WESTERN AUSTRALIAN GOVERNMENT RESPONSE TO THE

Third Report of the Indigenous Implementation Board
As the State Government’s response to the third and final report of the Indigenous Implementation Board (IIB) has now been finalised, it is timely to acknowledge the significant contributions made by the Chairman and members of the IIB and the community groups and individuals who participated in the consultation process and preparation of the IIB’s three reports. In particular, I wish to thank the Chairman of the IIB, Lieutenant General John Sanderson AC, and members Ms Dawn Wallam, Dr Sue Gordon AM, Mr Kim Bridge, Ms Ricky Burgess, Dr Mark Bin Baker, Professor Helen Milroy, Mr Brendan Hammond and Professor Fiona Stanley AC for their sustained commitment in contributing to the work of the IIB.

I also wish to thank the various government agencies who made significant contributions to completing the three State Government responses to the IIB Reports.

The recommendations of the Reports particularly relating to regional governance, leadership and capacity building have informed the work the State Government is progressing in these areas. This focus on governance and leadership programs, capacity building of new and existing Aboriginal organisations, along with developing models of culturally legitimate systems of governance will shape government policy in Aboriginal affairs in Western Australia.

Work is also progressing on the important issue of training and leadership. The Government is implementing programs in secondary and tertiary institutions aimed at enhancing school retention through mentoring programs, and developing leadership skills through training. Other broader initiatives are aimed at job creation and sustainable employment opportunities.

I commend the IIB former Chairman and members in highlighting not just the issues I have raised, but providing a thorough and considered assessment of the underlying causes of disadvantage experienced by Aboriginal Western Australians. The State Government continues to work towards improving social, economic and life outcomes for Aboriginal Western Australians to create a situation where everyone in the State has the opportunity to reach their full potential and participate equally in Western Australia’s society and economy.

Hon Peter Collier MLC
MINISTER FOR EDUCATION; ENERGY; INDIGENOUS AFFAIRS
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| Recommendation 1 | Noted | In relation to the Kimberley and Pilbara regions, the Department of Regional Development and Lands (DRDL), through Royalties for Regions, has allocated $2.3 million to the Department of Indigenous Affairs (DIA) for a Governance and Leadership Development Program. This program will complement work being progressed in the Kimberley region by Aboriginal organisations such as the Kimberley Land Council, the Kimberley Aboriginal Law and Culture Centre and the Kimberley Language Resource Centre aimed at developing regional governance capacity and structures. Emerging independent Prescribed Bodies Corporate (PBCs), such as the Niemba Buru Nauru Ltd (Yawuru), which act on behalf of Native Title holders in matters of Native Title rights, land and heritage interests, are also involved in this developmental work. In the Pilbara, the State Government continues to support the Pilbara Futures Project, which commenced with the Pilbara Futures Forum (the Forum) held in Port Hedland in June 2010. The Forum involved a series of presentations on aspects of corporate and community governance and identification of examples of best practice in the Pilbara and other regions of Western Australia (WA). Discussions were around developing a culturally appropriate governance framework for the region that can provide a structure for the governance of communities, through Native Title PBCs and Aboriginal corporations and entities. It also focused on identifying leadership and governance programs that can be delivered in the regions and capacity building of existing Aboriginal organisations. Further development will be informed by a second Pilbara Forum tentatively planned to take place in October 2012. Prior to that, an interim Pilbara Council of Elders will be created to facilitate the process. In the South West region, the Heads of Agreement between the State Government and the South West Aboriginal Land and Sea Council (SWALSC) recognises the role of Noongar Native Title claimants in negotiating a package that can deliver long term economic benefits for their communities. Negotiations are reliant on the emergence of sustainable Noongar regional and sub-regional advisory bodies to direct land and heritage strategies and to invest in Noongar community development programs alongside government initiatives. Overall, the State Government's view is that development of culturally legitimate representational systems is best achieved in the context of Native Title agreement-
making. In this regard the State Government has introduced a Government Indigenous Land Use Agreement (ILUA) into negotiations with both Native Title claimants and Native Title holders represented by PBCs.

