

**COMMONWEALTH GRANTS COMMISSION**

**INDIGENOUS FUNDING INQUIRY**

**SUBMISSION**

**From: ACT Government**

**Submission No.: IFI/SUB/0019**

**Date Received: 17/04/2000**

R J Searle  
Secretary  
Commonwealth Grants Commission  
Cypress Court  
5 Torrens St  
CANBERRA ACT 2601

Dear Mr Searle

Further to your letter of 7 February 2000 to the Under Treasurer inviting submissions to the Commonwealth Grants Commission Indigenous Funding Inquiry, I herewith provide the ACT's submission for the Commission's consideration.

In line with the Commission's request that submissions be provided electronically if possible, I have arranged for the submission to be emailed to you.

Yours sincerely

Rod Gilmour

April 2000

**COMMONWEALTH GRANTS COMMISSION  
INDIGENOUS FUNDING INQUIRY**

**SUBMISSION BY  
THE AUSTRALIAN CAPITAL TERRITORY**



**ACT Government  
April 2000**

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## 1 INTRODUCTION

This Submission has been prepared in response to the Commonwealth Grants Commission's Indigenous Funding Inquiry's Information Paper No.1 of February 2000, which includes the Inquiry's Terms of Reference.

The purpose of the Inquiry is to identify and measure the needs of Indigenous people in each region (determined as a geographic region, an Aboriginal and Torres Strait Islander Commission [ATSIC] region or for states and territories) compared to those in other regions, for key services such as health, education, housing and infrastructure, and employment and training, in order to help the Commonwealth target resources more effectively to areas of greatest need.

The Submission is a whole-of-government submission coordinated by Community Liaison and Indigenous Affairs in the Chief Minister's Department and is predicated on the activities of the ACT Government in the Australian Capital Territory only.

This Submission identifies for the first time, in the context of the terms of reference, the unique nature of the needs of, and associated targeted and mainstream programs for, the Indigenous population of the ACT, and in particular:

- provides demographic details of the Indigenous population in the ACT;
- outlines the unique and special circumstances in the ACT which affect the identification, cost and process of meeting the needs of Indigenous people, relative to other jurisdictions; and
- provides information on the need of the ACT Indigenous community for programs and services; the Government response to these identified needs; and the funding source and level involved.

Additionally, the ACT has taken the opportunity to expand on the areas specified in the terms of reference by including services provided within a number of other areas such as Justice; Children's, Youth and Family Services; Sport and Recreation; and Arts and Culture. The ACT contends that these are important areas where needs often differ substantially between jurisdictions. This should help the Commission to deliver on its terms of reference and assist the Commonwealth to target resources more effectively to areas of greatest need.

The Submission, however, also identifies where further data and research is required to allow the Commonwealth Grants Commission to assess the unique circumstances in which the ACT provides services. This will also allow the identification of any gaps in the range of services, or available grant funding, from the many Government and non-Government providers.

## 2 BACKGROUND

### 2.1 ACT Government

Indigenous issues in the ACT are managed at a whole-of-government level by Community Liaison and Indigenous Affairs within the Chief Minister's Department.

The section develops and coordinates policy and initiatives for Indigenous issues, including national policies, and undertakes research, projects, and liaison with government and the ACT Indigenous community.

An interdepartmental committee has been established to provide leadership on Indigenous issues within government and to facilitate a whole-of-government approach to Indigenous issues.

Programs and services (mainstream and Indigenous-specific) are provided by, or purchased on behalf of the Government, by the Departments of Education and Community Service, Health and Community Care, Justice and Community Safety, and Urban Services.

The ACT Government seeks advice and input from the ACT Indigenous community through four Indigenous-specific advisory and consultative bodies, namely the ACT Aboriginal and Torres Strait Islander Consultative Council, the Indigenous Education Consultative Body, the Aboriginal and Torres Strait Islander Health Forum, and the ACT Aboriginal Justice Advisory Committee.

In addition, the Government ensures Indigenous representation on other key advisory and consultative bodies such as the ACT Heritage Council, the ACT Cultural Council, the ACT Women's Consultative Council, the ACT Crime Prevention Committee, the ACT Cultural Centre Advisory Committee and the Ministerial Youth Advisory Committee.

At a national level, the ACT Government is represented on and provides responses to the Ministerial Council on Aboriginal and Torres Strait Islander Affairs (MCATSIA) and the Council of Australian Governments (COAG), and reports annually on its implementation of the *Royal Commission into Aboriginal Deaths in Custody* and the *Bringing them home* reports.

At an International level, the ACT Government is party to various international instruments such as the *International Convention for the Eradication of All Forms of Racial Discrimination*, and has provided input to the development of Australia's position on the draft *Declaration on the Rights of Indigenous Peoples*.

## **2.2 The ACT and the Aboriginal and Torres Strait Islander Commission**

Under the Aboriginal and Torres Strait Islander Commission, there are seventeen zones across Australia, which are divided into thirty-five Regional Councils, which in turn are divided into a number of wards.

Each ward elects a number of representatives to its Regional Council. Each Regional Council consists of a maximum of twelve Councillors, and all the Councillors in each zone elect a Commissioner to represent their zone on the ATSIC Board.

The ACT is an 'island' jurisdiction within a larger Aboriginal and Torres Strait Islander Commission zone and within the region administered by the Queanbeyan Regional Council, which in turn is bordered by the Sydney Regional Council to the north and north-east, Wangaratta Regional Council to the south and south-west, and Wagga Wagga Regional Council to the west and north-west.

The Queanbeyan Regional Council region has an Indigenous population of 9123 people or 2.5 per cent of the total Indigenous population of Australia. Of the region's population, some 3000 people or approximately 33 per cent reside in the ACT (or 0.8 per cent of the total Indigenous population). As a ward of the Queanbeyan Regional Council, the ACT is represented by four of the twelve members of the Council.

However, the ACT is the only state or territory that does not have an ATSIC Manager overseeing ATSIC's interests in the state or territory, and is the only jurisdiction in Australia that is part of an ATSIC region administered in another state. While the ACT Government and the Council have established liaison and consultative frameworks and strategies, these are informal and depend largely on existing networks and contacts, and thus cannot guarantee continuity or consistency over the longer term. This lack of a state management role to provide a more formal ATSIC coordination and management role in the ACT may mean that, compared to other jurisdictions, the ACT is disadvantaged by having comparatively less input to ATSIC program or funding decisions and arrangements affecting the ACT.

It is important to note that the Queanbeyan Regional Council services a regional area consisting predominantly of rural communities with needs and services peculiar to their rural and/or isolated circumstances. In contrast, the ACT's Indigenous population is predominantly urban, and thus presents a different pattern of service needs and access. Given the inclusion of urban ACT in the predominantly rural Queanbeyan Regional Council region, there is the potential for the particular needs of the urban Indigenous population in the ACT to be subsumed by the more rural focus relevant to the rest of the region.



### **3 THE INDIGENOUS POPULATION IN THE ACT**

The Indigenous population in the ACT includes those with historical links with the region and people who have moved to the ACT from other areas, often to work or study. There are also significant linkages with Indigenous people in the surrounding areas of NSW.

This profile, together with issues relating to the ACT's demographics as the National Capital, means that the population is very mobile, with proportionately fewer ACT Indigenous families and residents having access than do families in other jurisdictions to extended family or elders for general support, particularly in times of crisis.

The Indigenous population in the ACT is also relatively small, providing a relatively small statistical sample of the total ACT and national populations. This is illustrated by the results emanating from the 1996 census, namely:

- about 3000 ACT residents or about 1 per cent of the ACT population are identified as Aboriginal or Torres Strait Islander; and
- this constitutes 0.8 per cent of the total Indigenous population of Australia.

In comparison, Indigenous people constitute 2.5 per cent of the Queanbeyan population (about 700 persons), and 0.8 per cent of the adjacent areas of Yarrowlunla Shire (about 40 persons).

