
3 The Indigenous policy experience 1960 to 2012

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Abstract

The Indigenous policy experience from 1960 to 2012 saw the de jure legal position of Indigenous people significantly changed for the better, while the role of government also changed and various purchaser–provider models were used to pursue policy objectives.

In remote communities in particular the ‘removal of the footprint of government’ and the remoteness of policymakers resulted in outcomes well below what had been hoped for. Interventions by metropolitan government and attempts to coordinate services had limited success. The evaluation of programs had limited value in overcoming the structural deficiencies of government, which seemed unable to act in accordance with its own understanding of ‘what works’. There was resistance to evaluating how critical responsibilities were met by government or shifted to individuals, families and service providers.

To quote Dillon and Westbury, ‘How is it that governments ... have allowed this level of systemic failure for so long ... while promoting worn out policy approaches that have proved unworkable?’ (*Beyond Humbug*, 2007)

3.1 The Indigenous policy experience 1960 to 2012

A 20 minute segment on a 52-year policy experience is a tall order. I have a broad sense of that period because I have been involved with Aboriginal people and their issues over the whole of that time. That involvement has, however, been in a range of roles — as a student, a lawyer, a politician and legislator, a minister, a researcher, a statutory officer, through a statutory corporation, and through involvement in NGOs. I remain involved because I know how much remains to be done if we are to do justice to Aboriginal and Torres Strait Islanders, many of whom remain the most socially and economically disadvantaged Australians. My involvement, however,

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has been more about assisting in doing things which seemed to need to be done, rather than the detached analysis in which many participants in this workshop excel. I acknowledge the contribution of scholars and analysts to my own understandings (for example, the work of John Taylor and many others in the Centre for Aboriginal Economic Policy Research) and that of others actively involved over decades, who also have contributed by scholarship and analysis (for example, Bill Gray, Noel Pearson, Marcia Langton, Neil Westbury and Michael Dillon).

It is impossible in the time available to comprehensively cover the complex policy and administrative changes that have occurred. Given the subject matter of this workshop, my focus will be on the broad approaches to service delivery over that period. The passing references to important developments in the Indigenous rights area, such as land rights and native title, as well as major debates about treaty and sovereignty, is not to suggest that they are unimportant but that they do not directly go to the history of service delivery over that period. My own view is that the Indigenous rights issues are fundamentally important to the relationship between Australia and our first nations, and ultimately to outcomes. The High Court decision in *Mabo* was the most significant shift in the balance of power between the settler society and Aboriginals and Torres Strait Islanders since 1788. That case has brought Aboriginal people to many tables, not as supplicants but as stakeholders. Importantly, it has also brought important economic players, particularly miners but other corporate interests as well, into the relationship. At their best, miners and other commercial entities have much to show government about evidence-based approaches to policy and delivery, about the importance of and potential benefits from careful evaluation, about long-term approaches to tackling wicked problems, about learning by doing and about genuinely working in respectful partnerships.

Over the period since 1960, the past has become a foreign country. In our justified concern about present circumstances, we and, I think, Aboriginal people, often overlook where we have come from and what they have won.

In 1960, Aboriginal people were mostly denied the vote, were not counted in the Census, were still subject to extreme controls by bureaucrats, in some parts of Australia were confined to reserves or lived around our towns and cities in humpies and car bodies. Families were dismembered, not for reasons of welfare but for reasons of social engineering that were fundamentally racist and wrong. The policy of assimilation was contemptuous of Aboriginal society; Aboriginal people were sexually preyed on, were moved off their homes and lands without consultation or compensation whenever other interests wanted those lands, had little or no protection of their culturally significant sites and, to try to sum it up, must have been regarded as a subhuman species to justify their treatment.

In our frequent despair at our failure over 50 years to get all the results that Aboriginal people have asked for, and which governments often have wanted too, there has been much historical revisionism about the good old days before Whitlam, before self-management, before ATSIC, before the do-gooders and socialists and indeed communists messed it up. I did not witness all of what were supposed to be the good old days, but what I did see was not good at all. When in 1960 I visited the reserves in the south-west of Western Australia and the fringe camps around Perth, and when I saw a film of Papunya at the time the great art movement of the desert was taking off in the early 1970s, I saw the most degrading physical living conditions. There were few if any Aboriginal professionals. Aboriginal people were not generally prominent, whether in the arts, academia or sport, and they operated on the fringe of the economy. Overt racism was politically correct. In all those respects, changes have been gradual but in a positive direction.