The Government ILUA provides a vehicle to address future land and heritage interests for both State Government and Native Title holders and to simultaneously form a platform for the PBCs to develop other partnerships within government (e.g. to provide input to regional planning) and with the non-government and commercial sectors. A fundamental factor in this strategy is the development of transparent and efficient governance by the Native Title holding groups. To that end, the State Government is offering start up support for PBCs and has endorsed other PBCs revenue generating strategies as part of the ILUA. The Departments of the Premier and Cabinet, Indigenous Affairs, Mines and Petroleum, Environment and Conservation, Regional Development and Lands, Housing, Finance and a range of other agencies, are involved in this process.

Currently in WA there are 24 PBCs formed to hold in trust, or manage, the Native Title rights and interests determined in accordance with the Native Title Act 1993 (Cth). There are 105 outstanding Native Title claims across WA. While not all of the outstanding claims are under active negotiation by the State Government, it is likely that there will be an ever increasing number of PBCs formed in the coming years. The State Government’s priority is to ensure that the PBCs are given scope for independent development.

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<td><strong>If Government pursues the recommendations of the review of regional development commissions these along with the WARDC will become responsible for setting regional priorities and Aboriginal representation must ultimately be statutorily recognised by the state and regional commissions. In the interim the Board supports the recommendation that the Departments of Indigenous Affairs</strong></td>
<td>Noted and Supported in part</td>
<td>The State Government responded to the Review of the Functions and Responsibilities of Regional Development Commissions (the Review) in July 2011. Essentially, the Government did not accept the Review’s recommendation on changing the structure of the Regional Development Commissions (RDCs) and the proposal to create a new Western Australian Regional Development Commission (WARDC). Submissions to the Review and public comments on its recommendations showed strong support for maintaining the existing structure for RDC’s, with the associated level of autonomy and direct reporting to the Minister. These arguments outweighed the restructure option put forward by the Review, although importantly the Government strongly supported the non-structural change recommendations, which will provide for an expanded role of the Regional Development Council and DRDL, and refocused RDCs. The Government response to the Review tasked DIA and DRDL with progressing</td>
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and Regional Development and Lands develop proposals for Cabinet consideration that will acknowledge the importance of Aboriginal partnership and governance and its legitimate position in regional development. If a working party is established to address the urgent need in the Pilbara to strengthen integration of statutory land use planning, regional development and local government service delivery it is recommended that it collaborate with the Pilbara Futures process from its inception to ensure that a solid foundation is established with Aboriginal people across the region from which an ongoing relationship can be developed.

**Recommendation 3**  
If Government does not pursue the recommendations of the review of regional development commissions the Board recommends that Government pursue the recommendations made by the Department of Indigenous Affairs to develop regional governance in the Kimberley and Pilbara.

**Recommendation 4**  
Government continue its support for DIA and ensure that appropriate recognition and resources are provided to develop its regional

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<td>recommendation 9.6 to identify solutions to enhance Aboriginal partnership and governance, to realise human capital for the State, and to develop a policy position for the relevant Ministers and Cabinet. DIA and DRDL referred the response to the Aboriginal Affairs Coordinating Committee (AACC) as the peak State Government body for Aboriginal affairs. The AACC is actively considering this matter, including through referring this to a senior staff working group made up of members of AACC agencies and, through DRDL, seeking advice from Native Title Representative Bodies and the Regional Development Council.</td>
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In support of Recommendation 10 of the Review, the existing Directors General Interagency Group on Regional Policy, Planning, Development and Service Delivery Coordination is the current vehicle for progressing and strengthening the integration and alignment of statutory land use planning, regional governance development and local government service delivery.

**Recommendation 3**  
Noted  
Refer Government Response to Recommendations 1 and 2 above.

**Recommendation 4**  
Supported  
The State Government is committed to ensuring DIA is adequately resourced to meet its responsibilities and maintain and enhance its regional presence.

To ensure government coordination and engagement with Aboriginal people, the State Government in 2009 re-established the Aboriginal Affairs Coordinating Committee
presence and to implement the Board’s recommendations.

(AACC) and the Western Australian Aboriginal Advisory Council (WAAAC), under the auspices of the Aboriginal Affairs Planning Authority Act 1972 (the AAPA Act).

DIA is the lead State agency responsible for providing executive support for these groups. The Director General of DIA chairs the AACC.