According to research at the University of New England and based on the 1996 census, the Indigenous population in the ACT is rapidly increasing, with the 1996 figures indicating an average annual rate of increase of 11.8 per cent over the period 1991-1996. This is due to natural increase, internal migration within Australia and an increasing identification as Indigenous.

The sex ratio is balanced and the population is a youthful one:

- 39.7 per cent is aged under 15; and
- 60.5 per cent are aged under 25; whereas
- only 5.1 per cent are aged over 50; and
- only 1.0 per cent is aged over 65.

This highlights the fact that the Indigenous population is much younger than the broader ACT population.

In addition to the ACT-specific circumstances, another general factor also affects the measurement of the Indigenous population, namely the unreliability of data on births and deaths (a historical problem that is being addressed by jurisdictions at varying rates of progress) and also the propensity of people to identify as being of Indigenous origin.

The consequence of these factors for the ACT is that it is difficult to gather accurate statistics, and more difficult still to disaggregate statistics for effective analysis of access to, or effectiveness of, programs and services. Indigenous demographic statistics for the ACT can only be indicative and as such are likely to be under-representative of the ACT Indigenous population.

Furthermore, comparisons are often made between Canberra and other capital cities, and between the ACT and other states/territories which have substantial rural/remote populations. However, the ACT contends that a more realistic and useful comparison would be with comparable regional cities such as Newcastle or Wollongong, as occurred when the Commission assessed the provision of funding for open space per capita of population.

#### **4. UNIQUE AND SPECIAL CIRCUMSTANCES IN THE ACT**

In general terms, the ACT is unique among the states and territories. A number of factors combine to create special circumstances that need to be taken into account when examining ACT Government services.

These special circumstances include:

- the location of the ACT as a land-locked island within NSW and the only jurisdiction with 100 per cent of its population living within 25 kilometres of another jurisdiction. As a consequence, ACT Government services are continually accessed by the surrounding regional population, particularly by residents of NSW;
- the ACT's role as the national capital and seat of government;
- the ACT's city-state character and the combined responsibility for state and local government;
- the relatively recent achievement of self-government; and
- the very youthful nature of the ACT Indigenous population with 60.5 per cent of the Indigenous population under the age of 25.

These special factors apply to all levels of service, and each impacts on the policy decisions of the ACT Government. Given the relatively short history of self-governance (compared to other states/territories), it is only in recent times that the ACT Government has been in a position to commence the task of developing a whole-of-government policy towards Indigenous issues.

As would be expected, the provision of services to the Indigenous population of the ACT is impacted on by a range of cost drivers arising from these special factors, namely:

- diseconomies of small scale which permeate the whole administration of Indigenous programs, since a full range of services is required for the relatively small Indigenous population;
- the ACT Government tends to use a mainstream service provision model with a focus on improving Indigenous access to, and ensuring the appropriateness of, mainstream services;
- extensive use of cross border services by the Indigenous populations of the region:
  - the Indigenous population in the ACT is relatively mobile. Research on kinship patterns for Indigenous people in the southern areas of NSW suggests that Canberra is the major centre for an Indigenous population located well beyond

its borders, and in this context the limiting of an ACT Indigenous population to those within defined borders is artificial;

- for example in relation to service delivery, cross border issues arise in health (due to the arrangements with Southern Area Health Services that include access to The Canberra Hospital and Winnunga Nimmityjah) and in housing (due to the interaction of the ACT market with the housing markets of Queanbeyan and other bordering areas of New South Wales);
- the very young Indigenous population which increases the costs of service delivery for a range of services, in particular, for justice and education programs;
- the combination of state and local government functions which presents its own difficulties when comparing the types of services offered in the ACT with other regions:
  - in this context, the ACT has not been in a position to undertake a full audit of the services provided by these two distinct levels of government in other jurisdictions compared to the ACT's programs;
- the high wages and salaries inherent in the ACT, caused by the relative immobility between geographically different labour markets, and the presence of the Commonwealth. This factor substantially increases the costs of services provided to the Indigenous community;
- the very nature of the National Capital layout and its inland location which exacerbates service delivery problems in areas such as:
  - housing which requires a higher energy efficiency of ACT public housing stock (due to the Territory's excessive climatic extremes) available to Indigenous tenants when compared to other jurisdictions; and
  - transportation as the national capital layout exacerbates community isolation and produces associated needs.

In this context, the ACT will attempt to draw out these consequences and work with the Commission during the course of the Inquiry to determine their individual impacts on the provision of programs and services to the Indigenous population of the Territory.

## 5 HOUSING AND INFRASTRUCTURE

### 5.1 Background

It is important to note that the ACT housing market does not operate independently, but rather interacts with the housing markets of Queanbeyan and other bordering areas of New South Wales.

The tenure categories occupied by Indigenous households in the ACT compared with non-Indigenous households are as follows:

Tenure	Indigenous	Households	Non-Indigenous	Households
	ACT (1)	Australia (2)	ACT(1)	Australia (2)
Fully owned	8%	13%	30%	44%
Being purchased	27%	18%	35%	27%
Private rental	30%	24%	23%	18%
Public rental	28%	23%	10%	5%
Community/co-op	1%	10%	1%	0.4%

(1) NB Figures are rounded. 'Other', 'not stated', and 'rent free' are not shown, and therefore totals do not add to 100 per cent. Source: *Assessment of Housing Needs in the ACT*, Dr Jane Stanley, FOCUS Pty Ltd, June 1999.

(2) *Census of Population and Housing: Aboriginal and Torres Strait Islander People, Australia*, Publication 2031, Table 3.7, Australian Bureau of Statistics, September 1998.

The history of home ownership is such that very few Indigenous households own their homes outright, though there are now substantial numbers of Indigenous people purchasing their homes.

However, there is higher proportion of Indigenous households in private rental tenure compared with non-Indigenous households, and almost three times the proportion of non-Indigenous households in public housing.

### 5.2 Needs

The requirements for housing and infrastructure needs can be disaggregated into two components, namely those arising from existing operational plans and those identified for the purposes of the Inquiry.

In terms of the former component, in the ACT, a total of 10 per cent of SAAP clients (ie around 300 people) were Indigenous, implying that Indigenous households are ten times as likely to be homeless or at risk of homelessness as non-Indigenous people. This can be seen as a function of:

- income (Indigenous families had a median income of \$777 per week in 1996 compared with \$1029 for non-Indigenous households);
- dependency ratio (Indigenous households had an average size of 3 persons compared with the ACT average of 2.7); and
- discrimination in the housing market, which could lead to Indigenous households paying more than non-Indigenous households for the same housing, or else being denied housing choice.

Census data shows that only 7 Indigenous households (10 people) were living in improvised dwellings, and 13 people lived in multiple family households. It therefore appears that there are far more people actually or at risk of homelessness than indicated by Census data.

Given the high rate of homelessness, the heavy dependence on the private rental sector and the lower incomes of Indigenous households, it can be expected that a disproportionately high proportion of Indigenous households are at severe risk of being unable to afford adequate housing, in addition to those already in public housing. This is borne out by the data.

The Indigenous population of the NSW sub-region is around 740 people. If pro rata conditions apply, this is likely to include around 25-30 Indigenous households who are homeless, and an additional 70 households who are at severe risk of being unable to afford adequate housing.

The 1996 income levels of Indigenous households (ie households containing at least one Indigenous person) were as follows:

*Incomes of Indigenous households in rental property (ABS, 1996)*

Households earning less than \$200 per week	=85 (12%)
\$200-\$299	=71 (10%)
\$300-\$399	=81 (11%)
\$400-\$499	=81 (11%)
\$500-\$599	=71 (10%)
\$600-\$699	=58 ( 8%)
\$700-\$799	=59 ( 8%)
\$800+	=214 (30%)
TOTAL	=720 (100%)

*NB percentages are rounded up*

Source: *Assessment of Housing Needs in the ACT*, Dr Jane Stanley, FOCUS Pty Ltd, June 1999.

