

**Submission from The NSW Meals on Wheels
association Inc regarding the Productivity Commission
Issues Paper headed "Contribution of the Not for Profit
Sector April 2009**

POSITIONING THIS SUBMISSION

It is pleasing to note that the Productivity Commission has been asked by the Treasurer to undertake a study into the not for profit sector in Australia. In decades past the sector might have been somewhat more suspicious of such a reference, and with some justification, as much of the work of the Productivity Commission, and its predecessors, was seen as being driven by an approach that could best be characterized as of a narrow economically technocratic nature. The world, and the industries being examined, were often seen as entities with principally an economic character, without the richness of contribution of many of these organizations to the social, cultural and political context being regarded as either significant or relevant. Given the predominant economic ideology that has driven government policy making for the last thirty years, it is not hard to see how that technocratic approach might have been favourably received by governments that have also adhered to that prevailing orthodoxy.

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That dogma has experienced a sudden and much deserved fall from grace as its practical working out in the real world has run into vast and unbridgeable credibility problems. It is now permissible to think outside those narrow doctrinal confines without the threat of immediate exclusion from the policy club. It is unfortunate that it has taken an almost complete collapse of the Western economic model, with all the consequent damage to individual people and their communities that such a collapse entails, for such liberation of alternative possibilities to seem at all practicable and realizable.

That having been said, the discussion paper is refreshing in that it displays some understanding of the complexity of the not for profit sector and of the need for sophistication in attempting to calibrate its contribution to our society, our culture, our polity and our economy. Those matters are put deliberately in that order, as it is our culture, our society and our polity that are the ends for which we strive, and our economy is simply the means by which we achieve those ends. It is not, as we have been led to believe by the prevailing orthodoxy, an end in itself.

That means that much of what follows needs to be seen through a different lens to that through which we have tended to see the world, in the words of I Corinthians 13, as though through a glass darkly. That new lens would suggest that the vital things to give thought and reflection to, are not the narrow

technocratic concepts of economic 'efficiency' and 'effectiveness', which elevate economics to centrality and sideline society, culture and democratic governance to the status of mere appendages, useful only to the extent that they facilitate the maximization of economic outputs, narrowly defined.

Social, cultural and political outcomes are at the heart of what the not for profit sector are about. With the exception of those that exist to promote the commercial or pecuniary interests of members, a fair, open, transparent, compassionate and caring community that values independent thought, community cohesion, tolerance of diversity and integrity must be the outcomes for which the sector strives, regardless of whether those outcomes are 'efficient' or 'effective' in narrow economic terms. These outcomes, to be acceptable, must be seen as socially efficient and culturally effective. The goals of much of the sector are after all, about social justice. One of the best definitions of social justice came from Mick Dodson when he said "*Social justice is what faces you in the morning. It is awakening in a house with adequate water supply, cooking facilities and sanitation. It is the ability to nourish your children and send them to school where their education not only equips them for employment but reinforces their knowledge and understanding of their cultural inheritance. It is the prospect of genuine employment and good health: a life of choices and opportunity, free from discrimination.*"⁽¹⁾

It is notable that these are all nutritional, educational, occupational, health and social outcomes. It is assumed that these are the goals of a civilized society. Whatever economic resources that are necessary are assumed to be marshaled, in whatever manner is necessary, to achieve these outcomes. Managing their achievement in ways that might be economically efficient, may in some instances also be quite destructive of the achievement of their social purposes. A good example might be the development of bulk purchasing arrangements for meals on wheels services throughout NSW. Whilst this may lead to a reduction in the costs of supply, it will directly detract from the maintenance of local community employment and local businesses and further erode social capital in many isolated communities across rural Australia, that can ill-afford that further erosion. Consideration of such matters and their possible conflicts with strict economic efficiency criteria will be the leitmotif of this submission.

