

From: Wes Morris

Sent: Sunday, 11 September 2022 12:56 PM

Subject: KALACC Information for the PSC Agency Capability Review of the Department of Local Government, Sport and Cultural Industries

Emeritus Professor Margaret Seares AO

Emeritus Professor Margaret Seares AO

Consultant to the Public Sector Commission

**Attachments:**

- ***Investing in Aboriginal Culture: The role of culture in gaining more effective outcomes from WA State Government services***; WA DCA September 2016 Presentation delivered at the combined Kimberley ACCOs AGMs.
- KALACC and CAEPR ***Strong Culture, Strong Country, Strong Family Research Project- October 2022 Work Plan***;
- KALACC and CAEPR ***Strong Culture, Strong Country, Strong Family Research Project- 2022 Powerpoint Presentation for a Public Presentation at the Nulungu Research Institute***.

15 October 2022

**RE: KALACC Follow Up to 19 September Meeting with the PSC in Regards to the Agency Capability Review – Department of Local Government, Sport and Cultural Industries**

Dear Professor Seares

Many thanks to yourself and to PSC staff for meeting with Wayne Barker and myself on Monday 19 September 2022. By way of further insight in to the work of KALACC, I now draw your attention to the following two web links:

- <https://vimeo.com/752825643> This is a publicly accessible and freely available five and a half minute long video profile of the work of KALACC
- <https://australiacouncil.gov.au/advocacy-and-research/events/purrumpa/> Purrumpa will be the most important gathering of Aboriginal Arts and Cultural leaders in 50 years. KALACC has been integrally involved in the planning for Purrumpa, we will be very involved in the delivery of Purrumpa and we look forward to continuing to contribute towards the development of a planned National Indigenous Arts and Cultural Authority.

In advance of meeting with you we wrote to you on 12 September, as below. At that time we raised a number of key points and issues with you. In summary, those points once again are as follows:

- **Aboriginal Advisory Group on Aboriginal Culture:** KALACC is not aware that any such group currently exists.
- **Aboriginal Affairs Coordinating Committee:** Is DLGSC a substantive and standing member of the AACC?
- **Which Agency is the Lead Agency for Putting Culture at the Heart?:** It remains very unclear to KALACC what the role of DLGSC is in regards to *Putting Culture at the Heart*.
- **National Indigenous Arts And Cultural Authority:** On 20 September 2022 the Australia Council for the Arts released the list of speakers for Purrumpa – as follows <https://australiacouncil.gov.au/advocacy-and-research/events/purrumpa/> Wayne Barker of KALACC is listed as one of the speakers. Wayne will present on the topic that Artistic Vibrancy must rest on a solid basis of Cultural Vibrancy.
- **Statewide Cultural Plan:** There is no Statewide Cultural Plan, as was recently noted by Infrastructure WA in its **WA Infrastructure Strategy**.
- **Statewide WA Aboriginal Cultural Plan:** This was recommended by the WA Coroner in February 2019. KALACC is not aware of any action from Government to progress this recommendation.
- **The Kimberley Aboriginal Caring for Culture Plan:** The Government is yet to respond to the January 2020 **Kimberley Aboriginal Caring for Culture Plan**.
- **DLGSC Commissioning Strategy:** KALACC is not aware of a *DLGSC Commissioning Strategy*. KALACC is unaware of how DLGSC seeks to respond to the State Commissioning Strategy.
- **Building a Sustainable Arts Ecosystem:** The Australia Council for the Arts invests 77% of its resourcing in to supporting the core operations of organisations that it considers to be essential parts of a vibrant Arts Ecosystem. OZCO only invests 23% of its funding to project grants. KALACC is unaware of any explicit DLGSC strategy for building a sustainable arts ecosystem in Western Australia and we certainly don't believe that DLGSC invests 77% of its resources in to the core operations of Arts organisations.
- **Investment in to Aboriginal Arts and Culture:** Total Australia Council expenditure is \$194M per annum. Of that total, a sum of \$23.3M is spent on investment in to Aboriginal Arts and Culture. KALACC is unaware of comparative figures for the DLGSC investments.
- **ACCO Strategy:** KALACC will next meet on with DG Mike Rowe on 21 November 2022, to further discuss Communities ACCOs Strategy. KALACC is currently not aware of any equivalent ACCOs Strategy within DLGSC.
- **Commissioning for Culturally – Based Wellbeing:** KALACC is unable to identify any commissioning strategies, anywhere across the WA Government, for programs that operate within the domain of culturally – based healing and wellbeing. This despite a plethora of more than 40

reports over the last 20 years and despite the publication in March 2020 of the **Commitment to Aboriginal Youth Wellbeing** <https://www.wa.gov.au/organisation/department-of-the-premier-and-cabinet/aboriginal-youth-wellbeing>

- **Co – Design:** KALACC has, on behalf of the Kimberley Aboriginal Regional Governance Group on Aboriginal Youth Wellbeing, recently developed the **KAYW Co Design Guide**. This document is being discussed at the 28 October 2022 Steering Group meeting to the Kimberley Aboriginal Youth Wellbeing processes with the hope of endorsement by the WA Government thereafter. KALACC would be happy to engage in dialogue with DLGSC, or with other Government agencies, around Co Designing Cultural Programs and Commissioning Cultural Programs.

We note in particular your special interest on 19<sup>th</sup> of September in the following two matters:

- May 2016 WA DCA Discussion Paper - ***Investing in Aboriginal Culture: The role of culture in gaining more effective outcomes from WA State Government services***;
- Current Commonwealth Government investment of around \$2.5M in to KALACC's ***Strong Culture, Strong Country, Strong Family Research Project*** and partnership with CAEPR.