The distribution of Indigenous households (ie households containing an Indigenous person) was fairly evenly spread between income ranges, but with around 30 per cent earning more than \$800 per week. The higher income group probably reflects employment in the public service.

Around 389 (54 per cent) of households in private rental housing appeared to be vulnerable to housing stress, with 156 households (22 per cent) vulnerable to severe housing stress. An additional 100 households may actually be homeless at any one time. Assuming a level of housing stress amongst home purchasers comparable with that seen within other households (ie half the rate seen in private rental housing) it would appear that around 20 per cent of all Indigenous households are vulnerable to severe housing stress.

This view is supported by a study by Roger Jones (*Indigenous Households 1996 Analysis: Indigenous Housing and Living Environments*, 1999). This study shows that in the ACT there were 100 Indigenous households, or 9.7 per cent of Indigenous households, in before-housing poverty (compared to 13.1 per cent nationally) and 139 Indigenous households, or 13.5 per cent of Indigenous households, in after-housing poverty (compared to 16.4 per cent nationally). The total of 239 households in before or after housing poverty, or 23.2 per cent of Indigenous households, compares to a similar figure of 29.6 per cent nationally.

From an Inquiry perspective, there are three cost drivers. Firstly, although, in terms of capital costs housing in the ACT is not specialised or tailored to meet the needs of Indigenous clients, the cost of housing provision in the ACT is higher than in some other parts of Australia, due partly to the cost of providing insulation and meeting energy efficiency requirements in the ACT's climatic extremes.

In terms of current costs, as a result of the ACT's very small Indigenous population, the Territory faces large diseconomies of small scale which exacerbates the costs of service provision. This is complicated by the very tight private and public rental sectors and the high costs of renting in the ACT relative to other jurisdictions. The ACT also experiences some diseconomies of scale in relation to consultation with the Indigenous community and development of an Indigenous Housing Bilateral Agreement. These processes are also complicated because the relevant ATSI region covers both the ACT and surrounding areas in NSW, and because Indigenous community members tend to move between the ACT and the adjacent areas of NSW.

Secondly, the ACT's high wages and salaries further exacerbate the costs of service provision to the Indigenous communities in the ACT and surrounding regions.

Thirdly, in terms of the ACT's role as the national capital, the Territory has been hampered by the Commonwealth's control of the ACT prior to self-government, and more lately by the Commonwealth-State Housing Agreement which has not allowed significant adjustments to be made to the housing stock. As a result of the past practice of the Commonwealth Government, most of ACT's housing stock is of 3-or-

fewer bedrooms, and thus there is additional cost to the ACT Government in acquiring or building larger houses, to accommodate larger Indigenous families, including extended families.

### **5.3 Government Response**

Within the general framework, the ACT has implemented a number of programs and services in order to meet Indigenous housing needs as discussed in the following sections.

While most of the households in ACT Housing dwellings are adequately housed there is some evidence that many of these people would benefit from the provision of higher quality, and more culturally appropriate housing, and/or from greater involvement or participation in the management of their housing. Attempts to establish an Indigenous community housing provider have in the past foundered from the lack of appropriate, training, skills and infrastructure.

#### **5.3.1 Programs and Services**

The ACT is currently developing an Indigenous Housing Bilateral Agreement, which will set out the future directions and strategies for meeting the housing needs of Indigenous people in the ACT. The Agreement is being developed in consultation with ATSIC, Indigenous groups and Commonwealth authorities. The Agreement will also canvas regional and cross-border responses to ACT Indigenous housing issues.

The ACT has also indicated that it will establish an Indigenous housing provider to increase Indigenous people's role in tenancy management and administration of housing, and provide culturally appropriate housing choices. In so doing, there will be an emphasis on the provision of training, liaison with other Indigenous organisations and infrastructure support. It is likely that the establishment of this provider would entail the reorganisation of priorities and transfer of resources from within the existing housing budget.

### **5.4 Resourcing**

The ACT does not receive any specific funding for Indigenous housing and the majority of Indigenous people rent accommodation in the public or private rental sectors.



Funding for Indigenous housing is primarily provided nationally by the Commonwealth and states and territories under the Commonwealth-State Housing Agreement (CSHA), or under programs funded by the Aboriginal and Torres Strait Islander Commission (ATSIC).

Under the new 1999-2003 CSHA, an amount of \$91 million per annum is provided to the states and Northern Territory under the Aboriginal Rental Housing Program (ARHP). The ACT does not receive any funding for Indigenous housing under the ARHP, as the focus of funding is on Indigenous people in rural and remote areas, and non-capital cities, whereas the ACT Indigenous population is predominantly urban and lives within the capital.

The ACT has argued previously for a share of these funds. The ACT takes this opportunity to argue that in distributing such funding the ACT should be compared not to other capital cities but to regional cities such as Newcastle and Wollongong, as occurred when the Commission assessed the provision of funding for open space per capita of population. At the very least, if the funds were allocated on the basis of the number of Indigenous people living in each jurisdiction, the ACT with 0.8 per cent of the total Indigenous population would receive \$0.728m per annum (0.8 per cent of the total funds).

Similarly, ATSIC does not provide any funding for housing in the ACT.

Indigenous people may access assistance in the private rental market under the Commonwealth's Rent Assistance Program. As at 18 June 1999 there were 9,343 individuals in the ACT receiving Rent Assistance, of which 90 were self-identified as being Indigenous.

Further detail of Indigenous housing and infrastructure expenditure is provided at *Appendix A*.

## 6 HEALTH

### 6.1 Background

The health of Aboriginal and Torres Strait Islander people is of major concern to the ACT Government. It is acknowledged that Aboriginal and Torres Strait Islander people suffer the worst health in Australia and are one of the most disadvantaged groups in the community, and the Government's aim is to achieve health outcomes for the Indigenous community that are equitable with the broader community.

The Legislative Assembly Standing Committee on Health and Community Care's current Inquiry is examining the state of Aboriginal and Torres Strait Islander health in the ACT and will report on strategies for improvement.

### 6.2 Needs

The requirements for health needs can be disaggregated into two components, namely those arising from existing agreements/strategic plans and those identified for the purposes of the Inquiry.

In the context of the former, the Aboriginal and Torres Strait Islander Health Framework Agreement was signed in August 1996 by the Commonwealth, the ACT Government and the Aboriginal and Torres Strait Islander Commission. Priorities outlined in the Agreement include:

- improving access to both mainstream and Indigenous-specific health programs;
- increasing the level of resources allocated to reflect the higher level of need of Indigenous people; and
- planning processes which allow for improved cooperation and coordination of service delivery, and full and formal Indigenous participation in decision making and determination of priorities.

A major aspect of the Agreement is the development of a strategic plan on Aboriginal and Torres Strait Islander health. The plan is based on consultation, on the principle of Indigenous community control and decision making, and takes account of local needs and responses arising from both the *Royal Commission into Aboriginal Deaths in Custody* and the *Bringing them home* reports.

Consultation has highlighted two issues in particular:

- the need for improved access to mainstream services; and
- the importance of cross-border issues where NSW-resident Indigenous people are accessing ACT health services.

In the context of the latter, amongst other specific needs, the ACT faces three very important cost drivers. The first is the ACT's requirement to provide the full range of services to Indigenous people and the hiring of specially trained staff. However, as a result of the ACT's very small Indigenous population, the Territory faces very large diseconomies of small scale, which results in a very costly service. The ACT's throughput for specialist services, when compared to other jurisdictions such as the Northern Territory, are very low, and as such, economies of scale cannot be achieved.

Under these constraints, the ACT Government tends to use a mainstream service provision model with an emphasis on addressing Indigenous access to, and ensuring appropriateness of, mainstream services.