When I visited the community of Carnarvon in 1979, people still were living in abandoned car bodies, as Aboriginal people lived in creek beds and on rubbish dumps around the country. Now, mostly, Aboriginal people live in houses — albeit often overcrowded houses. And as for the pastoral idyll the revisionists talk about, yes there were some pastoralists with great relationships with the traditional owners of their leases living in bush camps near the homestead. But other traditional owners lived in squalor. ‘They are like family’, I often was told by more positive pastoralists. But when a property was sold, that part of the family was usually left behind, even where there were children whose half brothers and sisters were leaving. And after the equal wage case led to many traditional owners no longer working on cattle stations, few pastoralists provided excised living areas for traditional owners (as the Emanuel family at Christmas Creek station in the Kimberley did).

What has happened since 1960 is a succession of policy initiatives with successes and failures, often intermingled.

The first change was the securing of a basic democratic right, the right to vote, in 1962, through Commonwealth legislation following a parliamentary committee enquiry.

Then, after an excellent Aboriginal and Torres Strait Islander led campaign, 90 per cent of Australians voted ‘yes’ in the 1967 referendum to remove the provision that Aboriginal people were not to be counted in the Census, and to give the Commonwealth power to legislate with respect to Aboriginal people. This was an unprecedented level of support for a referendum, and its significance is as much symbolic as real — it is widely credited among Aboriginal people I have met with admission to full citizenship.

In 1964, the North Australian Workers Union began the campaign for equal wages for Aboriginal pastoral workers. The Conciliation and Arbitration Commission heard the case, and its ruling on equal wages came into force in 1968. The (probably) unintended consequences of that decision (the ejection of many communities from their traditional lands and their subsequent social and economic degradation in desert towns), led to the later government decisions to purchase leases to enable the return of people to country. Current enthusiasts for emptying the ‘cultural ghettos’ of the remote communities might usefully answer the question ‘where should these people go, to do what?’

Aboriginal affairs policy became more complex and contentious after 1967, with the emergence of the Land Rights movement. This was a claim for rights peculiar to Aboriginal people and roused misgiving in the breasts of many. ‘We are all equal and Aboriginals should not have special rights’ was the negative argument; ‘They should not have what we can’t have’. This argument was particularly strongly articulated by people who, in the past, had been unconcerned about Aboriginal inequality. Queensland and Western Australia were particularly strident about this issue.

The failed Gove land rights case in 1971 put to bed for the time being the use of the courts to assert native rights to land. The careful judgment of Justice Blackburn, however, articulated the basis of rights to land under Aboriginal law, which he described as a government of laws and not of men. His judgment articulated what needed to be delivered politically, as judicial precedent was thought at that time to preclude common law recognition of Aboriginal land rights.

Until the 1970s, much policy was based on the idea that Aboriginal Australians would gradually be absorbed into the general population, although there was little interest in attending to the social and economic barriers to full participation in Australian society.

In tracing this history, it is worth noting that ‘post-assimilation’ policy did not begin with Whitlam. Prime Minister McMahon’s Australia Day speech in 1972 stepped away from the policy of assimilation. The Budget speech in 1972 of the first Commonwealth Minister for Aboriginal Affairs, Peter Howson, described provision for the first time of federal funds for land purchase, cultural organisations and Aboriginal medical and legal services.² Under the influence of government advisers including Nugget Coombs, Professor Stanner and Barrie Dexter, new policy

² He later became a prominent critic of these policies. In a classic case of revisionism, when in a public exchange I pointed out that he was in fact the father of the new approach to Aboriginal affairs policy, he countered that he had disagreed with what he had done as minister, apparently forced into these policies by the prime minister.

approaches saw active Aboriginal participation as essential to improving Aboriginal circumstances. We now have had 40 years experience of admittedly spasmodic application of that idea, and have learned a lot about its importance. We seem to have been less successful in learning how to apply our knowledge; a matter that should be of central concern to this workshop.