We take the opportunity now to briefly elaborate on those two points of interest to the Public Sector Commission, as follows:

**May 2016 WA DCA Discussion Paper - *Investing in Aboriginal Culture: The role of culture in gaining more effective outcomes from WA State Government services***

We understand that you have already contacted Colin Walker [CEO WA Art Gallery and formerly ED within the Department of Culture and the Arts] and that you have already accessed this May 2016 DCA document. However, Mr Walker may not have shared with you the PowerPoint Presentation that he used in his presentation on this topic to the September 2016 Kimberley AGMs. Please see attached. The key recommendation contained in the DCA documentation was to implement a *Cultural Investment Strategy*. In the intervening seven years we have not seen any action taken in regards to this recommendation. Twelve months ago, in September 2021, the ***Aboriginal Empowerment Strategy*** was released. Strategic Priority # One is *Putting Culture at the Heart*. But seven years after the WA DCA Discussion Paper was presented at the Kimberley AGMs, we still await a *Cultural Investment Strategy*.

**Current Commonwealth Government investment of around \$2.5M in to KALACC's *Strong Culture, Strong Country, Strong Family Research Project* and partnership with CAEPR.**

As described and as discussed on Monday 19<sup>th</sup> of September, Mr Steve Kinnane is KALACC's Research Coordinator. Attached to this email are the October 2022 Work Plan for this project, along with a Powerpoint Presentation summary of this project.

There is a Commonwealth investment of around \$2.5M in to building KALACC research capacity and in to building the evidence base around the connection between culture and wellbeing. As noted above, seven years after WA DCA called for a *Cultural Investment Strategy*, and one year after DPC published the ***Aboriginal Empowerment Strategy***, we are yet to see any government focus on 'Putting Culture at the Centre.' KALACC assumes that this lack of progress in regards to the WA Government 'Putting Culture at the Centre' is somewhat attributable to a [misguided] belief within Government that there are no credible

means for measuring and evaluating cultural outcomes and the associated social and emotional wellbeing outcomes that arise from cultural programs.

KALACC remains available to discuss any aspect of this hugely important ***Strong Culture, Strong Country, Strong Family Research Project*** with the WA Government. If the WA Government did indeed implement a *Cultural Investment Strategy*, then KALACC would be happy to provide an Aboriginal – led evaluation of such a Strategy.

Once again many thanks to yourself and to the PSC officers for meeting with KALACC on 19<sup>th</sup> of September. We wish the Public Sector Commission every success in its Agency Capability Review of the Department of Local Government, Sport and Cultural Industries and we hope that the contributions from KALACC have been of assistance to the Commission in undertaking this important task.

Kind regards

Emeritus Professor Margaret Seares AO

## **KALACC Submission to the Public Sector Commission's Agency Capability Review – Department of Local Government, Sport and Cultural Industries**

12 September 2022

Dear Professor Seares

Thank you to the Public Sector Commission for its correspondence of 31 August, inviting KALACC to participate in the Public Sector Commission's Agency Capability Review Program Trial in regards to DLGSC – as per <https://www.wa.gov.au/organisation/public-sector-commission/agency-capability-review-program> .

We note the following words in your correspondence of 31 August:

I seek your input to the review as a key stakeholder of the department and welcome the opportunity to discuss Kimberley Aboriginal Law and Culture Centre Aboriginal Corporation's relationship with DLGSC, and your perspective of the department's capability to fulfil its current and future role.

Mr Wayne Barker [KALACC's Cultural Events Director] and myself look forward to discussing these matters with you via MS Teams on Friday 16<sup>th</sup> of September. The discussions between the PSC and KALACC are very timely given that KALACC is currently working through a structured process with both the Department of Communities and with the Department of Local Government Sport and Cultural Industries, in regards to a presentation that will be delivered at a later time to the Public Sector Leadership Council. This work is being led by Director General Mike Rowe, supported by Director General Lanie Chopping. Attachment #2 to this present document provides you with the text of a letter dated 22 June from DG Rowe, stating as follows:

The documents you provided on ***Paying What it Takes*** and ***KALACC Functional Review*** will provide useful context for the work Communities will be undertaking on behalf of the Public Sector Leadership Council.

KALACC is very appreciative of the work that Communities and DLGSC are undertaking to develop a case study of KALACC as a sustainable Aboriginal Community Controlled Organisation. Nonetheless, as of September 2022 we can identify a number of key systemic challenges that KALACC views as being impediments to the development of Aboriginal cultural outcomes in the State of Western Australia. DLGSC is the lead Government agency with responsibilities in regards to advancing Aboriginal culture, and KALACC looks forward to learning of how DLGSC will seek to actualise the principle of 'Putting Culture at the Heart' ie Strategic Element # One within the September 2021 ***Aboriginal Empowerment Strategy***.

In addressing the issue of the department's capability to fulfil its current and future role KALACC frames this as:

How well is DLGSC able to act as the lead WA Government agency charged with the responsibility for putting Aboriginal Culture at the Centre of WA Government policies and programs relating to Aboriginal people?

One of the very most constructive actions that DLGSC [as the then DCA] has ever taken was the development of the May 2016 Discussion Paper - ***Investing in Aboriginal Culture: The role of culture in gaining more effective outcomes from WA State Government services***. In September 2016 DCA Executive Director Colin Walker presented this body of work at the combined Kimberley AGMs, held at Warmun community in that year, where it was endorsed by the combined Kimberley regional ACCOs. Sadly, that particular piece of work was not progressed by Government and in the six years since then we have not seen anything as insightful or ambitious forthcoming from DLGSC, or from any other Government agency.

