CROSS ROADS IN INDIGENOUS LEADERSHIP

PRESENTATION BY
THE CHAIRMAN OF THE MURDI PAAKI REGIONAL ASSEMBLY
MR. SAM JEFFRIES.

Introduction

It has been said that the quality of leadership, more than any other single factor, determines the success or failure of an organisation, and yet we cannot always judge a leader until the time comes for him or her to lead. The same can be said of a nation.

It has also been said that the first responsibility of a leader is to define reality. Different circumstances produce different leaders.

We associate leadership with vision and strategy. Some people may be born to lead. Others respond to the occasion.

I think of the different qualities of Winston Churchill in a critical time of war, Nelson Mandela, perhaps the most inspiring of all leaders, in a time of national liberation and healing, of President Bush responding to September 11.

In whatever environment, a leader cannot escape the reality of the times. Mahatma Gandhi said: "We must become the change we want to see."

Our own leadership has perhaps seen things the same as Gandhi did. I think particularly of Charles Kumantjayi Perkins. He, too, was a man for and of his times.

So, too, were William Cooper, William Ferguson and Jack Patten before him, who inspired a royal petition, a charter of citizen rights, and Australia's First Day of Mourning on Australia Day 1938.

Their vision was encapsulated in a 10-point plan presented to the then Prime Minister, Joseph Lyons, to achieve Aboriginal equality with white Australians. The plan called for the federal government to take over Aboriginal affairs from the individual states, positive aid in the areas of education, housing, working conditions, land purchases and social welfare. The government of the day ignored the demands. Successive governments have seen greater value in their own 10-point plans for us.

Charlie, as we affectionately knew him, led the 1965 freedom rides in rural New South Wales.

Charlie was also influenced by the leadership of others. In his address at the funeral service of Kumantjayi the Chief Justice of New South Wales recalled the words of another leader, Martin Luther King, in his letter from Birmingham Jail which had been used during the freedom rides:

> "Non violent direct action seeks to create such a crisis and establish such creative tension, that a community which has constantly refused to negotiate is forced to confront the issue. It seeks so to dramatise the issue that it can no longer be ignored."

With both passion and anger, Charlie went on to add another dimension to his leadership – that of a public servant rising through the ranks from humble beginnings, not that he was always comfortable in that role. His expectation of a good Australia was when "white people realised that Aboriginal culture and all that goes with it – philosophy, art, language, morality, kinship -- is all part of their heritage."

Charlie has left us with this challenging view on being an Aboriginal bureaucrat:

> "Tread new fields. Break new ground. Make mistakes in achieving objectives. That's what it's all about. You've gotta do things in the space of one year that takes normal bureaucratic mechanisms to do in five to ten years."

And that is where I squarely place the situation of leadership of Aboriginal and Torres Strait Islander people in Australia today. Indigenous affairs is the one area of social policy which continues to test the leadership of all the participants. The struggle and uncertainty are reflected in policy change after policy change, experiment after experiment, good intention after good intention, generational change after generational change.

Nelson Mandela's vision was inspired by what he saw as the inevitability of "mutual interdependence" in the human condition, that "the common ground is greater and more enduring than the differences that divide."

The situation in which we find ourselves today requires us to face up to the harsh reality of our own circumstances and forge a new leadership alliance drawn from that "mutual interdependence." The crossroads we have reached is to work through and improve the government's most recent reforms in Indigenous Affairs.

The path on which we now launch ourselves will determine whether Aboriginal and Torres Strait Islander people participate and share equitably in the wealth of this country and not continue to be portrayed on every measure as the most disadvantaged and marginalised people in Australian society.

I do not want to dwell on the negatives. Rather it is my hope that we, as Mahatma Gandhi said, will together "become the change we want to see." And, recalling Charlie Perkins' view of being a public servant, I hope we can accelerate that change.

To give definition to that hope, my presentation is built on two quotes, one at the beginning and one at the end.

The first quote is as follows:

> "Good policy will always be undermined by poor implementation. Bad policy will always result if it is not informed by the operational experience of those who deliver programmes and services at the front desk, in the call centre or by contract management." – Dr Peter Shergold, Secretary, Department of Prime Minister and Cabinet, *Connecting Government*.

