



ACT|atsieb

Aboriginal and Torres Strait Islander Elected Body (ATSIEB)

*Report on the Outcomes of
the ATSIEB Hearings 2011*

3RD REPORT TO THE ACT GOVERNMENT

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2011 ACT Aboriginal and Torres Strait Islander Estimates Hearings



(Left to Right) Roslyn Brown, Brendan Church, Rod Little, John Paul Janke, Diane Collins, Lynette Goodwin and Benny Hodges

Membership of ATSIEB

- Rod Little–Chair
- Diane Collins–Deputy Chair
- Roslyn Brown
- Brendan Church
- Lynette Goodwin
- Benny Hodges
- John Paul Janke

Members in attendance

Rod Little (Chair), Diane Collins (Deputy Chair), Roslyn Brown, Brendan Church, Lynette Goodwin, Benny Hodges, John Paul Janke

Transcript preparation

- ACT Legislative Assembly Hansard and Communications

Secretariat

For this inquiry, the Office of Aboriginal and Torres Strait Islander Affairs provided secretariat support for report preparation, research and administrative arrangements.

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Duties

Throughout the estimates process and in conducting the hearings on 12 and 13 December 2011, ATSIEB members adhered to the values set out in section 16 of the ATSIEB Governance Manual.

All information gathered during the hearings is to be used by ATSIEB to develop strategic policy positions and to report back to the ACT Government on the effectiveness of government service and program delivery to Aboriginal and Torres Strait Islander peoples in the ACT.

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Chair's foreword

This report represents the outcomes of formal hearings conducted by the Aboriginal and Torres Strait Islander Elected Body (ATSIEB, the Committee) with senior executives from all ACT Government Directorates in December 2011.

This is the third occasion that ATSIEB has conducted this process.

This valuable process assists ATSIEB to review the effectiveness and accessibility of ACT Government programs and services for Aboriginal and Torres Strait Islander peoples. At the hearings ATSIEB raised with the Director-Generals and Senior Officers various matters concerning delivery of services, programs and the allocation of resources (current and planned) relating to Aboriginal and Torres Strait Islander peoples.

This third report has now provided a further opportunity to reflect on the progress of recommendations from the previous hearings and to report on any progress made since then. Overarching this process is the commitment between the ACT Government and ATSIEB under the *ACT Aboriginal and Torres Strait Islander Justice Agreement 2010–2013* to monitor and report on the effectiveness and accessibility of programs and services relating to needs of the people. As stated in the foreword of the Agreement, overcoming poverty and disadvantage requires a range of interconnected and holistic support to heal from the past to reach our full potential. The Justice Agreement recognises that improvement in the areas of justice and community safety are interconnected to reforms and improvements in a range of areas including health, housing, education and employment. (Justice Agreement, p5). ATSIEB looks forward to the government's response to the report card on the Justice Agreement and renewal of the Agreement. Recommendations in this report provide a clear direction for ACT Government directorates and service agencies at all levels to achieve sustainable outcomes. The alignment with ATSIEB's Strategic Plan 2012–2017, the Justice Agreement and the 'Closing the Gaps' building blocks identified by the Council of Australian Governments is paramount in order to understand and value the needs and priorities of the Aboriginal and Torres Strait Islander community here in the ACT. All of which identifies Health, Safe Communities, Governance and Leadership, Economic Participation, Healthy Homes and Early Childhood as priority areas.

ATSIEB aims to continue to work in partnership through healthy and robust discussions with like-minded and committed stakeholders in order to secure lasting and positive change for our peoples.

ATSIEB cannot deliver these priorities on its own. ATSIEB therefore reaffirms its commitment through its priorities to work with anyone to successfully address the needs of Aboriginal and Torres Strait Islander peoples in the ACT and is committed to reduce and overcome Aboriginal and Torres Strait Islander disadvantage.

Rod Little
Chair

Recommendations

ATSIEB recommends that:

Priority Areas	Recommendations
Health	<p>RECOMMENDATION 1</p> <p>The ACT Government commit to a five year priority for the establishment of an Aboriginal and Torres Strait Islander aged-care and respite facility in the ACT, including the identification and securing of a site from future land releases for the project.</p>
	<p>RECOMMENDATION 2</p> <p>A recommitment to the original budget allocation for the establishment of the Ngunnawal bush healing farm on Paddy’s river to maximise outcomes</p>
Schooling	<p>RECOMMENDATION 3</p> <p>The ACT Government to develop a service-wide program to mentor Aboriginal and Torres Strait Islander students currently in the ACT schools system to encourage aspirations for further qualifications such as diplomas.</p>
	<p>RECOMMENDATION 4</p> <p>The ACT Government prioritise recruitment and career development for Aboriginal and Torres Strait Islander peoples in the preschool sector.</p>
Safe Communities	<p>RECOMMENDATION 5</p> <p>That the ACT Government establish an independent Aboriginal and Torres Strait Islander community controlled child welfare organisation that both will be a service delivery conduit for local Aboriginal and Torres Strait Islander peoples as well as to undertake an advocacy role in relation to children that are coming into the foster care and protection environment. A shared funding arrangement between the ACT and NSW Governments to fund the Aboriginal and Torres Strait Islander community controlled child welfare organisation as a service hub for the surrounding region should be examined as part of this process.</p>
	<p>RECOMMENDATION 6</p> <p>The ACT Government provide quarterly reporting against the Aboriginal Justice Agreement.</p>
	<p>RECOMMENDATION 7</p> <p>The ACT Government provide quarterly reporting for the Official Visitor program.</p>
	<p>RECOMMENDATION 8</p> <p>The ACT Government establish a dedicated and financially sustainable ACT Aboriginal and Torres Strait Islander Legal Service.</p>
	<p>RECOMMENDATION 9</p> <p>The ACT Government establish a dedicated and sustainable ACT Aboriginal and Torres Strait Islander Women Advocacy and Service organisation.</p>

Priority Areas	Recommendations
Governance and Leadership	<p>RECOMMENDATION 10</p> <p>All Directorates ensure that when referring to Aboriginal and Torres Strait Islander peoples, no abbreviations are acceptable, and if referring to Indigenous peoples, then this is always with a Capital "I", as a sign of respect. It is the preference of ATSIEB that Aboriginal and Torres Strait Islander peoples is used.</p> <p>RECOMMENDATION 11</p> <p>All Directorates to work in partnership with ATSIEB in relation to the annual budget process. In particular proposals for new policy initiatives that will impact on the Aboriginal and Torres Strait Islander communities, and which quite clearly identify where it is that ATSIEB is being consulted and evaluate feedback.</p>
	<p>RECOMMENDATION 12</p> <p>All Directorates to work in partnership with ATSIEB in relation to engagement with the Aboriginal and Torres Strait Islander communities.</p>
	<p>RECOMMENDATION 13</p> <p>The ACT Government to prioritise the resolution of servicing responsibilities by the NSW and ACT Governments to Jervis Bay and Wreck Bay communities.</p>
	<p>RECOMMENDATION 14</p> <p>The ACT Government to develop annual 'fact sheets' by all directorates which identify the expenditure on Aboriginal and Torres Strait Islander initiatives across the ACT Government, including a 'fact sheet' on expenditure initiatives for the local traditional Aboriginal custodians.</p>
	<p>RECOMMENDATION 15</p> <p>The ACT Government to fund an expansion or extension of the facilities of the Winnunga Nimmityjah Aboriginal Medical Service.</p>
	<p>RECOMMENDATION 16</p> <p>Documentation of baseline data by ACT directorates to measure the local performance outcomes of programs and services funded for the Aboriginal and Torres Strait Islander communities and measure if the activities undertaken are working effectively to close the gap in disadvantage.</p>
	<p>RECOMMENDATION 17</p> <p>Administrative responsibility for the operation of the United Ngunnawal Elders Council to be transferred to the Environment and Sustainable Development Directorate to more effectively engage with local Aboriginal custodians on cultural and heritage matters, including Natural Resource Management issues.</p>

Priority Areas	Recommendations
Economic Participation	RECOMMENDATION 18 The ACT Government to actively engage with Aboriginal and Torres Strait Islander peoples utilising the energy and water efficiency program.
	RECOMMENDATION 19 The ACT Government to assist local Aboriginal and Torres Strait Islander organisations with assessments for existing community organisations. Particularly, those premises that are over 50 years old are to be made a priority.
	RECOMMENDATION 20 The ACT Government to commit to a five year plan for the long term economic development and revitalisation of Boomanulla Oval.
	RECOMMENDATION 21 The ACT Government to actively promote and report on its use of local Aboriginal and Torres Strait Islander businesses that qualify as a certified supplier of the Australian Indigenous Minority Supplier Council (AIMSC), including the level of businesses that are utilised to procure goods or services for the ACT Government.
	RECOMMENDATION 22 ACT Government hand back control of the Aboriginal and Torres Strait Islander Cultural Centre in Lady Denman Drive, to an appropriate Aboriginal and Torres Strait Islander organisation in the ACT as agreed by ATSIEB.
Healthy Homes	RECOMMENDATION 23 The ACT Government to prioritise immediate housing and accommodation support for the aged-care and disabled Aboriginal and Torres Strait Islander communities, including respite care.
Early Childhood	RECOMMENDATION 24 The ACT Government develop a recruitment and career development strategy for Aboriginal and Torres Strait Islander peoples in early childhood development areas.

PART ONE

Introduction

- 1.1** The overall objective of the ATSIEB hearings is to investigate how ACT Government departments and agencies are performing on closing the gap in life outcomes for Aboriginal and Torres Strait Islander peoples living in the ACT.
- 1.2** ATSIEB was established under the ACT's *Aboriginal and Torres Strait Islander Elected Body Act 2008* (the Act) to enable the Aboriginal and Torres Strait Islander communities of the ACT to have a strong democratically elected voice that is aware of, and able to, represent the Aboriginal and Torres Strait Islander community's interests and aspirations. It has seven members elected every three years.
- 1.3** ATSIEB has the power under section 26 of the Act to invite the Chief Executive Officer of a government agency to attend a meeting of ATSIEB and answer questions or provide information about the functions of the government agency. If ATSIEB invites the Chief Executive of a government agency to attend a meeting to answer questions or provide information about the functions of the government agency, the Chief Executive Officer must take reasonable steps to attend the meeting, and answer the questions and provide the information, as requested.
- 1.4** At a meeting in early 2009 between the Minister for Aboriginal and Torres Strait Islander Affairs and the Chair and Deputy Chair of ATSIEB it was proposed by the Minister to hold an estimates style process for ATSIEB to assist it in carrying out its functions in accordance with the Act.
- 1.5** The process was based on the budget estimates process used by the ACT Legislative Assembly where the Ministers, Members of the ACT Legislative Assembly and heads of ACT Government Departments appear before a committee which enquires into the Budget Estimates.
- 1.6** Only senior executives from ACT Government Departments appear at the ATSIEB hearings. ATSIEB engages the ACT Legislative Assembly Hansard services to record the proceedings.
- 1.7** This process assists ATSIEB to review the effectiveness and accessibility of ACT Government programs and services for Aboriginal and Torres Strait Islander peoples. At the hearings, ATSIEB raises with the Chief Executive Officers and Senior Officers various matters concerning delivery of services, Departmental programs and the allocation of resources (current and planned) relating to Aboriginal and Torres Strait Islander peoples. The first hearings took place on 19 August 2009.
- 1.8** ATSIEB uses the information gathered from the estimates style process to:
 - make recommendations to the Government on the issues raised during the hearings;
 - develop policy positions in regard to their portfolio responsibilities; and
 - develop its strategic plan.

- 1.9** Following the hearings, ATSIEB presents a report to the Minister for Aboriginal and Torres Strait Islander Affairs. The ACT Government formally responds to the recommendations contained in the report. The Government response to the report and the ATSIEB report are both tabled in the ACT Legislative Assembly.
- 1.10** Subsequent hearings have been held 3 and 6 September 2010 and on 12–13 December 2011.
- 1.11** ATSIEB continues to play a pivotal role in informing government priorities, highlighting the needs and aspirations of Aboriginal and Torres Strait Islander Canberrans.
- 1.12** ATSIEB is currently considering an expansion of the annual hearings process to include appearances by ACT Legislative Assembly Ministers and heads of ACT Government Departments to answer questions.

Details of hearings

- 1.13** ATSIEB considered the annual reports 2010–2011 for all ACT Government Directorates at hearings on 12–13 December 2011. The hearings were conducted in accordance with the agreed agenda outlined as follows:

Hearing Date	Portfolio
Monday, 12 December 2011	Chief Minister and Cabinet Directorate; Treasury Directorate; Community Services Directorate; Environment and Sustainable Development Directorate.
Tuesday, 13 December 2011	Education and Training Directorate <ul style="list-style-type: none"> • accompanied by the Canberra Institute of Technology; Economic Development Directorate; Justice and Community Safety Directorate <ul style="list-style-type: none"> • accompanied by ACT Policing; Territory and Municipal Services Directorate; Health Directorate.

- 1.14** ATSIEB thanks the Director-Generals and Officers for their assistance and cooperation during the hearings.
- 1.15** The Minister for Aboriginal and Torres Strait Islander Affairs, Dr Chris Bourke MLA, made an unscheduled visit to the hearings to greet ATSIEB members. During this visit, two questions were taken on notice by the Minister and responses to these questions are provided under Part 4 of this report.
- 1.16** A full copy of the ACT Legislative Assembly Hansard transcripts of the Hearings is available on the ATSIEB website: www.atsieb.com.au/publications.htm.

Changes to agencies or agency structure

- 1.17** Some agencies appearing at the hearings have undergone various changes to outcome and program structures since the 2010–11 annual reporting period. This was as a direct result of the Report on ACT Public Sector Structures and Capacity which was presented to the ACT Government by Dr Allan Hawke on 2 February 2011. The Report's key recommendation was that all existing Administrative Units be abolished and the ACT Public Service reconfigured as a single entity, reporting to a single Chief Executive who is Head of the ACTPS. This new arrangement would support a 'One ACT Government—One ACT Public Service' culture and way of working, and enhance coordination, cohesion and alignment of officials' effort. It would be supported by rebasing the specification of Government priorities, together with recalibration of a more meaningful, and manageable framework of performance indicators, reporting and evaluation.
- 1.18** For example, the consolidation of disparate entities in what might be described broadly as the planning arena in a new Sustainable Development Directorate in parallel with an Economic Development Directorate was recommended. The Economic Development Directorate would be responsible for the Government's land release program.

PART TWO—DIRECTORATES

Generic key matters raised with each Directorate

- recruitment, retention and development of Aboriginal and Torres Strait Islander staff within the directorate and across the ACT public service, including an increase of Aboriginal and Torres Strait Islander peoples into senior management roles;
- working in partnership with ATSIEB in relation to the annual budget process, particularly proposals for new policy initiatives that will impact on the Aboriginal and Torres Strait Islander communities;
- working in partnership with ATSIEB in relation to engagement by the directorate with the Aboriginal and Torres Strait Islander communities;
- greater coherence of cultural awareness training across the directorate and the ACT public service, particularly at the induction training stages as well as on an ongoing basis;
- achieving through the RED framework the respect and diversity that is necessary to make sure that the directorate is an employer of choice by all people including Aboriginal and Torres Strait Islander peoples;
- progress on the implementation of the directorate's Reconciliation Action Plan;
- collection of baseline data by ACT directorates to measure the local performance outcomes of programs and services funded for the Aboriginal and Torres Strait Islander communities to measure if the activities undertaken are working effectively to close the gap in disadvantage;
- greater coherence across the ACT public service with training programs for Aboriginal and Torres Strait Islander peoples.

Chief Minister and Cabinet Directorate

2.1 The committee heard evidence from the directorate on Monday, 12 December 2011.

2.2 ATSIEB received evidence from:

Cappie-Wood, Mr Andrew, Head of Service and Director-General

Davoren, Ms Pam, Deputy Director-General, Policy and Cabinet Division

Kefford, Mr Andrew, Acting Deputy Director-General,

Workforce Capability and Governance Division and Public Administration

Makeham-Kirchner, Mr Adrian, Director, Social Policy and Implementation,

Policy and Cabinet Division

2.3 Key matters raised at the hearing included:

- introduction of a performance mechanism for senior executives to have recruitment and retention of Aboriginal and Torres Strait Islander staff as an integral part of an annual outcome;
- placement of ACT public service senior executives within Aboriginal and Torres Strait Islander organisations as part of professional development;

- services provided to the Jervis Bay community (including Wreck Bay), including issues around child protection, policing services, sentencing options through the court system; intervention support for youth and general court support for clients;
- the whole of government data project, particularly improvements in administrative data, to enable progress reporting areas examined include service delivery, what is working and not working, and how to pull together all those frameworks to ensure common outcomes; and to make sure that the quality of the decisions that go up for government are reasonable and transparent in terms of how they affect various groups of people; and
- work being undertaken by the Community Integration Governance Group on through-care arrangements.