It is our hope that both the *KALACC Sustainability Case Study Project*, involving Communities and DLGSC, and the *PSC Agency Review of DLGSC* will provide opportunities to genuinely advance the interests of Aboriginal Culture in Western Australia.

Following the discussion we have on 16<sup>th</sup> of September KALACC would be happy to elaborate on any, or all, of the matters which we raise herein.

Kind regards



Wes Morris KALACC Coordinator

*"To assist and promote the ceremonies, songs and dance of Kimberley Aboriginal people, to encourage and strengthen their social, cultural and legal values and ensure their traditions a place in Australian society."*

## KALACC Submission to the Public Sector Commission

### What is the Machinery of Government for 'Putting Culture at the Heart?'

How well is DLGSC able to act as the lead WA Government agency charged with the responsibility for *Putting Aboriginal Culture at the Centre* of WA Government policies and programs relating to Aboriginal people?

In the first week of September 2022 the Department of Premier and Cabinet hosted a meeting of the WA Aboriginal Affairs Advisory Council and on the DPC LinkedIn page one can read a post that was uploaded there on 07 September. A copy of the text of that DPC LinkedIn Post is provided herein, as *Appendix #One*. KALACC notes in particular the following words:

Last week, we joined the Aboriginal Advisory Council of WA in hosting the Culture at the Heart Workshop which brought representatives from many Aboriginal advisory groups across WA Government.

In regards to that KALACC would note as follows:

- **Govt Advisory Groups RE Putting Culture at the Heart:** Noting that the recent DPC – WAAAC meeting involved Aboriginal Advisory Groups across WA, KALACC is not currently aware of any Aboriginal Advisory Group to the WA Government that has a primary remit around Aboriginal Culture. Since DLGSC is the Line Agency with a remit around Culture, one might ask if DLGSC has an Aboriginal Advisory Group? If so, KALACC is unaware of such an Advisory Group and if one exists, KALACC was not asked to provide a representative to such a group. One might legitimately ask how it can be that Government is developing policy around *Putting Culture at the Heart* and is developing such policy through Aboriginal Advisory Groups, and yet there is no Aboriginal Advisory Group for Aboriginal Culture – the very topic under discussion.
- **Aboriginal Affairs Coordinating Committee:** Under the Barnett Liberal Government, the then Dept of Culture and the Arts had been brought on board as a member of the Aboriginal Affairs Coordinating Committee. Under the McGowan Labor Government DLGSC has not been a member of this Committee - <https://www.wa.gov.au/organisation/department-of-the-premier-and-cabinet/the-aboriginal-affairs-coordinating-committee> KALACC has raised this matter with Govt on numerous occasions. How can the Government be *Putting Culture at the Heart*, if the Line Agency with responsibility for Arts and Culture is not represented at the AACC? We pose this question also in the context in which the Department of Premier and Cabinet has on numerous occasions informed KALACC that its functions and remit extend solely to broad policy work and that actual programs of Government are delivered by Line Agencies. The Line Agency with responsibility for Arts and Culture is not represented on the AACC.
- **Which Agency is the Lead Agency for Putting Culture at the Heart?:** Following on from the point above, it would be extremely useful to receive some clarification as to what is the role of Central Agencies [such as DPC] and what is the role of Line Agencies, especially DLGSC, in regards to Putting Culture at the Heart? DPC has recently run workshops on *Putting Culture at the Heart*, and those workshops involved representatives of a range of Govt agencies. When will we see an actual plan of implementation for *Putting Culture at the Heart* and when will we see the development of a ***Statewide Aboriginal Cultural Plan?***



- **Coalition of Peaks RE Cultural Peaks:** The Coalition of Peaks, which has over 80 members, now has one member organisation that has a specific primary remit around Aboriginal Culture ie First Languages Australia <https://coalitionofpeaks.org.au/our-members/>.
- **National Indigenous Arts And Cultural Authority:** Aboriginal Arts and Cultural organisations have long held a vision to form a National Aboriginal Arts and Cultural Authority. A major step towards achieving that outcome will take place in October this year, in Adelaide, through Purrumpa <https://australiacouncil.gov.au/advocacy-and-research/events/purrumpa/> KALACC is represented on the Purrumpa planning committee and we have submitted a proposal for KALACC to deliver the keynote address at Purrumpa. The theme of KALACC's proposed keynote address is that Artistic Vibrancy must be based on Cultural Vibrancy.
- **A Statewide WA Aboriginal Cultural Plan:** The full Kimberley Aboriginal Regional Governance Group met most recently on the afternoon of 08 September 2022. One of the topics for discussion was the Coroner's February 2019 Recommendation [42C] that a Statewide **WA Aboriginal Cultural Plan** be developed. KALACC looks forward to the WA Government *Putting Culture at the Heart* by working with community to develop a coherent Statewide **WA Aboriginal Cultural Plan**. Subsequent to 08 September an ARGG Sub Committee has met once and will meet again this coming week ie to discuss an *Implementation Plan* for a proposed **Kimberley Aboriginal Youth Wellbeing Partnership Agreement**. One of the priority actions for this *Implementation Plan* is as follows:
  - Coroner's Report 42iii
  - The WA Government develop a state-wide Aboriginal cultural policy that recognises the importance of cultural continuity and cultural security to the wellbeing of Aboriginal people in this State.
- **The Kimberley Aboriginal Caring for Culture Plan:** The **Kimberley Aboriginal Caring for Culture Plan** was published in January 2020, based on input from some 70 Kimberley ACCOs. There are 5 recommendations contained in the Plan and KALACC remains available today, as it has since January 2020, to discuss these 5 recommendations with the WA Government. KALACC very much looks forward to the WA Government, either through the Central Agency [DPC] or through the Line Agency [DLGSC] discussing these 5 recommendations with KALACC.