In most areas of social policy, the Whitlam period was a time of frantic policymaking, with enthusiasm more evident than competent administration. There were three Aboriginal affairs ministers in three years. The idea that Aboriginal people should be given responsibility for their own affairs was accompanied by what Dillon and Westbury described as ‘the removal of the footprint of government’ (2007, p. 208ff.). As has been the case ever since (to greater and lesser degrees) the gap between good intentions and execution was wide.

Two achievements of the Whitlam period stand out as having long-term impact — the passage of the *Racial Discrimination Act 1975* and the introduction of land rights legislation for the Northern Territory.

Whitlam appointed the Woodward Commission in 1973 to advise, not on the desirability of land rights in the Northern Territory, but on how to grant them. Two reports later, the Government and the Opposition endorsed the Woodward approach, and Whitlam introduced legislation in 1975. The legislation was still in the Parliament at the time of the dismissal but was reintroduced by Fraser with some limited changes but with a wider reach over the pastoral estate. It was passed in 1976, and about half the Northern Territory is now held by Aboriginal people under perpetual inalienable freehold title.

Discontinuities of policy are often a contributing cause of failure. However, there were substantial continuities of Aboriginal affairs policy at the Commonwealth level from 1972 to 1983. Whatever the skirmishes politically, there was bipartisan support for funding Aboriginal corporations to deliver policies across a range of areas, such as health, legal services, children’s services, land purchase for social, cultural and economic purposes, and encouraging States to legislate for land rights within their respective jurisdictions. There were, however, very different approaches in some States, with opposition to notions of self-management (as opposed to approaches based on bureaucratic controls) and violent opposition to land rights in Queensland and Western Australia. There was also a view in some States that anything to do with Aboriginals was the responsibility of the Commonwealth; for example, Aboriginal housing in Victoria. This was notwithstanding the Commonwealth position that Aboriginal Australians had normal citizenship entitlements from the States. From time to time, the Commonwealth asserted its position by making state grants subject to conditions

requiring a fixed proportion of expenditure to be directed to services for Aboriginal people.

During this period, the Commonwealth also supported a number of representative structures to provide a national Aboriginal voice; for example, Whitlam with the National Aboriginal Consultative Committee and Fraser with the National Aboriginal Conference. Neither of these bodies had executive functions and were subject to criticism on various grounds, although my personal experience as a minister was that they held the Government and the minister to account in the court of public opinion to good effect, and I found their counsel and advice invaluable — even though they went international in their complaints about our failings as a government.

In 1977, the Community Development Employment (CDEP) scheme was introduced by Ian Viner as a response to Aboriginal concerns that welfare payments were causing social dysfunction. (Note that this is the same as more recent concerns expressed by Noel Pearson about the corrosive effects of welfare on Aboriginal communities.) It was intended as a ‘work for the dole’ equivalent, with additional funds being provided for administration and some plant and equipment. It has continued in one form or another to the present day, with frequent reviews. (Recent decisions to end CDEP have in turn been reviewed.) In some communities (for example, the Ngaanyatjarra communities in Western Australia) CDEP has been an essential part of maintaining functioning communities.

The setting up of the Aboriginal Development Commission in 1981 was a further step in enlarging Aboriginal control of program delivery. The Development Commission assumed responsibility for some of the programs previously administered by the Department of Aboriginal Affairs. It was controlled by an all-Aboriginal board, and had a high degree of freedom from government direction and control.

This broad bipartisanship was lost in 1983, when Labor adopted a policy of national land rights, using Commonwealth constitutional power to require the adoption of land rights across the States. This was a bridge too far for the Liberal and National parties. Although there had been confrontations between the Commonwealth and States during the Fraser Government (for example, Aurukun and Mornington Island in Queensland and Noonkanbah in Western Australia) the basic commitment to federalism, as well as the politics of confronting popular state leaders, had prevented the use of Commonwealth constitutional power to override the States. Although the Hawke Government policy for national land rights came to nothing after commitment to the policy collapsed in the face of opposition from a Labor

State government (Burke in Western Australia) and the mining industry, subsequent policy developments during the 1980s saw other policy differences emerge.