The function of the AACC, as stated in the AAPA Act, is to coordinate the activities of all persons or bodies, corporate or otherwise, providing or proposing to provide service and assistance in relation to Aboriginal people in Western Australia. Membership comprises the Directors General/Chief Executive Officers of the Departments of Indigenous Affairs, Health, Premier and Cabinet, Treasury, Child Protection, Education, Police, Corrective Services, Regional Development and Lands, Housing, Training and Workforce Development and the Chairperson of the WAAAC. The AACC Deputy Director General Working Group was established in October 2011 to coordinate and oversee State Aboriginal affairs policy matters, as directed by the AACC.

The WAAAC membership comprises of Aboriginal leaders from across WA. Its role is to advise the Minister for Indigenous Affairs on matters relating to the interests and wellbeing of Aboriginal people.

DIA maintains a strong regional presence through its network of regional offices, based at Albany, Geraldton, Kalgoorlie, Port Hedland, Broome, Derby, Kununurra and the metropolitan region.

Significant resources are also being applied in the Kimberley through the Council of Australian Governments (COAG) Remote Service Delivery National Partnership Agreement (RSDNP). DIA is the State lead agency responsible for implementing the RSDNP in the current priority locations of Fitzroy Crossing, Halls Creek, Beagle Bay and Ardyaloon. The State Government in collaboration with the Commonwealth will assess the outcomes of this process in each location to inform new ways of doing business across regional WA. DIA has developed a strategic priorities framework that contains four priority areas that will inform the Government’s Aboriginal affairs policy intentions and delivery. The four priority areas are:

- Heritage – Achieving the right balance between development and protection of Aboriginal heritage to ensure economic opportunities are leveraged to
### Recommendation 5

**Response:** Noted

Agencies represented on the AACC have each developed specific and measurable targets, for the three years 2010/11, 2011/12, and 2012/13, related to improving outcomes for Aboriginal people.

The AACC is currently investigating current investments in Aboriginal programs and services and has an ongoing role to advise the State Government on how investment can be redirected to achieve better outcomes for Aboriginal people in WA.

### Recommendation 6

**Response:** Supported

The Commonwealth and State Governments through the reform agenda of COAG agreed in December 2007 to report transparently on expenditure on services for Aboriginal Australians. The 2010 *Indigenous Expenditure Report* (IER) endeavours to provide an overview of national and jurisdictional government expenditure on Aboriginal policies and programs addressing Aboriginal disadvantage. The overall intention of the IER is to assist in informing better policy and service delivery, and to better understand the impact of current expenditure on overcoming Aboriginal disadvantage across Australia.

Expenditure in the report is classified under each of the seven building blocks identified in the COAG National Indigenous Reform Agreement and Overcoming Indigenous Disadvantage Report. These are: child development; education and training; healthy lives; economic participation; home environment; safe and supportive communities; and governance and leadership.

As the first report of its kind, there are still many data quality and methodological challenges which need to be resolved before the IER can be considered a totally reliable and meaningful report on Aboriginal expenditure. Consequently, the Aboriginal expenditure data contained in the IER should be considered as a starting point for mapping the level of expenditure in delivering services to Aboriginal people. Over the coming years it is expected that improvements in data capturing processes will provide...
**Recommendation 7**  
The Auditor General considers developing a systematic program of auditing progress in Indigenous Affairs that assesses the value of current investment against intended outcomes. The development of Cabinet targets may provide an opportunity for this.

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<td>Recommendation 7</td>
<td>Noted</td>
<td>The Auditor General is independent of Government and the public sector, and reports to and is directly accountable to the State Parliament. His legislative independence includes and requires complete discretion in establishing and prioritising future audits. In that context, the Auditor General will consider the Board's recommendation alongside ongoing consultation with Parliamentary, community and public sector stakeholders.</td>
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**Recommendation 8**  
State and Commonwealth Governments resolve issues in funding interpreter services and the training and accreditation of Aboriginal translators and interpreters so that all Aboriginal Australians are provided with health and legal services in a language they understand.

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| Recommendation 8 | Noted | DIA, through the Kimberley Regional Operations Centre, is providing recurrent funding of $200,000 per year over the period 2010-2013, to the Broome based Kimberley Interpreter Service. This is the only specialist interpreter service in WA and funds are sourced from the RSDNP.  

This funding is to ensure that interpreters are available as required to ensure Aboriginal people are able to engage in developing the Local Implementation Plans that are a feature of the Remote Service Delivery planning and consultation process at Beagle Bay, Ardyaloon, Fitzroy Crossing and Halls Creek.  