### **KALACC August 2022 Submission Regarding Development of a National Cultural Policy**

Attachment # Four to this present document is the August 2022 KALACC submission to the Commonwealth Government in regards to the development of a **National Cultural Policy**. We are informed that the **National Cultural Policy** will be in place by Christmas 2022. In a meeting that KALACC had on 09 September 2022 with senior officers of the Commonwealth Department of Infrastructure [Arts Branch] they informed us that they were of the view that Aboriginal Arts and Culture would be a central element within the forthcoming **National Cultural Policy**. The theme of KALACC's submission was as follows:

Artistic Vibrancy Rests on Cultural Vibrancy.

KALACC submitted five recommendations to Commonwealth Arts Minister Tony Burke, as follows:

1. Develop A Peak Body to Speak for First Nations Arts and Culture.
2. Develop a First Nations Arts and Cultural Plan.
3. The Australia Council for the Arts Should Finalise an Endorsed Cultural Vibrancy Policy.



4. The Department of Health Needs to Develop and to Resource Clear Commissioning Pathways for Projects That Operate in the Social and Cultural Determinants of Health Domain.
5. The Forthcoming National Cultural Policy Needs to Harness Whole of Government Approaches to Indigenous Advancement and Wellbeing.

Given the scope and the significance of the forthcoming **National Cultural Policy**, it is KALACC's hope that the WA State Agency ie DLGSC would be looking carefully at how it can best align its policies and programs with the work occurring at the national level. Attachment Number 3 to this present document is some Excerpts from the recently released WA **State Infrastructure Strategy**. On page 299 of the SIS one can read as follows:

A unified and compelling strategy for arts and culture is required, with a clear link to program and infrastructure needs. There is an opportunity to review and refresh the current strategic planning in the face of the severe impacts on the sector from the COVID-19 pandemic. Given the intersection of arts and culture with so many other sectors and industries, this process should seek to identify and harness synergies relating to infrastructure. Flexibility to respond to changing societal attitudes and demands should be built into the strategy framework. The strategy must define responsibilities and the funding and resourcing for implementation required to meet the intended outcomes. Stakeholder collaboration during development of this strategy will strengthen a unified vision. This should include Aboriginal people, regional representatives, local government authorities, the arts, culture and leisure industries and other relevant stakeholders. [p. 299]

As above, apart from the necessity to link a unified and compelling strategy for arts and culture with planning for infrastructure and planning for social outcomes, there is also a need for such an overarching WA arts and culture plan to link with the **National Cultural Policy** which will be completed by Christmas 2022.

### **Government Commissioning Strategies and Building the Capacity of Aboriginal Community Controlled Organisations That Operate in the Arts and Cultural Domain**

- **State Commissioning Strategy:** The **State Commissioning Strategy** is very recent but we note that at the present time there is no explicit *DLGSC Commissioning Strategy* based on the Dept of Finance Policy. It is KALACC's view that at the present time that DLGSC remains committed to a grants – funding paradigm and KALACC views this model as being outdated and inappropriate to the needs of organisations like KALACC. DLGSC's current investment models don't reflect a Commissioning Strategy paradigm. Nor do they reflect an Arts Ecosystem paradigm such as that pursued by the Australia Council for the Arts over a period of some decades.
- **The Australia Council for the Arts – Building a Sustainable Arts Ecosystem:** The Australia Council for the Arts prioritises investments in to building a sustainable Arts Ecosystem in Australia. Some 77% of the Australia Council's funding is provided via direct investment in to multi - year grants in to organisations' core operations/ Business Cases. Less than a quarter of the Australia Councils' investments are made in support of project grants. KALACC is unable to say what the DLGSC percentages are, but current investments via programs like the DLGSC *Organisations Investment Program* make very small contributions towards the organisational sustainability of KALACC.

- **The Australia Council for the Arts – Investment in to Aboriginal Arts and Culture:** Total Australia Council expenditure is \$194M per annum. Of that total, a sum of \$23.3M is spent on investment in to Aboriginal Arts and Culture. KALACC is unaware of comparative figures for the DLGSC investments. The two issues here are 1). The transparency and availability of information and 2). The actual quantum of the investment in to Aboriginal Arts and Culture in WA. The *Indigenous Implementation Board* in February 2011 called for an accurate audit of all Indigenous expenditures within WA, and in 2018 the then Treasurer Ben Wyatt suggested the establishment of an Office of Aboriginal Accountability. KALACC is unaware of any current and actual processes to deliver accountability to Aboriginal people for the pattern of Government investment. In 2016 the then WA Dept of Culture and the Arts advised that combined State and Commonwealth Government investments in to Aboriginal Arts and Culture in WA represented just 0.24% of Indigenous expenditure in Western Australia. KALACC is unaware of what the current figure might be, but how can it be said that Government is *Putting Culture at the Heart* if investments in to Arts and Culture represent one quarter of one percent of the total investments in to Aboriginal expenditure in the State of Western Australia?
- **ACCO Strategy:** Priority Reform Area #Two within the *Closing the Gap National Partnership Agreement* is ‘Building the Capacity of ACCOs.’ In August 2022 the Department of Communities launched its *Communities ACCOs Strategy*. KALACC will next meet on with DG Mike Rowe on 21 November 2022 to further discuss *Communities ACCOs Strategy*. KALACC is currently not aware of any equivalent *ACCOs Strategy* within DLGSC, and KALACC is unaware of any processes designed to deliver such a strategy at a future point in time.
- **Commissioning for Culturally – Based Wellbeing:** KALACC is unable to identify any commissioning pathways for Aboriginal cultural programs that specifically contribute towards culturally based wellbeing. A recent approach to the Mental Health Commission elicited the response that we could choose to submit an application under the MHC’s Unsolicited Proposals process. In other words, there was no actual commissioning pathway for cultural wellbeing initiatives and any such applications could only be considered within a process for considering projects that lay completely outside of any actual funding programs, guidelines or criteria.
- **Co Design:** The recent *State Commissioning Strategy* emphasises the importance of Co Design processes as being central to the development of Commissioning Strategies. KALACC is unclear about what current policies DLGSC has around:

  - Building the Capacity of ACCOs;
  - Commissioning Strategies; and
  - Co Design Strategies.