The establishment of the Aboriginal and Torres Strait Islander Commission (ATSIC) in 1990 was intended as a larger step toward Aboriginal responsibility for both advice to Government on policy, and program delivery. An elected national board with an appointed chair had policy and administrative functions. Elected regional councils had representative, funding, and service delivery obligations. The Commonwealth Government would look to ATSIC for policy advice and Aboriginal organisations would look to it for funding. The establishment of ATSIC was opposed by the Opposition and by the Aboriginal Development Commission (ADC) but it was legislated for in 1989 with Australian Democrat support. It survived until 2004 when, after a series of allegations and scandals at national board level, the Labor Opposition indicated it would be replaced and the Howard Government took the opportunity to announce its abolition and the return of responsibility for programs to line departments. In practice, the regional structures of ATSIC worked well in many regions, such as Murdi Paaki and Shepparton, but were lost along with the national body.

For the purpose of this roundtable, perhaps the most relevant developments over the past 50 years are that, until 1972, program delivery was a responsibility of the normal agencies of governments. Starting in 1972, responsibility was shifted to funded Aboriginal-controlled organisations, incorporated in the main under Aboriginal-specific legislation. This involved the funding of thousands of organisations annually across communities in remote, regional and urban communities. Line agencies retained (or over time regained) responsibility in some areas (health in particular) but also delivered services by funding Aboriginal-controlled organisations. Post ATSIC, line agencies resumed responsibility but, in line with current public service procedures, often used purchaser–provider models with Aboriginal organisations (with departments acting as contract administrators rather than service deliverers).

Unsurprisingly, there have been regular concerns about failures in Aboriginal-controlled service delivery organisations, including complaints of maladministration, nepotism, and sometimes corruption. Such well-publicised problems became the public and political face of ATSIC and Aboriginal programs over that whole period. This is a problem in its own right — the failures of the few drowning out the efforts of the rest. If even 10 per cent of funded organisations were defective (and given the statistics for small business failure in the general community, 10 per cent failure would be a very good outcome) that would result in a ‘scandal’ per working day for the media to report and for ATSIC, the minister and the Government to respond to.

The emphasis in the ATSIC legislation was on audit of Aboriginal organisations. There were layers of audit which, from my observation, were used less as learning experiences than as the basis for punishment and defunding. Similarly, the administration of the Office of the Registrar of Aboriginal Corporations was, for a substantial period, in the audit and punish mode (although more recent registrars have adopted capacity-building approaches based around learning by doing and learning from mistakes).

What have we learned over 50 years? In my view, a lot, with academics, bureaucrats and the Steering Committee for the Review of Government Service Provision (with the Productivity Commission as secretariat) finding a lot of common ground about what works. What I believe this roundtable should take from the past 50 years is that the failure of funding agencies (whether the ADC, ATSIC or line departments) to apply what has been learned is a larger issue than the issue of the evaluation of the providers and their program delivery. We need much more critical evaluation of how we go about the purchase of services, as well as evaluation of the provider.

As Dillon and Westbury pointed out in 2007:

What has not been recognised (at least within government) has been the extent to which government funding arrangements have reinforced community and organisational dysfunction. (p. 191)

The Steering Committee for the Review of Government Service Provision (SCRGSP) sets out in its reports the preconditions for success (and observes that the lack of these factors can often contribute to program failures):

- Cooperative approaches between Indigenous people and government – often with the non-profit and private sectors as well.
- Community involvement in program design and decision making – a ‘bottom up’ rather than ‘top down’ approach.
- Good governance – at organisation, community and government levels.
- Ongoing government support – including human, financial and physical resources. (SCRGSP 2011 and previous)

I think that there are few, if any, authorities who would challenge that analysis. Wicked problems, multi-factoral problems affecting people, such as health, education and employment, do not admit to solutions that do not involve those for whom the program is established. However, I do not know any Indigenous communities or individuals who would claim that their experience of dealing with government has been in line with those preconditions.

The Commonwealth has acknowledged the interconnectedness of the problems it seeks to address, and concluded that whole-of-government approaches are required. Two Management Advisory Committees have described the changes in organisation and processes that are essential if whole-of-government is to work. The changes included five basic imperatives:

- substantial initial cross-agency – stakeholder agreement about the broad purposes to be pursued
- use of the outcomes budget framework to pool resources and to create appropriate accountability frameworks
- lead-agency staff empowered with sufficient authority to manage whole-of-government settings and to lead the engagement of local stakeholders
- empowering these same managers to engage with relevant individuals and interests
- ensure the individuals engaged in those latter roles have the appropriate networking, collaboration and entrepreneurial skills.