The second cost driver relates to the provision of hospital and medical services to non-residents. Approximately 20-25 per cent of all hospital services in the ACT are provided to cross-border patients.

Thirdly, the ACT's high wages and salaries for specialist medical staff (including Visiting Medical Officers) exacerbate the costs of service provision to the Indigenous communities in the ACT and surrounding regions.

### **6.3 Government Response**

Within the general framework, the ACT has implemented a number of programs and services in order to meet Indigenous health needs as discussed in the following sections.

#### **6.3.1 Programs**

##### *Childhood Immunisation Program*

The ACT Department of Health and Community Care is working to improve immunisation coverage among Aboriginal and Torres Strait Islander children, including collaboration and partnerships with the Indigenous community. Targets agreed by all jurisdictions set out in the *Australian Health Ministers' Advisory Council (AHMAC) national performance indicators and targets to monitor governments' efforts to improve Aboriginal and Torres Strait Islander Health*, as follows:

- 85 per cent of Aboriginal and Torres Strait Islander children aged two years and six years old are fully immunised by 2000; and
- 95 per cent of Aboriginal and Torres Strait Islander children aged two and six years are fully immunised against Hepatitis B by 2000.

*National Indigenous Pneumococcal and Influenza Immunisation Program (NIPPIIP)*

The NIPPIIP will be conducted in the ACT during 2000 for the second year running. This program offers free influenza and pneumococcal vaccines to Indigenous elders over the age of 50 years and to those aged 15-50 years that are at increased risk because of chronic illness.

### **6.3.2 Services**

*Breast Screening*

The ACT Department Health and Community Care is also working to significantly reduce the morbidity and mortality attributed to breast cancer amongst Aboriginal and Torres Strait Islander women, in collaboration and partnership with the Indigenous community.

The aim is to increase breast screening rates among Aboriginal and Torres Strait Islander females aged 50-69 years, so that these rates are the same as the coverage rates in the non-Indigenous community.

Regular block bookings are set aside for Aboriginal and Torres Strait Islander women in the ACT. The Aboriginal Health worker organises transport, and a group of women attend together. Participants are also referred to the Women's Health Service for a Pap smear test, if appropriate. The ACT screened 30 Indigenous women in the ACT in 1998-99.

*Dental Health Service*

The ACT Community Care Dental Health Service provides an Indigenous dental health program on a dedicated fortnightly basis to clients for dental checkups, assessments and treatment. Indigenous clients can access this service free of charge with a pension or CentreLink Card.

*Other Services*

The Winnunga Nimmityjah Aboriginal Health Service, which is funded by the Commonwealth, is supported by the ACT through the provision of accommodation/premises.

The Gugan Gulwan Aboriginal Youth Corporation is funded by the ACT Government to provide services for young Indigenous people including out-of-school-hours and vacation programs, referral and information services, and its Youth Alcohol and Drug Worker is funded by the ACT Department of Health and Community Care.

### 6.3.3 Indigenous Specialists

The ACT Government either directly or indirectly provides funds for the following specialist positions:

- Canberra Rape Crisis Centre provides an Aboriginal Counsellor position funded by the ACT Department of Health and Community Care to work in the Indigenous community on sexual assault, incest and related issues. ACT Mental Health Service employs an Aboriginal Mental Health Worker who also has a role in supervising the Mental Health trainees based at Winnunga Nimmityjah.
- The ACT Government announced in January 2000 a funding boost in Indigenous health. A new Indigenous Health Worker position will be established, targeting priority health issues and identified concerns.
- The Canberra Hospital (TCH) is the major teaching hospital for the ACT and south-eastern region of NSW and provides a full range of medical and surgical services including sub-specialities, mental health and women's and children's services. In addition to providing emergency and trauma services for the region as a whole, it acts as a link to the outreach services, and to the wider community through the ACT Community Care system. A full range of teaching level support services such as pathology, diagnostic imaging and pharmacy services is also provided. The hospital employs two Aboriginal Liaison Officers.
- The ACT Department of Health and Community Care employs a full-time Indigenous Policy Officer to coordinate Indigenous issues and to liaise with the ACT's Indigenous community and its service providers.
- In accord with the recommendations of the *Royal Commission into Aboriginal Deaths in Custody*, the ACT Government is funding the Nursing and Medical Scholarship ("Ginninderra Scholarships") to improve the participation, retention and employment of Aboriginal and Torres Strait Islander people in the nursing and medical professions in the ACT region. The ACT Government provides funding for the Ginninderra Scholarship, managed by the University of Canberra. One Scholarship has been awarded in 1999-2000, to the value of \$0.041152m.

### 6.4 Resourcing

The 1998-99 cash expenditure for ACT health services provided to Aboriginal and Torres Strait Islander people was \$7.0465m. These services included:

- The Canberra Hospital (\$5.45m);

- Calvary Public Hospital (\$0.220m);
- Community Care services (\$0.340);
- non-government organisations (\$0.469);
- research and administration (\$0.076m);and
- Indigenous health services (\$0.154m).

Of this, cash expenditure for operating activities for the ACT Department of Health and Community Care was \$371.008m. The per capita health expenditure for Indigenous people was \$2,373.36 and for non-Indigenous people was \$1,132.63, a ratio of 1.79:1.

Further detail of Indigenous health expenditure for 1998-99 is provided at *Appendix B*.

## **7 EDUCATION**

### **7.1 Background**

There are approximately 600 Indigenous students in ACT Government schools between Pre-School and Year 10, and 55 Indigenous students in ACT Government schools in Years 11 and 12.

### **7.2 Needs**

The requirements for education needs can be disaggregated into two components, namely those arising from existing operational plans and those identified for the purposes of the Inquiry.

From an existing operational perspective, identified needs include:

- the improvement in literacy and numeracy of Indigenous children;
- working with schools to raise cultural awareness of Indigenous cultures; and
- the support of schools in their development of Indigenous studies and courses.

From an Inquiry perspective, there are three cost drivers. The first is the ACT's requirement to provide the full range of educational and career opportunities to Indigenous pupils, including specialist advice, monitoring and tutoring. This requires the provision of an Indigenous Education Unit. As a result of the ACT's very small Indigenous student population, the Territory faces large diseconomies of small scale which exacerbates the costs of service provision.

In the main, the ACT Government tends to use a mainstream service provision model with a focus on improving Indigenous access to, and ensuring the appropriateness of, mainstream education services, through:

- expenditure on cultural awareness training for teachers and staff, on Indigenous specific positions and on mentoring services; and
- provision of special programs within mainstream services to address particular needs of Indigenous students.

The second cost driver relates to the provision of education to the very young Indigenous population, which relative to other states that have an older demographic profile, proportionately increases the ACT's education outlays. This is exacerbated by the general trend in the ACT of higher retention rates in years 11 and 12 (the highest in the country) which also apply to the Indigenous school. This high retention rate is in part due to the migration of students to the ACT from the surrounding region to complete their secondary school education.

Thirdly, the ACT's high wages and salaries, which partly reflect the older age profile of teachers in the ACT, further exacerbate the costs of service provision to the Indigenous communities in the ACT and surrounding regions.

### **7.3 Government Response**

Within the general framework, the ACT has implemented a number of programs and services in order to meet Indigenous education needs as discussed in the following sections.

#### **7.3.1 Programs and Services**

##### *ACT Literacy and Numeracy Assessment Program*

Having commenced in 1997, the ACT Literacy and Numeracy Assessment Program has progressively extended literacy and numeracy assessment to students in years 5, 7 and 9. The very small cohort of Indigenous students assessed displayed a full range of performance. In year 3 the majority of Indigenous students were performing in line with the middle 60 per cent range of students, however the trend in year 5 assessment indicated that a number of Indigenous students performed below the 60 per cent range.

Based on the results of the assessment, the ACT Department of Education and Community Services, in partnership with its Indigenous Education Consultative Body, is implementing a strategy for targeted learning programs for Indigenous students.