DEALING WITH THE ISSUES IDENTIFIED

1 *“The Commission’s Proposed Approach of Adopting a broad view of the sector for the Purposes of Assessing its Contribution and Narrowing the Study’s Focus to Consider the Specific Policy and capacity Issues raised in the Terms of Reference”.*

It makes good common sense for the purpose of measuring the contribution of the sector to our community and our economy to treat the sector in its widest possible sense. To do otherwise would be to present, at best, a partial picture and, at worst, a distorted one. It should however be an exercise not only in measuring, but in making comparative judgements. One of the great difficulties that has been bequeathed to us by the Age of Reason has been the belief, not shared by the founding thinkers of that age, that to be intellectually respectable it is necessary to be able to quantitatively measure everything. Measurement, even when otiose, has become the sine qua non of our age. It provides us with the illusion of knowledge and understanding of matters where memory, instinct, intuition and common sense may be more useful for meaningful insight. When concepts, ideas and processes elude such quantitative measurement, the usual recourse has been to find something that is relatively easily measured and use that as a proxy for the thing we are really trying to address. That has meant an ineluctable tendency to measure that which is easy to measure and to ignore that which is crucial to understanding. It was “Nugget” Coombes, probably the greatest public servant Australia has produced, who frequently suggested that it is possible to compare as well as to count. His point was that sometimes the really important things were incapable of quantitative measurement, and that we should not feel threatened by that, but seek to exercise our reasoned judgements as a reasonable alternative.

2 *“How do not for profit organisations contribute?”*

The modern private sector is driven primarily by self interest. Adam Smith, in the founding work of political economy, *The Wealth of Nations*, talked of “enlightened self interest”. His heirs and successors in the modern economics fraternity have, somewhere along their road to Damascus, dropped the word “enlightened” and have passed to

generations of economics and management students, the belief that Adam Smith promoted pure self interest, unburdened by any qualifiers, as best serving the public interest.

Unfolding current events in the rapidly combusting world economy provide the best possible rebuttal of that narrow and infantile view of the world. Most of those who presume to know the mind of Adam Smith have exorcised from the public record the fact that he was, not a professor of economics or political economy, but a professor of moral philosophy and that the *Wealth of Nations* was a development of, and was crucially dependent upon, his earlier work *The Theory of Moral Sentiments*. That book developed his idea of enlightened self interest as a far more sophisticated self interest that left room for fellow feeling and altruism. Were that to remain the current interpretation of self interest within the private sector there may well have been little room in our public polity for the development of the not for profit sector in areas of advocacy and service delivery.

Similarly the current economic orthodoxy of market fundamentalism has led to an impoverishment of the role of government. Much of what the Enlightenment conceived to be part of the role of government in a civilized society has been abbreviated and diminished to a role of mere facilitation of the self-seeking behaviour of atomized individuals. Thus governments across the western world, firmly in the grip of this ideology, have increasingly vacated the field to the only other sector that can bring the requisite disinterest to advocate on behalf of the more disadvantaged and marginalized of the citizenry and to provide them with services not motivated by the desire to extract economic rent from those receiving the services. The results of those attempts to preserve that level of disinterest, necessary to ensure that the advocacy and service provision are in the interests of those served rather than of those doing the serving, have been something of a mixed bag, but undoubtedly exceed the results that would be achieved were these activities to be undertaken by either government or the private sector. This constitutes one of the unique contributions of the not for profit sector in these important activities.

The other is the vital role these organizations play in building and sustaining community. Governments, once elected, at least in modern western democracies, tend to assume a role that often excludes participation in important decision making by the wider community. Some of that is unavoidable in a representative democracy, but much of it relates to a pre-supposition by elected officials that they are entitled to substitute their judgements for the judgements of those who elected them, without any requirement to convince the citizen of the greater wisdom of their views. Apart from the contempt that such an

assumption displays towards the role of the citizen in a democracy, it has also led to the widely observed increase in the disengagement of the electors from the political process. The declining participation in the electoral process in those polities around the world where voting is optional can, at least in part, be attributed to a sense of powerlessness of the citizen to affect governmental decisions, once the election is over. This has led, around the western world, to a huge resurgence in community activism. That activism takes many forms, but at least some of it revolves around community advocacy on the decisions made by elected governments that run directly contrary to the will of the people (e.g.: the attempted power privatizations in NSW), and some revolves around the perceived need within the community to undertake services that government no longer provides or has never provided.

Similarly there has been a considerable growth in not for profit organizations stepping in to undertake services which the private sector will not provide or to replace services from the provision of which the private sector has withdrawn. The boundaries of these activities changes over time as the possibilities of making profits from them waxes and wanes. But the character of the service provision tends to be different when provided by the two different sectors. The private sector tends to focus on costs, revenues and operating efficiencies. That has often led to a cherry picking approach where the most difficult or most geographically remote clients miss out on the service. The not for profit sector focuses on meeting the needs of the vulnerable or marginalized group and, often through the use of volunteer labour, are able to meet those needs better than either government or the private sector.