Note that this is an internal high level Commonwealth assessment, not that of some external critic. These are the people with administrative skin in the game. In my view, these imperatives are not ever met.

More detailed and authoritative academic and bureaucratic views on the failure of whole-of-government initiatives are set out in the supporting material to the *Fixing the Hole in Australia's Heartland* report by remoteFOCUS at Desert Knowledge Australia (Walker, Porter and Marsh 2012, p. 57ff.).

3.2 The purpose of evaluation

The idea that we should evaluate programs is incontestable. But the purpose of evaluation and how best to go about evaluation are significant. Is evaluation part of an audit–punish process? Is it a learning tool, where evaluation allows learning by doing? Is a favourable evaluation an aid to maintaining funding or just an academic exercise keeping someone, the evaluator, in a nice job? Should we evaluate the performance and approach of purchasers in the same way that we evaluate providers, given that providers are often asked to operate under circumstances that are inappropriate to the task?

I ask these questions because I have seen examples of what seem to me to be flawed or non-rigorous evaluations, where I have concluded that the motivation of the evaluator is to avoid hard-working people, working in difficult circumstances on

difficult (wicked) problems, being de-funded by well-remunerated people sitting in lordly judgment behind their computers in the comfort of their air-conditioned offices. Many evaluators may be reluctant to see a year, perhaps years, of labour against the odds rewarded by the click of a computer button removing a program from further consideration. In addition, funding may well be removed from programs that have been evaluated as very successful. So why should providers cooperate with evaluators when it is all a time-consuming game of no benefit to the provider?

Evaluation of purchasers and their approaches does occur; for example, Bill Gray's evaluation of the effectiveness of the Secretaries Group in the COAG trials; Peter Yu's evaluation of the Northern Territory Intervention; the measurement of school attendances post the intervention; and the evaluation of income management. But how are those evaluations used?

A recent report on income management, *Evidence-Free Policy Making? The Case of Income Management*, concluded that:

Despite government claims managements of 'evidence' for the benefits of the new program, its own evaluation proposal makes it clear the evidence is not there. (Cox 2011, p. 85)

The same report quotes with approval Gary Banks:

It will be clear ... that policy decisions will typically be influenced by much more than objective evidence, or rational analysis. Values, interests, personalities, timing, circumstance and happenstance — in short democracy — determine what actually happens. (Banks 2009, quoted in Cox 2011, p. 3)

The positive examples of evaluation which come to my mind relate to corporations rather than government. I sit on the board of a provider which works in government schools, but with external funding coming from the private sector, mainly miners. We are regularly independently evaluated and have non-government funding relationships extending over more than 15 years. Our funders are interested in learning as we go. They participate in the management of each individual project and, so far, have extended their support as we learn from what we are doing. For example, we have regularly achieved the objective we share with funders, the school, parents and students, of having Aboriginal children achieve Year 12 — *achieve*, not just attend, graduate able to go to university or into trades or good jobs. Two of our funders looked at the qualifications of our school leavers in their projects and wanted to improve the maths–science outcomes. So we have been encouraged to do maths–science enrichment in relevant primary schools. This sort of evaluation leading to action makes sense.

One funder, after about seven years of support, did an independent evaluation checking the education/employment/income situation of our graduates. The results were excellent, so their response was to double the size of that particular project. That's evaluation with a positive purpose. In a session with that funder, we were advised that they had evaluated all their 20 or so Aboriginal-related projects and had identified which produced best results. Perhaps unsurprisingly, the successful projects (including ours) involved significant per capita investment. They talked of a 20-year time frame and the links between early childhood programs, preschool programs, school-to-work programs and employment programs. An evaluation of their approach compared to the approach of government funders of service deliverers would be instructive. Going into a particularly difficult remote community, they have built a substantial workshop to industry standards, employed an independent community developer to work with the community and offered us 10-year funding if we can find premises to work on education in that community. Government is not like that to deal with.

I think that some of the problem lies in the myths of new public service management as it is applied to remote areas and, perhaps, to wicked problems generally. The theory presupposes a market able to deliver outcomes set by distant bureaucrats, who are able to contract out their responsibility to achieve good results. Miners, with their experience of project management, better understand taking responsibility for managing towards a long-term outcome, dealing with complexities and problem as they arise. You learn from mistakes, stop doing things that are unproductive and actively look for what will work. You do what needs to be done to achieve the objective.