The State Government has in place the WA Language Services Policy developed by the Office of Multicultural Interests (OMI) and endorsed by the State Government in 2008. This policy sets out the minimum standards for State service delivery agencies regarding the circumstances in which interpreters should be used. |
OMI commenced a review of the *WA Language Services Policy* in April 2011. The review was completed in November 2011 and forwarded to relevant agencies on 14 December 2011. DIA provided input to the review in 2010/11, seeking consideration of any barriers faced by State agencies in meeting the needs of Aboriginal language speakers, including whether a lack of a supply of services is an issue.

Outcomes from the review relevant to the needs of Aboriginal people include that the definition of a "competent interpreter or translator" will be removed from the policy and replaced by more general guidelines that assist Government agencies to select the most appropriately accredited or trained interpreter in different situations; and that the WA Government has established a Common Use Agreement for optional use by agencies purchasing these services.

Stage two of the review is now underway with OMI continuing to consult with Government agencies to revise the policy as required.

| Recommendation 9 | Government establish a fund that can be used to leverage support from a range of sectors and organisations to allow Aboriginal language centres to preserve and teach Aboriginal languages. | Not supported | There are a number of language centres across WA, supported by funding from various State and Commonwealth agencies and the corporate sector. The State Government does not have plans to establish a dedicated funding program at this stage. |
| Recommendation 10 | Departments working with children and young people establish a budget to fund community elders and mentors to teach them about their culture and assist to reconnect them to the cultural life of their people. The size of the budget should reflect the numbers and proportion of Aboriginal children and young people who receive services from the agency. | Not Supported | State Government agencies are accountable for responding to the diverse needs of their clients through the State's Substantive Equality Framework. Key service delivery agencies such as the Departments of Health, Education, Child Protection, and Corrective Services each allocate resources aimed at ensuring that their services are responsive to the needs of Aboriginal people. For example, in relation to this recommendation the: |
| | | | - Department of Corrective Services (DCS) advised that specifically in relation to the issue of mentors for young Aboriginal people, DCS employs Youth Support Officers, who are based at all community youth justice centres. These positions provide culturally relevant mentoring to young people and their families to support them |
through their contact with the youth justice system.

DCS also funds a range of programs and services which support young Aboriginal people who offend in custody and the community, such as the Aboriginal Youth Diversion Service. DCS has invested $200,000 into a service that will provide support to young metropolitan Aboriginal people in an attempt to address the significant over-representation of these young people in the youth justice system.

DCS also employs Aboriginal people to undertake the following support roles:

- Aboriginal Team Advisors, who are based at all Community Youth Justice Centres. These advisors engage with relevant Aboriginal communities and families and link them into programs that address offending behaviour.

- Aboriginal Support Workers, who are based at West and East Kimberley and the Pilbara Regional Youth Justice Services. These positions support Prevention and Diversion Officers to actively support young Aboriginal people and provide short term crisis intervention and mediation.

- Aboriginal Welfare Officers, who are based at Banksia Hill Detention Centre and Rangeview Remand Centre, act as mentors and positive role models for young Aboriginal Detainees and their families. They provide basic supportive counselling, ensure young Aboriginal people maintain contact with their family and community and address welfare needs.

DCS has also met with the Aboriginal Visitors Scheme to discuss the promotion of a specific Elders Program at Rangeview Remand Centre. Work on this program will continue to be a priority for Youth Custodial Services.

- Department for Child Protection (DCP) has been proactive in working to improve outcomes for Aboriginal children and families and employs Aboriginal staff in a number of positions across metropolitan, regional and remote locations to provide services and support to Aboriginal children, young people, families and communities. These include Remote Community Child Protection Workers, Family Resource Employees, Youth and Family Support Workers, Parents Visitors, Community Child Protection Workers and Aboriginal Practice Leaders. DCP also funds a number of community services and non-government organisations to deliver services and support to Aboriginal clients.
DCP has developed a multi-faceted approach to Aboriginal services which is reflected in its Strategic Plan. Flowing from this was the strengthening of the Aboriginal Engagement and Coordination Directorate. The Aboriginal Services Framework brings together the key drivers, organisational leadership, Aboriginal specific positions and strategies and policy directions to underpin an effective and coordinated approach to services for Aboriginal children and families. The framework is supported by the Aboriginal Employment and Learning and Directions for Aboriginal Cultural Learning strategies.