#### **7.3.2 Indigenous Specialists**

##### *Indigenous Education Unit*

Following a review, the Indigenous Education Unit has been upgraded with a new Indigenous team leader, giving it professional education leadership and strengthening its identity to ensure Indigenous students have access to the full range of educational and career opportunities. It has also been relocated to be more accessible for students and parents.

The Unit works to raise awareness and knowledge of Indigenous cultures and studies in ACT schools. For example, an Indigenous artist undertakes art projects in schools working with students, and Indigenous Dance Groups teach dance in selected schools.

The Unit administers the Aboriginal and Torres Strait Islander pre-schools at Wanniasa Hills and Holt, and is also in close consultation with the Indigenous Pre-School at Narrabundah.

The Unit works closely with the ACT Chamber of Commerce and Industry to run a range of vocational training packages through Erindale College.



### *Indigenous Education Workers*

Schools Assistants work with students in the classroom according to the needs of students but with a strong emphasis on literacy and numeracy. The Home School Liaison Officers Program provides support for students and parents, and there is homework assistance and a library at the Unit in Mawson. Links to Commonwealth Programs such as the Aboriginal Student Support and Parent Awareness and involvement in schooling and the Aboriginal Tutorial Assistance Scheme occur through the Indigenous Education Unit, which also assists access to scholarships for Indigenous students.

### *Itinerant Behaviour Management Consultant*

An Itinerant Behaviour Management Consultant works directly with students and staff in schools to deal with behaviour management difficulties.

## 7.4 Resourcing

The Indigenous Education Consultative Body is funded by the Commonwealth (\$0.0814m). Vocational education studies for Indigenous students are also funded by the Commonwealth at \$0.038m.

Cultural and Indigenous studies, the artist-in-residence, school support teams and behaviour management are funded through a joint program between the ACT (58 per cent) and Commonwealth (42 per cent) costing \$0.7869m.

The three Indigenous pre-schools are funded by the ACT Government at \$0.426m.

Further detail of Indigenous education expenditure is provided at *Appendix C*.

## 8 TRAINING & EMPLOYMENT

### 8.1 Background

#### 8.1.1 Training

The ACT's current and emerging priorities in vocational education and training are outlined in the ACT Vocational Education and Training (VET) Authority Strategic Plan. An identified priority is to improve access, equity and participation in the ACT vocational education and training system, by working with providers to improve participation by Aboriginal and Torres Strait Islander peoples.

*ACT Indigenous population in vocational education and training programs*

Population	ACT	Australia
Number of Indigenous population	2 899	352 964
% of total Indigenous population	0.8%	100%
Number of Indigenous vocational education and training students in ACT	248	32 315
% of total Indigenous vocational education and training students	0.8%	100%
% of Indigenous population who are vocational education and training students	8.6%	9.2%

*(Note: figures as at mid-1999)*

#### 8.1.2 Employment

Indigenous people in the ACT are identified as disadvantaged in the labour market by the high unemployment rate which is at least three times higher than that of the general population, and by the low participation rate of 50 per cent compared to more than 70 per cent for the general population.

The ACT's goals for Indigenous employment are outlined in the Indigenous Employment Strategy which was released in December 1999 and which builds on the *ACT Government Employment Strategy - Jobs for the Future*. The Strategy aims to provide the structure to enable Indigenous people to compete for job opportunities and to improve the relative status of Indigenous people in the paid workforce. Key strategies include:

- increased participation by Indigenous people in employment programs funded by the ACT Government; and
- provision of specific employment programs for Indigenous people.

## **8.2 Needs**

The requirements for training needs can be disaggregated into two components, namely those arising from existing operational plans and those identified for the purposes of the Inquiry.

The former includes identified needs for:

- further support of pre-employment training to assist Indigenous people to gain skills and confidence to gain employment. Commonwealth funding for pre-vocational training (New Apprenticeship Access Program) has been severely reduced and has a narrower focus than previous programs); and
- increased funding for literacy and numeracy training for Indigenous people.

From an Inquiry perspective, there are three cost drivers. The first is the ACT's requirement to provide the full range of vocational educational and career opportunities to Indigenous students. As a result of the ACT's very small Indigenous student population, and the tailoring of specific programs to Indigenous people within the VET sector, the Territory faces large diseconomies of small scale which exacerbates the costs of service provision.

The second relates to the provision of training and employment to the Indigenous population in the ACT. Although this is directed to all Indigenous peoples irrespective of age, there is a particular emphasis for the younger Indigenous population who attend the Canberra Institute of Technology (CIT)/VET. This is underlined by the emphasis on the benefit of secondary and tertiary training qualifications in gaining employment in the ACT. A range of CIT/VET programs have been developed specifically for Indigenous people to access vocational training.

The third relates to the ACT's high wages and salaries which further exacerbate the costs of service provision to the Indigenous communities in the ACT and surrounding regions.

## **8.3 Government Response**

Within the general framework, the ACT has implemented a number of programs and services in order to meet Indigenous training and employment needs.

### **Programs and Services**

In 1999, 62 Indigenous people were employed under the New Apprenticeships program: 9 by Government, 15 by community organisations and 38 by private organisations.

Other programs such as the ACT Adult Language, Literacy and Numeracy Program; Training for Industry Program; and Adult and Community Education are funded through the ACT Office of Training and Adult Education.

In 1998-99 the ACT Government ran a range of employment programs under the umbrella program Restart, which was aimed at mature age unemployed people forty years and older, and targeted at identified groups, including Indigenous people. The programs included Upskilling and Information Technology for Mature Aged, and covered areas such as vocational skills training, job search and matching, and job placement assistance. An employer incentive payment per person placed in a job was a special feature of the program.

At the same time the ACT Government funded Open Access Centres (OAC) to provide job search facilities and training to assist unemployed ACT residents become 'job ready'. Although open to all such residents who were not receiving Commonwealth Newstart or Youth Allowance, priority was given to disadvantaged sectors of the labour market, including Indigenous people.

The administration and structure of Restart and OAC programs have changed in the interim, however the aims and the principles remain the same.

#### 8.4 Resourcing

There is a number of programs targeted at enhancing employment and training for Indigenous people in the ACT. Commonwealth funded programs include:

- WADU A National Vocational Learning Strategy for Young Indigenous People provides a mentoring process to encourage Indigenous students in VET (\$0.030m);
- Certificate in General Education for Adults (\$0.017m);
- Certificate in General Construction (\$0.027m); and
- study and work programs for Indigenous women (\$596) and Indigenous men (\$1,465).

The ACT funds programs to provide unemployed Indigenous people with skills to enable them to achieve sustainable jobs the security industry (\$0.04705m), the sport and recreation industry (\$0.0295m) and arts and cultural heritage industry (\$0.022m). The ACT also funds the Open Access Centres (\$0.310m) and the Restart Program, with Employer Incentive Payments funding totalling \$0.300m.

The costs for provision of group training and employment services with priority for Indigenous persons is divided evenly between the Commonwealth and the ACT to make a total of \$0.00585m.

Further detail of Indigenous training and employment expenditure is provided at *Appendix D*.

## **9 OTHER - JUSTICE**

### **9.1 Background**

#### **9.1.1 Criminal Justice Policy**

An Aboriginal Justice Advisory Committee (AJAC) has been established to assist the Government address issues contributing to the over-representation of Indigenous people in the criminal justice system. The AJAC will participate in the development of a strategic justice plan for the ACT, consistent with the recommendations of a Ministerial Summit on Indigenous justice issues.

#### **9.1.2 Adult Corrections**

The ACT currently accommodates prisoners on remand only and does not have a prison for sentenced prisoners. Currently 11 per cent of remandees in the ACT and 5 per cent of all ACT prisoners incarcerated in NSW correctional facilities are identified as being of Aboriginal or Torres Strait Islander background.