Communities are not only about the need to care for disadvantaged groups, but also about the need to re-enforce community through joint and collaborative effort. Thus volunteers may also be drawn from groups who are socially isolated within their community. The volunteering assists them to stay connected to that community. In participation in the governance of community based organizations they are also able to fulfil their needs for participation in the decisions that affect their lives and to exercise their gifts in the service of others.

3. *“Participants are invited to comment on appropriate methodologies for evaluating the contribution of the not for profit sector. The Commission is particularly interested in receiving*

For much of the service provision part of the sector it is vital that the measures used are principally outcomes based. But that needs to be unpicked a little as many of the current efforts supposedly aimed at outcome measurement that are required by government turn out, upon examination, to measure outcomes for the bureaucracy and government and not for the ultimate client of the services. Frequently, because of the nature of bureaucracies, outcomes are measured in terms of systems, structures, processes and policies, rather than actual, on the ground, outcomes for service recipients. Much of the reporting requirements currently focus around processes such as the maintenance by service providers of policy manuals and of adequate completion of paperwork. This becomes a proxy for actually measuring one of the few things that is worth knowing about that process, which is the experienced outcome for the ultimate client. Too frequently the bureaucrat interprets the ultimate client to be the government, who might be supplying some, but not always all, of the money for the service provision. All of the systems, structures, processes and policies in the world will not guarantee that the clients experience is an enriching and satisfying one, yet often for the bureaucrat the measurement of that level of satisfaction remains a worryingly subjective process. Little thought is sometimes given to the fact that we experience the world largely through our senses and our emotions, not through our rational mind and that satisfaction is innately a subjective emotion, not necessarily arising out of rational thought processes.

But it is also important to look at the outcome for the community as a whole of the particular service being provided. Does the service provision strengthen community for instance, as well as providing for the needs of the individual to whom it is provided? Attempts have been made around the world to look at such outcome measures. The Oregon Benchmarks are a useful attempt to look at total social outcomes.

Outputs may also be useful as indicators of basic contract compliance but should be implemented in a flexible way so that they do not inhibit creativity and innovation in service delivery.

4 *“Comments are invited on the extent to which existing measures of the sector’s contribution have been utilised to inform policy development and monitor policy effectiveness, in Australia and in other countries. What modifications could be*

It is not an easy question to deal with from the experience of the Association. The incidence of reporting requirements ostensibly to do with measuring performance coming from both Commonwealth and State governments is increasing daily. Frequently the level and complexity of the reporting is fundamentally disproportionate to the level of funding provided and the purposes to which the information is put are obscure, to put it charitably. The reporting frequently not only doesn't meet any need of the sector, but does not appear to contribute to any improvement of decision making within government, as many of the same issues remain unaddressed over the course of many years, or in some cases, decades. Often very substantial, and very scarce, resources are devoted within small community based organizations to fulfilling the information requirements of the bureaucracy, only for the information to regularly disappear into a black hole, from which it never emerges in any form at all, let alone in a form that might be useful to the sector. This suggests that such heavy administrative burdens are meeting bureaucratic needs, but certainly not service recipient needs. Transparency in policy development processes is also seriously wanting in many instances. Risk management within bureaucracies can readily transmute into risk elimination. Systems and reporting processes are bureaucratic methods for eliminating risk. The, perhaps unintended, consequence of excessive emphasis on systems solutions is a great diminution in creativity and innovation.

5 *“Not for profit organisations are invited to comment on their experiences with attracting both paid and volunteer workers with the appropriate level of skills. Comments are also*

In an age that has elevated the pursuit of narrow vocational skills into an obsession of the entire educational system, at the expense of an understanding of our history, our culture and our place in the greater order of things, it is not surprising that every occupational area believes that it lacks people with the requisite skills to undertake the tasks peculiar to it, notwithstanding that there may be very few of such skills that are peculiar to many areas of work. Over fifty years ago meals on wheels began in Australia. It was then a service provided completely by volunteers from many walks of life and most of the food delivered, particularly in rural and remote areas, was prepared and

cooked in domestic kitchens. There is no public record of any major catastrophes, nor indeed of any minor ones, that emerged from that initiative by local community members responding to a local, and very basic, community need. The people undertaking that role saw it as a simple matter of preparing and delivering meals to vulnerable members of their local community. That was in an age where the cultural obsession with “professionalism” had not taken hold, so there was no percentage in complicating an essentially simple process.