Refer also responses to Recommendation 12 in relation to the Department of Education and Recommendation 13 in relation to Reconciliation Action Plans.

### Recommendation 11

The Department of Indigenous Affairs conduct its review of the Aboriginal Heritage Act 1972 expeditiously with the aim of strengthening the protection of Aboriginal heritage.

Supported

DIA with the assistance of Senior Anthropologist Dr John Avery has conducted a review of the Aboriginal Heritage Act 1972 (AHA). The primary purpose of the review is to provide better protection for Aboriginal cultural heritage in WA. DIA has consulted with stakeholders regarding seven proposals aimed at improving the operations of the AHA. Consideration will be given to regulations and amendments to improve the operation of the AHA.

DIA is also reforming the Aboriginal heritage approvals process through development of the Aboriginal Heritage Electronic Lodgements Program (AHELP). The objective of AHELP is to transform the current paper-based administration of heritage approvals to a fully electronic, integrated online information system.

### Recommendation 12

The Department of Education and non-government schools develop their curricula to provide increased content on Aboriginal history and culture presented in a positive context in order for Aboriginal students to see that their culture is valued and for non-Aboriginal students to understand the past and appreciate the value of Aboriginal culture.

Supported

The State Government's position is that the teaching of Aboriginal Studies in State Government schools is an important way of acknowledging Aboriginal history, cultures and achievements. The K-12 Society and Environment Curriculum includes Aboriginal cultural studies as an important element.

The Aboriginal Perspectives Across the Curriculum (APAC) online resource assists schools with the teaching of Aboriginal Studies and the incorporation of Aboriginal perspectives across all curriculum areas. The website provides extensive resources, including lesson plans and website links, to assist schools to celebrate and research Aboriginal cultures, history and reconciliation. There are approximately 300 Aboriginal Studies lessons available online to schools. The lesson plans are currently being aligned to the Australian Curriculum.
Some State Government schools operate strong Languages Other than English programs in Aboriginal languages. In 2010, there were 19 Aboriginal languages taught in 49 WA State Government schools in remote, urban, rural and metropolitan areas to both Aboriginal and non-Aboriginal students. There were 6,322 students learning an Aboriginal language in Years K-12. For Aboriginal students, learning an Aboriginal language can strengthen school engagement, cultural identity and self-esteem, while also providing a focus for greater cultural understanding and reconciliation for non-Aboriginal students. Aboriginal and Intercultural Studies and Aboriginal Languages of WA are available as upper school secondary subjects.

In 2008, Australian Education Ministers committed to the development of a Foundation to Year 12 National Curriculum. 2011 has been a preparation year for the Australian Curriculum in WA public schools. The Australian Curriculum includes three cross-curriculum priorities that will contribute to, and can be developed through, teaching in each learning area. The cross-curriculum priorities are: Aboriginal and Torres Strait Islander histories and cultures; Asia and Australia’s engagement with Asia; and Sustainability. The cross-curriculum priorities are embedded in all learning areas.

The Department of Education’s Reconciliation Action Plan 2008-2013 includes a commitment to developing and including culturally inclusive curricula and programs to meet individual student needs and improve academic performance. The Department of Education’s vision for reconciliation is to close the achievement gap in education and training outcomes, enabling Aboriginal students of all ages to realise their full potential, make informed choices and access the range of life opportunities.

**Recommendation 13**

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<td>The Department of Indigenous Affairs continue to promote reconciliation activities and to work with communities and organisations to assist them to identify ways to appropriately promote and acknowledge Aboriginal culture and heritage.</td>
<td>Supported</td>
<td>DIA is leading the reconciliation agenda in WA through an effective partnership with Reconciliation Australia. The key strategy has been to work with State Government agencies to develop Reconciliation Action Plans (RAPs) that set out measurable targets for improved engagement with Aboriginal people and greater recognition of Aboriginal culture and heritage. As a result of this work there are currently 47 State Government agencies and four Local Government Authorities (Town of Narrogin, City of Cockburn, City of Rockingham and</td>
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### Recommendation 14
The West Australian Government develop an Aboriginal cultural centre as an icon for Perth and the State as a matter of priority in its redevelopment of the Perth foreshore.

**Response**
Greater Geraldton) with RAPs registered with Reconciliation Australia. DIA monitors progress against these individual RAPs and works continuously with participating agencies to refresh their plans.