In contrast, how does government seem to me? One-year funding with no continuity guaranteed, onerous and hence costly reporting requirements, frequent policy changes, lengthy negotiations about working to shared objectives that are dropped without apology or explanation because priorities or policies have changed. Agreements are made and then not honoured. Two and a half years ago I attended a high-level meeting in a remote community, with officials from a number of departments, to discuss (since failed) policy changes being imposed against the will of the communities involved. The communities expressly agreed with the broad policy objectives of promoting training leading to employment, but argued that the changes the Commonwealth was implementing would not work. The most senior person present, a deputy secretary, contributed nothing and seemed to think that whatever the problem was, it was not his. Bad policy decisions had to be made to work by people living in some of the most difficult circumstances in Australia. The negative outcomes over the next two years were as predicted by the community and, over the course of that time, it became clear that the external agencies contracted by the Commonwealth had not understood and hence not implemented important

elements of the program. Now there are high-level meetings trying to find an approach that will work in a practical way, although the legislative framework inhibits practical implementation.

By chance, I was in one of the associated communities a week before the changes were to be implemented, when three public servants from three relevant agencies arrived to explain what was to happen. In fact, the public servants misinformed the audience about the pending changes. This was probably incompetence rather than malice but I am sure the reporting back by this flying squad would have claimed they had met with the communities they visited and informed them of the changes.

Clearly, I am not Indigenous but, from what I have observed, whatever the policy intentions, the system is broken. Without systemic change the idea that we can do better through evaluation I think is a vanity. My plea is to evaluate the systemic barriers that prevent the kind of effective engagement identified by the Steering Committee and the Management Advisory Committees previously mentioned. A lot of Aboriginal people are alienated and disengaged because of their experiences of dealing with governments.

My sense about this roundtable is that there is a real risk that it will be another futile effort. I say that because there are so many reports and assessments of Aboriginal policy and programs. There is now an accepted wisdom about what works, but repeating the words seems to make no difference to how governments and bureaucracies behave. The National Partnership Agreement on Remote Service Delivery sets out how things should be done — but that is not how they are done. In any event, what about the much larger group of communities that are not part of that agreement? How are they dealt with? The system under which we operate is broken, and it is the broken system that we should be evaluating.

3.3 Is the system workable?

Of course, evaluation should be central to how policies are implemented. In 1988, in *Shades of Darkness*, Paul Hasluck captured how a rational system dealing with wicked problems might operate:

... my personal belief, as in other fields of government, is that policy is shaped and developed best when it is the outcome of practice rather than of theory. The purpose behind a policy is achieved through agencies of government working on a situation and problems that arise. I wanted my officers to see a policy of assimilation as an ideal and as the ultimate purpose of their work but not to bind themselves to a theory. Let the policy take shape and let the administrative measures be chosen through decisions and actions on successive tasks. The results would be observed at each stage.

The process of assimilation would be one of progressive change and we would need to watch the change and make adjustments in plans and methods to suit the situations that emerged. We should be concerned with what happened to people rather than with any theory. (Hasluck 1988)

The formal policy is no longer assimilation — but that is not the point of the quotation. Delete the word assimilation and apply it to any policy. It is the approach that is relevant to this workshop. This approach presupposes a constant capacity for evaluation during a lengthy process. It presupposes an ideal which you work towards flexibly, and a high degree of local knowledge and variability. As Hasluck said ‘the applicability of the policy to Aborigines was uneven’. The rigidity of national policy, legal and administrative frameworks, and the lack of locally knowledgeable staff, make an iterative learning by doing approach impossible. We are light years away from the pragmatic approach to administration of policy suggested by Hasluck.

In fact, we have fallen back, lacking clarity in current policy objectives — are they for assimilation or for recognition of Aboriginal people having the right to cultural difference and preservation? This matters. As a senior Aboriginal leader put it to me, some Aboriginal parents resist education because they don’t want their children to stop being blackfellas. The impliedly assimilationist tone of much policy debate is a barrier to achieving the educational and employment objectives we all, Aboriginals included, have.