These, as it has turned out, are prophetic words as, indeed, you would expect them to be from Australia's top public servant. Dr Shergold is at the centre of political and administrative leadership in Australia. It is that conjunction between policy and implementation that I want to speak about today.

It is now two years since the Government abolished ATSIC and the 35 Regional Councils under the *Aboriginal and Torres Strait Islander Commission Act 1989*. Since then Aboriginal and Torres Strait Islander people have been invited to join with the government to implement in a raft of new arrangements. These arrangements are still being bedded down. Their early outcomes are only now being assessed, mostly from the perspective of government achieving what it set out to do.

Whether or not the Australian Government's new arrangements in Indigenous Affairs were good policy, my experience and that of others is that they are being flawed by poor implementation. Because they were not informed by those with operational experience, and, indeed, were contrary to the recommendations of a team which reviewed ATSIC, they might even be seen to have been bad policy.

Even so, Aboriginal and Torres Strait Islander people have recognised some opportunities for them in the new arrangements, not the least of which is to improve the way government delivers services for us. It is because of their leadership, the leadership of Aboriginal and Torres Straight Islander people that the arrangements are working at all.

Leadership and the new arrangements

The new arrangements removed from their implementation three critical aspects of the original ATSIC legislation which I see as being fundamental to Indigenous empowerment:

- elected national and regional leadership by Aboriginal and Torres Strait Islander people;
- a consistent enabling legislative framework to underpin that leadership with authority to deal in matters important to them
- effective governance arrangements involving full participation in decision-making by those for whom government programs and services were being provided

Leadership takes many forms and exists for different purposes.

At one level it recognises the collective roles of government agencies, non-government and voluntary non-profit organisations which are part of what I would call the governance framework in Indigenous affairs.

Non-government organisations, in particular, are important contributors to the vitality and well being of Aboriginal people -- from community development, the arts, to social services, education and health. They provide a wide range of support to Aboriginal and Torres Strait Islander communities.

The structures and processes used to govern these organisations have a strong impact on the services they provide and the way they deliver those services. These organisations also perform important functions of advocacy and representation. Legal services and health services, in particular, have been central to the well-being of Aboriginal and Torres Strait Islander people.

Effective governance ensures the objectives of these organisations are realised, resources are properly managed, and the benefits of their work flow through to Aboriginal people. In turn, these organisations are crucibles of leadership.

Similarly effective governance arrangements provide a leadership, negotiating and priority setting framework within which these independent organisations are funded and operate.

On all the evidence, there is a strong connecting link between good governance arrangements and effective service delivery responsive to the needs of the people. This applies as much to mainstream Australia as it does to Aboriginal and Torres Straight Islander people.

As far as Aboriginal and Torres Strait Islander people are concerned, the new arrangements have broken that connection. Whether the government, through its current efforts, can repair the broken link in the governance and service delivery chain remains to be seen.

Devolved decision-making promotes leadership, participation and direction in the way funds are provided and services delivered. That leadership is central to the nature of engagement between Aboriginal and Torres Strait Islander people and government.

The government's new arrangements have put a new focus on the need for leadership at the regional and community levels. That leadership is a shared one between Aboriginal and Torres Strait Islander people in engaging with and participating in government decision-making and government officers charged with delivering services and working in new ways with Aboriginal and Torres Strait Islander people. It is my view, shared by others and demonstrated by recent experience, that you cannot have good service delivery without Indigenous leadership informing the process.

The leadership challenge lies in two concurrent developments: on the one hand, Aboriginal and Torres Strait Islander people have been denied the resources to support an elected leadership; on the other hand, government officers are struggling to lead without the leadership structures necessary to ensure effective engagement with Aboriginal and Torres Strait Islander communities.

One consequence of the new arrangements has been what I would call a "leadership confusion" between Aboriginal and Torres Strait Islander people and the new Indigenous Coordination Centres. Some would call this a disconnect , between vertical leadership (within government Departments) and horizontal leadership (with Aboriginal and Torres Strait Islander people.)

Within Indigenous Coordination Centres there has been an obvious breakdown in vertical leadership because of the way they are outposts of individual departments responsible to a manager reporting to another agency with no authority to direct, but accountable back to their Departments.