DIA also leads the Partnership, Acceptance, Learning, and Sharing (PALS) program, delivered with the support of BHP Billiton, which supports WA schools in developing projects that promote and advance reconciliation. PALS is based on the values of Partnership, Acceptance, Learning and Sharing. The program encourages young people to take a leadership role in strengthening relationships in their local community between Aboriginal and non-Aboriginal people. Funding assistance is available to schools to cover project costs.

In 2011, 107 schools participated in 120 PALS projects. 38 projects from 37 schools were submitted to the PALS Awards. Review of the marketing strategy and administration of the PALS program is currently being undertaken with a view to increasing the number of schools participating and projects being submitted.

**Comments**
Supported
The State Government is considering options for the development of an Aboriginal Cultural Centre within the planned redevelopment of the Perth foreshore. It is proposed that the Centre will showcase Aboriginal art, culture and heritage and provide opportunity for commercial enterprise for Aboriginal communities.

### Recommendation 15
The Western Australian Government establish a healing fund to operate for a minimum of 10 years that at least matches Commonwealth expenditure on healing initiatives on an annual basis ($6.6 million per year) and is based on the Aboriginal Healing Framework developed by the Aboriginal Healing Project.

**Response**
Not supported
The State Government's focus in this area centres on reforms to the provision of mental health services. In February 2010, the state government established a new Mental Health Commission to lead mental health reforms across the State.

The establishment of the Commission is a key step in creating a modern mental health system that places the individual and their recovery at the centre of its focus.

Progress by the Commission to date includes the implementation of the WA Suicide Prevention Strategy and the establishment of a specialist Aboriginal Mental Health Service supported by an allocation of $22.5 million of State funding.

**Comments**
Not supported
The State Government is considering options for the development of an Aboriginal Cultural Centre within the planned redevelopment of the Perth foreshore. It is proposed that the Centre will showcase Aboriginal art, culture and heritage and provide opportunity for commercial enterprise for Aboriginal communities.
The work of the Commission will be informed by a Mental Health Advisory Council, with representatives from State Government, the non-government sector and the community. The role of the Advisory Council will be to ensure that the Commission’s decisions are based on a whole of community and whole of government perspective.

**Recommendation 16**
Royalties for Regions allocate recurrent funding for Aboriginal communities to develop culturally relevant processes and structures to enable engagement with regional governance.

- **Response:** Supported
- **Comments:** Refer response to Recommendation 1, in relation to the Governance and Leadership Development Program.

**Recommendation 17**
The Commonwealth and State Governments invest in developing organisational and community governance capacity within Aboriginal communities using processes that have proved to be effective such as mentoring and skills transfer over time. Investment should be sustained over a sufficient period to allow for skills to be consolidated and for community organisations to develop sustainable capacity.

Processes initiated by Aboriginal communities such as Fitzroy Futures and Pilbara Futures provide models that should continue to be supported and extended to other parts of the State.

- **Response:** Supported
- **Comments:** Refer responses to Recommendations 1 and 2.
**RECOMMENDATION** | **RESPONSE** | **COMMENTS**
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Recommendation 18 Where leadership programs are developed, particularly those aimed at enhancing the confidence and capacity of young people, the originators consider how these might be linked to ongoing processes and/or education and training that will reinforce the skills learned and potentially contribute to obtaining recognised qualifications. | Supported | The State Government has considered the need for the support and reinforcement of skills and training for Aboriginal people and has developed the *Aboriginal Workforce Development Strategy “Training Together – Working Together”,* together with Aboriginal Workforce Development Centres (AWDC) to address these issues. The strategy identifies role models and mentors as vital in raising awareness of Aboriginal employment opportunities and in encouraging Aboriginal job seekers to overcome barriers and achieve their full potential.

