

Engagement with Aboriginal communities should ensure that all decisions around investment in transport reflect Aboriginal priorities. In addition, there will be a need for dedicated funding to help address historical inequities. NCOSS has previously recommended that a dedicated funding pool should also be established to address transport disadvantage in Aboriginal communities.

There is low car ownership and possession of drivers licenses in some communities. This is a particular issue for young people, and could impact on their employment opportunities. They have limited access to a car, cannot afford driving lessons and cannot easily find older licensed drivers who can assist them to gain driving experience.

In an article on Transport and the Closing the Gap, Transport Planner David Denmark (NCOSS News Feb 2012) writes:

If governments are to take the Closing the Gap report seriously there will be a need to construct an access, mobility and transport framework. Trying to close the gap without this framework is like trying to build a house without using scaffolding. Transport services and workers are the riggers that put in place the infrastructure that allows the other tradespeople (doctors, teachers, employers and the like) to do their job effectively.

For further information please contact Rhiannon Cook at NCOSS Ph: 9211 2599 ext. 127, email: rhiannon@ncoss.org.au

Criminal Justice System

The over representation of Aboriginal people, particularly young people, in the criminal justice system is well documented and highlighted in several current law reform reviews in NSW. The most recent report repeating these statistics was the special report to Parliament from the NSW *Ombudsman Addressing Aboriginal disadvantage: the need to do things differently* (October 2011). In NSW, nearly 50 percent of all children and young people sentenced to detention, and about a quarter of adult prisoners were indigenous. The effect of arrest on indigenous employment is also well documented, with arrest estimated to reduce the probability of employment by 18 percent (BOCSAR 1999).

The solutions to the over representation of indigenous people in the criminal justice system lies in prevention and diversion from the court systems. The NSW Ombudsman report, for example, recommended that this could be achieved by improving the capacity of the community to provide:

- early intervention strategies
- improvements to existing programs that keep young people out of detention
- accommodation options for those at risk
- integrated services that respond to the causes of offending behaviour.

Several initiatives have commenced that should reduce the likelihood of detention, this includes the introduction and support for Work Development Orders that provide a means for individuals to repay their debts from fines and expansion of Circle Sentencing and Drug Courts. These initiatives are welcomed and deserve ongoing support. Taskforce support for reforms to the NSW Bail Act, improvements to legal assistance through the Community Legal Centres and accommodation options for those on bail would also support those in the indigenous community to achieve better outcomes.

Juvenile and adult correction centres provide programs that can assist some with education and work experience. This is an area that requires monitoring to ensure programs are relevant and funding is allocated for education and other support programs within NSW prisons. The recent report from the NSW Ombudsman on the operation of the Kariiong Juvenile Detention Centre provided a damning picture of Corrections NSW failure to fulfill the centre's program, leaving young people in isolation for long periods, little access to education, training or recreational facilities and poor monitoring and evaluation of the program.

The population that are arrested, before courts and in detention have a higher rate of intellectual disability, mental and physical health issues and drug and alcohol abuse disorders than the rest of the community. This population group is likely to need ongoing community and health services to coordinate and access services if they are to remain in the community. Plans for education and employment within the indigenous community should take into account the needs of this group that may never, or take many years to be in a position to take advantage of education, training and employment opportunities.

For further information please contact Brenda Bailey at NCOSS Ph: 9211 2599, ext. 111, email: brenda@ncoss.org.au

Housing

Access to safe, secure, appropriate and affordable housing is an essential requirement for closing the gap in the living circumstances, opportunities and outcomes for the Aboriginal population of NSW, compared to non-indigenous households. The absence of such housing is a very real barrier to the achievement of improved educational, employment and other outcomes.

NCOSS recognises that Aboriginal people have the choice of accessing a range of both specialist and mainstream housing services. Compared to the general population, Aboriginal people tend to be underrepresented in the home ownership and private rental sectors, and overrepresented in homelessness and in social housing, including in mainstream public housing.

NCOSS supports the continued work of the Aboriginal Housing Office (AHO) in the development of a sustainable Aboriginal housing sector in this state. The establishment of the AHO in 1998 was a landmark achievement in the struggle for self-determination. Many Local Aboriginal Land Councils (LALCs) own housing acquired as a result of earlier land rights strategies adopted by the NSW Government. Some small but welcome growth in the supply of Aboriginal community housing is occurring as a result of Commonwealth funding under the COAG National Partnership Agreement on Remote Indigenous Housing. NCOSS continues to advocate for a four year plan to increase the overall supply of social and affordable housing in NSW, and believes that an agreed proportion of this growth must be allocated to Aboriginal housing, particularly Aboriginal community housing.

Both the AHO and the NSW Aboriginal Lands Council (NSWALC) are currently pursuing ambitious plans to build the capacity of the Aboriginal housing sector through the Build and Grow (AHO) and SHAPE (NSWALC) strategies. These reforms entail some challenges and risks, requiring continued dialogue with Aboriginal community organisations and the allocation of sufficient resources to capacity building activity. There ought to be no suggestion that the implementation of improved housing delivery strategies will be at the expense of self-determination.

In relation to homelessness, historically there have been few Aboriginal specific projects put in place under the former SAAP program. The current NSW Homelessness Action Plan has seen the provision of time limited funding to a number of separate projects to address some of the obvious gaps that exist. These projects need to be evaluated and, if found to be operating successfully, sustained into the future and replicated in other regions.

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