All the evidence is that their approach was highly successful and, over the years, the service developed a level of community support that reflected the satisfaction of those who received the service and of the community in which that service was provided.

But then “progress” occurred, and we began to look down on the untutored and uneducated people who were responsible for doing this work. They had not joined in the growing cultural obsession with the acquisition of pieces of paper that signified societal recognition of a greater insight into the real complications of the task that they had carried out successfully for years. They had to be dragged into the brave new world of “professionalism”, even though the role they were carrying out had not changed substantially, nor had the skills needed to undertake it satisfactorily.

But any objective observation of a field like meals on wheels would demonstrate to even a less than acute observer that preparing and delivering nutritious and healthy meals to vulnerable people in their homes is hardly rocket science. What has been necessary over the past fifty years to successfully carry out that task has been people with common sense and practical skills they have acquired as a part of their normal lives.

What has changed has been the bureaucratic overlays that have come with receiving government dollars to assist in funding this vital community work. These tiny, generally understaffed and low cost organizations are now required, as a part of receiving generally quite small allocations of government funds, to put in place vast and extensive policy manuals, OH@S procedure manuals that would choke a horse, to undertake extensive reporting processes to government, write a strategic plan and undertake extensive governance training, all of which they seemed capable of coping quite well without for many decades. Which raises the question are these really necessary to do the job or are they simply meeting a bureaucratic need for work creation and imposed order?

And what has been the result of all this paperwork and skill upgrading? Well there is, for instance, no credible evidence available to suggest that it has had any noticeable effect on improving the service provided to the clients. The anecdotal evidence however, tends to suggest that the bureaucratic overlays are driving volunteers and staff from the sector.

Some of these new systems and processes may marginally reduce the level of risk that the system carries, but the impact seems totally disproportional to the level of effort, cost and nervous energy expended upon them.

Thus the major blockage to recruiting and holding staff and volunteers in the system seems to be an overwhelmingly excessive level of bureaucratic impositions that have not been shown to have any significant impact on outcomes for the vulnerable clients in the community.

None of this is to say that such systems, structures, processes and regimented order are not necessary for organizations that exist on a different order of scale to most community based organizations. But it seems that there is an obsessive belief that a one size fits all approach must be used, despite its inapplicability to many of the players in the sector.

What is the lesson to be learned from this experience? That there needs to be a major re-think of the justification for the imposition of such extensive bureaucratic requirements on very small scale community based organizations, so that whatever accountability requirements are imposed are proportional to the risks being addressed and the funding being provided. That means a major re-think of a governmental approach to risk management that has degenerated into risk elimination.

6 *“Not for profit organisations are invited to share their thoughts on pre-requisites for success (including ‘stand-out models’ within the sector).”*

The most successful not for profit organizations are not those that have the best policy manuals, or whose boards have undergone the most governance training, or whose strategic plans are up to date. The best ones are the ones who successfully achieve the goals for which they exist and that are the most creative and innovative. Creativity and innovation rarely go hand in hand with bureaucratic neatness and

systems thinking. Systems, structures and processes are vital for large organizations that carry out standardized functions on a large scale. Along with those advantages go some significant disadvantages. They stifle new ideas and going outside the rules. They are anathema to the free thinking that is necessary to innovation and real progress. The more structure that is imposed, the less innovative the thinking.

Small, not for profits run the risk, when complying with the ever increasing burden of regulatory and reporting requirements of government, of simply turning themselves into pale imitations of the bureaucracies that make these demands upon them. That would simply destroy the very advantage they bring to the table!

7 “Comments are invited on the incentives (such as community attitudes and views of donors) on not for profit organisations to operate efficiently and effectively and to take innovative approaches. To what extent do these incentives differ as a result of the funding arrangements faced by an organisation? Are the incentives currently faced by not for profit organisations sufficient to ensure they operate in an efficient and effective manner and, if not, what changes are needed to increase those incentives? Are there constraints on innovation, and if so what can be done to remove them?”