The role models will work with the AWDC to provide support and pass on their knowledge to Aboriginal youth, job seekers and communities as well as industry and other stakeholders to ensure better long term employment outcomes. Mentors will support the retention strategies of employers. Mentors form a personal relationship with the Aboriginal employees and assist in the transition to the job role. This strategy will align with the COAG *National Partnership Agreement on Youth Attainment and Transitions.*

Other Aboriginal specific programs include:

- **Education and Training and Leadership Programs:**
  - *The Aboriginal School Based Training Program* which provides opportunities for Aboriginal students in Year 10, 11 and 12 to start training in schools and to gain nationally recognised qualifications in leadership that will lead to further education, training and sustainable employment.
  - *The Aboriginal Training Support Program* which provides support services to enhance training and employment outcomes for Aboriginal people in regional and remote areas of WA.
  - *Aboriginal Training and Employment* which targets Aboriginal Communities in WA and focuses primarily on the aim of contributing to the economic growth and job creation in those communities.
  - *The Follow the Dream: Partnerships for Success* program administered by the Department of Education which provides additional individualised case management, support and tuition to high achieving Aboriginal secondary school students in public schools to help them achieve university entrance. It operates at 24 public schools throughout the State, providing assistance to almost 700 students.
The program is well supported by private industry sponsors, providing mentoring and assisting with leadership development and post school opportunities for students in the program.

- A new *Follow the Dream Outreach Program* was established in 2010, in partnership with Edith Cowan University, providing support for metropolitan students who would not otherwise have been able to access the program.

- **Sport and Leadership Programs:**
  - Clontarf Foundation has nine funded football Academies which operate in 14 public schools in WA. The Academies use Australian Rules football as a vehicle to attract and retain Aboriginal male students and result in improved attendance, behaviour records and academic achievement. Academy students receive mentoring and support to develop their health and wellbeing, self-esteem, education and training pathways, employment prospects and life skills. Students must attend school regularly; apply themselves to study and embrace behaviour and self-discipline requirements to remain in the program. These students become role models for other Aboriginal students.
  - Other examples of sporting programs include Midwest Netball Academy, Aboriginal Netball Sporting Academy in Bunbury, the Shooting Goals and kicking Goals Program at Hedland and Newman Senior High Schools.

**Recommendation 19**

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| Government develop a strategy to promote Aboriginal economic participation and significantly increase the investment in supporting Aboriginal people to develop productive enterprises. | Supported | The State Government is pursuing a range of actions aimed at promoting Aboriginal economic participation. These are being progressed through processes such as the alternative Noongar Native Title Settlement, the Ord East Kimberley Agreement, the Browse LNG Agreement and the Pilbara Futures project aligned with the Pilbara Cities investments. The AACC’s Aboriginal Economic Participation Strategy 2012-2016 was launched in September 2012.

In partnership with a number of State Government agencies and the Chamber of Commerce and Industry of WA, a *Statewide Aboriginal Business Directory* has been established. The Directory provides government and the private sector better access to Aboriginal businesses for procurement and commercial engagement and promote Aboriginal businesses. |
**Recommendation 20**
The Public Sector Commissioner implement the Board's recommendations to refine the strategy to increase Aboriginal employment in the public sector to reflect working age population share so that it addresses the imbalance between lower and senior level employment within the public sector; takes into account the uneven distribution of Aboriginal people across the State; and reflects the client base of the agency. No major service delivery agency should employ less than the Indigenous working age population share.

**Response:**
Supported

**Supporting Information:**
DIA is the lead agency in WA for implementing the COAG National Partnership on Indigenous Economic Participation. This National Partnership focuses on achieving Aboriginal economic outcomes through the conversion of former Community Development Employment Projects (CDEP) positions into paid employment, and enhancing opportunities for Aboriginal businesses to benefit from government procurement and contracts.

The State Government has set a target of 3.2% Aboriginal representation for the public sector workforce by 2015 and the Strategy is the means by which this target will be achieved.

CEO Performance Agreements set out deliverables and priority areas. The CEO and Public Sector Commissioner agree on a target to contribute to sector wide priority areas that are most operationally relevant to their agency. This includes contributing to enhancing Indigenous Economic Participation National Partnership outcomes.

**Recommendation 21**
The Public Sector Commission review the effectiveness of section 50D positions in promoting careers in the public sector. There is a potential that these positions are not effectively linked to broader organisational structures and inadvertently serve to limit career progression.

**Response:**
Not supported

**Supporting Information:**
Section 50D (genuine occupational qualification) of the *Equal Opportunity Act 1984* is used when service provision to people of a particular race is best provided by a person of the same race and its intent is not for promoting careers in the public sector. Section 51 (measures to achieve equality) of the *Equal Opportunity Act 1984* is used to ensure that persons of a particular race have equal opportunities with other persons.