2.4 The committee noted that Ms Pam Davoren, Deputy Director-General, Policy and Cabinet Division, was the nominated senior contact within the directorate for ATSIEB.

Treasury Directorate

2.5 The committee heard evidence from the directorate on Monday, 12 December 2011.

2.6 ATSIEB received evidence from:

Smithies, Ms Megan, Under Treasurer

Read, Mr David, Commissioner for ACT Revenue, Revenue Management Division

Ahmed, Mr Khalid, Executive Director, Policy, Coordination and Development Division

Broughton, Mr Roger, Executive Director, Investment and Economics Division

Bulless, Mr Neil, Executive Director, Finance and Budget Division

Divorty, Ms Jill, Executive Director, Shared Services

2.7 Key matters raised at the hearing included:

- justice reinvestment;
- greater coherence of cultural awareness training across the directorate, particularly at the induction stage;
- development of annual 'fact sheets' by the directorate which identifies the expenditure on Aboriginal and Torres Strait Islander initiatives across the ACT Government, including a 'fact sheet' on expenditure initiatives for the local traditional Aboriginal custodians;
- a Canberra memorial that represents Aboriginal and Torres Strait Islander peoples or, at least Aboriginal peoples to begin with, and notably the local traditional Aboriginal custodians;
- a recommitment to the original budget allocation for the establishment of the Ngunnawal bush healing farm on Paddys River Road to maximize outcomes;
- funding from the ACT Government for an expansion or extension of the facilities of the Winnunga Nimmityjah Aboriginal Medical Service; and
- documentation of baseline data by ACT directorates to measure the local performance outcomes of programs and services funded for the Aboriginal and Torres Strait Islander communities to measure if the activities undertaken are working effectively to close the gap in disadvantage.

Community Services Directorate

2.8 The committee heard evidence from the directorate on Monday, 12 December 2011.

2.9 ATSIEB received evidence from:

Hehir, Mr Martin, Director-General

Sheehan, Ms Maureen, Executive Director, Housing and Community Services ACT

Nolan, Ms Christine, Executive Director, Office for Children, Youth and Family Support

Manikis, Mr Nic, Director, Multicultural, Aboriginal and Torres Strait Islander Affairs

Ford, Ms Lois, Executive Director, Disability ACT

Wilson, Mr Brian, Director, Aboriginal and Torres Strait Islander Services,

Office for Children, Youth and Family Support

Fanning, Ms Katrina, Director, Integrated ATSI Servicing Design

2.10 Key matters raised at the hearing included:

- accommodation needs of clients utilising the after-hours bail support program;
- youth homelessness services;
- recruitment of more Aboriginal and Torres Strait Islander staff at Bimberi to ensure effective, and not just sporadic, working relationships with key community agencies and partners;
- earlier intervention support for families and the community, particularly around smaller children, to reduce the over-representation of Aboriginal and Torres Strait Islander young people in the justice system;
- establishment of an independent, Aboriginal and Torres Strait Islander community controlled child welfare organisation that both will be a service delivery conduit for local Aboriginal and Torres Strait Islander people as well as to undertake an advocacy role in relation to children that are coming into the foster care and protection environment;
- examination of a shared funding arrangement between the ACT and NSW Governments to fund the Aboriginal and Torres Strait Islander community controlled child welfare organisation as a service hub for the surrounding region, particularly Queanbeyan, as many of the young people move in and out and some of the families move in and out of the local region;
- the tender process for managing the Aboriginal and Torres Strait Islander Cultural Centre;
- increased support for the United Ngunnawal Elders Council (UNEC) to meet on a regular basis to build its capacity to provide advice to the Aboriginal and Torres Strait Islander Elected Body and the ACT Government;
- the transfer of the existing leases of public housing properties to an appropriate community housing organisation once it is properly registered;
- funding to enable the employment of a permanent full-time officer to manage the tenancies and ongoing support to develop the organisations capacity whereby it takes on a role similar to other housing organisations or companies to generate income and less reliance on government funding;

- immediate housing and accommodation support for the aged-care and disabled Aboriginal and Torres Strait Islander community, including respite care; plus accommodation for students, single parent families and homeless;
- a five-year priority for the establishment of an Aboriginal and Torres Strait Islander aged-care and respite facility in the ACT;
- the therapeutic protection facility;
- placements in accordance with the Aboriginal and child placement principle including prioritising kinship care as the first option;
- the concept of a care circle court in the ACT for children being removed, similar to the how the circle courts operate for Aboriginal and Torres Strait Islander peoples going through the criminal justice system;
- cultural care plans for families that are otherwise not engaged with the Aboriginal and Torres Strait Islander Services Unit;
- the widening gap in the percentage of Aboriginal and Torres Strait Islander young people who are restored to their families;
- the recruitment, training and retention of Aboriginal and Torres Strait Islander peoples into statutory roles in child protection and in youth justice; and
- the Ngunnawal genealogy project.

Environment and Sustainable Development Directorate

2.11 The committee heard evidence from the directorate on Monday, 12 December 2011.

2.12 ATSIEB received evidence from:

Papps, Mr David, Director-General

Farnsworth, Ms Penny, Deputy Director-General, Policy, Corporate and Regulation

Traves, Mr Alan, Executive Director, Policy

Rutledge, Mr Geoffrey, Director, Corporate

2.13 ATSIEB noted that the Environment and Sustainable Development Directorate was established essentially in May 2011, following the ACT government's consideration of the Hawke review of the ACT public sector. The Hawke review focused on a number of themes, including the need for greater collaboration and the need for some very clear accountability's within the public sector, and made a series of recommendations to the government. As a result of that, there was a single ACT public service department created with nine directorates fitting in under it. The Environment and Sustainable Development Directorate was one of those nine, incorporating sections of what was formerly known as the Department of Environment, Climate Change, Energy and Water (DECCEW), the ACT Planning and Land Authority (ACTPLA), Transport planning, Heritage, Government Architect, and the Conservator of Flora and Fauna.

2.14 With respect to the rearrangement of the structure and clear accountability lines, the directorate has introduced a new structure with city planning on one side, planning delivery on the other and then a range of environment functions built around policy, a regulation and services area that picks up, for example, things like the Environment Protection Authority and construction services, which looks after the licensing of builders, for example, and electricians.

2.15 Key matters raised at the hearing included:

- representative Aboriginal Organisations;
- natural resource management work, ecological restoration and management and training of Aboriginal and Torres Strait Islander people involved with the Cotter Dam project;
- protocols between the United Ngunnawal Elders Council and the directorate, particularly the Heritage Council, in relation to cultural heritage matters;
- engagement with the United Ngunnawal Elders Council on Natural Resource Management issues;
- the uptake of Aboriginal and Torres Strait Islander people utilising the energy and water efficiency program and the assessments for existing community organisations, particularly those premises that are over 50 years old;
- mapping of transport disadvantage for low socio-economic groups;
- heritage listing for the whole of the ACT, with an emphasis on recognising the significance of some ancient sites to the local traditional Aboriginal custodians and those contemporary sites of national significance such as the Aboriginal tent embassy; and
- future land development and the expiration of the 99-year lease policy in the ACT and its impact on the local population.

2.16 The committee noted that Ms Penny Farnsworth, Deputy Director-General, Policy, Corporate and Regulation, was the nominated senior contact within the directorate for ATSIEB.

Education and Training Directorate —accompanied by the Canberra Institute of Technology

2.17 The committee heard evidence from the directorate and the Canberra Institute of Technology on Tuesday, 13 December 2011.

2.18 ATSIEB received evidence from:

Watterston, Dr Jim, Director-General

Joseph, Ms Diane, Deputy Director-General

Johnston, Ms Jayne, Executive Director, School Improvement

Cover, Ms Leanne, Executive Director, Tertiary and International Education

Gniel, Mr Steve, Aboriginal and Torres Strait Islander Education and Student Support

Huard, Ms Anne, School Network Leader, School Network North/Gungahlin

Wilks, Ms Trish, Director, Learning and Teaching

Stewart, Ms Tracy, Director, Planning and Performance

Chan, Ms Yu-Lan, Acting Director, Human Resources

Nean, Mr Phill, Manager, Aboriginal and Torres Strait Islander Education

Marron, Mr Adrian, Chief Executive Officer, Canberra Institute of Technology

Stenlake, Dr Nicole, Executive Director, Governance and Executive Services,
Canberra Institute of Technology

Kay, Mr Shane, Director, Central Support Centre, Canberra Institute of Technology

Hughes, Ms Caroline, Director, Yurauna Centre, Canberra Institute of Technology

2.19 Key matters raised at the hearing included:

- advice on student success rates at transition points through schooling, but also from schooling to, further tertiary education and training;
- the increase in Aboriginal and Torres Strait Islander students in the education system;
- the drop in attendance numbers for Aboriginal and Torres Strait Islander students in the school system;
- preschool and early childhood education for Indigenous students in the ACT, early learning programs for Indigenous students and the large increase in the numbers of those students in those programs and evidence on performance improvements over the last 12 months;
- cultural or race related incidents that Aboriginal and Torres Strait Islander children are encountering in school from K to 12 as well as actions taken;
- cultural awareness training for all leaders (principals) and then teachers and directorate staff;
- the development of a curriculum framework for cultural competency that can be rolled out across the system for all employees within the directorate;
- the teaching of Aboriginal and Torres Strait Islander languages, cultures, histories, in contemporary Australia within the education curriculum, from kindergarten (called foundation in the Australian curriculum) right through to year 10;
- provision of tailored responses to each individual student in the school system;
- transition programs for students moving from the primary into the high school system for students and their families;
- the success of the aspirations program working with students from year 5 through to year 12, including post-school destinations such as local or interstate universities or other fields of interest;
- inclusion of the teaching of Ngunnawal language for schools in the ACT;
- utilisation of the “learn earn legend!” program to address falling school attendance;
- work with the ACT Chamber of Commerce for a career expo for Aboriginal and Torres Strait Islander peoples;
- the effectiveness of the “On Track” program, the Birrigai boys program, which is funded through the Chief Minister’s community inclusion fund, focusing attention on school attendance, community engagement, parental engagement and social interaction with young people;
- scholarships for high achievers or those in the middle road who may need an incentive or support to continue to achieve;
- transportation requirements for Aboriginal and Torres Strait Islander students to access the Canberra Institute of Technology;
- the significant increase in enrolments at the Canberra Institute of Technology from 2010 to 2011;
- ongoing upgrading of qualifications for staff at the Yurauna Centre; and
- mentoring to students currently in the ACT schools system to encourage students to aspire to further qualifications such as diplomas and degrees.

2.20 The Committee thanks the directorate for providing members with a more comprehensive and contextualized set of information on the *Aboriginal and Torres Strait Islander Education 2010–2011—Report to the ACT Legislative Assembly* following the hearings.

Economic Development Directorate

2.21 The committee heard evidence from the directorate on Tuesday, 13 December 2011.

2.22 ATSIEB received evidence from:

Dawes, Mr David, Director-General

Hudson, Ms Cathy, Deputy Director-General, Economic Development,
Policy and Governance

O’Leary, Mr Shane, Executive Director, Tourism, Events and Sport

Reynolds, Mr Chris, Executive Director, Land Development

2.23 ATSIEB noted that the Economic Development Directorate was established following the ACT government’s consideration of the Hawke review of the ACT public sector in May 2011. The Economic Development Directorate, one of nine Directorates established, brought together a lot of different business units from a number of different department areas.

2.24 The directorate has been divided into three Divisions. The first Division covers sport and recreation, tourism, territory venues and events, and portfolio responsibility for EPIC. The second Division has responsibility for business and industry development, policy and governance, human resources area and media and communications area. This Division also has portfolio responsibility for gambling and racing matters. The third Division of the Directorate incorporates the Land Development Agency (LDA). The Director-General of the Economic Development Directorate also dual responsibility as the Chief Executive Officer of the LDA. The LDA has inherited functions from the former Land and Property Services and delivers a lot of capital works for the broader Economic Development Directorate. The LDA also has quite a large capital works program in developing the land, and has the direct sales and land strategy, which looks at predicting what the land release program will be on a four-year budget cycle and so forth.

2.25 Key matters raised at the hearing included:

- regular meetings between the ATSIEB Portfolio Spokesperson for Economic Development and the directorate;
- the Aboriginal sport and recreation position that now covers disabilities, ageing people, junior sport and the like;
- introduction of a scheme similar to the Commonwealth procurement guidelines whereby Aboriginal and Torres Strait Islander businesses are sourced for external Government procurements and projects;
- the development of directorate-specific scholarships for trainees to transition into higher management roles, including the senior executive service;

- once under community control develop of tourism and economic opportunities for the Aboriginal and Torres Strait Islander Cultural Centre;
- progress on the establishment of the cultural and heritage services panel; and
- land for an aged care facility.

2.26 The committee noted that Ms Cathy Hudson, Deputy Director-General, Economic Development, Policy and Governance, was the nominated senior contact within the directorate for ATSIEB.

Justice and Community Safety Directorate —accompanied by ACT Policing

2.27 The committee heard evidence from the directorate and ACT Policing on Tuesday, 13 December 2011.

2.28 ATSIEB received evidence from:

Leigh, Ms Kathy, Director-General

Goggs, Mr Stephen, Deputy Director-General

Playford, Ms Alison, Deputy Director-General, Justice

Field, Ms Julie, Executive Director, Legislation and Policy Branch

Lowrey, Ms Dymphna, Acting Manager, Restorative Justice Unit,
Legislation and Policy Branch

Mitcherson, Ms Bernadette, Executive Director, ACT Corrective Services

Hinchey, Mr John, Victims of Crime Commissioner

Hockridge, Mr Martin, Deputy Chief Executive Officer

Purvis, Ms Alison, Courts Administrator, ACT Law Courts and Tribunal Administration

Hill, Commander Bruce, Deputy Chief Police Officer, Crime, ACT Policing

Heldon, Superintendent Corey, Intelligence, ACT Policing

2.29 Key matters raised at the hearing included:

- progress on the Reconciliation Action Plans for the directorate and ACT Policing;
- collection of baseline data by ACT directorates to measure the local performance outcomes of programs and services funded for the Aboriginal and Torres Strait Islander communities to measure if the activities undertaken are working effectively to close the gap in disadvantage;
- progress on the Aboriginal justice agreement, including the need for quarterly (rather than annual) reporting to ATSIEB;
- the levels of services from the local Aboriginal legal services, the ACT Legal Aid office and for women's legal services needs;
- the joint initiative between the ACT and Commonwealth Governments on domestic and family violence, and the specific ACT strategy under that initiative;
- justice reinvestment issues in the ACT, including the resourcing issue of shifting from the crisis response to the preventative response;
- supporting opportunities to support Aboriginal and Torres Strait Islander staff to undertake professional development, particularly in the area of mediation and conflict resolution;

- support for those with mental health issues and their families. This includes more Aboriginal and Torres Strait Islander trained mental health professionals, under the mental health intervention team;
- concerns around clients being afforded their rights when taken into custody, including the right for those apprehended to make contact for an interview friend;
- data on the assertive outreach program through community safety;
- transport into Civic for Aboriginal and Torres Strait Islander clients to assist with breaches for reporting, including options for reporting to be undertaken in a community centre where clients might also be engaged with childcare activities or other things that they might be involved with in the community;
- services for victims in general, but more specifically for Aboriginal and Torres Strait Islander victims, provided by the victims service scheme to help victims of crime recover from the effects of harm;
- legal representation for victims as opposed to perhaps a perpetrator who is into the system and is processed fairly quickly;
- the proposed 'Out of the Dark' program for women about accessing victim support;
- engagement with people when in custody about their drug taking, in terms of getting them ready to go on to programs to look at their addiction;
- the Official Visitor program;
- the restorative justice agreement whereby a young person, with agreement from all parties, agrees to do something to repair that harm, whether it be symbolic in terms of apologies and things or material reparation or agreeing to do programs or courses that might assist them not to come into contact with police again;
- the outreach work of the Indigenous guidance partner to go out to kids that have been referred—to their community and to where they are residing—and talk about their referral to restorative justice, to give an explanation of what restorative justice is, what the process involves, as well as the benefits of participating in restorative justice;
- the accredited training program for elders and panel members who were interested in participating as panel members in circle sentencing and appropriate remuneration for all the services provided;
- the collection of Aboriginal and Torres Strait Islander statistics for the courts system and the restorative justice and the circle sentencing court to inform/analyse the Justice Agreement; and
- enhanced support for people who have gone through the circle sentencing in post-sentence terms.