KALACC has, on behalf of the Kimberley Aboriginal Regional Governance Group on Aboriginal Youth Wellbeing, recently written the *KAYW Co Design Guide*. This *KAYW Co Design Guide* has recently been endorsed by the Kimberley Aboriginal Regional Governance Group. Endorsement of the *KAYW Co Design Guide* is one of the key agenda items for the 28 October Steering Committee meeting of the Kimberley Aboriginal Youth Wellbeing processes. KALACC would be happy to speak with DLGSC and other Govt agencies around how to implement these Co Design processes and procedures.

## Some Key Opportunities for DLGSC to *Put Culture at the Heart* By Working With KALACC

KALACC has over many years provided considerable guidance to the WA Government in regards to how to *Put Culture at the Heart*. The guidance provided to Government has taken many forms, including:

- Detailed submissions to more than 20 major Government Inquiries
- 2016 KALACC Cultural Solutions Position Paper
- 2019 Yiriman Youth Project Consolidation Plan
- 2020 Kimberley Aboriginal Caring for Culture Plan
- 2020 Kimberley Juvenile Justice Community Consultation Report
- 2021 Kimberley Aboriginal Women's Strategic Plan
- 2022 ARGG Kimberley Co Design Guide – going to the October 2022 KAYW Steering Committee meeting for endorsement.

Government has not to date sought to engage substantively around this advocacy and consistent messaging from KALACC.

One of the very most constructive actions that DLGSC [as the then DCA] has ever taken was the May 2016 publication of the Discussion Paper - ***Investing in Aboriginal Culture: The role of culture in gaining more effective outcomes from WA State Government services***. As noted previously, under the Barnett Liberal Government DCA was a member of the AACC but under the McGowan Labor Government that has not been the case. And as noted earlier:

One might legitimately ask how it can be that Government is developing policy around *Putting Culture at the Heart* and is developing such policy through Aboriginal Advisory Groups, and yet there is no Aboriginal Advisory Group for Aboriginal Culture – the very topic under discussion.

In September 2016 DCA Executive Director Colin Walker presented on the above – mentioned Discussion Paper at the combined Kimberley AGMs, held at Warmun community in that year, where it was endorsed by the combined Kimberley regional ACCOs. Sadly, that particular piece of work was not progressed by Government and in the six years since then we have not seen anything as insightful or ambitious forthcoming from DLGSC, or from any other Government agency.

There are many opportunities for DLGSC to engage with KALACC for the Department to listen to the ground - up voice of the cultural leadership of the Kimberley. Some of these important opportunities are as follows:

- **Develop a WA Aboriginal Cultural Plan:** How can the Government be '*Putting Culture at the Centre*' if there is no ***WA Aboriginal Cultural Plan***? There is a suggestion of tokenism and rhetoric to continually reference culture but to not explicitly plan for culture. And as Infrastructure WA has recently noted, how can rational investment decisions be made in the absence of a Cultural Plan? Coroner Roz Fogliani called for a *WA Aboriginal Cultural Plan* in February 2019. The ***Kimberley Aboriginal Caring For Culture Plan*** was published in January 2020. KALACC is currently engaged in discussions with cultural leaders in the Southwest and in the Pilbara in regards to developing a ***WA Aboriginal Cultural Plan***. And this is one of the priority issues currently under discussion within the Aboriginal Regional Governance Group.

- **Kimberley Aboriginal Women's Strategic Plan:** The KAWSP was presented to the WA Government in September 2021. In September 2022 KALACC will hold a major Kimberley Aboriginal Women's Culture Camp, at Gumbanan, near Ardyaloon on the Dampier Peninsular. KALACC continues to hold discussions with line agencies including Communities and DLGSC. The KAWSP is a clear and tangible opportunity for DLGSC and other government agencies to *Put Culture at the Heart*.
  
- **KALACC Sustainability Model:** This hugely important project is an opportunity to move beyond outdated and inappropriate grant funding models and to move towards a Commissioning and Capacity Building Model. If that task is too ambitious in the near term, then we seek to have a conversation around DLGSC moving towards an Arts Ecosystem funding model, noting that the Australia Council for the Arts invests 77% of its funding in to precisely such a model and has done so over some decades now.
  
- **Yiriman Youth Justice Business Plan:** We believe that the WA Government [through either DPC or through MHC] will in the near future provide funding of \$200,000 to KALACC to develop a **Yiriman Youth Justice Business Plan**. This proposal was endorsed by the ARGG on or around 10 August and was then submitted to DPC for actioning. KALACC welcomes this initiative and we look forward to working with DPC, MHC and other agencies on this important initiative. However, the Yiriman Project, established 21 years ago, was established primarily as a cultural resilience program, not as a Justice Diversion Program. KALACC would welcome a discussion with DLGSC and other agencies about commissioning pathways for cultural resilience and wellbeing. This opportunity was recognised and flagged in DCA's May 2016 *Discussion Paper* and we invite DLGSC to once again engage with KALACC around this opportunity to use cultural strength and resilience as a means of generating instrumental and extrinsic outcomes in regards to health, wellbeing, and the justice system.
  