To correct this, the government has had to issue directions in the form of regular bulletins from the Secretaries' group responsible for the implementation of the arrangements. In its Bulletin No. 5, the most recent I have seen, the group agreed

there was a need for some clarity about the ICC model.

This Bulletin re-states the government's expectation that Indigenous Coordination Centres (ICCs) will operate as whole-of-government offices focused on improving service delivery to Indigenous Australians. It states that success of the ICC model depends on both the efforts of ICC staff, and staff in regional, state and national offices who support, supervise or interact with staff in ICCs. In effect the Secretaries have re-defined the vertical governance relationships.

The government, of course, has realised the need to restore the connection between Indigenous people and government by trying to build new representative arrangements and enter into regional partnership agreements. These, however, are at the lower end of the government's priorities for connecting government departments with each other and to date there has been only one regional partnership agreement.

The government has been fortunate in having Aboriginal and Torres Strait Islander communities respond to the government's encouragement of new representative arrangements. The result has been a range of scenarios, mostly coalitions of organisations anxious to give a regional voice to their aspirations. In doing so, Aboriginal and Torres Strait Islander people have demonstrated the need for effective leadership, even within a flawed national framework. Like Humpty Dumpty, it will be for Aboriginal and Torres Strait Islander people to put the pieces back together again.

Let me tell you a bit about the Murdi Paaki Region:

- The region covers 297,000 square kilometres of Far West NSW. This is more than 40% of the total landmass of NSW , It covers 8 Local Government areas plus the unincorporated area in the north western part of the state

- The 2001 Census population of Indigenous persons was at 7,542 or 13% of the total population of the area

Some general statistics and indicators for the region are as follows

- Life expectancy was estimated to be 20 years less than the general population in 1998-2001

- Rates of primary diagnosis of diabetes in Indigenous people was almost 4 times higher than non- aboriginal people

- In 2002 the rate of indigenous people receiving dialysis was double the rate of non-indigenous people

- Murdi Paaki has the highest hospital separations for assault related injuries in the state for both Indigenous and the NSW population as a whole.

- The Aboriginal victimisation rate for assault in Murdi Paaki is more than double the Aboriginal victimisation rate anywhere else in NSW.

- In 2002 the victimisation rate for domestic violence was highest among Indigenous children and young people in Murdi Paaki

- The rate of children and young people involved in reports where assessment determined or substantiated abuse and/ or neglect was highest in Murdi Paaki

Of all the social indicators, the Murdi Paaki region fares worst than any other region in NSW.

I could take up the next day or two talking about the issues impacting on our communities, and I'm sure the circumstances are the same or similar to that of your own regions and communities, but I'm not here for that. What I have done is highlight for you just some of the things that inspire us to do something, the things that are glaring challenges, not only to us but to the whole of Australia. They are the baseline indicators against which we may judge the success of the "bold experiment."

The Murdi Paaki Regional Assembly, of which I am chairman, was the first regional representative body signed off by the government under the new arrangements. While this might be seen as a government achievement, its inspiration came from the communities themselves, even before the government's new arrangements were introduced. It also had the support of Murdi Paaki Regional Council.

The Assembly is the result of over 10 years of modelling, shaping, reshaping, and remodelling a representative structure that better suited the communities of the Murdi Paaki region and their economic and social circumstances.

The Assembly was established 15 months before the abolition of ATSIC. It resulted from the Murdi Paaki Regional Council and the individual capabilities of communities putting together a collective leadership framework for communities to participate in and for government to engage with.

This product of leadership is underpinned by the notion of community governance. It's not corporate governance, it's not governance that's driven by statutory arrangements, it's governance that is driven by a charter created by ourselves based on values, partnerships and opportunities and establishing jurisdiction for Indigenous communities in our relationships with government and the Australian community.

Long ago we got over the victims mentality. Overcoming this single issue has developed a cohesive partnership between communities and a leadership that has removed the competition between communities for the welfare dollar crumbs , it has kept us focussed on what the real issues are , the issues that have the potential to unravel the very fabric of our societies.

The Assembly has limited resources. The Commonwealth provides funding so that the Assembly can meet with government from time to time to advise it of the issues impacting on the region and its communities. The Assembly is not funded for its functions, it's not funded to undertake advocacy, planning or policy and strategic development. There are no funds for wages, sitting fees, legal costs etc. Significantly, the Assembly does not have a Regional Office to support its activities. It, therefore, does not have the capacity previously available to the elected Regional Council.