2.30 The Committee thanks the directorate for providing members with additional information following the hearings on the directorate's program of activities for 2012 and beyond. A copy of this response is provided as **Attachment A** under Notes at the end of this report.

Territory and Municipal Services Directorate

2.31 The committee heard evidence from the directorate on Tuesday, 13 December 2011.

2.32 ATSIEB received evidence from:

Byles, Mr Gary, Director-General

Morrell, Ms Sue, Deputy Director-General

Elliott, Mr Tom, Executive Director, Transport and Infrastructure

Steward, Ms Fay, Executive Director, Parks and City Services Division

Perram, Mr Phillip, Executive Director, Business Enterprise Division

Polinelli, Mr Anthony, Director, Governance, and Chief Internal Auditor

Roncon, Mr James, Director, Roads and Transport Division

Gill, Mr Tony, Director, Roads and Transport Division

Little, Ms Vanessa, Director, Libraries ACT, Parks and City Services Division

Blackburn, Ms Fiona, Community Liaison Officer, Libraries ACT,

Parks and City Services Division

Gannon, Ms Melina, Manager, Liaison and Coordination, Human Resources,

Directorate Services

Kalogeropoulos, Mr Nick, Director, Finance

Brown, Mr Adrian, Aboriginal Liaison Officer

Divorty, Ms Jill, Executive Director, Shared Services, Treasury Directorate

Kelley, Ms Rebecca, Deputy Director, Tourism, Events and Sport Division,

Sport and Recreation Services, Economic Development Directorate

2.33 The Committee noted that the Territory and Municipal Services Directorate was established following the ACT government's consideration of the Hawke review of the ACT public sector in May 2011. The Directorate has undergone structural changes since the review, losing a significant amount of staff, including Shared Services and sport and recreation responsibilities.

2.34 Key matters raised at the hearing included:

- the Murumbung Yurung Murra group;
- the appointment of an Aboriginal liaison officer within the directorate;
- the development of a mobile trailer used to get Ngunnawal culture out to the wider public and to the schools;
- targeted recruitment for Aboriginal and Torres Strait Islander bus drivers;
- work to build Aboriginal and Torres Strait peoples engagement with libraries to make sure that the service is reflecting Aboriginal and Torres Strait Islander culture correctly in its collections, services and programs;
- building working relationships or connections between ACT library services and local national collections, such as the Australian Institute of Aboriginal and Torres Strait Islander Studies, to bolster and add value to the knowledge and understanding of Aboriginal and Torres Strait Islander cultures locally and across the country;

- data on the access of Aboriginal and Torres Strait Islander peoples to ACT library services;
- the need for more interest in improving the conditions at Boomanulla Oval, along the lines of 'caring for country', but caring for space; and
- a bus service to the Aboriginal and Torres Strait Islander Cultural Centre.

Health Directorate

2.35 The committee heard evidence from the directorate on Tuesday, 13 December 2011.

2.36 ATSIEB received evidence from:

Brown, Dr Peggy, Director-General

O'Donoghue, Mr Ross, Executive Director, Policy and Government Relations

Bracher, Ms Tina, Executive Director, Mental Health,

Justice Health and Alcohol and Drug Services

2.37 An apology was provided for Mr Lee Martin, the Deputy Director-General for TCH and Health Services, who was unable to attend due to other urgent business that arose immediately prior to the hearing.

2.38 Key matters raised at the hearing included:

- an implementation plan to drive the directorate's Aboriginal and Torres Strait Islander employment strategy;
- Aboriginal and Torres Strait Islander nursing scholarships;
- progress on the Ngunnawal bush healing farm on Paddys River Road;
- the capital asset development program, including the rebuild at Canberra Hospital and a dedicated space for Aboriginal and Torres Strait Islander peoples and their family at the hospital;
- the Aboriginal Liaison Officers in the portfolio;
- refurbishment of the foyer at TCH, with the placement of an artwork from a Ngunnawal artist and a welcoming message from the United Ngunnawal Elders Council;
- ongoing issues in relation to the identification and capturing of health data;
- cultural awareness training that reinforces the importance of data collection and improving the quality of health data;
- the secondment of a senior mental health nurse to Winnunga Nimmitjiah Aboriginal Medical Service, including a decision to make this a permanent arrangement, to have a specialised mental health nurse is actually located at Winnunga permanently;
- progress on work happening under the population health umbrella, including around the tobacco control strategy and the antenatal, pre-pregnancy and teenage sexual and reproductive health project;

- funding to an Aboriginal and Torres Strait Islander student to undertake a PhD through the Centre for Research and Action in Public Health, to evaluate the tobacco control strategy;
- progress on the health related components of the Aboriginal Justice Agreement;
- the need for data to support an aged and disability respite centre specifically for Aboriginal and Torres Strait Islander peoples;
- the Aboriginal and Torres Strait Islander liaison officer role for mental health;
- dedicated beds in hospitals for mental health patients who are usually cared for in the home, to allow family members some appropriate respite periods;
- the need for data on the level of access by Aboriginal and Torres Strait Islander peoples to step-up or step-down care; and
- community concerns in relation to the operations of Winnunga Nimmityjah Aboriginal Medical Service relating to access and denial of membership, access to services and the lack of transparency in relation to the consultation, decision making, funding and membership of members.

PART THREE—RESPONSE TO PREVIOUS REPORTS

Progress on recommendations

- 3.1** The Committee requests that the Government, when responding to the third report, provide an update on the implementation of the recommendations arising from the previous ATSIEB report. Those recommendations and the Government’s response at the time are outlined below.
- 3.2** The recommendations from the second hearings have now been grouped to align with the ‘Closing the Gap’ building blocks identified by the Council of Australian Governments priority areas.

Priority Area	Recommendation	Commitments	Lead Agency
HEALTH	RECOMMENDATION 9 The ACT Government develop a proposal for an Aboriginal and Torres Strait Islander Aged Care and Disability facility including respite services in the ACT to service the ACT and regional Aboriginal and Torres Strait Islander aged and disabled population.	AGREED-IN-PRINCIPLE	Community Services Directorate
	RECOMMENDATION 11 The referral pathways for the Ngunnawal Bush Healing Farm be developed ensuring appropriate support for families of those accessing the service.	AGREED	Health Directorate and Community Services Directorate
SCHOOLING	RECOMMENDATION 12 The Department of Education and Training replicates the Skill Based Training program that has been successful at Erindale College for Aboriginal and Torres Strait Islander Year 11 and 12 students to all colleges in the ACT.	NOTED	Education and Training Directorate

Priority Area	Recommendation	Commitments	Lead Agency
SCHOOLING	<p>RECOMMENDATION 18</p> <p>That the ACT Government looks at ways to increase Aboriginal and Torres Strait Islander graduates through the development of specific cadetship programs that targets the needs of the agency and assists Aboriginal and Torres Strait Islander students develop career paths.</p>	<p>AGREED</p> <p>Under the Four-Year Action Plan for the <i>ACT Public Service Employment Strategy for Aboriginal and Torres Strait Islander peoples</i>, there is a commitment to investigate and make available, either through existing avenues (such as Commonwealth programs or ACT Government resources) or through additional funding, cadetships and/or scholarships for Aboriginal and Torres Strait Islander recruits.</p>	<p>Community Services Directorate and Chief Minister and Cabinet Directorate</p>
	<p>RECOMMENDATION 19</p> <p>That the ACT develops a program to mentor Aboriginal and Torres Strait Islander students into tertiary education.</p>	<p>AGREED</p> <p>The Education and Training Directorate has a program called the <i>Indigenous Student Aspirations Program</i> and a targeted academic student support program which mentors students through their primary and secondary academic years. In 2010 the <i>Indigenous Student Aspirations Program</i> identified 109 students who participated in activities aimed at supporting their successful completion of schooling in 2010. Activities have been arranged for year cohorts of Aboriginal and Torres Strait Islander students.</p> <p>There is also the Targeted Academic Student Support Program. Schools will be assisted to provide additional targeted academic support tutors for Aboriginal and Torres Strait Islander students from year five to year twelve. A coordinated approach is being planned to support primary and high schools that have Aboriginal and Torres Strait Islander students with identified complex needs.</p>	<p>Education and Training Directorate</p>

Priority Area	Recommendation	Commitments	Lead Agency
SAFE COMMUNITIES	<p>RECOMMENDATION 3</p> <p>In line with the National Indigenous Law and Justice framework the Department of Justice and Community Safety provide a report on actions, funds allocated and expenditure to date based on the framework goals as shown below:</p> <ul style="list-style-type: none"> • Improve all Australian justice systems so that they comprehensively deliver on the justice needs of Aboriginal peoples and Torres Strait Islanders in a fair and equitable manner. • Reduce over-representation of Aboriginal and Torres Strait Islander offenders, defendants and victims in the criminal justice system. • Ensure that Aboriginal peoples and Torres Strait Islanders feel safe and are safe within their communities. • Increase safety and reduce offending within Aboriginal and Torres Strait Islander communities by addressing alcohol and substance abuse. • Strengthen Aboriginal and Torres Strait Islander communities through working in partnership with governments and other stakeholders to achieve sustained improvements in justice and community safety. 	AGREED	Justice and Community Safety Directorate
	<p>RECOMMENDATION 7</p> <p>That the ACT Government works with the Australian Government in the funding of an ACT Aboriginal and Torres Strait Islander Legal Service.</p>	AGREED	Justice and Community Safety Directorate

Priority Area	Recommendation	Commitments	Lead Agency
SAFE COMMUNITIES	RECOMMENDATION 13 The ACT Government create a discrete ACT Aboriginal and Torres Strait Islander foster care agency.	NOTED	Community Services Directorate
GOVERNANCE AND LEADERSHIP	RECOMMENDATION 1 The ACT Government must consult with the Elected Body when making any commitments to address the issue of social inclusion as stated in the objectives and outcomes of the National Indigenous Reform Agreement.	AGREED	Community Services Directorate and Chief Minister and Cabinet Directorate
	RECOMMENDATION 2 To overcome Aboriginal and Torres Strait Islander disadvantage the ACT Government and its Agencies through a Strategic Policy Framework focusing on increased budget allocation and policy attention in the following areas: <ul style="list-style-type: none">• Education• Health• Law and Justice• Housing	AGREED-IN-PRINCIPLE	Community Services Directorate
	RECOMMENDATION 4 That the ACT Government fund an expansion of the role of the Aboriginal and Torres Strait Islander Elected Body in the development of policy for Aboriginal and Torres Strait Islander Canberrans, including the funding of a full-time chairperson for the Elected Body in the next term.	NOTED	Community Services Directorate

Priority Area	Recommendation	Commitments	Lead Agency
GOVERNANCE AND LEADERSHIP	<p>RECOMMENDATION 5</p> <p>That the ACT Government transfer all administration and resources aligned with the Aboriginal and Torres Strait Islander Elected Body to the Chief Minister's Department.</p>	NOTED	Community Services Directorate
	<p>RECOMMENDATION 6</p> <p>That the Chief Minister's Department support the Aboriginal and Torres Strait Islander Elected Body by increasing research, reporting, administrative and support services.</p>	NOTED	Community Services Directorate
	<p>RECOMMENDATION 14</p> <p>ACT Government agencies have an Aboriginal and Torres Strait Islander Cultural Competency Program for all managers and frontline staff.</p>	AGREED-IN-PRINCIPLE	All Directorates
	<p>RECOMMENDATION 15</p> <p>The ACT Government develops a discrete Aboriginal and Torres Strait Islander Small Grants Program to promote the history, culture and achievements of the local Aboriginal and Torres Strait Islander peoples and assist in their aspirations.</p>	AGREED	Community Services Directorate
	<p>RECOMMENDATION 17</p> <p>That the ACT Government issue an annual report on its progress on closing the gap on Aboriginal and Torres Strait Islander disadvantage, including expenditure both from its National Partnership Agreements with the Australian Government and its own programs.</p>	<p>AGREED</p> <p>An Annual Report on Progress Towards 'Closing the Gap' in the ACT will be developed in 2011-12.</p> <p>The ACT Government agrees it would be valuable to utilise the national reporting framework on 'Closing the Gap'. This particularly applies to the COAG Reform Council's annual report on the National Indigenous Reform Agreement (and other relevant COAG agreements) – to present, in a concise and consolidated manner, the ACT's progress against 'Closing the Gap' targets.</p>	Community Services Directorate

Priority Area	Recommendation	Commitments	Lead Agency
<p>GOVERNANCE AND LEADERSHIP</p>	<p>RECOMMENDATION 17</p> <p>That the ACT Government issue an annual report on its progress on closing the gap on Aboriginal and Torres Strait Islander disadvantage. This includes expenditure both from its National Partnership Agreements with the Australian Government and its own programs.</p>	<p><i>Continued</i></p> <p>Such a report could be generated on an annual basis, and would provide the basis for valuable discussion with the Elected Body about how the ACT can meet its commitment to close the gap in Aboriginal and Torres Strait Islander disadvantage, and where best to prioritise effort.</p> <p>This analysis would also be supported by information from the <i>Overcoming Indigenous Disadvantage Report</i> (released biennially) and the <i>National Indigenous Expenditure Report</i>. It is important to note, however, the long term trajectory of some targets and the cycle of data collection (especially data based on surveys) means progress on some targets will not be reportable in all years.</p> <p>In relation to funding, it is important to note that the Commonwealth Government provides direct funding for some programs and services to Aboriginal and Torres Strait Islander people in the ACT. The Commonwealth does not currently disaggregate this expenditure by State and Territory but has undertaken to address this in the next <i>National Indigenous Expenditure Report</i>.</p> <p>The ACT Government is currently in the early stages of scoping a project that will build on the <i>National Indigenous Expenditure Report</i> to provide a more complete picture of the mix and direction of funding for both mainstream and Aboriginal and Torres Strait Islander specific Government expenditure in the ACT.</p>	<p>Community Services Directorate</p>

Priority Area	Recommendation	Commitments	Lead Agency
GOVERNANCE AND LEADERSHIP	<p>RECOMMENDATION 25</p> <p>That the Elected Body and the traditional custodians are consulted in the development of new suburbs.</p>	<p>AGREED</p> <p>The Community Services Directorate works across ACT Government directorates and agencies and in conjunction with the Elected Body to ensure that issues identified by the Elected Body receive early attention in the policy formulation and Annual Budget processes.</p> <p>The Environment Sustainable Development Directorate is responsible for place/street names. It should be noted that an Elected Body Member has been part of the Indigenous Advisory Group for ACT Place Names.</p> <p>The Indigenous Advisory Group has been instrumental in the naming of streets in the new suburb of 'Bonner'.</p> <p>The Land Development Agency undertakes various due diligence studies associated with the release of land for estate development in the ACT. An important component of this work is to assess, protect and conserve (where possible) the Indigenous and European cultural heritage areas of new land release sites. In addition, the Land Development Agency has established the 'Provision of Cultural and Heritage Services panel' to undertake this work. The Panel is required to:</p> <ul style="list-style-type: none"> engage with the four ACT Representative Aboriginal Organisations (RAOs) as sub-consultants; co-ordinate the participation, management and payment of RAOs; and document consultation with RAOs carried out in the course of the cultural heritage course course of the cultural heritage assessment. 	<p>Community Services Directorate</p> <p>and</p> <p>Economic Development Directorate (Land Development Agency)</p> <p>and</p> <p>Environment and Sustainable Development Directorate</p>