At the time of preparing this report there are a total of 1221 offenders being provided services by ACT Corrective Services (custody and community). Ninety-two (7.5 per cent) of the clients were identified as being Indigenous.

This is broken down as follows:

- Indigenous persons accounted for 7.6 per cent of community based offenders. There were 57 Indigenous males with an age range between 19 years and 50 years subject to community based supervision orders (probation and parole). Fifteen Indigenous females aged between 20 years and 40 years were also subject to community based supervision;
- Indigenous persons accounted for 11 per cent of offenders remanded in custody. There were 8 Indigenous males aged between 18 years and 36 years remanded in custody.
- Indigenous persons accounted for 7 per cent of offenders serving Periodic Detention Centre Orders. There were five Indigenous males aged between 25 years and 51 years. Indigenous persons accounted for 5 per cent of offenders serving prison sentences. Five males aged between 19 years and 54 years and two 21 year old females make up this figure.

#### **9.1.3 Youth Justice**

In 1999, 15.5 per cent of the Youth Justice Services (custody and community based) client group were identified as being Indigenous, with 19 per cent of the sentenced young people identified as Indigenous. Indigenous children are over

represented in the Territory's juvenile correctional institution, Quamby Youth Detention Centre.

At the time of preparing this report:

- 151 young offenders were being provided services by ACT Youth Justice Services (custody and community), of which thirty-one (20.5 per cent) of the clients were identified as being Indigenous.
- Two male Indigenous children (40 per cent of custodial sentences) aged 15 and 16 years respectively were serving custodial sentences.
- One male Indigenous child (16 per cent) aged 16 years is remanded in custody.
- 28 Indigenous children with an age range of between 13 years and 17 years were subject to community based supervision orders. Eight of these children are female.

#### **9.1.4 Legal Aid**

Specific information about demographics of users is not available, however, it should be noted that a significant number of clients who access ACT Legal Aid resources are from NSW (particularly Queanbeyan), when they appear before an ACT court.

#### **9.1.5 Police**

The AFP keep statistics indicating the number of Indigenous persons who come into police custody, and include a breakdown by gender and whether or not the persons are juveniles or adults. This information assists in measuring the needs of the Indigenous community which comes into contact with police and other parts of the criminal justice system.

### **9.2 Needs**

The requirements for needs emanating from the justice programs can be disaggregated into two components, namely those arising from existing operational plans and those identified for the purposes of the Inquiry.

Each of the needs in relation to existing operational plans, are discussed in turn under each of the outlined programs in the following paragraphs.

In terms of needs identified for the purposes of the Inquiry, there are four major cost drivers. The first relates to the diseconomies of small scale faced by the Territory which increases the costs of service provision for a range of justice programs. The ACT is required to implement a full range of policies and programs comparable to other jurisdictions in order to address Indigenous matters in the ACT, however, the

ACT does not have a comparable population base. This significantly increases the costs of service provision. The ACT is required to:

- provide the full range of legal aid services to the Indigenous population; and
- develop specialised policy (operational, staffing etc) in relation to Criminal Justice, Adult Corrections, Youth Justice Services and Police Services.

The second relates to the young socio-demographic profile of the ACT. With 60.5 per cent of the ACT's Indigenous population under the age of 25, there are higher demands placed on the Territory's policing services in order to address youth related issues.

Thirdly, the ACT's high wages and salaries further exacerbate the costs of service provision to the Indigenous communities in the ACT and surrounding regions. The current lack of ACT control over the resourcing levels (cost and quantity) of the Australian Federal Police, in particular, exacerbates the costs faced by the Territory in delivering service to the Indigenous population.

Fourthly, the provision of justice services to non-residents increases the cost burden on the ACT significantly. Approximately 20 per cent of all services in the ACT are provided to cross-border residents, and although sufficient data is unavailable concerning the cross-border use by Indigenous people of ACT police services, there is anecdotal evidence that the high utilisation rate is applicable to non-resident Indigenous people.

The ACT also faces high costs in terms of the housing of offenders in corrective facilities and the large cross-border influence on court proceedings and criminal justice and Youth Justice Services.

### **9.2.1 Criminal Justice Policy**

The ACT Department of Justice and Community Safety collates statistical information on the ACT criminal justice system including some information on the numbers of Indigenous persons coming into contact with the system. The department also contributes information about implementation of the *Royal Commission into Aboriginal Deaths in Custody* recommendations. Both functions provide information about the needs of Indigenous persons in the ACT.



### **9.2.2 Adult Corrections**

The needs of prisoners of Indigenous background will need to be considered as part of the planning for the ACT prison. These needs will broadly fall into two distinct categories - facilities needs (such as, for instance the design of cells) and services needs (such as the provision of culturally specific programs).

ACT Corrective Services has received funding as part of the budgetary process and will receive further funding to allow appropriate planning for the ACT prison to continue. A significant bank of information has been accumulated regarding the needs of Indigenous prisoners through the following initiatives:

- the conduct of literature reviews;
- attendance at relevant conferences by Corrective Services officials;
- consultation with relevant Indigenous groups; and
- general research.

These initiatives have ensured that the specific needs of Indigenous prisoners are considered as part of the process for the establishment of the ACT correctional facility.

As the operational capacity of the Belconnen Remand Centre (BRC) is being exceeded on a regular basis, the need to increase remand capacity in the ACT for remandees is something that is currently being explored. Options currently being considered include:

- conducting a feasibility study into the possibility of further expanding the accommodation capacity at the BRC;
- negotiating alternative accommodation options with NSW in the event that Goulburn Correctional Centre is full; and
- exploring the possibility of alternative temporary remand centres in the ACT.

### **9.2.3 Youth Justice Services**

It is acknowledged that the structure of Quamby Youth Detention Centre has shortcomings, namely the lack of specific facilities or operational flexibility for clients with special needs. Young Indigenous offenders being held in custody fall into this category. Average custody numbers for young offenders at Quamby see frequent use of two longer-term accommodation units.

A third unit that is described as a Special Needs Unit is also used for both newly inducted offenders and the offenders with Special Needs. This latter group can include non-violent residents with special needs and aggressive or violent

residents. Typically, these three groups have conflicting needs and ideally should not be accommodated in the same building. This impacts upon Indigenous offenders, especially those who are experiencing custody for the first time, as it creates more exposure to the custodial environment than necessary.

It is envisaged that the establishment of a specially designed induction unit at Quamby for young offenders would allow better assessments and case management of all young offenders and have the potential to reduce recidivism levels.

#### **9.2.4 Legal Aid**

The ACT Legal Aid Commission's Annual Report indicates an increase in the need for legal services for Indigenous people. Initial applications for assistance from persons who are identified as being Indigenous rose from 1.51 per cent in 1997-98 to 2.39 per cent in 1998-99. The approval rate of applications for those who identified as Indigenous rose from 1.39 per cent in 1997-98 to 2.32 per cent in 1998-99. It should be noted that this may not represent the total numbers of Indigenous person assisted by ACT Legal Aid, as not all Indigenous persons identify as such and where work is done urgently, eg at duty lawyer level, collection of statistics can be onerous.

ACT Legal Aid has not seen a decrease in demand for its services since the arrival, in the ACT, of the Aboriginal and Torres Strait Islander Legal Service. The level of funding of that service means that ACT Legal Aid must pick up significant overflow work. The resources of ACT Legal Aid are also called on as a result of direct referrals from the Aboriginal Legal Service, where that service cannot represent an applicant due to a conflict of interest.

#### **9.2.5 Police**

The AFP keep statistics indicating the number of Indigenous persons who come into police custody, and include a breakdown by gender and whether or not the persons are juveniles or adults. This information assists in measuring the needs of the Indigenous community which comes into contact with police and other parts of the criminal justice system.

The AFP has advised that there is a particular need for early intervention programs suitable for Indigenous youth.

In addition, they have identified the need for an expansion of the current liaison between police and the Indigenous community and more cultural awareness training for new and lateral recruits.