First of all it is necessary to determine what the definitions of “efficiently” and “effectively” are? Without that it is impossible to say whether not for profits strive for these goals or not. If by “efficiency” we mean an ability to extract considerable physical outputs from a low level of monetary inputs then it would be difficult for the for profit sector to get anywhere near the not for profit sectors efficiency. That is largely because of the not for profit sectors capacity to draw on volunteer resources and freely provided physical resources, that are simply not available to the for profit sector, nor should they be. It would be difficult to convince most Australians that they should donate resources, whether physical or financial, to an organization that would make profits from those resources that were available only to the organizations owner.

If, on the other hand, the transactions in which the organization engaged were not converted to a monetary unit, but were simply measured using physical units of inputs to achieve physical units of output then it is far from clear that not for profits are efficient in converting those inputs into outputs. But making the efficiency of that process the target of what a not for profit should be doing is somewhat beside the point in many instances. Much of the point of work undertaken by not for profit organizations are about social efficiency, rather than the narrow kind of economic efficiency that involves measuring the ratio between resource inputs and units of output. The point of much of the work in our sector is about social solidarity and that often means that speed is not of the essence, nor is efficiency of a resource conversion process. That may mean that government has to decide what is a reasonable level of financial input for it to make, but that should not necessarily shape the way the service is carried out or drive attempts to increase the narrow economic efficiency of that process, if in doing so, it negates the social efficiency of the process.

Effectiveness on the other hand, if it is defined as the capacity to deliver what is required, is a crucial measure of the sectors capacity. That applies to both what is delivered for those already receiving the service and to what is required by others entitled to the service, but not in receipt of it. If the only motive for the existence of a not for profit service provider is not to make a profit for the owners, but to deliver a service to a particular group within the community, that provides a pretty clear focus for the organizations activities. If it is not effectively providing that service within the local community it will pretty quickly know about it through rapidly reduced patronage and through relative and community feedback.

The only real constraints on innovation in the sector are essentially financial and the willingness of the organization to experiment. Encouragement of innovation is largely moderated by the costs of failure. Innovation at the local community level generally has low costs of failure, whereas at state or national level the costs of failure can be high. That means government should encourage innovation at the local level through small scale grants and through a risk management approach that accepts that failure is inherent to the process of innovation.

8 *“Comments are invited on the extent to which general regulatory reform under the national reform agenda is benefiting not for profit organisations or whether more focussed reforms are needed to benefit the sector. If the latter, what specific reforms might be needed?”*

The general experience of the NSW Meals on Wheels network has been that the national reform agenda has been irrelevant to their daily operations in most instances. It is difficult for us to know whether some of the increasing reporting requirements are a part of this agenda, or whether they are running counter to it. If they are a result of that process then they can only be seen to be having a negative effect on the capacity of these organisations to deliver their services. If they are not a part of the process then it would seem that the national reform agenda is missing some pretty important developments.

Reference has been made above to reforms that would assist the sector. These focus around simplicity and minimality of regulatory control and encouragement of innovation at local level.

9 *“To what extent are government agencies moving to ‘lead provider’ relationships — to the potential exclusion of smaller not for profit organisations — and is this compromising diversity of not for profit organisations and the effectiveness of their operations? What options might lessen the potential loss of provider diversity that such a trend might otherwise cause?”*

Any move to “lead provider” relationships will be driven, not by considerations of effectiveness of service delivery, but by narrow efficiency and bureaucratic convenience considerations. There is no evidence of which we are aware that suggests that larger not for profit organizations deliver better quality, or more appropriate services than smaller ones. Also such a move, were it to occur, would unquestionably reduce the diversity and creativity of the sector. None of this is to suggest that large not for profits are not a necessary part of the service mix provided by the sector. It is simply to say that “lead agencies” begin a process of bureaucratisation that drains the system

of local decision making and of the knowledge of, and responsiveness to, local needs. There is not a single example that we are aware of in Australia, where being large has enabled a truly innovative idea to be implemented in the sector that could not equally have been undertaken by smaller, and more responsive, organizations.