Priority Area	Recommendation	Commitments	Lead Agency
GOVERNANCE AND LEADERSHIP	<p>RECOMMENDATION 26</p> <p>That the ACT Government fund Elders Camps to allow connection to country and healing, continuing the work previously done through DECCEW with the United Ngunnawal Elders Council.</p>	<p>AGREED</p> <p>The ACT Government has funded two camps for Aboriginal Elders from the ACT in the 2011 ACT Budget.</p> <p>Funding of \$36,000 has been allocated for the Elders camps for the financial year 2011–12.</p> <p>The ACT Government funding provided for Aboriginal Elders Camps will be sensitive to the cultural needs of all local Aboriginal traditional custodian family groups of the ACT and will not be exclusive.</p>	Community Services Directorate
	<p>RECOMMENDATION 27</p> <p>That the ACT Government better support the Aboriginal and Torres Strait Islander Elected Body from all agencies, not just the secretariat, ensuring each agency has a point of contact for the Elected Body.</p>	<p>AGREED</p> <p>All ACT Government directorates will nominate a senior executive as a central point of contact for the Elected Body.</p>	All Directorates
	<p>RECOMMENDATION 28</p> <p>Ensure that the Aboriginal and Torres Strait Islander Elected Body is consulted early in the development of policies that have an impact on Aboriginal and Torres Strait Islander Canberrans.</p>	<p>AGREED</p> <p>The Community Services Directorate works across ACT Government directorates to ensure that the Elected Body is in a position to consult with the community on key issues early in the formulation of policy processes.</p>	All Directorates
	<p>RECOMMENDATION 29</p> <p>That the ACT Office of Aboriginal and Torres Strait Islander Affairs be given a focus in the review of the ACT Public Service by Dr Allan Hawke.</p>	<p>AGREED and Completed</p> <p>Dr Allan Hawke AC met with the Elected Body in the consultation phase of his review of the ACT Public Service. The report on Dr Hawke's review, <i>Governing the City State</i>, discusses the outcomes of this consultation on page 159.</p>	Chief Minister and Cabinet Directorate

Priority Area	Recommendation	Commitments	Lead Agency
<p>GOVERNANCE AND LEADERSHIP</p>	<p>RECOMMENDATION 30</p> <p>Develop an agreement with NSW in the delivery of services to the Aboriginal and Torres Strait Islander population outside the ACT who rely on services within the ACT, including those in the region surrounding the ACT as well as Jervis Bay Territory and the South Coast.</p>	<p>AGREED-IN-PRINCIPLE</p> <p>The Commonwealth Government is responsible for Jervis Bay Territory (JBT) as it is a Commonwealth Territory.</p> <p>Although ACT laws apply in JBT the ACT provides some services under agreement with the Commonwealth on a fee for service basis, it is not part of the ACT.</p> <p>The ACT believes services in the JBT would be most effectively and efficiently delivered by NSW.</p> <p>The ACT has an existing agreement with NSW regarding the delivery of cross-border health services, including a cost-recovery element. The ACT also receives equalisation payments through the Commonwealth Grants Commission for the delivery of other services to NSW residents. Delivery of services to Aboriginal and Torres Strait Islander peoples is one factor considered by the Commonwealth Grants Commission when determining the equalisation payments.</p> <p>The ACT Government is also looking to engage with the new NSW Government on a range of issues, including potential future options for strategic regional service planning.</p> <p>While it is possible an agreement on cross-border service delivery could be the logical conclusion of this process, the first step is to build the evidence base from which service planning can occur and to ensure the ACT receives appropriate payment for those services.</p>	<p>Chief Minister and Cabinet Directorate</p>

Priority Area	Recommendation	Commitments	Lead Agency
GOVERNANCE AND LEADERSHIP	<p>RECOMMENDATION 30</p> <p>Develop an agreement with NSW in the delivery of services to the Aboriginal and Torres Strait Islander population outside the ACT who rely on services within the ACT, including those in the region surrounding the ACT as well as Jervis Bay Territory and the South Coast.</p>	<p><i>Continued</i></p> <p>To this end, the Chief Minister and Cabinet Directorate will continue to develop the concept of regional demography, supported by analysis of Census data and other relevant data.</p> <p>The ACT Government notes analysis of 2011 Census data will include the potential for disaggregation by Aboriginal and/or Torres Strait Islander status. The Government commends the Australian Bureau of Statistics for its efforts to reduce under-enumeration of Aboriginal and Torres Strait Islander persons for the 2011 Census.</p>	Chief Minister and Cabinet Directorate
ECONOMIC PARTICIPATION	<p>RECOMMENDATION 8</p> <p>Under the <i>ACT Recruitment and Career Development Framework</i> ACT Government agencies create scholarships and/or cadetships for Aboriginal and Torres Strait Islanders in the areas of child care; preschool, teachers and nursing.</p>	AGREED-IN-PRINCIPLE	Community Services Directorate and Chief Minister and Cabinet Directorate
	<p>RECOMMENDATION 20</p> <p>That ACT agencies appropriately support Aboriginal and Torres Strait Islander trainees in their placement to reduce the number of trainees not finishing their traineeship.</p>	AGREED <p>The ACT Public Service Aboriginal and Torres Strait Islander Traineeship Program has in place support networks for the Aboriginal and Torres Strait Islander trainees, including social and mentoring programs as well as cultural awareness training for workplace supervisors and managers.</p>	All Directorates
	<p>RECOMMENDATION 22</p> <p>That the ACT Government look at the development of Aboriginal and Torres Strait Islander businesses in the ACT including suppliers of services to government and tourism.</p>	AGREED <p>The ACT Government endorsed the <i>National Partnership on Indigenous Economic Participation -ACT Implementation Plan</i> - as part of COAG's National Indigenous Reform Agreement.</p>	Community Services Directorate and Economic Development Directorate

Priority Area	Recommendation	Commitments	Lead Agency
ECONOMIC PARTICIPATION	<p>RECOMMENDATION 22</p> <p>That the ACT Government look at the development of Aboriginal and Torres Strait Islander businesses in the ACT including suppliers of services to government and tourism.</p>	<p><i>Continued</i></p> <p>Under this Implementation Plan, the ACT has agreed to strengthen current government procurement policies to maximise Aboriginal and Torres Strait Islander employment in the private sector and to increase employment in the public sector.</p> <p>The ACT Government has subsequently committed to several key initiatives that will provide significant outcomes in relation to this recommendation as follows:</p> <p>A commitment has been made to achieve 2% Aboriginal and Torres Strait Islander employees in the ACT Public Service by 2015 – current population share is 1.3%;</p> <p>ACT Government became a foundation member of the Australian Indigenous Minority Suppliers Council; and</p> <p>Work towards social procurement is progressing so that it would become easier for Aboriginal and Torres Strait Islander businesses to supply goods and services to the ACT Government.</p> <p>The Economic Development Directorate will brief the ATSIEB about business assistance programs available in the ACT with a view to promoting this information to interested members of the Aboriginal and Torres Strait Islander community.</p>	<p>Community Services Directorate</p> <p>and</p> <p>Economic Development Directorate</p>
	<p>RECOMMENDATION 23</p> <p>The ACT Government in its Aboriginal and Torres Strait Islander Employment Strategy clearly articulate not only how it will bring Aboriginal and Torres Strait Islander people into the ACT Public Service but how it will retain and develop those staff into meaningful, rewarding positions.</p>	<p>AGREED</p> <p>The <i>ACT Public Service Employment Strategy for Aboriginal and Torres Strait Islander People</i> sets out as its key performance measures the retention, recruitment and development of Aboriginal and Torres Strait Islander people.</p>	

Priority Area	Recommendation	Commitments	Lead Agency
ECONOMIC PARTICIPATION	<p>RECOMMENDATION 23</p> <p>The ACT Government in its Aboriginal and Torres Strait Islander Employment Strategy clearly articulate not only how it will bring Aboriginal and Torres Strait Islander people into the ACT Public Service but how it will retain and develop those staff into meaningful, rewarding positions.</p>	<p><i>Continued</i></p> <p>The Strategy sets out the following key performance measures to measure the effectiveness of the actions in the Four-Year Action Plan:</p> <p>Improving our capability;</p> <p>Retaining Aboriginal and Torres Strait Islander employees in the ACT Public Service; and</p> <p>Attracting Aboriginal and Torres Strait Islander people to the ACT Public Service.</p> <p>Performance will be monitored and reported against annually under the <i>Respect, Equity and Diversity</i> Progress Report.</p>	<p>Community Services Directorate</p> <p>and</p> <p>Chief Minister and Cabinet Directorate</p>
	<p>RECOMMENDATION 24</p> <p>The ACT Government looks at ways to increase Aboriginal and Torres Strait Islander graduates through the development of specific cadetship programs that targets the needs of the agency and assists Aboriginal and Torres Strait Islander students develop career paths.</p>	<p>AGREED</p> <p>Under the Four-Year Action Plan for the <i>ACT Public Service Employment Strategy for Aboriginal and Torres Strait Islander People</i>, there is a commitment to investigate and make available, either through existing avenues (such as Commonwealth programs or ACT Government resources) or through additional funding, cadetships and/or scholarships for Aboriginal and Torres Strait Islander recruits.</p>	<p>Community Services Directorate</p> <p>and</p> <p>Chief Minister and Cabinet Directorate</p>
HEALTHY HOMES	<p>RECOMMENDATION 10</p> <p>The ACT Government review its Aboriginal and Torres Strait Islander housing and homelessness services in consultation with the Aboriginal and Torres Strait Islander Elected Body.</p>	<p>AGREED</p> <p>Housing ACT will meet with the new members of the Elected Body to brief them as soon as possible to discuss issues around housing and homelessness and possible responses and options.</p>	<p>Community Services Directorate</p>

Priority Area	Recommendation	Commitments	Lead Agency
	<p>RECOMMENDATION 21</p> <p>That the ACT Government looks at options for green energy initiatives that will assist Aboriginal and Torres Strait Islander aged and disabled to offset the cost associated with their housing.</p>	<p>AGREED</p> <p>As at 30 June 2011, there were 520 tenancies in the ACT public housing system accommodating a total of 1147 Aboriginal and Torres Strait Islander residents.</p> <p>In 2007–08, the ACT Government committed \$20m over ten years to improve energy efficiency of public housing and \$8m over 4 years in the 2011 budget.</p> <p>Housing ACT developed a Ten Year Action Plan to deliver the Energy Efficiency Program. The Energy Action Plan is centred on building fabric improvements and improving the energy efficiency of hot water systems, providing dual flush toilets, replacing white goods with energy efficient appliances and providing water saving shower heads.</p> <p>All new homes will have an energy rating of at least six stars. All new developments will include separate grey water plumbing and rain water tanks.</p>	Community Services Directorate
EARLY CHILDHOOD	<p>RECOMMENDATION 16</p> <p>That the ACT Government implements a linguistic program based on the model and paper provided to the Department of Education during the estimates hearings.</p>	<p>NOT AGREED</p> <p>The Education and Training Directorate, in partnership with the Community Services Directorate, provides early intervention programs aimed at supporting speech and language development.</p> <p>The paper provided to the Education and Training Directorate during the 2010 estimates hearings describes a service model for the provision of speech and language development of Aboriginal and Torres Strait Islander children in rural communities in NSW. Advice from Therapy ACT indicates the proposed model is not suitable for the ACT. ACT Therapy will present its assessment of this model to a future meeting of the Elected Body.</p>	Education and Training Directorate

APPENDIX ONE—RESPONSES TO QUESTIONS TAKEN ON NOTICE

Minister for Aboriginal and Torres Strait Islander Affairs

The Chair, Mr Little: asked a question relating to the Australian Childhood Foundation, who runs a therapeutic model of foster care.

The Chair: Have Indigenous carers been identified for that?

Minister Bourke: The response to the Chair's question is as follows:

There are currently no identified Indigenous carers involved in the On Track Therapeutic Foster Care Program. Of note three of the children currently accepted as referrals for the program are Aboriginal, and recruitment strategies are underway to find permanent carers for these children. Given the current out-of-home care sector difficulties in the recruitment of foster carers generally, and more particularly Indigenous carers, whilst it is highly desirable, it may not be possible to place these children with Indigenous carers.

In that eventuality, the children's most critical need will be for a placement with carers with capacity to provide a loving, therapeutic and committed parental relationship for the child. The integration of the child's cultural identity remains an essential component of this commitment. As such, it would be expected that non-Indigenous carers would be assisted to initiate and maintain the significant cultural relationships for the child which will also hopefully facilitate the child's ongoing involvement in their cultural community and ongoing exposure to their cultural heritage.

Mr Church: Can I just ask one more quick question that leads on from that. I am wondering what percentage of Aboriginal and Torres Strait Islander young people are restored to their families?

Minister Bourke: The response to the Member's question is as follows:

The results are similar for Aboriginal and Torres Strait Islander children and young people and non Aboriginal and Torres Strait Islander children and young people. During 2010–11, 67%, 31 out of a total of 46 Aboriginal and Torres Strait Islander children and young people were restored to their families. In the same period 69%, 65 out of a total of 94 non-Aboriginal and Torres Strait Islander children and young people were restored to their families.

Chief Minister and Cabinet Directorate

The Chair, Mr Little: asked just to keep it on the radar in terms of that framework, the whole closing the gap stuff, particularly around health, the courts and education, will you take that into consideration when developing that a little bit further?

Ms Davoren: In terms of the Wreck Bay Community?

The Chair: Yes

Ms Davoren: I would have to take that on notice. In terms of the data from the health system, there may be some people from Wreck Bay using our health services, but they may also be using health services in New South Wales. Strickly, Wreck Bay is not part of the ACT, so I would have to confirm whether or not that population is already included in our data. I suspect in some data sets it is not.

Chief Minister and Cabinet Directorate: The response to the Chair's question is as follows:

ACT does not provide Health services to the Jervis Bay Territory under the terms of the MOU between the ACT and Commonwealth Governments. ACT Health Directorate records do not provide specific data for those from Wreck Bay. However, records indicate that for 2011–12 there were 47 episodes of people coming from the 2540 postcode (Shoalhaven region, which includes Wreck Bay), none of whom identified as Aboriginal or Torres Strait Islander.

Community Services Directorate

Aboriginal and Torres Strait Islander Elected Body Estimates Process 2011–12

1. In reference to the Therapeutic Foster Care Service page 69.

Have Indigenous carers been identified for that?

Response:

No Aboriginal or Torres Strait Islander carers have been identified.

2. In reference to children in out of home care page 72.

What percentage of Aboriginal and Torres Strait Islander children are restored to their families?

Response:

The total number of Aboriginal and Torres Strait Islander children and young people exiting care in 2010–2011 was 46.

Of the 46, 31 (67%) were restored home. Nine turned 18 years of age or moved into independent living arrangements; and six self placed with friends.

In comparison, there were 94 non Aboriginal and Torres Strait Islander children and young people exiting care in 2010–2011.

Of these 94 children and young people, 64 (68%) were restored home. Twenty one turned 18 years or moved into independent living arrangements; and nine moved into other arrangements.

Environment and Sustainable Development Directorate (ESDD)

ACT Government Priorities for 2011–2012 for Environment and Sustainable Development

New Planning Strategy for the ACT

Currently under consultation until 12 February 2012

<http://timetotalk.act.gov.au/time-to-talk/planning/>

New Action Plan for Climate Change

Currently under consultation until 2 March 2012

<http://timetotalk.act.gov.au/climate-change/>

New Transport Strategy for the ACT

Consultation finalised December 2011

<http://www.timetotalk.act.gov.au/time-to-talk/transport/>

Waste Policy

Finalised December 2011

<http://www.environment.act.gov.au/waste>

Energy Policy

Finalised September 2011

http://www.environment.act.gov.au/energy/energy_policy

Large Scale Solar Scheme

Legislation passed December 2011

Further details at http://www.environment.act.gov.au/energy/solar_auction

Outreach programs

The Directorate offers a suite of rebates and programs that encourage and support resource efficiency from ACT residents and businesses. In 2010–11 ESDD worked with community welfare organisations to provide energy-efficient essential home appliances to low income households, and accelerate the activities of Housing ACT to improve the energy efficiency of its properties. Leaflets enclosed.

The year ahead

- Feasibility proposal for Northbourne Avenue rapid public transport Strategy
- Master Plans for Tuggeranong, Kambah, Erindale, Pialligo and Cooleman Court
- Response to the Review of the Heritage Act
- Review of the Environment Protection Act
- Consultation on legislative changes to the Nature Conservation Act
- Planning and Development of Molonglo and the River Park Concept Plan

Improving energy efficiency of community buildings

ESDD does not have any ongoing program for providing assistance to community organisations, but the ACT Government funded HEAT team have a lot of information for houses which would be easily applied to a community building setting.

Call HEAT to:

- to book a home energy audit—see our Home Energy Audits page
- get advice over the phone or
- book a free consultation or workshop.

Phone: 02 6260 6165

Fax: 02 6260 6555

Email: info@heat.net.au

Post: PO Box 3142 Manuka ACT 2603

Office: Level 1 Manuka Arcade, 20 Franklin Street, Manuka ACT

The ACT Government has in the past offered Community Energy Grants and Climate Change Grants to community organisations, and if the Government offers a subsequent round, ESDD will contact the Elected Body.