- **ILSC – Fitzroy Crossing Cultural Centre:** The initial **Fitzroy Crossing Cultural Centre Business Case** was developed in 2019. That document no longer reflects present realities. The ILSC is now providing KALACC with \$50,000 with which to re- write the Business Case to reflect current realities and to specifically address the internal funding guidelines and criteria of the ILSC. The **KALACC Sustainability Model** will be of crucial importance to the ILSC in regards to its decision - making processes. The ILSC will not provide some millions of dollars of capital investments in to KALACC unless the ILSC is assured that KALACC is a financially sound organisation and that the resulting building is not a 'white elephant.' The current process, strongly supported by the ILSC WA State Manager, is to rewrite the **Fitzroy Crossing Cultural Centre Business Case** and to then submit a request to the ILSC seeking some million of dollars for Stage 1 construction and capital works on a new Fitzroy Crossing Cultural Centre ie a new office space for KALACC. ILSC will self – fund this stage of works ie Stage 1 ie the new KALACC Office. KALACC is working exceedingly closely with Noongar leaders to ensure that planning around the *WA Aboriginal Cultural Centre aligns* with and engages with the proposed *Fitzroy Crossing Cultural Centre*. DLGSC is the lead agency for the development of the *WA Aboriginal Cultural Centre*. KALACC currently operates out of unsafe and inadequate premises. KALACC has been liaising with DLGSC in regards to the proposed *Fitzroy Crossing Cultural Centre* since 2011. We look forward to continuing our dialogue with the WA Government.

# **Part B: Attachments and Appendices**

## Attachment # One: LinkedIn Posts from WA DPC, 07 September 2022

<https://www.linkedin.com/company/department-of-the-premier-and-cabinet-of-wa/posts/?feedView=all>

Keeping culture at the heart 🖤💛❤️

Last week, we joined the Aboriginal Advisory Council of WA in hosting the Culture at the Heart Workshop which brought together representatives from many Aboriginal advisory groups across WA Government to discuss a whole-of-Government approach to implementation of the Aboriginal Empowerment Strategy and Aboriginal Affairs.

Reshaping Government services and systems to engage better with culture requires us to adopt a way of working that recognises how culture contributes to Aboriginal people's wellbeing and resilience, as well as acknowledging the impacts of past Government actions on that connection to culture and Country.

By positioning culture at the heart, and working in partnership with Aboriginal people and communities, we are working towards commitments within the Aboriginal Empowerment Strategy and the National Agreement on Closing the Gap that build on Aboriginal people's strengths, cultural identities, community leadership and ways of working.

We enjoyed seeing so many outstanding Aboriginal leaders, public servants and the Minister for Aboriginal Affairs, the Hon Tony Buti MLA, come together to help drive change and identify opportunities for future collaborations and connections between the respective Aboriginal advisory groups across the Public Sector. Thank you to all participants!

<https://www.linkedin.com/in/sarah-turner-wa/recent-activity/shares/>

The Aboriginal Empowerment Strategy sets a clear, shared vision for the future.

The Strategy was developed in partnership with the Aboriginal Advisory Council of WA and is the culmination of a process of reviewing what Aboriginal people have told State Government over many years.

The Culture at the Heart theme includes three strategic elements.

- Supporting and promoting culture
- Building the public sector workforce's cultural responsiveness
- Reshaping Government services and systems to work with culture

It was a privilege to work with the Council and the team at DPC to bring the Culture at the Heart workshop to life. Excited to see what emerges from the days conversations and collaboration.

Learn more about the Strategy here:

<https://lnkd.in/gNd79n9T>

Learn more about the Council here:

<https://lnkd.in/gBru5jft>

**Attachment # Two: Letter from Director General Mike Rowe [Dept of Communities] to KALACC, 22 June 2022**

Our ref: 2022/19510

Mr Wes Morris

Coordinator

Kimberley Aboriginal Law and Cultural Centre

Dear Mr Morris

**CASE STUDY OF ACCO SUSTAINABILITY**

Thank you for your email dated 14 June 2022 in relation to the Department of Communities' (Communities) and Department of Local Government, Sport and Cultural Industries' intention to use the Kimberley Aboriginal Law and Cultural Centre (KALACC) as a case study to understand the realities of grant applications and management requirements for Aboriginal organisations.

The documents your provided on Paying What it Takes and KALACC Functional Review will provide useful context for the work Communities will be undertaking on behalf of the Public Sector Leadership Council.

The Monitoring and Evaluation Team at Communities will be undertaking this work and Dr Anne Mathews, Manager Monitoring and Evaluation, will contact you shortly.

If you have any further queries, please contact Dr Mathews

Yours sincerely

Mike Rowe Director General

22 June 2022



## Attachment # Three: State Infrastructure Strategy [Excerpts]

### **21. Develop regional social services and infrastructure models that are more responsive to the changing needs of communities across regional WA**

The Service priority review also noted that, historically, services have been developed in response to the needs of individual state agencies rather than from the perspectives of communities and clients. Public sector fragmentation has resulted in misalignment of services and planning regions between state agencies. Agencies must now work together to apply co-design and community-centric approaches to better respond to local needs and facilitate service integration and collocation. [p. 122]