Trends in human organizational thought are not forces of nature. There is nothing immutable or inevitable about them. Indeed there is much to suggest, if the experience of the last thirty years is anything to go by, that such trends are an increasingly ephemeral part of our society. If a trend that is occurring is dysfunctional and is likely to lead to negative consequences it is perfectly within the power of decision makers to override or reverse that trend. All it takes is the will and the intelligence to see the obvious. That being unquestionably true, then any such trend towards the government seeking to shape the sector that has grown largely despite government, and often because of the manifest failings of government, should be firmly discouraged. Such attempts by government to impose its priorities upon the sector will simply end in tears at bedtime as so many such similar efforts by government have in the past.

10 *Comments are invited on how the environment within which not for profit organisations operate might be changed to enhance the advocacy role of not for profit organisations.*

Governments of whatever complexion have forever been averse to advocacy that is either contrary to their existing policies or requires them to do what they do not want to do for ideological or other reasons. Similarly not for profit organizations have seen advocacy as a part of their being and lifeblood. This creates a tension between the two. That is fine so long as that is a healthy tension that is expressed through open and transparent communications and mutual respect.

11 *Comments are invited on trends in government funded services, including the extent to which governments are funding the traditional activities or new service initiatives of the not for profit sector and the extent to which governments are 'outsourcing' service provision to the not for profit sector.*

A considerable degree of outsourcing is occurring across a wide range of what have traditionally been regarded in Australia as governmental responsibilities. It is not satisfactory to make sweeping judgements about the appropriateness or otherwise of doing so. It is a matter of making judgements on each individual case as the relevant factors in each case may be substantially different. As a matter of principle however, it is vital that government retain the responsibility for ensuring the provision of "public" goods and for preventing the exploitation of natural monopolies. That has not been very effectively done by governments in an era of free market fundamentalism where such decisions have been generally made on the basis of ideology, and not on the basis of what is in the public interest.

Outsourcing to either the not for profit or for profit sectors will be appropriate or otherwise depending upon the impact that such outsourcing is likely to have on the public interest. Much of the deliberations around that will arise from the need to judge whether there are conflicting goals that will corrupt the outsourced service. That is a matter for judgement on a case by case basis. It will also be a matter for careful deliberation and reflection by, and consultation with, the community.

On the question of competitive neutrality it seems to us that this again represents a misunderstanding of the very different goals of the for profit and not for profit sectors. Competition is, or according to the theory should be, the defining feature of the private sector. Thus there is a need, if a truly competitive market is to exist, to ensure competitive neutrality. This is in a market where the end outcome for the consumer is a lower priced commodity that can be the subject of a market transaction between a buyer with the money and a seller with the good or service to be the subject of the transaction.

Where however, the good or service is being provided, not as a part of a market exchange, but as the expression of support for an individual or group in need of community assistance or support of some kind, and for which the consumer is not necessarily the purchaser, then the transaction takes on a different character. A perception that the transaction is of a purely commercial nature would detract seriously from the community building potential of the transaction and would virtually eliminate the sense of trust that it would otherwise engender.

Thus it seems that the best approach in this context is to adopt a horses for courses strategy. In this context that means let the private sector market do what it is best at doing and the not for profit sector do what it is best at doing. Trying to create competitive neutrality in this instance is to attempt to apply the same paradigm to two fundamentally different types of transaction.

We have dealt earlier in this submission with the need to retain diversity in service delivery models and in organization size.

CONCLUSION

The not for profit sector is a diverse and imaginative part of the Australian social fabric. It makes a major contribution, not only to activities regarded as economic, but also to maintaining and strengthening a healthy and vibrant public culture. It has grown to its current size without being dependent on government or the private sector, largely because of failures by both of those sectors to fill important voids of communitarian activity. Government has increasingly seen it as an important actor in an ongoing transfer of activities, once regarded as the preserve of democratic governments, but that are now seen, through a small government, libertarian lense, as superfluous roles of a diminished public sector. The principal role for government with regard to the sector, apart from its overall responsibility for national directions and public expenditure accountabilities, is to avoid the strangulation of the sector by excessive red-tape and bureaucratic procedures and to provide targeted support for innovation and change within the sector. It might also be said that it should understand that the sector has a life and a unifying purpose that arise out of the communities that it serves and that government must exercise real care in fiddling with that. They run the real risk of killing the goose that lays the golden eggs!

REFERENCES.

- (1) Mick Dodson,
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