Further information http://www.grants.act.gov.au/city_terr_grants

Leasing Matters

Boomanulla Oval is identified as Block 22 Section 34 Narrabundah. A copy of the lease, which contains all of the lease conditions, may be obtained for a prescribed fee from the Land Titles Office which is located at 255 Canberra Avenue, Fyshwick ACT 2609. The opening hours are 9am–4.30pm, Monday to Friday and they may be contacted on 6207 3000.

'Bush Healing Farm'

As above, details for the blocks adjoining the 'Bush Healing Farm' are available from the Land Titles Office. 'Miowera' (Bush Healing Farm) is identified as Block 241 Paddys River. The two blocks to the east of 'Miowera' are identified as Blocks 29 and 244 Paddys River.

Education and Training Directorate [accompanied by the Canberra Institute of Technology]

The Chair: To ask the Education and Training Directorate

In relation to: On Track Program (HANSARD pg 119)

Mr Church: Can I ask one quick question? I do not expect a response right now. I was hoping that the body could get some information around the effectiveness of the on track program, the Birrigai boys program, which is funded through the Chief Minister's community inclusion fund, focusing attention on school attendance, community engagement, parental engagement and social interaction with young people.

Dr Watterston: We have said to Rod Little that we are going to put a brief through around a number of things, so do you mind if we put that in the brief?

Mr Church: That is fine, thank you.

Dr Watterston: We will get you some up-to-date information around that.

Education and Training Directorate: The answer to the Member's question is as follows:–

The *On Track Program* was established through a three year ACT Government Community Inclusion Fund (CIF) grant, operating from Narrabundah Primary School, commencing in 2004. The program was designed to support Aboriginal and Torres Strait Islander students in years five and six who were not engaged in education or where attendance was an issue.

In November 2008 the Directorate was advised that projects funded under the auspices of the CIF provision would be extended until the end of June 2009.

During its operation the program provided activities for 45 Aboriginal and Torres Strait Islander students attending 28 ACT public schools.

In term 4, 2008, an evaluation tool was developed to obtain information from teachers, parents, caregivers and students. Whilst the program was highly regarded by schools and parents, there was no evidence that it made a positive long term difference in the educational outcomes for students.

Due to the changes implemented at Narrabundah Primary School in 2009 the *On Track Program* was relocated to Richardson Primary School until the end of June 2009. The 2009 program was delivered on three sites: Macgregor Primary School on Tuesday, Richardson Primary School on Wednesday and Wanniasa Junior Campus on Thursday. A final graduation ceremony was held in 2009 for students who had participated in the program during that year.

The Chair: To ask the Education and Training Directorate

In relation to: Ngunnawal language in schools (HANSARD pg 118)

Ms Brown: I need to ask a question through the chair. Aboriginal people across this country are crying out for our language to be put into the schools' curriculum. What is happening with the Ngunnawal language for the schools of the ACT? Is it going to be included? Is it included in the curriculum?

Dr Watterston: There are some schools that have aspects of it but in terms of a total number I am not sure.

Ms Huard: No. Well, I do not think so.

The Chair: Can we get a response to that?

Dr Watterston: We will do both. We will take it on notice but we will also look at perhaps some promotion and some development so that we can report back on that.

Education and Training Directorate: The answer to the Member's question is as follows:–

The ACT Education and Training Directorate support the teaching and learning of eight priority languages: French, German, Italian, Spanish, Japanese, Chinese, Korean and Indonesian. The *Curriculum Requirements in ACT Public Schools Policy Preschool-Year 10 Policy* requires all schools to teach at least one of these eight priority languages.

During the staged implementation of this policy initiative (2008–2011) all ACT schools were supported to implement specific language programs. Given the unique situation of Jervis Bay, and the fact that no school in the ACT was then offering an Indigenous language program, Jervis Bay School was consulted to determine if an Indigenous languages program was a viable option for future development. In late 2010, discussions with various stakeholders indicated strong community support for this option as opposed to adopting one of the eight priority languages. At that time the decision was made to invest in widespread community consultations during 2011 to secure support, begin to develop a curriculum document and investigate staffing options with the objective of beginning the program in 2012. It is now expected that Jervis Bay School will begin an Indigenous language program sometime in 2012.

There are currently no plans to introduce an Ngunnawal language program into ACT public schools. To the Directorate's knowledge there are currently no qualified teachers of the Ngunnawal language in ACT schools. One possible option to facilitate teaching Indigenous language in the ACT may be through the ACT Community Language Schools Association which utilise background speakers from the community.

In ACT schools, Indigenous perspectives are included across the curriculum through the Australian Curriculum cross-curriculum priority: *Aboriginal and Torres Strait Islander Histories and Cultures* this will allow all young Australians the opportunity to gain a deeper understanding and appreciation of Aboriginal and Torres Strait Islander histories and cultures, their significance for Australia and the impact these have had, and continue to have, on our world. The Directorate would be happy to work with the Ngunnawal Elders Council to develop units of work or resources to support the Australian Curriculum priority of *Aboriginal and Torres Strait Islander Histories and Cultures*.

The Chair: To ask the Education and Training Directorate

In relation to: The Linguistic program (HANSARD pg 116)

The Chair: because they feel very welcome and they feel very comfortable. Thank you for that. On the recommendation about the linguistic program, Therapy ACT said they will present an assessment on the model in the future. Do you know where we are at with that, the status of that?

Dr Watterston: No. We will have to take that one on notice, if that is okay, and we will get back to you with the answer to that.

Education and Training Directorate: The answer to the Member's question is as follows:

On advice from Therapy ACT an assessment model measuring outcomes for Aboriginal and Torres Strait Islander children using the speech pathology service in Koori Preschools and through the Therapy ACT referral program has been established from the beginning of 2012.

Aboriginal and Torres Strait Islander children who attend speech pathology services through either the Koori Preschool service or through Therapy ACT sites will have their communication skills assessed and their progress will be tracked for the time they access this service.

The Chair: To ask the Education and Training Directorate

In relation to: Learn Earn Legend program (HANSARD pg 119)

Mr Janke: I have just had some meetings with the Raiders, who are keen to progress their contribution to the *Learn Earn Legend Program*, to the extent where they have had visits to the North Queensland Cowboys to see how they implement their "learn earn legend!" program throughout the schools in Far North Queensland.

Mr Nean: We will definitely follow that up.

Education and Training Directorate: The answer to the Member's question is as follows:

The ACT Education and Training Directorate are aware of the *Learn Earn Legend Program* and support the intentions of the program. There have been no formal discussions regarding the introduction of the program in ACT public schools with the *Learn Earn Legend Program* administered by the Department of Education, Employment and Workplace Relations (DEEWR).

The Directorate will engage with DEEWR in 2012 to discuss the possibility of connecting with the *Learn Earn Legend Program* and how that would support the activities already being undertaken by the Directorate and ACT public schools to improve outcomes for Aboriginal and Torres Strait Islander students.

The program operates in partnership with the *Australian Indigenous Education Foundation*, *Dare to Lead*, *The Sporting Chance Program* and *The Stronger Smarter Learning Communities*. These organisations source the participants from schools they work with. The Education and Training Directorate does have partnerships with

Dare to Lead and *The Stronger Smarter Learning Communities* programs and 97% of ACT public schools are members of *Dare to Lead* program initiatives.

Economic Development Directorate

The Chair: Asked the Director-General, Economic Development:

The Government's response to the Elected Body report, recommendation 25 was about the establishment of a culture and heritage services panel. Can the Elected Body get an update on progress made in establishing this panel?

Mr Dawes: The answer to the Member's question is as follows:

A public tender was advertised in The Canberra Times and the ACT Government Procurement website on 31 July 2010 for the establishment of a panel of cultural and heritage assessment consultants who can be drawn upon, as required, to provide a range of cultural heritage services on behalf of the Land Development Agency (LDA).

The Panel currently consists of six consultant firms and has been established for a period of 3 years to supply cultural and heritage services of sites identified for land release. Such assessments are undertaken as part of a raft of studies required for preparing land for release in the ACT. The assessment process includes, but is not limited to:

- engagement of the four (4) ACT Representative Aboriginal Organisations (RAOs) as sub-consultants
- documenting consultation with the RAOs carried out in the course of the cultural heritage assessment;
- description of the environmental setting of the study area;
- desktop review of relevant heritage databases and literature, providing a background of local and regional archaeology and history for the study area, including consultation with relevant agencies;
- field survey of the study area and associated methodology for recording parameters;
- salvage of sites;
- sub-surface investigation at sites;
- detailed recording of findings; and
- preparation of Heritage and/or Cultural Management Plans.

David Dawes

Director-General, Economic Development

7 February 2012

Mr Church: Asked the Director-General, Economic Development:

Can information around the scope of the position of Aboriginal sport and recreation be provided to the Elected Body so that it can be disseminated to the community, especially if it is not just covering Indigenous sport?

Mr Dawes: The answer to the Member's question is as follows:

The Inclusive Participation Officer has been engaged to undertake the following duties:

- develop, implement and review inclusive programs and projects to enhance sport and recreation participation and development opportunities for targeted population groups including Indigenous people in the ACT;
- liaise with national, state and local sport and recreation organisations and stakeholders on matters relating to targeted population groups including Indigenous people.
- to provide leadership, advice and guidance to targeted population groups and the sport and recreation industry to support inclusive participation outcomes.
- prepare and deliver presentations relating to inclusive participation programs and services, including those for Indigenous people managed by Sport and Recreation Services.
- represent Sport and Recreation Services at industry functions and events, on various working parties, committees and reference groups at a local and national level.

David Dawes

Director-General, Economic Development

7 February 2012

Ms Brown: Asked the Director-General, Economic Development:

Can the Cultural Centre be supported to generate more tourism in the ACT with authentic-made didgeridoos and boomerangs and different Aboriginal and Torres Strait Islander products they make.

Mr Dawes: The answer to the Member's question is as follows:

Australian Capital Tourism has previously met with the Cultural Centre and provided them with a range of opportunities to assist with promoting the Centre, many of which are free of charge. Australian Capital Tourism is happy to meet with the Cultural Centre again and Jonathan Kobus (Product and Industry Development Manager) can be contacted on 02 6205 0554.

The Aboriginal and Torres Strait Islander Cultural Centre is managed by the Community Services Directorate.

Currently the Exhibition space at the Cultural centre is licensed for use as a gallery by a local not for profit Aboriginal artists cooperative called Burrunjū Aboriginal Corporation (Burrunjū).

Burrunjū sell locally produced paintings, textiles, glassware and other objects such as didgeridoos and boomerangs.

Burrunju serves as a retail outlet for local Indigenous art and crafts people. The organisation also provides art and music classes, particularly for young people. We are not aware of any manufacturers of artefacts such as didgeridoos and boomerangs in the ACT.

Burrunju are now looking to develop a cultural dance troupe and other activities for tourists who visit the Centre. Unlike other galleries selling Aboriginal art and craft, the Burrunju's gallery is managed by Indigenous people. This is particularly appreciated by the staff of the local embassies and high commissions.

Community Services Directorate is investigating more ways that the Cultural Centre could be used to promote the culture of the local Indigenous communities.

David Dawes
Director-General, Economic Development
7 February 2012

Ms Collins: Asked the Director-General, Economic Development:

Please provide more information around the training on respect, equity and diversity program run by the Directorate.

Mr Dawes: The answer to the Member's question is as follows:

Respect Equity and Diversity (RED) Training is mandated for all staff and commenced in February 2011 for staff of the Department Land and Property Services with approximately two to four sessions per month. With the transition to Economic Development, the training was continued on a regular basis and as at December 2011, approximately 85% of staff have participated either in RED Training for Managers, or general training. Both levels of training incorporate:

- the RED Framework and an overview of associated legislation
- respect, equity and diversity and how each contribute to a positive work environment
- general responsibilities under the RED Framework
- the ACTPS Code of Ethics
- what work bullying and reasonable management action is
- the workplace bullying resolution process
- how to prevent bullying from occurring
- how to implement the framework in the workplace to create a positive work environment.

In addition, Managers training covers the managerial responsibilities in regard to RED.

All training is conducted by a CIT Solutions trained facilitator and presented in house.

Economic Development portfolio (including the land Development Agency and Gambling and Racing Commission) has also appointed a RED Executive Sponsor and has trained eleven Contact Officers from a range of classifications and Business Units.

Economic Development notes that whilst training was available weekly during the latter part of 2011, issues such as staff leave and conflicting work commitments caused the Directorate to fall short of the targeted 100%. Training will continue in 2012 with two managers and five general training sessions scheduled at this time and the Directorate remains committed to all staff undertaking RED training.

David Dawes

Director-General, Economic Development

7 February 2012

Justice and Community Safety Directorate [accompanied by ACT Policing]

Justice and Community Safety Directorate Programs Brief

I would like to take this opportunity to provide the Elected Body with an overview of Justice and Community Safety Directorate's program of activities for 2012 and beyond and respond to action items from the recent Aboriginal and Torres Strait Islander Elected Body hearings in December 2011. In particular I would like to set out issues on which we would like to further engage with you.

Aboriginal Justice Agreement

A key priority for the Directorate in 2012/13 will be the development of a new Aboriginal Justice Agreement (Agreement), given that the current version expires in August 2013.

I understand the level of over-representation of Aboriginal and Torres Strait Islander people in the criminal justice system in the ACT is a continuing concern to the Elected Body and I am confident the next Agreement will continue to develop practical solutions to a complex set of circumstances for the local Aboriginal and Torres Strait Islander community.

A thorough consultation program will be undertaken to obtain feedback from key stakeholders. Data collected during this process will assist in establishing a template for the new Agreement. The Elected Body's input into this important process will be invaluable and will ensure the Directorate remains focussed on delivering measurable outcomes for the local Aboriginal and Torres Strait Islander community.

I note the report provided in December 2011, prior to the Elected Body Hearings. I seek any further comments that you have on this report. I also note that updates on action items will be provided to you quarterly and you will be asked to the whole of government Implementation Group meetings.

Justice Reinvestment

Justice reinvestment approaches have been promoted in the Australian context as a mechanism to address the over-representation of Aboriginal and Torres Strait Islander people within our justice systems. In terms of their development however, justice reinvestment strategies tend to focus on specific locations rather than ethnicity. Any impact on specific ethnic groups occurs as a consequence of collocation in high-crime areas. Due to the disproportionate rates of offending and victimisation within Aboriginal and Torres Strait Islander communities, any action to address these issues will consequently have a significant impact on Aboriginal and Torres Strait Islander peoples.

The ACT Government does however operate a range of projects that are regarded as Justice Reinvestment; while perhaps not formally falling under the banner of Justice Reinvestment.

For example, the High Density Housing Safety and Security Project is a multi-agency collaboration designed to improve the lives of, and reduce recidivism rates for, residents living in seven high density housing sites, addressing safety and security concerns under the following objectives:

- Improve personal safety and reduce crime;
- Enhance housing and physical environment;
- Integrate access to government and non-government services; and
- Promote health and wellbeing.

I raise this example given the large number of Aboriginal and Torres Strait Islander people assisted under this project. I would be happy to have an official from my Directorate brief you on this project should you wish. I would also welcome your views and ideas on how the Directorate might become more involved in justice reinvestment.

I understand the Elected Body is a member of the ACT Justice Reinvestment Reference Group, which was established to consider the viability of pursuing an Australian Research Council Linkage grant application researching ACT crime prevention activities using a Justice Reinvestment methodology. I look forward to hearing positive results from this new approach to justice outcomes.

Aboriginal and Torres Strait Islander Employment Strategy

The Directorate is focussing on a number of activities, in particular the development of an Aboriginal and Torres Strait Islander Employment Strategy. I am pleased to say we have approximately 20 Aboriginal and Torres Strait Islander staff, which represents 1.1% of the Directorate staff. I expect this number to increase with the official signing of an Employment Strategy, which will focus on recruitment, retention and training of Aboriginal and Torres Strait Islander people.

As you may know, the Community Service Directorate coordinates the Aboriginal and Torres Strait Islander Traineeship Program, which provides employment opportunities for up to fifteen young people. I am proactively encouraging my executive staff to commit to the traineeship program and anticipate a strong take up this year. Given the diversity of JACS, this provides great career opportunities for Aboriginal and Torres Strait Islander people.

Organisational Development Unit has drafted a support plan including a number of strategies to assist the new trainees and teams to settle in to their new positions. The proposal includes training in Aboriginal and Torres Strait Islander Cultural Awareness for teams, training for recruitment panel members, mentors, job rotations and regular network meetings with trainees and supervisors.