The Commonwealth has a Coordinator-General for Remote Indigenous Services, Brian Gleeson. His role is to report to the relevant minister on the development and delivery of government services and facilities, including improvements to the coordination and delivery of such services, in 29 specified remote communities. At a conference on evaluating complex policy initiatives, the Coordinator-General listed 10 barriers to effective evaluation of the National Partnership Agreement on Remote Service Delivery:

- fuzzy program logic and diffuse objectives
- the difficult concept of the comparison community
- lack of minimum service standards against which to measure progress
- lack of place-based data and ability to share data (privacy considerations)
- lack of performance measures in local implementation plans
- diffusion of responsibility and lack of leadership authority
- multiple levels of action — across governments, between governments, at community level

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- multiple objectives — new ways of working, improving service systems, improving outcomes
 - difficulty in measuring improvements in social outcomes over the short term
 - local implementation plans that include in excess of 3000 actions nationally (Gleeson 2012).

The lessons he drew included using local expertise where possible and building in accountability to the community as well as governments. In addition to his formal presentation, available on the website, his reported oral comments less diplomatically described his task as ‘impossible’. The setting of 3000 actions was an impossible number. He is quoted as saying ‘I mapped out in all the 29 communities every single service — whether it’s access to police, childcare facility, crèche, down to a swimming pool. And I tell you what, a lot of crosses compared to the ticks’.

Recently abolished, the Northern Territory equivalent of the Coordinator-General reported to her government in late 2012. Her report demanded that greater priority be given to a rigorous review and evaluation of programs but also drew attention to the failure to take into account the cultural context and needs of Aboriginal towns and communities, the failure to counteract entrenched structural racism and exclusionary practices affecting the provision and delivery of services, the fragmentation of funding, investment in repair rather than prevention, the marginalisation of Aboriginal people in decisionmaking etc etc etc (Havnen 2012). The list of her concerns is too long to include here. Her (in my view entirely valid) concerns dwarf the issue of evaluation of individual programs.

These comments relate largely to the issues confronting programs in remote communities, the communities where the statistics are generally the worst. They reflect a view that the system of government, the governance of governments, is a barrier to achieving government and community objectives, and is in need of fundamental reform. These issues are canvassed in much more detail in the report previously referred to, *Fixing the Hole in Australia’s Heartland* (Walker, Porter and Marsh 2012). I commend it to this roundtable’s participants.

Fixing the Hole in Australia’s Heartland is not a report on Aboriginal policy, programs and administration, but on how government operates. Had it focused on Aboriginal issues, that would have obscured the role of government in causing dysfunction. But the analysis is particularly important to Aboriginal communities because of the role government plays in those communities. Trying to centrally manage programs across the wide variety of circumstances in remote Australia is correctly described by Brian Gleeson as ‘impossible’.

When I read the ‘Stronger Futures’ legislation recently supported in the Parliament by both the Government and the Opposition, I could identify the good intentions but thought the approach worthy of the failed Soviet Union. The endless opportunities for bureaucrats at all levels to intervene in the lives of Aboriginal people provide a chilling prospect. Can the Commonwealth, whoever is in government, claim to have the stable, skilled, local bureaucratic capacity to deliver over a 10-year term, to work as Hasluck suggested? The one capacity we can be sure government has and will have is the capacity to ‘breach’ individuals for non-compliance when the helping activities fail. All that requires is the press of a computer key.

Any successful approach has to be local — suited to local circumstances and realities. It has to start where the people are if they are to be engaged. As Noel Pearson has sagely observed, things have to be done in the right order, as circumstances require — another reason why approaches will be different from place to place. To be successful, an approach has to be supported by all levels of government. If, as at present, there is intergovernmental tension and rivalry, the game is lost. The approach has to have a legal framework that allows sufficient flexibility to do what has to be done to involve the people concerned in the design and delivery of programs, which in turn must take into account cultural perspectives. There has to be local capacity to manage towards agreed objectives and to deploy available resources accordingly. There has to be acceptance that mistakes will be made and that they will be used as learning experiences. There has to be local accountability. Government has to use employment rather than welfare approaches. We are a long way from meeting those conditions.

To again quote Dillon and Westbury:

How is it that governments at all levels, and of all political persuasions, have allowed this level of systemic failure for so long? Why is it that governments have found it easier to ignore systemic failure, while promoting worn out policy approaches that have proved unworkable? (2007, p. 192)

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