A key vehicle to promote Aboriginal employment and careers in the public sector is the *Aboriginal Employment Strategy 2011 – 2015* (the Strategy). Key initiatives/themes in the Strategy include connecting Aboriginal people to public sector employment; building capacity through mentoring programs, plan and develop career pathways; develop skills and qualifications; and identify and develop Aboriginal leaders. The Public Sector Commission is developing guidelines regarding the intent and appropriate applications of sections 50D and 51 of the *Equal Opportunity Act 1984*. 

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<td>Recommendation 20</td>
<td>Supported</td>
<td>The Public Sector Commission is implementing the <em>Aboriginal Employment Strategy 2011 – 2015</em> (the Strategy). The interconnected themes of the Strategy are: create culturally inclusive workplaces; attract Aboriginal people; build capability and careers; foster Aboriginal leaders; and be accountable. No major service delivery agency should employ less than the Indigenous working age population share.</td>
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<td>Recommendation 21</td>
<td>Not supported</td>
<td>Section 50D (genuine occupational qualification) of the <em>Equal Opportunity Act 1984</em> is used when service provision to people of a particular race is best provided by a person of the same race and its intent is not for promoting careers in the public sector. Section 51 (measures to achieve equality) of the <em>Equal Opportunity Act 1984</em> is used to ensure that persons of a particular race have equal opportunities with other persons. A key vehicle to promote Aboriginal employment and careers in the public sector is the <em>Aboriginal Employment Strategy 2011 – 2015</em> (the Strategy). Key initiatives/themes in the Strategy include connecting Aboriginal people to public sector employment; building capacity through mentoring programs, plan and develop career pathways; develop skills and qualifications; and identify and develop Aboriginal leaders. The Public Sector Commission is developing guidelines regarding the intent and appropriate applications of sections 50D and 51 of the <em>Equal Opportunity Act 1984</em>.</td>
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The Board leaves behind the following markers for what needs to occur:

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| **Recommendation 22**  
DIA has the mandate to ensure that Government develops policy and processes that support Aboriginal people attain equal life outcomes to the rest of the population on their terms; that ensure Aboriginal culture is understood and promoted; and that regional governance with Aboriginal people is achieved. | Noted | DIA is developing a framework to address four focus areas that seek to ensure better outcomes for Aboriginal people. These priority areas seek to:  
- achieve the right balance between development and protection of Aboriginal heritage to ensure economic opportunities are leveraged to the benefit of the whole community;  
- better utilise the Aboriginal Lands Trust Estate to achieve shared social and economic outcomes;  
- improve accountability for the delivery of outcomes for Aboriginal people from government investments; and  
- support the Western Australian Aboriginal community to independently determine and further their priorities. |
| **Recommendation 23**  
To support DIA in its work to promote regional governance in partnership with Aboriginal people the Board recommends that an advisory body that is independent of government and comprised of Aboriginal and other knowledgeable people is established to assist DIA continue to develop regional governance processes and structures. | Noted | The State Government re-established the WAAAC in 2009. The WAAAC is established under the auspices of the AAPA Act to advise the Minister for Indigenous Affairs on matters specifically relevant to Aboriginal people in WA. It is the State Government's view that the WAAAC is well placed to provide ongoing support and advice to the Minister in relation to regional governance and other matters of strategic importance to Aboriginal people.  
However, it is acknowledged that extensive consultation with Aboriginal people at the regional level is required to progress regional governance. The State Government is leading a range of consultations to achieve this, as detailed above, in collaboration with the WAAAC. |
| **Recommendation 24**  
DIA will need to continue to analyse Government expenditure in Indigenous Affairs and use this information to leverage change so that ultimately expenditure reflects support for functional development rather than ameliorating disadvantage. | Noted | Refer response to Recommendation 6. |
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<td>DIA needs to continue to increase its regional presence and to continue to engage with central and line agencies to change the culture and function of Government departments.</td>
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<td>Recommendation 26</td>
<td>Noted</td>
<td>Refer responses to Recommendations 1 and 2.</td>
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<td>Aboriginal people will need to pursue regional representational processes that will allow them to agree among themselves on priorities for their social, economic, environmental and cultural development; use their increasing capacity to negotiate through native title and to drive the outcomes they want from industry and Government; and work with Government to establish a form of regional governance that will benefit all people in their regions.</td>
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