Unsatisfactory as this is, it has not been a deterrent but, instead, a trigger to continue the resilience of a people to rise above the obstacles and move forward. It is a credit to the 16 Indigenous communities that they have consolidated their own

leadership within a structure owned by them with minimal support from the Commonwealth and State Government.

The rhetoric of reform

The rhetoric of reform has portrayed the new arrangements as either "a bold experiment" or "a quiet revolution." It is appropriate to examine from the Indigenous perspective what has been achieved and how the new arrangements have impacted on us.

We know what the perspective of the government is. We have a 44-page report by the Secretaries Group on Indigenous Affairs to tell us how successful the bold experiment has been to date and how the quiet revolution is transforming Indigenous people.

We know also that the COAG trials are being evaluated, along with each of the 100 shared responsibility agreements which were set as a target for Secretaries' performance bonuses.

In the next few months we can, therefore, expect a flow of individual reports which might tell us how effective the interaction between Indigenous people and government has been.

We are told that an important element of these new arrangements has been the establishment of governance arrangements to drive the changes to Indigenous affairs, ensuring transparency and accountability, and providing leadership from the top.

The report goes on to tell us that achieving a whole-of-government approach to service delivery at the coalface involved establishing 30 Indigenous Coordination Centres (ICCs) in metropolitan, regional and rural Australia.

The report is full of references to new leadership, coordinated and streamlined funding arrangements, new approaches to agreement making with Indigenous people at the local and regional level, the need to develop new skills within the Australian Public Service, the breaking down of Departmental silos to work in a connected whole of government way, and to redesign mainstream and Indigenous programs to meet needs more flexibly. To do all this, new structures for whole-of-government governance and service delivery were required.

It is perhaps only to be expected that the Secretaries' report focuses on the achievement of the public service in bringing about administrative and leadership change and how difficult it has been for them. All too often the perspective of Aboriginal and Torres Strait Islander people is lacking. It is as though nothing like this ever happened before.

It could be argued that the reforms have been good for Indigenous people. After all, in the words of the Secretaries' report, the government set a huge challenge for the Australian Public Service. We already knew from the Report on Indigenous Funding by the Commonwealth Grants Commission that mainstream services were failing Aboriginal and Torres Strait Islander people.

It is not unreasonable, however, for us to ask what the gains in practical terms have been for Aboriginal and Torres Strait Islander people.

On the one hand the government demolished an established legislative structure of leadership and participation and replaced it with another – an administrative structure of leadership and engagement that essentially had to be built from the ground up.

The orientation towards how public servants are doing their job and what resources they need to do it hides a fundamental reality of the reforms – the lack of resourcing of Indigenous leadership opportunities at the regional and community levels to enable Aboriginal and Torres Strait Islander people to participate effectively in the decision making process, the development of policies, the determination of priorities, the implementation of strategies, and the delivery of services responsive to the needs of Aboriginal and Torres Strait Islander people.

Inescapably, the reforms have been a top-down process.

Reasserting Indigenous leadership

Aboriginal and Torres Strait Islander people have had to reassert leadership at the regional and community level through informal structures inadequately funded and which offer no sense of long-term direction.

The emphasis on what are called shared responsibility agreements with communities is misleading. These agreements are nothing more than letters of offer to fund single projects. They have a twist in the tail. That twist is for Aboriginal and Torres Strait Islander people to reciprocate in return for what the government describes as "discretionary" services.

We are told in the rhetoric of reform that Indigenous communities have seized the opportunity to negotiate agreements that share responsibility and tailor interventions to local needs and priorities. Many of these agreements, by admission, are simple, focussed on one or two issues. The report tells us they need to be carefully monitored. As Indigenous communities and governments gain more experience working in partnership, "we will build on these agreements to support sustainable change." It is not clear at this stage how this will be done.

The measure of the success of the new arrangements is numbers of shared responsibly or funding agreements, not longer-term arrangements where shared responsibility might be more appropriately defined to achieve shared outcomes.