### **9.3 Government Response**

Within the general framework, the ACT has implemented a number of programs and services in order to meet Indigenous training and employment needs as discussed in the following sections.

#### **9.3.1 Criminal Justice Policy**

The department has developed, administers and finances an Aboriginal Friends Interview Call-out Roster designed to specifically assist Indigenous persons who are taken into police custody.

Limited data is available, however, a snapshot of the period January to June 1999 shows that of 24 persons who used the Call-out Roster, 21 were male and 3 female. Sixteen were under 18 years of age and 8 were adults, which would suggest a high proportion of juvenile and male users.

The department also employs an Indigenous Justice Officer to support the ACT Aboriginal Justice Advisory Committee.

#### **9.3.2 Adult Corrections**

The Probation and Parole Unit aims to address offending behaviour to achieve community safety. The Unit facilitates two programs namely: a Relationships Australia pilot project program, "Learning to Relate Without Violence and Abuse" and the "CORE Correctional Treatment Program" (cognitive behavioural). Both programs are aimed at changing the way offenders think and ultimately to achieve pro social behaviour and avoid further offending. The programs are mainstream and have not been tailored specifically to meet the needs of Indigenous people, although Indigenous people do participate in these programs.

An Indigenous Liaison Officer position has recently been created to assist with and service the welfare needs of Indigenous clients at the Belconnen Remand Centre. The position is expected to be filled in the near future.

The medical practitioner from the Winnunga Nimmityjah Aboriginal Health Service conducts a clinic for all detainees. This arrangement ensures all Indigenous detainees are screened weekly. The clinic also incorporates counselling for alcohol and other drugs related problems.

A wide range of programs is provided to prisoners at BRC to address literacy, writing skills, anger management and drug and alcohol issues. Indigenous prisoners have access to these programs if they choose.

### **9.3.3 Youth Justice Services**

Recommendation 25 of A Performance Review (Stevenson Report: 1998) proposed that Quamby establish strong links with mental health services, drug and alcohol counselling services and the ACT Indigenous community to support Quamby's special needs programs and to establish continuity of care on release from the Centre.

The Centre has a designated mental health service that incorporates a professional staff member from the Child and Adolescent Mental Health Service (CAMHS). The provision of brokerage funding is available to purchase specialist interventions and programs for residents. All Indigenous young people are referred to Indigenous community support services including Mental Health, Legal Aid and the Interview Friends program.

Additionally, Quamby caters to Indigenous young people through its staffing profile and through cultural awareness training, as well as offering a number of specific cultural programs. Quamby will continue to offer Indigenous art programs and cultural programs from external providers are currently utilised. Management intends to examine culturally specific programs at interstate institutions, with a view to expanding the range of Indigenous programs available at Quamby.

Continuity of care on release from Quamby is provided through the creation of two new positions to support and supervise young people on leaving the centre. There is also an identified position based in the Services Community Unit who provides resources to staff responsible for the case management of Indigenous offenders. This position also provides support to young Indigenous offenders who are in custody in Quamby.

Quamby provides a cognitive therapy program, EQUIP, which addresses a wide range of behavioural issues. All residents participate in the program which consists of 3 hourly programs per week.

Drug and alcohol counselling provided by the Drug Referral Information Centre is offered to residents requesting assistance. Staff officers and the general nurse deliver group programs on drug and alcohol issues. These programs are delivered on a needs basis.

All Quamby residents attend and participate in the educational programs, in particular literacy and numeracy, offered by the Hindmarsh Education Centre.

### **9.3.4 Legal Aid**

ACT Legal Aid services are mainstreamed and all applicants are required to comply with the same determinations and guidelines to be eligible for assistance.

### **9.3.5 Police**

Programs, services and facilities which are Indigenous specific are:

- ACT Region Aboriginal Community Liaison Officer;
- Aboriginal and Torres Strait Islander Recruitment and Career Development Strategy; and
- Cross Cultural Awareness Program for all members.

The latter two of these are programs provided at a national level.

Mainstream programs which are relevant to Indigenous community members include:

- the diversionary conferencing project;
- Police in Schools;
- Project Saul; and
- the planned Drug Diversion/Early Intervention program.

#### 1. Resourcing

### **9.4.1 Criminal Justice Policy**

The Aboriginal Friends Interview Call-Out Roster and the Indigenous Justice Officer are funded by the ACT Government. An amount of \$0.070m per annum is allocated within the department's budget for each of these items of expenditure. ATSIC funding has been accessed to assist with operational costs of the ACT Aboriginal Justice Advisory Committee.

### **9.4.2 Adult Corrections**

The Territory funds the CORE Correctional Treatment Program—cognitive therapy. The cost of this program is \$0.080m for three groups run over 12 months (this includes \$0.010m for the University of Canberra to evaluate the program). In addition, there is the cost of \$0.005m for an ASO6 welfare worker to coordinate the program for three hours per week

The Commonwealth funds "Learning to Relate Without Violence and Abuse" through the Partnerships Against Domestic Violence Initiative at a cost of \$0.03444m over 12 months. This funding will cease in early 2001.

The Territory has allocated funds for the Indigenous Liaison Officer position. In terms of resource allocation, the position has been identified as a part time function (\$0.0183m) but it is acknowledged that future demand may be demonstrated to justify an increase in the position's hours.

Other programs that relate to the welfare of Indigenous prisoners such as health and education are provided by local government and non-government agencies with Territory funding.

### **9.4.3 Youth Justice Services**

The Territory funds 25 hours per week of mental health services to Quamby at a cost of approximately \$0.050m. An additional \$0.050m was provided for the training and purchase of specific mental health services such as specialist assessments.

EQUIP delivered by Programs Manager and two operational staff. Overall costs are approximately \$90-\$120 per hour to deliver 3 hourly programs per week. Over 42 weeks, this costs \$11,340-\$15,120 (these costs include all other programs under the umbrella of EQUIP). This cost is borne by the Territory.

Drug and Alcohol counselling and services are provided to Quamby residents by Drug Referral Information Centre at an annual cost of \$0.0075m. Group programs are delivered on a needs basis at \$64 per hour (\$384 per 6 hour program). The Territory funds these services.

The Territory funds the Hindmarsh Education Centre at a cost of \$0.300m per year for teaching staff.

Cultural courses and other short programs are provided on a needs and interest basis through external providers at a cost of \$50 per hour that is met by the Territory.

### **9.4.4 Legal Aid**

Legal Aid funding is provided by the Commonwealth for Commonwealth matters and the ACT Government for Territory matters. In 2000-2001 Commonwealth funding will total \$3.039m and Territory funding will total \$2.458m. It is anticipated that more than 60 per cent of the workload will relate to Commonwealth matter. As noted above, resources are allocated according to determinations and guidelines.

#### **9.4.5 Police**

Programs etc, including those which are mainstream, funded as part of ACT Region policing are:

- Aboriginal Liaison Officer;
- Police in Schools Program;
- Project Saul;
- diversionary conferencing; and
- Police and Citizens Youth Clubs.

Further detail of Indigenous justice expenditure is provided at *Appendix E*.

#### **9.5 Background**

Indigenous children and young people are over represented in child protection and substitute care services (6 per cent of all children notified are Indigenous). Indigenous children and their families are not accessing Child Health and Development Services and child care, and there is a lack of Indigenous specific family support services. There is a need for services that support Indigenous families and prevent children and youth coming into care.

#### **9.6 Needs**

In terms of needs identified for the purposes of the Inquiry, there are four major cost drivers. The first relates to the diseconomies of small scale faced by the Territory which increases the costs of service provision for a range of Children's, Youth and Family programs. The ACT has to develop the full range of policies and responses to Indigenous issues that the other states put in place, but without a comparative population base. This significantly increases the costs of service provision.