Reconciliation Action Plan

I recently signed a Statement of Commitment of the Directorate's commitment to develop a Reconciliation Action Plan (RAP) and deliver measurable outcomes to the Aboriginal and Torres Strait Islander community.

Under the RAP, the Directorate has agreed to:

- Build respect and understanding of Aboriginal and Torres Strait Islander culture and people;
- Raise awareness of issues faced by Aboriginal and Torres Strait Islander people; and
- Increase and improve engagement with the Aboriginal and Torres Strait Islander community in relation to justice issues and services.

The Directorate will undertake appropriate consultation and collaboration with Aboriginal and Torres Strait Islander people to shape programs, services and activities in ways which address Aboriginal and Torres Strait Islander people's needs.

The Directorate will also raise awareness of Aboriginal and Torres Strait Islander culture and issues in the general community.

Respect, Equity and Diversity (RED) Program

The RED Framework of the ACT Government spells out why a workplace that is respectful, equitable and values individuals and their differences, is at the heart of a positive work culture. The Framework sets out the roles and responsibilities for all employees across the ACT public service.

The Framework articulates an action plan for the Directorate to address those challenges and a mechanism for evaluating our progress. To achieve this, the Directorate has implemented activities identified in the Framework's Action Plan including:

- Establishing a RED Contact Officers' Network;
- Providing policy and process to eradicate workplace bullying and other forms of harassment; and
- Providing RED awareness and related training.

The Framework also includes workforce statistics relevant to respect, equity and diversity that assist in identifying workforce challenges for the ACTPS. It also supports the development of specific employment strategies for people with disabilities and for Aboriginal and Torres Strait Islander people.

As at January 2012 a total of 268 Executive and Managers, and 110 staff have received RED Framework/Bullying and Harassment Training, which represents approximately 21% of the Directorate staff. This training will remain a focus in the coming period.

Criminal Justice Quarterly Statistics Profile

The ACT Criminal Justice Statistical Profile (CJSP) is a historical series of crime data that is compiled quarterly by the Legislation and Policy Branch of the ACT Justice and Community Safety Directorate.

The CJSP provides a quarterly update of trends in recorded crime offences in the Australian Capital Territory. The CJSP contains ACT Policing, ACT Law Courts and ACT Corrective Services including juvenile justice data for the previous three months. The data provides an indication of the varying levels of crime in the ACT for Government, relevant government agencies and the public.

The CJSP shows trends in the major crime categories. The offences reported are for those where the number of recorded crime incidents is a reliable indicator of the actual incidence of the offence. The five year trends are calculated by adding the recorded crime incidents over the last four quarters.

My Directorate has taken steps to improve the data breakdown to increase Aboriginal and Torres Strait Islander status. This improved data will be prepared in the second quarter's CJSP.

I understand Directorate staff has agreed to provide a briefing on the latest CJSP data to the Elected Body. This will allow members of the Elected Body to interpret the data and raise issues of concern with me.

Office of Regulatory Services

The Office of Regulatory Services (ORS) has a number of Action Items under the terms of the Aboriginal Justice Agreement, one of which is reviewing the Aboriginal and Torres Strait Islander Consumer Guide. The Guide provides information about making the best possible purchasing decisions.

All Australian consumers are protected by a range of Commonwealth, State and Territory laws. These laws are designed to allow consumers to purchase safe products that perform acceptably with regard to their price and to deliver on any promises made by the manufacturer.

ORS is also developing an Aboriginal and Torres Strait Islander specific FAQs sheets in relation to Rental Bonds and Birth registrations.

ORS also provides information to the Aboriginal and Torres Strait Islander community in the event of the loss of capacity or death through the making of Wills and Enduring Powers of Attorney as well as acting as executor or administrator.

The Public Trustee of the ACT plays an important role in providing will-making services for Aboriginal and Torres Strait Islander people. The Public Trustee employs professional legal personnel and is empowered to waive fees for making Wills and for administering estates in cases of demonstrated hardship as part of its Community Service Obligations.

It should be noted however that the Public Trustee can only make a Will where the person making the Will appoints the Public Trustee as executor. A free safe-custody service for Wills and legal documents is also available for persons who make their Will with the Public Trustee.

ACT Corrections

ACT Corrections provides support services to Aboriginal and Torres Strait Islander clients through a range of programs which are highlighted below.

Relationships Australia—Counselling services

The program is designed to meet the demand for counselling at the AMC for all detainees in areas such as grief and loss, change, identity issues and anxiety.

Winnunga Nimmityjah Social Well-Being Program

A Winnunga Nimmityjah-directed art program commenced on Monday 21 November 2011, as part of the social and emotional well-being program for Aboriginal and Torres Strait Islander detainees.

Aboriginal and Torres Strait Islander Staff

- Indigenous Services and Cultural Diversity Senior Policy Officer
- AMC Indigenous Case Manager
- AMC Indigenous Liaison Officer
- Indigenous Probation and Parole (2 staff)
- Indigenous Programs Officer
- Indigenous Official Visitor (2 year term)—appointed by the Minister for Corrections

Future Programs

In conjunction with Legislation and Policy Branch, ACT Corrective Services is exploring funding options for a partnered community 'yarning' program which will be piloted in 2012 with *Relationships Australia*. The program is designed to improve the transition of Aboriginal and Torres Strait Islander male detainees with their families upon release from the AMC through cross-sharing of the 'yarning' program and to address relationship issues experienced by partners of detainees.

ACT Corrective Services is liaising with other Corrections jurisdictions to obtain programs to enhance the current programs available to ACT detainees and offenders.

All programs at AMC are facilitated through the Corrections Program Unit. The current programs provided to all detainees, which Aboriginal and Torres Strait Islander detainees are able to access.

1. Education Contract

The *Auswide* educational contract was renegotiated in July 2011 and refocused to target delivery of literacy and numeracy for detainees.

The program is tailored to meet the individual needs of specific groups of students, such as Aboriginal and Torres Strait Islander, women and those from non-English Speaking Backgrounds. It has been developed to meet the requirements, and to conform to the philosophy of a learner centred approach.

For example, the Aboriginal and Torres Strait Islander education program sensitively provides learners with culturally appropriate learning and assessment materials so the student can gain an understanding of their own history, culture, community, identity, and stories to make learning an engaging experience.

2. Women's Legal Service Education Program

The AMC Women's Legal Service Education Program is a monthly program run by the ACT Women's Legal Centre. The service aims to educate detainees on legal processes and terms. Common enquiries raised by attendees are in relation to the court system, sentencing, legislation and the legalities associated with child support and care and protection orders.

3. Criminogenic Programs

Adult Sex Offender Program (ASOP): The ASOP is for men convicted of a sexual offence or a sexually motivated offence, recently or in the past. Men can commence the program in prison and continue it in the community if they have a significant period of parole or a post prison Good Behaviour Order.

Solaris Therapeutic Community (TC): The TC offers rehabilitative treatment and care for prisoners servicing a custodial sentence who have alcohol and other drug dependencies.

Cognitive Self Change Program (CSC): The Cognitive Self Change program takes participants through a series of four steps designed to facilitate their skills development in mindfulness, objectivity, recognition of how their own risk competency is restricting their thinking creatively to replace criminogenic thinking while maintaining self esteem.

Family Violence Cognitive Self Change Program (FVCSC): The Family Violence Cognitive Self Change Program is for men who have offended against a family member. Participants are challenged to consider situations where they have harmed family members across a broad range of behaviours considered controlling or abusive.

First Steps—Relapse Prevention Program: The First Steps program is for men and women who have an active or history of alcohol and/ or drug use. The First Steps program aims to support participants with the challenges faced when ceasing or reducing substance use. First Steps is an alcohol and other drug awareness, education and relapse prevention program.

4. Sober Driver Program

The program is designed for male or female participants who have current or previous drink driving offences. Offenders sentenced to Periodic Detention are eligible for this program.

5. Family Violence Self Change Program

The Family Violence Self Change Program is a Cognitive Behavioural Treatment based program that teaches participants a set of cognitive based skills designed to increase awareness of thinking, recognition of risk thoughts and thinking patterns and encourages the production of new thinking that will lead the offender away from harmful law breaking behaviour.

6. SMART Recovery Program

The SMART Recovery is a program that assists people to recover from their addictions regardless of the type of addiction.

7. Seasons for Growth

Seasons for Growth is based on the belief that change, loss and grief are a normal and valuable part of life. In the program the impact of those changes that death, separation, divorce, incarceration and natural disasters wrought upon detainees are examined. Through this detainees can learn to live with and grow from these experiences.

8. Karralika—Women in Prison Program

The AMC 'Women in Prison' program commenced in September 2011 and is partnered with Karralika, which is an organisation that helps individuals and families deal with dependence through alcohol and other drug programs. The program is aimed to reduce recidivism and improve the transition of females back into the community after incarceration through twice daily group therapy sessions.

9. Narcotics Anonymous (NA)

The NA program commenced at the AMC on an alternate fortnightly basis in October 2011. NA is a 12-step program based on the principles of Alcoholics Anonymous (AA) which is already in service at the AMC. NA and AA are intervention programs that have been introduced at the request of detainees and provide a service that supplements the Therapeutic Community program and Throughcare for detainees.

10. SHINE for Kids

SHINE for Kids is an innovative program designed to break the intergenerational cycle of offending by providing support to children, young people and families affected by parental involvement in the criminal justice system. Program outcomes include opportunities for children to meet with their detained parent/s so feelings of isolation, stigma and shame are reduced.

Legislation and Policy Branch Legislative Program

The Directorate is responsible for developing legislation on a wide-range of issues, some of which may impact on Aboriginal and Torres Strait Islander people. I understand members of the Aboriginal and Torres Strait Islander community have provided input into some of this process.

In 2012 the Legislation and Policy Branch will again be considering a number of legislative procedures including:

- Classification R18+ Bill;
- Corrections Management and Sentencing Bill;
- Court Procedures Amendment Bill;
- Legal Services Commissioner Bill;
- Road Transport (Alcohol and Drugs) Amendment Bill;
- Fair Trading (Gift Cards) Bill;

- Freedom of Information Amendment Bill
- Crimes Amendment Bill;
- Emergencies Amendment Bill;
- Electronic Transaction Bill; and
- Human Rights Amendment Bill.

Improving Safety and Security Grants Program

In the 2012/13 financial year, the Directorate will be calling for applications from community organisations to purchase equipment and infrastructure to improve safety and security of their facilities. Aboriginal and Torres Strait Islander community organisations are encouraged to take advantage of this initiative.

Grants of up to \$10,000 will be available to eligible organisations for such projects as:

- Lighting—including sensor lighting, exterior lighting;
- Alarm systems;
- Security doors;
- Window grills; and
- Fencing.

Restorative Justice

Restorative Justice is a community based response to crime that emphasises the consequences of an offence and holds the offender responsible for an act of wrongdoing. It focuses on the personal involvement of the offenders, victims and the community. It is a process that allows victims to:

- gain an understanding of the circumstances of the offence;
- have a voice in describing the impact of the offence; and
- identify what they need to makes things better.

Restorative justice complements and enhances the traditional criminal justice response in dealing with an offence through a conference that brings together the victim and offender, each with support persons, under the facilitation of a neutral conference convenor.

The Restorative Justice Unit (RJU) operates according to the Crimes (Restorative Justice) Act 2004 and has been in operation since 31st January 2005. Currently restorative justice is only open to young offenders and their victims.

The RJU works on over 200 referrals a year that involve, on average, over 250 offenders and 300 victims. Galambany Circle Court and the Indigenous Guidance Partner positions are located within the RJU.

Galambany Circle Court

The Galambany Circle Court is a culturally sensitive and specialist sentencing process for eligible Aboriginal and Torres Strait Islander defendants within the ACT Magistrate's Court. It is best conceptualised as a 'step in the sentencing proceeding' rather than as a stand-alone court.

The Circle Court addresses offending behaviour within a culturally sensitive framework that recognises the ongoing disadvantage experienced by many Aboriginal and Torres Strait Islander people in the criminal justice system. Aboriginal and Torres Strait Islander Elders and panel members sit alongside the Circle Court Magistrate to assist in the sentencing process.

Guidance Partner

The role of the Indigenous Guidance Partner is to provide guidance and assistance to young Aboriginal and Torres Strait Islander people who are referred to or involved in restorative justice. The position supports the 'closing the gap' between the participation rates and agreement compliance rates for Aboriginal and Torres Strait Islander youth referred to the RJU compared to non- Aboriginal and Torres Strait Islander youth.

While the Directorate has implemented a significant number of programs to support Aboriginal and Torres Strait Islander people, I acknowledge more can be done to address the inequities they experience. We can achieve this by working collaboratively with a range of stakeholders, particularly the Elected Body. I welcome your comments to identify areas my Directorate can focus on over the coming 12 month period.

I look forward to working closely with you and other members of the Elected Body to continue to build on the great work achieved so far. I note a visit to AMC is being arranged.

Kathy Leigh

Director General

Justice and Community Safety Directorate

22 February 2012

ACT Corrective Services—Question on Notice

I would like to take this opportunity to provide the Elected Body with a response to the question taken on notice at the Aboriginal and Torres Strait Islander Elected Body hearings in December 2011.

Can I also note that the Director-General, Justice and Community Safety (JACS) is providing you with an overview of JACS program of activities for 2012, including an overview on the programs being offered at ACT Corrective Services.

During the hearings in December 2011, Mr Brendan Church, member of the Elected Body had asked me a question around the 'assertive outreach program' through community safety and could ACT Corrective Services provide update on data.

In response to the question at the hearings, JACS does not fund an 'assertive outreach program', and on this note I had asked my staff to clarify with Mr Church in regards to his question.

After clarification, the question was more related to the outreach with the Aboriginal and Torres Strait Islander community organisations and the 'breach' rates for Aboriginal and Torres Strait Islander offenders.

This program was not operating consistently during 2010–11. The absence of personnel meant that the program did not operate at times.

During 2011–12, the operation of this program has been improved and formalised.

ACT Corrective Services has been engaged with Winnunga Nimmityjah Aboriginal Health Service, Gugan Gulwan Youth Aboriginal Corporation, and the Aboriginal Justice Centre in regard to this program.

The Probation and Parole, Aboriginal and Torres Strait Islander Unit is conducting fortnightly home visits in conjunction with these agencies, in which one person from Probation and Parole Unit and the other from an external agency provider visit together. ACT Corrective Services has been working with the Aboriginal Justice Centre, but due to availability issues, is currently using Winnunga Nimmityjah Aboriginal Health Service staff.

Winnunga Nimmityjah has a monthly reporting centre which also provides a venue for outreach. This arrangement is in its infancy with the first visit being conducted in January 2012 and a further scheduled visit in March 2012.

The Unit is also in contact with Northside Community Centre to negotiate a reporting centre on the Northside of Canberra.

During the period 30 June 2010 to 1 July 2011 we can say that 29.2% of Aboriginal and Torres Strait Islander offenders who were under a community based order (CBO) and were subject to breach action. From 1 July 2011 till 31 December 2011 (year to date) the breach action figure was 29.6%.

Please note that we have taken the breach to be on the person rather than on the order.

At this time the data does not indicate a reduction in breach rates.

I do hope that this answers your question. If you require any further information in regards to this matter please contact Mr Ross Fowler, Indigenous Services and Cultural Diversity Senior Policy Officer on 02 6205 0315 or ross.fowler@act.gov.au, who will assist with any further requests.

Bernadette Mitcherson
Executive Director
22 February 2012

Restorative Justice Unit—Question on Notice

Question on Notice (QoNs) arising from ATSI Elected Body Hearings for JACSD (RJU & Galambany Circle Court) on 13 December 2011.

Question 1: What are the suitability criteria for restorative justice agreements and proportions of male and female participants in restorative justice programs?

Answer: The work of the RJU is governed by the *Crimes (Restorative Justice) Act 2004*. The Act sets out the process to be followed with respect to participants' (victims, offenders and their supporters) suitability to participate in a conference. Sections 29 through to 36 of the Act set out the criteria for suitability. Sections 49 through to 58 set out the parameters of restorative justice agreements and the monitoring of agreements.

Twenty three referrals were received as part of the trial with ACT Policing, this comprised 20 individuals. Of these, 13 were male and seven were female.

Question 2: Could circle sentencing services be made available at Nowra for Jervis Bay community members?