I do not wish to detract from the government's perceived success. But remember…with the abolition of ATSIC and Regional Councils and the mainstreaming of all programs, what else was there for any kind of discretionary expenditure to meet community needs. Of course, Aboriginal and Torres Strait Islander people embraced them. If the government was offering a treasure pot of money, however it was sourced, whether through new or transferred monies, why would we turn our backs on it?

But there needs to be recognition of the reality also. Those who were associated with ATSIC and Regional Councils will know that the process of funding agreements and identification of projects was already an integral part of program delivery. SRA's

merely replaced existing ATSIC and regional council initiatives to incorporate the concept of mutual obligation , reciprocity and discretion (on whose part).

Those familiar with ATSIC will also know that we do not have to gain more experience working in partnership with government: through the efforts of ATSIC and regional councils, we were already in partnership with government at all levels, offering an effective region-wide governance arrangement..

I say these things, not to reflect backwards, or to detract from the good intentions of government officers charged with implementing the arrangements, but to find a pathway forward mapped by the possibilities that might flow from these unstructured arrangements, not to endorse them, but to see how they might work better for us before their failure becomes manifest at our expense.

A fundamental issue for us is the leadership structures, adequately resourced, to maintain and strengthen the participation of Aboriginal and Torres Strait Islander people in decision-making, build regional and community capacity, and achieve self management, self sufficiency and sustainable development. These elements are in danger of being lost in the present piecemeal approach.

Without a legislative framework, elected regional and community structures will become loose coalitions of community interests and organisations developed by and dependent on government initiative and interventions. The arrangements are potentially divisive. There is a perception that the new Commonwealth arrangements will "go around" regional bodies and deal directly with communities, individuals and organisations without giving them the capacity to engage effectively with government.

The Government itself has identified effective governance arrangements as an integral part of any service delivery framework. The government paper *Connecting Government* states that a high level of community engagement is likely to be appropriate where the solutions need to be created by the external stakeholders themselves (e.g. Indigenous people). To quote from the document: "To be successful where the challenges are complex and long standing requires substantial involvement of the people and communities affected."
Involvement to us requires meaningful participation.

Any new mechanisms, however they are developed, without statutory power, will be merely advisory and consultative to meet the Commonwealth Government's service delivery requirements. We have already seen this in the establishment of the National Indigenous Council and the new regional frameworks.

We see opportunities in all agencies being required at last to accept their responsibilities, work together, join with Aboriginal and Torres Strait islander people in partnerships, and be accountable for their performance.

Our concern is about how the decisions are made, who makes them and who determines the outcomes. The responsiveness of government departments in delivering programs and services for which they are funded needs to be aligned with community expectations.

The common ground between us and the government it is to:

- achieve better outcomes for Indigenous people through improving mainstream service delivery
- make Government departments more accountable for the programs and services for which they are funded
- have regional arrangements and structures
- promote effective governance for service delivery that involves stakeholders external to government
- ensure long-term capacity and sustainability

The Murdi Paaki experience demonstrates that in our circumstances the best way to connect government service delivery is through legitimate and recognised institutions of Indigenous representation, advocacy and participation which have legislative force. Regional and community governance are the tools that return responsibility to us, to free us from the poverty trap, and break the generational cycle that hands down a legacy of social dysfunction.

Governance arrangements directly connecting Aboriginal and Torres Strait Islander people with government service providers are a critical component of any service delivery framework.

The dynamics of the engagement process are captured in the following:

> "Engagement suggests a different sort of relationship. It suggests that there is a 'governance' system and a 'community' system. To build the collaborative relationships on which a complex activity such as community planning would depend, it is necessary for the governance system to fully understand the dynamics of the communities with which it seeks to work and to be prepared to adapt and develop structures and processes to make them accessible and relevant to those communities."[1]

Overseas experience has seen the desirability of coordinated service delivery (or joined up government) by ensuring duties are placed on government agencies to facilitate not only service delivery but to participate in community planning processes which determine priorities and define outcomes.

We see a governance and service delivery framework incrementally involving:

- coordinated regional budgets identifying all Departmental inputs
- greater coherence and clarity in the way individual departments operate
- transparent responsibility and accountability
- the setting of performance targets
- a balance between mainstream funding and local initiatives
- flexibility to allocate funds across boundaries to meet identified community priorities
- regional Budget outcomes determined by the communities themselves within which Departmental outputs are aligned
- shared responsibility agreements which define roles and responsibilities and accountability to Aboriginal and Torres Strait Islander people
- the development of cultural skills among staff responsible for implementing the reforms

---

[1] Stuart Hashagen, Scottish Community Development Centre, *Models of Community Engagement*, May 2002.

