

PR3 – Government Accountability Mechanism

NSW Coalition of Aboriginal Peak Organisations (NSW CAPO)





Acknowledgement of Country

NSW CAPO acknowledges the Traditional Owners of the land where we work and live. We pay respect to Elders past and present and extend that respect to all Aboriginal People.

Priority Reform Three: Transforming Government Organisations

Government organisations and services are accountable to Closing the Gap.

Government organisations and services are culturally safe.

Government orgs & services are responsive to the needs of Aboriginal people.



NSW

DESIGN AN INDEPENDENT, ABORIGINAL-LED ACCOUNTABILITY MECHANISM TO MONITOR GOVERNMENT ACCOUNTABILITY:

- By 2024, we will develop a pilot design for an Aboriginal-led accountability mechanism to monitor **the alignment of government policies on Closing the Gap**. This will be based on foundational work and research on the best model and design for this accountability mechanism.
 - o The accountability mechanism will include at least two core aspects:
 - establishment of core criteria to monitor, improve and evaluate the alignment of government policies and programs with the Closing the Gap commitments to transform government organisations and services*
 - establishment of **an independent Aboriginal accountability authority**.
 - o Following the design phase, there will be a trial period and then implementation of the mechanism.*



National

PARTNERSHIP ACTIONS

67. By 2023, Government Parties agree to each identify, develop or strengthen an independent mechanism, or mechanisms, that will **support, monitor, and report** on the transformation of mainstream agencies and institutions. The mechanism, or mechanisms, will:

- A. support mainstream agencies and institutions to embed transformation elements, as outlined in Clause 59, and monitoring their progress
- B. be recognisable for Aboriginal and Torres Strait Islander people and be culturally safe
- C. engage with Aboriginal and Torres Strait Islander people to listen and to respond to concerns about mainstream institutions and agencies
- D. report publicly on the transformation of mainstream agencies and institutions, including progress, barriers and solutions.





Project Approach

Stakeholder engagement with Aboriginal community; Aboriginal sector; Government, accountability bodies; experts.

Phase 1 – broad questions (August – November)

Deliberative Forum (October)

Phase 2 – Models for feedback (January – April)

Research

Scan of bodies (complete)

Scan of approaches (underway)

Literature scan (early next year)

Final report (April – June)

JURISDICTIONAL SCAN

SUCCESS OF BODIES

The success of an accountability body is rooted in its power to bring about change.

Hard power – consequences.

Soft power – independence.

BODIES TO LEARN FROM

Commonwealth Productivity Commission

ATSIEB

BODIES TO CONSIDER AS MECHANISM

No existing accountability bodies in NSW fully meet the needs of the Mechanism.

Could reform:

Deputy Ombudsman for Aboriginal Programs,

NSW Auditor-General

Dependent on perception by Aboriginal community.

PHASE ONE COMMUNITY CONSULTS

So far we've held workshops in:

Batemans Bay

Broken Hill

Liverpool

Newcastle

Redfern

Grafton

Bourke

Dubbo

Moree

Orange

Albury

Still to come:

Coonabarabran

Kempsey

Tamworth

Wyong



FUNCTIONS:

- Hold organisations and individuals to account for **ineffective performance and bad faith actions**.
- Measure and communicate outcomes in a way that is meaningful for community.
- Reporting progress against **local** needs
- Transparency around **funding**.
- **Truth test & verify** reporting and measurement

FEATURES:

- Recognisable – well branded and publicised.
- Local, regional and state.
- Mob in leadership positions, minimum CEO & board.
- Trauma informed
- Plain English
- Adequately and sustainably funded
- Lore is centred
- Legislated to have real teeth
- No lateral violence
- Outreach to young people



LEVERS:

- Individual accountability, including for high-ranking people.
- **Sliding scale of consequences**
 - Good consequences – recognition, promotion, incentives, awards.
 - Minor infractions – tailored support, find solutions together.
 - More serious – cut funding, re-direct funding, financial penalty, demoted, performance review, no bonus, reduction in power, contract breach.

Build positive relationships and solutions together - government is a system made up of people.

FEEDBACK ON DEP OMB & AUDITOR GENERAL

- When has Ombudsman ever come out to community?
- They have the title and the wages, but not the power and influence.
- Some would trust these with more power (proof in the pudding), some wouldn't (scary)
- Ombudsman seen as government.

COMMON IDEAS

- Black ICAC
- Link to UN
- Work with Empowered Communities and Regional Alliances.
- Momentum, community and class action builds systemic change.
- Score cards
- Annual yarn up



Building support- leading from the front



PRODUCTIVITY COMMISSION REVIEW

Stronger accountability mechanisms are needed to drive change

Existing [accountability] mechanisms lack 'bite' – they are not sufficiently independent, do not contain timely and appropriate consequences for failure, obscure the individual responsibilities of each party and are not informed by high-quality evaluation

The independent mechanism may be positioned to shine a spotlight on good and bad practices under the Agreement and advocate for improved policies, programs and services affecting Aboriginal and Torres Strait Islander people, though its role may need to expand beyond Priority Reform 3 to include the Agreement in its entirety

[Governments] need to establish stronger mechanisms so that [the public service is] held accountable for making changes from within. It is not acceptable for government employees to treat adhering to the principles of the Agreement as optional – these principles reflect essential capabilities and behaviours without which governments cannot hope to deliver on their Closing the Gap commitments.





Feedback



TODAY AT THE FORUM



BY EMAIL

ctgprojects@alc.org.au



BY PHONE

If you wish to discuss the project, please contact Iona on **02 9689 4467**



Stronger with Country

Our path to protecting Country has been paved by the work of our Land Rights Warriors that have come before us and is a journey that requires resilience and healing. Control and ownership of our country empowers our communities and supports our growth; as we protect our Country our Country supports us as it has for our ancestors.

The persistence that our mob have had to provide to move forward is immense. There is no underestimating how much strength is required to overcome the unrelenting barriers we face. Despite these challenges, we move forward, as individuals and as groups.

This artwork is for those that put in the work to provide for and nourish our land, culture and communities.



Monique is a proud Kamilaroi woman, who is passionate about using her design skills to support and empower other First Nations Australians and their businesses. Wearing her values on her sleeve to strive together toward an equitable future for First Nations Australians and for the protection of Country.

Monique Rennie

Created on Country