Answer: Although a Commonwealth law applies ACT laws to Jervis Bay, Jervis Bay is a Commonwealth Territory and therefore a Commonwealth responsibility. The ACT provides a range of services to the Commonwealth under fee for service arrangements. This includes the purchase of court services for Jervis Bay from the ACT. The Commonwealth has advised that, in response to community requests, it is interested in establishing a circle court in Jervis Bay. The approach to this is to be discussed with Commonwealth officials and implementation will be subject to appropriate funding from the Commonwealth.

Question 3: Would it be possible to have a Magistrate at Jervis Bay to hear matters?

Answer: Under service arrangements with the Commonwealth, a Magistrate from the ACT Magistrates Court travels to Jervis Bay approximately once a month to conduct court processes for offenders from the Jervis Bay community.

ACT Policing

20 January 2012

Answers to Questions on Notice

On 13 December 2011 ACT Policing was asked the following three questions at the Aboriginal & Torres Strait Islander (ATSI) Elected Body Hearings. The answers to the ATSI Elected Body's questions are as follows:

1. How is non-indigenous family violence handled (asked following a question about family violence measures relating to the Aboriginal and Torres Strait Islander community)?

ACT Policing handles family violence in accordance with the principles of the Family Violence Intervention Program (FVIP). The policy of ACT Policing in respect to intervention at family violence incidents is pro-charge, pro-arrest and presumption against bail, where evidence exists that a criminal offence has been committed.

The FVIP continues to be a leading example of criminal justice intervention in family violence with ACT Policing working in partnership with other participating agencies including the Victims of Crime Commissioner, Domestic Violence Crisis Service, Office of the Director of Public Prosecutions (ACT), ACT Corrective Services, ACT Legal Aid Office, and the Justice and Community Safety Directorate.

FVIP training is provided to each police recruit course (2 day program), Operations courses (1 day program) as well as Lateral and AFP National courses. Training is also provided to operational members on Victim of Crime responsibilities and FVIP at team training days throughout ACT Policing.

ACT Policing has a Memorandum of Understanding (MoU) with the Domestic Violence Crisis Service (DVCS). Part of the MoU outlines each agency's responsibilities and how both agencies will work together in responding to family violence incidents including DVCS providing a 24/7 call out response to all incidents. Under the MoU the services of DVCS must be offered to parties in the household at the time of a family violence incident.

Victim Liaison Officers (VLOs) review and initiate contact with victims in all family violence incidents. VLOs work towards the Governing Principles regarding the treatment of victims of crime in the ACT which is set out in the *Victims of Crime Act 1994*.

Services provided to victims of crime by VLOs include but are not limited to:

- Victim support services information;
- Referrals to victim support services on behalf of the victim;
- Financial assistance information;
- Information about the status of their case where there is prolonged absence of the case officer;
- Assisting with victim impact statements;
- Briefing the DPP witness assistant on matters relating to the victim;
- Preparing information for the case tracking meetings;
- Attending weekly case tracking meetings; and
- Providing court support.

The Family Violence Incident Review (FVIR) with DVCS commenced in January 2009. The FVIR consists of a weekly meeting between the Intervention Team Leader and the DVCS Client Services Coordinator. During FVIR, family violence incidents for the previous seven days are reviewed. Both agencies record a separate task list of follow up response issues to be completed / attended to, or internally reviewed. The FVIR aims to provide:

- Quality assurance of existing collaborative responses with a particular focus on victims and their children;
- Promote early identification / intervention / prevention in situations particularly in matters where no offence is disclosed through an improved/increased response;
- Ensure family violence incidents are accurately recorded by ACT Policing; and
- Increase victim / community confidence in the criminal justice response because of improvements in the quality of the initial response.

The ACT Policing PROMIS database system has the capability (using the advanced search parameters) to search for incidents where the victim and / or offender identifies as Aboriginal or Torres Strait Islander. It should be noted that some individuals do not wish to be identified as such and due to this and other reasons this data may not capture all incidents involving persons of ATSI origins.

The ACT Policing Crime Prevention Victims of Crime Team works closely with the Indigenous Community Liaison Officers (ICLOs) to identify Indigenous victims who may require additional assistance.

2. How many Aboriginal and Torres Strait Islanders are on staff at ACT Policing?

Currently 69 AFP members self identify as Aboriginal and / or Torres Strait Islander of which 10 are located in ACT Policing. Six are sworn police and four are unsworn support personnel.

3. Can ACT Policing provide general information about the Aboriginal Cadetship program?

The AFP Aboriginal and Torres Strait Islander Cadetship Program are corporately funded and provide ATSI university students with relevant work experience while they study.

As outlined in the Australian Federal Police Workforce Diversity Plan and the 2011–2015 Workforce Plan, the AFP is committed to increasing the number of ATSI Australians in the workforce. The aspirational target is 3% per annum.

The primary aim is to contribute to achieving this target through recruiting ATSI undergraduates, supporting them to successfully graduate and then retaining them through the AFP Graduate Program.

ATSI university students are placed within business areas for a 12 week work experience period during their long university break. This break is from November through to January and for business areas this time of year generally attracts large amounts of staff leave and subsequent shortages.

During this period Cadets will assist to alleviate large workloads or staff shortages by completing business tasks or projects. Business areas may request the same Cadet for their next available university break.

Throughout the AFP ATSI Cadetship Program students will be provided with the following:

On-the-job work experience—opportunities to complement their academic studies with practical experience within the workplace;

Financial support—including:

- Band 2.1 salary (pro rata) during periods of fulltime work;
- A further 50% of the salary during study periods;
- A text book allowance;
- Assistance with living and accommodation expenses during work placements only (if required); and
- Reimbursement of HECS fees on successful completion of each unit.

Support Network—Each Cadet will be provided with a mentor who will provide support to the Cadet in an organisational and career capacity or with their transition to Canberra.

At the end of the Program, the Cadets will have undertaken relevant work experience which should assist them to become attractive candidates for the AFP Graduate Program or general recruitment with the AFP.

Roman Quaedvlieg
Chief Police Officer for the ACT

Territory and Municipal Services Directorate

Thank you for your email of 22 December 2011 seeking feedback on any questions or issues taken on notice by the Territory and Municipal Services Directorate (TAMS) at the ATSIEB Hearings on 13 December 2011.

I appreciated the opportunity presented by the hearings to provide you and the members of the elected body with information on the work of TAMS. It is invaluable in ensuring that TAMS remains responsive to the needs of the community and, in this case, the specific needs and expectations of people from the Aboriginal and Torres Strait Islander community who you represent.

Improving communication

At the hearings you asked how the Directorate can keep the elected body informed about particular events, engagements and consultation processes that are likely to impact on Aboriginal and Torres Strait Islander people and more broadly the Canberra community.

In relation to processes that have an obvious and recognised impact on Aboriginal and Torres Strait Islander people, it would be remiss of the Directorate not to notify you as a key stakeholder. To this end, in these cases the Directorate will notify you in writing of the matter and any future action such as formal consultation processes.

At the hearings I indicated that there are a number of options for more general communication. Specifically, I indicated regular meetings. To this end I have instigated monthly meetings with Ms Roslyn Brown. The next meeting is scheduled for 15 March 2012. Also attending these meetings is Mr Kim Smith, Executive Director of Directorate Services and the newly appointed Executive Sponsor of the Respect, Equity and Diversity (RED) Framework. I am of course always available to the Elected Body should you wish to raise matters outside these regular catch ups.

Aboriginal and Torres Strait Islander mobility project

You asked about the mobility project. The project is being run by Environment and Sustainable Development Directorate out of the Transport Planning Branch. Should you have any questions the contact officer is Kristen Blume who can be contacted on 02 6205 4672.

Boomanulla Oval

The responsibility for Boomanulla Oval lies with the Community Services Directorate not with TAMS. I did however undertake to speak to my colleagues in that Directorate about Boomanulla and will discuss further with Ms Brown at our next catch up on 15 March 2012.

Bus Route 88

During the hearings you asked about bus routes specifically Lady Denman Drive (route 81). In response to questions asked at the previous 2010 hearings, ACTION has reopened a bus stop close to the Burringiri Aboriginal and Torres Strait Islander Culture Centre on Lady Denman Drive. In relation to the route more generally, I have undertaken for TAMS to look at this route and the issue of the Paddy's healing centre when considering the development of ACTION Network 13. Work on Network 13 has commenced but is, at this time, in the early stages of development. TAMS have noted the issues raised during the hearing and flagged these for consideration.

I hope these answers address any outstanding matters raised at the hearings. I am happy to discuss further with Ms Brown on 15 March 2012 or, if you would prefer, you can contact my office directly on 6207 6000. I would also like to take this opportunity to thank you for your involvement in the National Year of Reading by agreeing to be a reading ambassador. The National Year of Reading is an important part of Library ACT's program this year and your involvement is very much appreciated.

Gary Byles
Director-General
5 March 2012

Health Directorate

RESPONSES TO HANSARD FOR ABORIGINAL AND TORRES STRAIT ISLANDER ELECTED BODY HEARINGS (ATSIEB) HELD ON TUESDAY, 13 DECEMBER 2011

ATSIEB: Please keep the ATSIEB informed of activities for the Directorate in terms of public events, promotional programs or the launch of plans etc.

The Director-General, Health Directorate has monthly meetings with the Chair, Aboriginal and Torres Strait Islander Elected Body (ATSIEB).

An invitation was sent to the Chair, ATSIEB for membership of the Aboriginal and Torres Strait Islander Health Coordination Group and membership of the Health Directorate Reconciliation Action Plan Working Group.

In April 2011, the Health Directorate hosted a community presentation whereby the Chair, ATSIEB attended and provided comment on the draft Reconciliation Action Plan 2011–2012.

ATSIEB: How is the Directorate implementing an Aboriginal and Torres Strait Islander Employment Strategy?

The ACT Public Service Employment Strategy for Aboriginal and Torres Strait Islander peoples 'Building a culturally diverse workforce' (2011–2015) was launched on 12 April 2011. The Strategy aims to attract, retain and provide career development opportunities.

People Strategies and Services Branch, Health Directorate are currently reviewing its recruitment policy, working with the ACT Government to increase and retain Aboriginal and Torres Strait Islander health workers and administrative staff in the ACT Public Service. This is a requirement under the ACT Public Service Employment Strategy for Aboriginal and Torres Strait Islander peoples and is reported to ACT Government in June each year from 2011 to 2015.

An Inclusion Officer position has been created. The Inclusion Officer's primary responsibilities are to progress the initiatives of the Whole of Government Aboriginal and Torres Strait Islander Employment Strategy and People with a Disability Employment Strategy. The position has been advertised.

ATSIEB: What progress has been made in terms of the ACT Public Service Respect, Equity and Diversity Plan and have you observed any changes within the workplace?

Since early 2011 the Health Directorate has progressed a number of initiatives to ensure the principles of the Respect, Equity and Diversity (RED) Framework are embedded and practiced in the Directorate. These initiatives include:

- Creation of a RED Framework specific position—Senior Advisor RED Framework. The role of the Senior Advisor includes delivery of the Directorate's Managing and Preventing Discrimination, Bullying and Harassment training programs; establishing and co-coordinating the RED Framework Contact Officer Network; educating Supervisors/Managers on the principles of the RED Framework—particularly focusing on Supervisors/Managers responsibilities to actively role model the principles of respect, equity and diversity, providing advice on RED and reporting to Government on the RED Framework initiatives;
- Nomination of the ACT Chief Nurse as the Directorate's Executive Sponsor for the RED Framework. The ACT Chief Nurse is very active in this role and often attends the Managing and Preventing Discrimination, Bullying and Harassment training programs and RED Contact Officer training programs to deliver opening messages, chairs the RED Contact Officer network, is a RED Contact Officer, and provides updates to the Health Directorate Executive Council on the roll out of RED initiatives;
- A video has been produced to be shown at RED training programs. The Director-General, Health Directorate features in the video and reinforces positive messages on managing and preventing discrimination, bullying and harassment in the workplace and the overall principles of RED;
- Roll out of the mandatory Managing and Preventing Discrimination, Bullying and Harassment training programs. The Directorate delivers two programs—a Manager's Seminar (for all staff in Supervisory/Management roles) and an All Staff Workshop (for all staff in non Supervisory/Management roles). The roll out of the training commenced in March 2010;

- A total of 145 training programs have been delivered—48 Manager’s Seminars and 97 All Staff Workshops. A total of 2285 staff have attended these programs—545 supervisors/managers and 1740 staff. This mandatory training will be continued to be delivered until all staff have attended and beyond;
- Establishment of the RED Contact Officer Network. To date the Directorate has 81 nominated RED Contact Officers, the majority of which have been trained to undertake this role. The Directorate has delivered four RED Contact Officer training programs since early 2010. Nominations for RED Contact Officers continue to be received;
- The RED Contact Officer Network was officially launched in the Directorate on 8 December 2011. The official launch was an opportunity to further educate staff on the role of the RED Contact Officers and the RED Framework as a whole;
- Production of various promotional materials, including posters and mirror decals, to promote the RED Framework and the role of the RED Contact Officers;
- RED Framework information has been incorporated in the Directorate’s Induction Programs and Managers Orientation Programs; and
- RED Folders are distributed to Managers via their participation in the mandatory Managing and Preventing Discrimination, Bullying and Harassment Manager’s Seminar and Manager Orientation training programs.

The roll-out of the RED Framework is still continuing and as with any major cultural change initiatives our expectations are that these initiatives will need to be in place for some time before significant cultural changes can be observed and measured. To date, changes to the workplace are difficult to measure, however anecdotally we have some evidence that there is heightened awareness amongst staff of the RED Framework and support available to address bullying and harassment behaviours in the workplace.

The Employee Relations Unit, who are responsible for providing advice and support on inappropriate behaviours to Health Directorate staff, have indicated that the number of bullying and harassment issues dealt with doubled in 2011 (A total of 13 issues were dealt with during the period July to December 2010 and a total of 83 issues were dealt with during the period January to December 2011). This is consistent with what usually occurs when educational programs are used as one of the main drivers to facilitate organisational cultural change. The expectation has always been that more staff would begin to raise issues of bullying and harassment as a result of attending the mandatory training programs. The Health Directorate has seen a significant increase in staff nominating to be RED Contact Officers since the official launch in early December 2011. Prior to the launch 66 RED Contact Officers nominated; this number has increased to over 80 since the launch.

ATSIEB: How do you involve people in the implementation of the Reconciliation Action Plan?

The Reconciliation Action Plan 2011–12 (Plan) was launched in July 2011 during NAIDOC Week and is currently being implemented across the Directorate. A community workshop held in April 2011 provided an opportunity for Aboriginal and Torres Strait Islander community members and community organisations to provide input into the Plan. Published copies of the Plan were distributed to all areas across the Directorate. A new 2012–2015 Plan is also in the process of being developed.

The Plan was advertised through a desktop wallpaper message on all PC computers; and posters appearing in key areas of the Health Directorate including the Canberra Hospital and Health Services. In addition, advertisements are in place to encourage staff from across the Health Directorate to organise and attend events on the Aboriginal and Torres Strait Islander events calendar.

A Reconciliation Action Plan Working Group has membership of staff across the Directorate including representatives from the United Ngunnawal Elders Council (UNEC), Winnunga Nimmityjah Aboriginal Health Service, ACT Torres Strait Islander Corporation and community representatives. The ATSIEB have also been invited to participate.

The Aboriginal and Torres Strait Islander Health Coordination Group (Coordination Group) is a sub-committee of the Executive Directors Council (EDC). The Coordination Group will receive quarterly reports for review from relevant areas within the Directorate on the implementation of actions within the Plan. The Coordination Group is required to provide quarterly reports to the EDC and an annual progress report to the Director-General on implementation of the Plan.

ATSIEB: What areas of your policies and programs do you believe have made a significant difference or change to the benefit of Aboriginal and Torres Strait Islander peoples?

Improving Data Collection

- The Identification Information and Awareness project (A comprehensive education strategy around the Australian Institute of Health and Welfare 'One simple question could help you close the gap') commenced with the Maternity Units at the Canberra Hospital and Calvary Health Care ACT (CHC ACT) and, following endorsement by the Executive Council in October 2011, is now being rolled out across all areas of the Directorate. Framed posters of 'Speak UP Your Identity Counts' are being placed at the main entry points to CHC ACT and in the major clinical areas; and

The Directorate participated in the Australian Institute of Health and Welfare (AIHW) Aboriginal and Torres Strait Islander Identification in hospitals data audit, a co-ordinated national study on data quality in hospital separations data. A survey of separations data in the Canberra Hospital was completed in September 2011. Data matching and quality activities are currently being finalised prior to submission to AIHW. AIHW will then undertake analysis of the survey data and publish the results including the ACT correction factor. Data submission is due for delivery to the AIHW in March 2012, the final report is currently in draft awaiting final signoff and circulation will occur in March 2012. The ACT correction factor will be used for reporting to the Council of Australian Government (COAG) Reform Council for the National Aboriginal and Torres Strait Islander Reform Agreement and National Healthcare Agreement, and will be applied as adjustment factors to publish hospital separations data.