- a willingness to adapt and develop structures and processes to make them relevant to communities.

Conclusion

We advocate the right of Aboriginal and Torres Strait Islander people to be able to exercise and enjoy our fundamental human rights along with other Australians, to receive services comparable with the Australian standard and to participate equitably in Australian society with the same opportunities as other Australians.

This is the basis of the partnership between Aboriginal and Torres Strait Islander people and government. There can be no partnership without participation.

The current struggle of leadership for Aboriginal and Torres Strait Islander people and government officers in the regions is to work productively and cooperatively together, to give order to a flawed framework.

There can be no doubt that the delivery of programs and services to Aboriginal and Torres Strait Islander people represents the greatest challenge for today's public sector management. The present arrangements lack the balance between Indigenous involvement in decision-making and public sector performance. In the end, the two go together.

Surely Australia has reached a level of political maturity that permits formal elected structures of participation by Aboriginal and Torres Strait Islander people whose minority and Indigenous peoples' status require special consideration. We should be looking for structures which take the nation forward in its relationship with Aboriginal and Torres Strait Islander people and not just those that facilitate government program management.

There may be a quiet revolution under way, because the elected representative voice of Aboriginal people has been silenced for the time being.

This may be how it was supposed to be. The day we become silent about the things that matter, our lives, as Aboriginal and Torres Straight Islander people , begin to end.

There is now a challenge of leadership, on both sides, to make the arrangements work to improve the situation of Aboriginal and Torres Strait Islander people and, more importantly, where adjustments are found to be necessary to implement them.

I began this presentation with a quote from Dr Shergold. I see some hope in another quote from him.

> "These are early days in what needs to be a long-term commitment to generational change. Yet it seems to me that the developments in the provision of indigenous services may bespeak new inclusive forms of democratic governance. Already governments are attempting to involve more systematically community and industry groups in the development of policy…..
>
> "The challenge is to move to ongoing participatory arrangements involving a range of stakeholders. There is an opportunity to take a quantum step

> forward in terms of engaging community, widening public discourse and building civic society. It will not be easy, given the complex relationship of interlocking communities of place and interest.
>
> "Nevertheless there is an opportunity to build collaboration between executive government, its public administration and advocacy organisations in the design, delivery, management and evaluation of public policy. There is a chance to establish a network of horizontal governance at national, regional and local levels.
>
> "The challenge of negotiating the delivery of public services to Indigenous communities may provide a model of how to move from joined-up government to connected community. It is, at the least, a goal to which one should aspire."[2]

Well, we shall wait and see. The bar has been set. We must take it in our stride. The model is not in what we presently have, but in what Dr Shergold sees as a vision for Australia as a whole: a quantum leap forward in new inclusive forms of democratic governance... from joined up government to connected community, where "the common ground is greater and more enduring than the differences that divide."

So, if I was asked for my definition of leadership, my response would be this: its all those things that I have talked about, its about reality, its about quality, its about people and nations, it's about positioning ourselves adequately in any change we want to see and be positioned adequately when that change takes effect.

I look at leadership in two parts:

- as a tool that we use to build with, to build ourselves as individuals, to build individuals into communities, to build communities into nations.

- as a vehicle to move us, to move us from the position we are in now to the position we want to be in in the future, moving us from point A to point B and be able to pick up those things along the way that we need to be there with us when we get there

Leadership, in my mind, is something you can't actually visualize, it's not something you can buy off the shelf, unwrap it and hold in the palm of your hand, it's more like some unseen chemistry, chemistry that pulls together the ingredients of reality, quality, people and nations. When that happens, leadership happens. It starts to build for us, it starts to move us in the direction in which we want to go.

That to me is the national challenge in confronting the circumstances of Aboriginal and Torres Strait Islander people, in building the fundamental partnership between us and government, to connect us with the mainstream, and respect our place in Australian society.

---

[2] Dr Peter Shergold, Secretary, Department of Prime Minister and Cabinet, Government and Communities in Partnership: Sharing Responsibility, 18 May 2005