### **86. Develop and publish a 10+ year state arts and culture strategy- by 2025**

A unified and compelling strategy for arts and culture is required, with a clear link to program and infrastructure needs. There is an opportunity to review and refresh the current strategic planning in the face of the severe impacts on the sector from the COVID-19 pandemic. Given the intersection of arts and culture with so many other sectors and industries, this process should seek to identify and harness synergies relating to infrastructure. Flexibility to respond to changing societal attitudes and demands should be built into the strategy framework. The strategy must define responsibilities and the funding and resourcing for implementation required to meet the intended outcomes. Stakeholder collaboration during development of this strategy will strengthen a unified vision. This should include Aboriginal people, regional representatives, local government authorities, the arts, culture and leisure industries and other relevant stakeholders. [p. 299]

### **88. Increase investment in existing and new infrastructure, including:**

a. delivering an Aboriginal cultural centre in Perth subject to a business case DLGSCI 2032

### **91. Establish and implement cross-agency stretch targets, measures to achieve these targets and publicly report progress against these targets each year by 2023**

Examples of early intervention, prevention and non-traditional justice programs, services and strategies include Target 120, Barndimalgu Court, Kimberley Juvenile Justice Strategy, **Yiriman Project**, Work and Development Permit Scheme, Bennett Brook Disability Justice Centre, WA Police Youth Policing Division and multi-systemic therapy, among many others.

Culturally appropriate initiatives, co-designed with Aboriginal people, are needed to respond to the high incarceration rates of Aboriginal adults and young people (40% of adult prisoners and 75% of young people in custody).

Targets to reduce these rates are detailed in Closing the Gap, along with a commitment to establish a policy partnership on justice (adult and youth incarceration) between federal and state and territory governments and Aboriginal and Torres Strait Islander representatives.

Infrastructure Australia discussed the benefits of prevention and early intervention in the 2019 Australian Infrastructure Audit, which identified the justice reinvestment project in Bourke, New South Wales. This project was the 'first major pilot project in Australia for an Aboriginal-led, place-based justice reinvestment model, which redirected funding from crisis response, adult prison and youth detention centres towards preventative, diversionary and community development initiatives'. The Maranguka justice reinvestment project: Impact assessment reported promising results in reducing demand on policing and justice services, along with positive economic impacts.

Through the Our Priorities: Sharing Prosperity program, the WA Government set cross-agency targets to reduce:

- the number of Aboriginal adults in prison
- the number of youth offenders who return to detention within 2 years of release
- the proportion of the WA population who have taken an illicit drug in the 12 months prior to measures being taken.

While this program has now been deferred indefinitely, the WA Government should build on the momentum created across a range of social services agencies. A review of these targets should inform development of future whole of government targets, along with appropriate monitoring and reporting mechanisms of progress against targets. This should align with the Closing the Gap targets and the Closing the Gap Jurisdictional Implementation Plan.

Establishing agreed whole of government targets will require efficient and collaborative cross-agency governance arrangements and frameworks. It should also involve collaboration with social service providers, people with lived experiences and local governments (who have specific community safety responsibilities). Over the years, there have been many programs and activities undertaken in early intervention, prevention and rehabilitation by both government and the private sector. This has occurred at local, state, national and international levels; however, a long-term, collaborative and consistently funded state approach does not currently exist. Harnessing the strengths, benefits and lessons learned from previous work, including tools, models and data sources, will potentially assist in building evidence for the consideration of future programs and activities.

#### Recommendation 91

Reduce demand for police, courts and corrective services, and associated infrastructure by establishing and implementing specific cross-agency stretch targets, measures to achieve these targets and publicly reporting progress against these targets each year. The targets should:

- seek to reduce the need for additional built infrastructure
- focus on measures related to prevention, early intervention, rehabilitation and reducing recidivism
- expressly address over-representation of Aboriginal people in the criminal justice system.

[Pages 313 and 314]

## **Attachment # Four: KALACC Submission to the Commonwealth Government In Regards to the Development of a National Cultural Policy to be Developed by Christmas 2022**

### ***Cultural Vibrancy Rests on Cultural Authority***

### ***KALACC Submission Regarding the Development of a National Cultural Policy***

#### **Current Context and Realities**

##### **1. There is no Peak Body to Speak for First Nations Arts and Culture.**

The Coalition of Peaks is made up of over 70 Aboriginal and Torres Strait Islander community-controlled peak and member organisations across Australia. None of those organisations has a primary mission or remit around promoting First Nations Arts and Culture

##### **2. There is no *First Nations Arts and Cultural Plan*.**

In 2017 the then Dept of Prime Minister and Cabinet prepared a Briefing Note on the development of a National Indigenous Cultural Policy, for consideration by the then Prime Minister's Indigenous Advisory Council. This work was not progressed by the then Government and none of this work was made public.

##### **3. The Australia Council for the Arts Currently Does Not Have an Endorsed Cultural Vibrancy Policy**

In July 2013 the Australia Council published the ***DRAFT Standing Our Ground, Cultural vibrancy: a discussion paper for the Aboriginal and Torres Strait Islander Arts sector***. This body of work was not progressed past the drafting stage.

##### **4. There Are Currently No Commissioning Pathways for Projects That Operate in the Social and Cultural Determinants of Health Domain.**

In December 2017 the Commonwealth Health Department published ***My Life My Lead, Opportunities for Strengthening Approaches to the Social and Cultural Determinants of Health***. In August 2022 there remain no commissioning pathways for projects that operate in the Social and Cultural Determinants of Health Domain.