The second cost driver relates to the young socio-demographic profile of the ACT. With 60.5 per cent of the Territory's Indigenous population under the age of 25, there are higher burdens and demands placed on the Territory's children's and youth services, relative to other jurisdictions.

Thirdly, the ACT's high wages and salaries further exacerbate the costs of service provision to the Indigenous communities in the ACT and surrounding regions.

Fourthly, the provision of these services to non-residents increases the cost burden on the ACT significantly.

#### **9.7 Government Response**

There is considerable investment in Indigenous specific services for children, young people and families. The ACT Department of Education and Community Services is working in partnership with the Commonwealth to establish an early intervention service and an accommodation service for Indigenous youth, and is developing an Indigenous Services Plan in consultation with the Indigenous Education Consultative Body.

In terms of Child Protection & Substitute Care, Family Services purchases an Indigenous Foster Care Service from Open Family ACT and employs two Indigenous child protection workers.

The ACT Government funds Gugan Gulwan Youth Aboriginal Centre, which provides safe recreational space for young Indigenous people and which employs Youth Workers provide support, information, advocacy and referral for young people who drop in or phone. In 1998-99 the ACT Department of Education and Community Services consulted with a range of stakeholders to assist Gugan Gulwan Aboriginal Youth Centre in the development of its programs for Indigenous young people.

Youth Connection Youth Service provides case management support to young people aged 12-15 who are at risk of exiting the education system, and the service employs an Indigenous worker fulltime. Assistance may include negotiations to return young Indigenous students to school, linking students with alternative education programs and providing assistance to families of young Indigenous people.

The Family Services Policy includes the Aboriginal Child Placement Principle. Family Services seek placements within a child's family or their community, and an Indigenous worker has been appointed to assist with recruitment of Indigenous carers.

Family Services also designates one Indigenous social work/psychology student placement per year.

## **9.8 Resourcing**

The ACT expends \$0.100m for two Indigenous child protection workers employed by the ACT Department of Education and Community Services. An Indigenous Foster Care Service is also provided by Open Family ACT at a cost of \$0.060m.

Further detail of Indigenous Children's, Youth and Family Services expenditure is provided at *Appendix E*.



## **10 OTHER – SPORT AND RECREATION**

### **10.1 Needs**

A recommendation arising from the *Royal Commission into Aboriginal Deaths in Custody* was for targeted assistance in developing opportunities in sport and recreation for Indigenous young people.

### **10.2 Government Response**

The Young Persons Sport and Recreation Development Program is one of eight development tools which make up the Australian Sports Commission's Indigenous Sport Program, and is targeted at 'young people' but aims to assist all ages and both genders. The program seeks to educate individuals and agencies about the benefits for Indigenous people of participation in sport and recreation and seeks to facilitate the participation of Indigenous people at all levels of sport and recreation.

### **10.3 Resourcing**

Funding of \$0.050m per year for the Young Persons Sport and Recreation Development Program comes to the Aboriginal Corporation for Sport and Recreation Activities from ATSIC via the Australian Sports Commission's Indigenous Sports Unit. The Program was based at the ACT Bureau of Sport and Recreation until early 1999 when it was transferred to Aboriginal Corporation for Sport and Recreation Activities.

## **10 OTHER – ARTS AND CULTURE**

### **10.1 Needs**

The ACT Government has a commitment to the development of an Aboriginal and Torres Strait Islander Cultural Centre.

### **10.2 Government Response**

The cultural centre project arose from the recommendation in 1992, by the Legislative Assembly's Standing Committee on Planning and Infrastructure, that \$2.5m be allocated to the development of a cultural centre. Extensive consultations have occurred since that time to shape the establishment and development of the centre, which, following community rejection of the initial site at Acton Peninsula, will now be sited at Yarramundi reach.

In terms of Indigenous arts in the ACT, the ACT Government provides funding to assist with the employment of an Indigenous Arts Officer whose role is to:

- develop career pathways and opportunities for Indigenous artists in the Canberra region;
- work with Indigenous people and cultural organisations to increase the opportunities for Indigenous artists, particularly young people within the mainstream arts sector; and
- identify Indigenous arts and culture with commercial potential, giving business guidance to Indigenous artists.

### **10.2 Resourcing**

The ACT Government provided \$2.5 million capital funding at the outset of the Cultural Centre project, and the Chief Minister's Department continues to undertake coordination for planning and development of the Centre.

The ACT Government provided \$0.0465m across 1998-99 to assist with the costs of employing an Indigenous Arts Officer for the Canberra region.

Further detail of Indigenous arts and culture expenditure is provided at *Appendix E*.

## 12 SUMMARY

The ACT Government recognises the needs of the ACT Indigenous population as identified by the *Royal Commission into Aboriginal Deaths in Custody* and the *Bringing them home* reports; by benchmarks and indicators such as over- or under-representation in key areas such as health, education, employment and justice; and by consultation with the Indigenous community of the ACT.

In the ACT there is a range of Indigenous-specific programs and services designed to address the relative disadvantage of the Indigenous people in the ACT population, and these programs and services include health, education, training and employment, justice, sport and recreation, and arts and culture. The estimated and indicative total cost of these programs and services is \$10.1607m.

In the main, due largely to the disadvantages of diseconomies of scale, the ACT Government tends to use a mainstream service provision model with a focus on improving Indigenous access to, and ensuring the appropriateness of, mainstream services. On the basis that the Indigenous people constitute 1 per cent of the ACT population, the estimated accrual apportioned cost of programs and services used by the Indigenous population of the ACT is approximately \$17.6m.

As this Submission demonstrates, there is a number of unique and special circumstances in the ACT and related cost drivers which affect the identification, cost and process of meeting the needs of Indigenous people, relative to other jurisdictions. These include:

1. diseconomies of small scale which permeate the administration of Indigenous programs, since a full range of services is required for the relatively small Indigenous population;
2. extensive use of cross border services by the Indigenous populations of the region;
3. the relatively small size of the ACT population in general, and the ACT Indigenous population in particular. In addition to the issue of economies of scale, the population size poses difficulties in gathering accurate statistics, and more difficulties still in disaggregating statistics for effective analysis of access to, or effectiveness of, programs and services. Indigenous demographic statistics for the ACT can only be indicative and as such are likely to be under-representative of the ACT Indigenous population;

4. the relative mobility of the Indigenous population in the ACT. Canberra is the major centre for an Indigenous population located well beyond its borders, and in this context the limiting of an ACT Indigenous population to those within defined borders is artificial;
5. the relative youth of the ACT Indigenous population which increases the costs of service delivery for a range of services, in particular for education and justice programs;
6. the high wages and salaries inherent in the ACT, caused by the relative immobility between geographically different labour markets, and the presence of the Commonwealth. This factor substantially increases the costs of services provided to the ACT Indigenous community;
7. the nature of the National Capital layout and its inland location and extreme climate which exacerbates service delivery problems in areas such as housing and transportation; and
8. the combination of state and local government functions which presents its own difficulties when comparing the types of services offered in Canberra and the ACT with other capital cities and regions. The ACT contends that in some instances a more realistic and useful comparison may be with comparable regional cities such as Newcastle or Wollongong; and
9. the positioning of the ACT as an 'island' jurisdiction within the larger ATSIC Queanbeyan Regional Council area, making the ACT the only jurisdiction in Australia that is part of an ATSIC region administered in another state. It is also the only state or territory that does not have an ATSIC Manager overseeing ATSIC's interests in the state or territory. This cross-border arrangement and lack of a state management role may mean that the ACT is disadvantaged by having comparatively less input to ATSIC program or funding decisions and arrangements.

This Submission provides the ACT's preliminary input to the Inquiry. More data and research may be required to allow the Commonwealth Grants Commission to assess the special and unique circumstances in which the ACT provides programs and services to the Indigenous population of the ACT, and Government welcomes the opportunity to further expand on this Submission at the upcoming conferences and through a final Submission towards the end of 2000.