## 5. Creative Australia Set Out to Link the National Cultural Policy and Closing the Gap

“Submissions also noted the need for a whole-of-government agenda which would harness the power of arts and culture in achieving other objectives across government, including in education, innovation, digital communication, closing the gap in Indigenous disadvantage, social inclusion, diplomacy and health. In particular, submissions noted the need to recognise the multicultural makeup of Australia in the ways and means by which the government supports the arts into the future.” P. 129, *Creative Australia*

### Recommendations For the Development of a *National Cultural Plan*.

#### 1. Develop A Peak Body to Speak for First Nations Arts and Culture

KALACC wholeheartedly endorses Purrumpa, First Nations Arts and Cultural Gathering 2022. It is sincerely hoped that Purrumpa is able to advance development of a peak body to speak for First Nations Arts and Culture. A first order of priority action for a National Cultural Plan should be to develop a National Indigenous Arts and Cultural Authority, being a peak body to speak for First Nations Arts and Culture.

<https://australiacouncil.gov.au/advocacy-and-research/events/purrumpa/>

#### 2. Develop a *First Nations Arts and Cultural Plan*.

Alongside the emerging new *National Cultural Plan*, there is a need to develop an accompanying *First Nations Arts and Cultural Plan*. The intended outcome of a *First Nations Arts and Cultural Plan* is to drive cross-sector strategies to place arts and culture at the centre of Government policy and planning in regards to all matters relating to First Nations peoples.

#### 3. The Australia Council for the Arts Should Finalise an Endorsed *Cultural Vibrancy Policy*.

The draft *Cultural Vibrancy Discussion Paper* that the Australia Council developed in 2013 is an excellent document. It was shelved and canned for the same reasons that *Creative Australia* was shelved and canned. The all too real political impediments that existed in mid- 2013 are no longer present. Now is absolutely the right time for the Australia Council to complete and finalise the *Cultural Vibrancy Policy*, to sit alongside the existing *Artistic Vibrancy Policy*.

#### 4. The Department of Health Needs to Develop and to Resource Clear Commissioning Pathways for Projects That Operate in the Social and Cultural Determinants of Health Domain.

The *First Implementation Plan* for the *2021 – 2031 Aboriginal Health Plan* needs to specifically contain commissioning pathways for projects that operate in the social and cultural determinants of health domain.

## 5. The Forthcoming *National Cultural Policy* Needs to Harness Whole of Government Approaches to Indigenous Advancement and Wellbeing.

This is somewhat similar to #4 above ie whilst First Nations Arts and Culture remains pigeon – holed in to the arts funding policy silos, we will never see real progress and advancement in Indigenous wellbeing in this nation. *Creative Australia* in 2013 was absolutely on the right track ie a whole-of-government agenda which would harness the power of arts and culture in achieving other objectives across government, including closing the gap in Indigenous disadvantage, is absolutely needed. The objectives and outcomes of the National Partnership Agreement on Closing the Gap should be woven within and across the *National Cultural Policy*. It is essential that as a nation we take a whole-of-government approach to address the inequality faced by Aboriginal and Torres Strait Islander People across Australia and that we build First Nations Culture in to the centre of all programs and policies relating to Indigenous Australians.

### Abstract for a Proposed KALACC Keynote Address and Presentation at Purrumpa

Purrumpa, First Nations Arts and Culture National Gathering 2022

<https://australiacouncil.gov.au/advocacy-and-research/events/purrumpa/>

As the proposed Keynote Address at Purrumpa, KALACC will present the view that the foundation and bedrock of First Nations culture and art practices must be seen ‘as Australia’s first high culture.... our opera as well as our law.’ We will promote Indigenous Elders’ voices calling for self-determination and for policies to support the protective forces of language, culture and arts for our next generations of cultural custodians. Through discussions at Purrumpa we will map out a pathway towards building a cultural authority which will provide the bedrock for a national voice for Australia’s First Nations Arts and Cultural practitioners.

Elders have long advocated for self-determination to exercise the full expression of our cultural practices. A united voice – a cultural authority, would ensure provisions to protect the cultural vibrancy of Indigenous peoples’ cultural practices and art forms such as song, dance, story, music, symbols, iconography, ceremony and creation narratives, whilst providing mechanisms for the safety of all arts and culture workers.

Celebrating First Nations Artistic Vibrancy in the modern world, whilst important, is not enough. In this presentation, notions of cultural leadership and cultural governance are explored as alternatives to ‘Western’ governance: the foundation remains in the legacy of knowledge systems held by Elders.

We will showcase how evolving Indigeneity and the continuous thread of traditional cultural practices and First Nations artforms tether the present moment to 70,000 years of living heritage. Elders are our cultural custodians – living libraries who have legal obligations to maintain connection for the national and global wellbeing of all species.

KALACC is a partner in The Trade Routes Cultural Governance Project which aims to share vibrant and complex traditional trade routes spread across our current day states and territories. This is an urgent and critical project that provides now elderly knowledge holders, along with emerging custodians, dynamic platforms to hold up these interconnected systems, fill knowledge gaps and revive cultural governance systems to underpin the wellbeing of future generations.

The Kimberley Aboriginal Law and Culture Centre is the Kimberley region's peak Indigenous Law and Culture centre. KALACC was established in 1985 by Kimberley Aboriginal leaders and our mission is the cultural protection and maintenance of 30 Aboriginal language groups. Through Aboriginal Community Controlled Organisations such as KALACC, Aboriginal people seek stronger self-determination of their law, culture and cultural practices. KALACC facilitates engagement of elders across diverse cultural blocks within the Kimberley for Aboriginal-led protection of ancestral laws and increased respect and understanding that 'the old people are our government'.

With the 2022 Purrumpa Gathering we wish to contribute to the realization of a vision held by First Nations arts and cultural leaders over the last 50 years, that of a 'cultural authority'. Recent political changes present real opportunities to re-create pathways to a future imagined by Elders where they enjoy a platform and voice to safeguard the world's oldest continuing living culture, supported by a National Indigenous Arts and Cultural Authority.