Antenatal, Pre-pregnancy, Teenage Sexual and Reproductive Health (APTSRH) project

This project is Element Two of the COAG National Partnership Agreement on Aboriginal and Torres Strait Islander Early Childhood Development. The aim of the project is to improve sexual and reproductive health and pregnancy outcomes for Aboriginal and Torres Strait Islander youths. A Steering Committee made up of key stakeholders from relevant government and non government agencies is responsible for governance of the project which is implemented through three key strategies:

- A partnership with Sexual Health and Family Planning ACT (SHFPACT) to undertake a training needs analysis and deliver pilot workshops to organisations concerned with delivering sexual health services to Aboriginal and Torres Strait Islander youth. The first of these workshops was held at Gugan Gulwan Aboriginal Youth Corporation in December 2011;
- Employment of a midwife trainer to implement a sustained 'Core of Life' positive pregnancy and parenting program for Aboriginal and Torres Strait Islander youth within ACT schools and with community organisations over two years. A 'Core of Life' Facilitators workshop was held in November 2011 with a second workshop planned for March 2012. Participating schools and organisations will be supported to implement the program in their workplace; and
- Establishing a 'bank' of training resources to support project partners engaged with delivering sexual health or Core of Life education activities, and developing or acquiring culturally and linguistically appropriate materials for Aboriginal and Torres Strait Islander youth participating in activities. Facilitators' kits have recently been purchased and a number of health promotion materials are in the early stages of development, including a Breastfeeding DVD.


Administration of Grants in the ACT

The Administration of Grants in the ACT policy is available on the ACT Government Grants Portal so that grant applicants are aware of model standards they might expect and the range of information likely to be required of them at various steps in the grant process.

Under Item 2 Key Policy Requirements item, 2.3—Assessment Criteria, states that the following assessment criteria is applicable to all ACT Government grant programs and is aimed at directing resources to address social inclusion and reduce disadvantage to improve Aboriginal and Torres Strait Islander outcomes:

"Consistent with the objectives of the grant program, funding for projects, activities or initiatives that contribute towards closing the gap on disadvantage between Aboriginal and Torres Strait Islander and non-Aboriginal and Torres Strait Islander Canberrans will be considered".

The GP Development Fund has included the assessment criteria in their application and funds guidelines to reflect the ACT Government commitment to closing the gap in Aboriginal and Torres Strait Islander health outcomes.



The GP Development Fund is a four year bi-annual grants pool totalling \$4 million for ACT general practices that commit to attracting, retaining, sustaining and developing the general practice workforce. There are four categories of funding within the GP Development Fund: Infrastructure; Education and Training; Attraction and Retention; and Innovation. Grants will provide infrastructure to support the general practice workforce and support for teaching and learning for ideas to attract and retain staff.

National Maternity Services Plan 2010–2015

The National Maternity Services Plan 2010–2015 aims to provide all Australian women with access to high quality, safe and culturally competent maternity care in a range of settings close to where they live. Actions in the Plan include the identification of the characteristics of culturally competent care for Aboriginal and Torres Strait Islander peoples and implementation of a pilot birthing on country program that includes a consultative selection process with Aboriginal and Torres Strait Islander communities to identify initial birthing on country sites.

A literature review on 'Birth on Country' and culturally competent care has been completed by the National Maternity Services Inter-Jurisdictional Committee (MSIJC). A workshop on 'Birth on Country' will be held on 4 July 2012 in Alice Springs, Northern Territory. The MSIJC will fund one or two Elders per jurisdiction to attend the workshop.

ACT Primary Health Care Strategy 2011–2014

The Strategy has been developed in the context of the COAG Health Reforms and identifies the core principles and priorities that will provide a roadmap to guide current and future policy, planning and practice in the ACT primary health care sector. Some initiatives on Aboriginal and Torres Strait Islander peoples include:

- 4.1 Improving access and reducing inequity: Primary health care is delivered through an integrated service system which provides more uniform quality care across the ACT. It actively addresses service gaps and the needs of specific population subgroups;
- 4.1.2 Vulnerable groups: Investigate ways to improve geographic access to health and wellbeing services across Canberra and increase coordination between mainstream and Aboriginal and Torres Strait Islander community controlled health care for Aboriginal and Torres Strait Islander peoples. Improve access to primary health care focussed on the detection and ongoing management of chronic disease as part of the COAG National Partnership Agreement on Closing the Gap in Aboriginal and Torres Strait Islander health outcomes; and
- 4.7 Infrastructure: The right physical facilities and equipment are important in supporting new models of primary health care delivery. Physical infrastructure facilities integration, enables teams to train and work together, and supports different models of care to improve access. Support will be provided to existing general practices, primary health care, community health services and Aboriginal and Torres Strait Islander medical services to expand services and provide accommodation for extra doctors, nurses and/or allied health professionals.

ACT Alcohol, Tobacco and Other Drug Strategy 2010-2014

The Strategy aims to:

- improve the health and social well-being of individuals, consumers, families, carers, and the community in the ACT;
- minimise the harm in our community from alcohol, tobacco and other drugs while recognising the individual needs of all citizens in the ACT;
- develop evidence-based policies and initiatives to ensure that issues associated with harmful alcohol, tobacco and other drug use are addressed in an effective way; and
- implement the Strategy Action Plan in a manner that respects, protects and promotes human rights.

Some action items are listed in the Strategy around the health and wellbeing of Aboriginal and Torres Strait Islander peoples include:

- **Action 4** Work with members of the Aboriginal and Torres Strait Islander communities to implement the ACT Aboriginal and Torres Strait Islander Tobacco Control Strategy, to prevent and reduce smoking;
- **Action 20** Investigate the feasibility of utilising new service delivery models, to overcome some barriers for people experiencing difficulties accessing needles and syringes (NSP), such as the provision of peer based services to enhance coverage for all people in the ACT who inject drugs (e.g. outreach, foot patrols, peer works providing NSP services in Community Health Centre's and Aboriginal and Torres Strait Islander specific initiatives);
- **Action 32** In collaboration with the Aboriginal and Torres Strait Islander Advisory Board, continue to progress the establishment and operation of the Aboriginal and Torres Strait Islander Residential Rehabilitation Service;
- **Action 38** Enhance the capacity for Gugan Gulwan Aboriginal Youth Corporation to
 - meet increasing demand;
 - pursue opportunities for the operation of a night-time outreach service; and
 - further enhance staff knowledge and skills.
- **Action 40** Alcohol and Other Drug Services to formalise partnership arrangements with the new ACT Aboriginal and Torres Strait Islander Residential Rehabilitation Service to ensure, upon completion, clients have access to culturally appropriate community liaison, care coordination and relapse prevention services; and
- **Action 41** Strengthen access to health services and support provided for Aboriginal and Torres Strait Islander peoples who are:
 - in detention, and after they leave detention;
 - residents and their families of the Aboriginal and Torres Strait Islander Residential Drug Rehabilitation program; and
 - pursue opportunities for the operation of a night-time outreach service.

The Aboriginal and Torres Strait Islander Health Unit, Health Directorate is leading Actions 4, 38 and 40 that are listed above and Winnunga Nimmityjah Aboriginal Health Service is leading Action 41.

At the recent Alexander Maconochie Centre (AMC) Health Policies and services Advisory group meeting held on 21 February 2012, Winnunga Nimmityjah Aboriginal Health Service (WNAHS) reported on the development of a map of Aboriginal and Torres Strait Islander health services in the AMC including: increasing a commitment from the WNAHS Social Health Team working at the AMC and a holistic and consistent approach to care for Aboriginal and Torres Strait Islander peoples.

Aboriginal and Torres Strait Islander opioid users are a priority target group for the recently launched Naloxone program. The number of Aboriginal and Torres Strait Islander peoples who inject drugs is increasing as a proportion of the total injecting drug using population (DoHA 2009, p. 163).

Additionally, this population group is less likely to be in treatment and more likely to be incarcerated than other opioid users (NIDAC 2009). Aboriginal and Torres Strait Islander peoples are often at an elevated risk of overdose compared with other populations. Aboriginal and Torres Strait Islander peoples should be considered a priority group for any opioid overdose prevention program.

Naloxone is a prescription only (schedule 4) drug in the ACT that is routinely used by health personnel to reverse opioid overdoses. Consistent with developments internationally, the Alcohol and Other Drug sector in the ACT has designed a public health program to expand naloxone availability in the ACT with the aim of reducing opioid overdose morbidity and mortality.

The Expanding Naloxone Availability in the ACT (ENAACT) program involves comprehensive overdose management training and the supply on prescription of take-home naloxone to eligible participants who are not health professionals.

People prescribed take-home naloxone will be administered it by a trained peer (usually a friend or family member) in the event of an opioid (primarily heroin) overdose.

The training will be conducted over a two-year year period with 200 participants. The training for opioid users and other potential overdose witnesses will be conducted in groups with a maximum of 10 people trained in each group. Eligible participants who successfully complete the training will be prescribed naloxone on reaching a level of competence and assessment.

Aboriginal and Torres Strait Islander Tobacco Control Strategy 2010–2014

The Aboriginal and Torres Strait Islander Tobacco Control Strategy 2010–2014 is currently being implemented in the ACT. The Advisory Group for the Aboriginal and Torres Strait Islander Tobacco Control Strategy continues to meet. The principal role of the Advisory Group is to provide advice and guidance around the implementation of the Strategy.

At the meeting of September 2011, it was agreed to form a time limited working group from members to consider the outcomes of social research undertaken by *Ipsos-Eureka and Winangali*.

This research involved consultation with Aboriginal and Torres Strait Islander community organisations and groups to inform the direction of a combined tobacco control and healthy lifestyle campaign. The working group consists of members from the ACT Aboriginal and Torres Strait Islander Elected Body (ATSIEB), Winnunga Nimmityjah Aboriginal Health Service, Gugan Gulwan Aboriginal Youth Corporation and ACT Government Education and Training and Health Directorates.

The Health Directorate has funded an Aboriginal and Torres Strait Islander PhD student to undertake through the Centre for Research and Action on Public Health, University of Canberra to evaluate the Strategy, commencing in 2012.

Winnunga Nimmityjah Aboriginal Health Service has been funded for three years (2010-2013) to develop and implement a multi-component smoking cessation and reduction program based on family, social and workplace networks. Gugan Gulwan Aboriginal Youth Corporation is funded to provide 'Street Beat' a program for at risk Aboriginal and Torres Strait Islander young people. The promotion of smoking cessation is provided through the program and a staff member has become a qualified QUIT Educator through QUIT Victoria.

Development and implementation of an Aboriginal and Torres Strait Islander Cultural Awareness and Skills Development Program

The Aboriginal and Torres Strait Islander Cultural Awareness and Skills Development Program consist of three inter-related components that are currently being implemented. The Program includes: staff orientation; an eLearning module; and a face to face skills development workshop. Staff orientation commenced in February 2011 with a total of 1182 employees completing the training since its introduction.

An eLearning module was launched in July 2011 and a total of 1536 employees have completed the program, which is a pre-requisite for the face to face skills development workshop. The Yurauna Centre, Canberra Institute of Technology (CIT) is currently developing the face to face skills development workshop for delivery to all health staff. A pilot session was conducted in December 2011.

Review of the Aboriginal and Torres Strait Islander Health Impact Statement and Development of Aboriginal and Torres Strait Islander Community Engagement Guidelines

In 2011, the Health Directorate completed a review of the Aboriginal and Torres Strait Islander Impact Statement (Impact Statement). Business areas across the Directorate are required to complete an Impact Statement for submission to Executive Council when developing new strategies, policies and programs. This involves consideration of whether the work may have an impact on Aboriginal and Torres Strait Islander communities.

The Review of the Aboriginal and Torres Strait Islander Health Impact Statement recommended changes to the template, guidelines, Executive Council Submission Coversheet and the Guide to Engaging and Consulting with the Aboriginal and Torres Strait Islander communities in the ACT. Executive Council endorsed the amended policy documents in October 2011 and a Director-General direction has been issued. Completing an Impact Statement has been included in the Policy Management Framework process.

Development of a National Aboriginal and Torres Strait Islander Health Plan

The Australian Government announced in November 2011 the development of a new national health plan for Aboriginal and Torres Strait Islander peoples and invited the Health Directorate to engage in this opportunity. The current National Strategic Framework for Aboriginal and Torres Strait Islander Health (NSFATSIH) is due to expire in 2013. The NSFATSIH has guided government action since its introduction in 2003 and it will be important for the development of the new plan to consider recommendations and outcomes from an appraisal of NSFATSIH.

The ACT Government is committed to improving health outcomes for Aboriginal and Torres Strait Islander peoples and will work with the Australian Government on the development of a new national health plan.

Establishment of the Ngunnawal Bush Healing Farm

In August 2008 the Health Directorate, ACT Government purchased 'Miowera', Block 241 Paddy's River Rd to establish the Ngunnawal Bush Healing Farm (NBHF). The service model is that of a therapeutic community; in which people voluntarily choose to enter a residential community for personal growth and rehabilitation.

The NBHF is being developed in partnership with the Aboriginal and Torres Strait Islander Advisory Board, whose membership includes United Ngunnawal Elders Council (UNEC) members, Gugan Gulwan Aboriginal Youth Corporation, a Torres Strait Islander community member; Winnunga Nimmityjah Aboriginal Health Service; Billabong Aboriginal Development Corporation; Ngunnawal Community Care; Yurauna Centre, CIT; ACT Policing, Australian Federal Police; Aboriginal Justice Centre and ACT Government Education and Training and Health Directorates.

A first stage of the model of care for the service was approved in October 2010. A design brief based on the model of care was prepared and approved in July 2011.

A Principal Consultant (architect) to design the buildings was awarded to Daryl Jackson, Alistair Swayn (DJAS) Pty Ltd in November 2011. DJAS have commenced work on a Master Plan and Preliminary Sketch Plan (including room configuration and allocation) for the service buildings. Consultations with the community will occur when the preliminary sketch plans are ready for release.

A Property Manager continues to maintain Miowera on behalf of the Health Directorate by ensuring weeds are sprayed, fuel loads are slashed, the access road is maintained and erosion control is undertaken in the gullies. Through the ACT Natural Resource Management Council, an Aboriginal Land Management Team 'Yurung Dhaura' is undertaking work at Miowera as part of the Australian Government's 'Caring for our Country' program.

A community newsletter to inform rural landholders in Tharwa and the Aboriginal and Torres Strait Islander communities of the ACT on progress towards the establishment of the Farm has been prepared. Copies of the Community Newsletter will be provided to the Tharwa Post Office for distribution to Tharwa residents and to Aboriginal and Torres Strait Islander organisations and community members.

ATSIEB: Does your Directorate have any budget bids or policy work that is happening?

A budget bid on 'Chronic Disease Management' was submitted to ACT Government in January 2012.

This initiative is aimed at increasing capacity to reduce the burden of chronic disease in the ACT community. This will result in reduced demand for acute services and improve the productivity and quality of life for this population group including Aboriginal and Torres Strait Islander peoples.

A review and refresh of A New Way: ACT Aboriginal and Torres Strait Islander Health and Family Wellbeing Plan 2006–2011, are underway through the ACT Aboriginal and Torres Strait Islander Health Forum in light of the development of a National Strategy.

The Chair, ATSIEB is a member of the Health Forum. The next meeting of the Health Forum is scheduled for Tuesday, 20 March 2012 located at Winnunga Nimmityjah Aboriginal Health Service from 11:00am to 1:30pm.

Details of other policy work undertaken are outlined throughout this response.

ATSIEB: Can I ask about the Aboriginal and Torres Strait Islander Nursing Scholarships. How many are there, how long has it been going for and what is it about?

Following ACT Government Health Directorate commitment to the establishment of an Aboriginal and Torres Strait Islander Enrolled Nursing Scholarship under the COAG National Partnership Agreement on Closing the Gap in Aboriginal and Torres Strait Islander health outcomes, funding was made available for two Aboriginal and Torres Strait Islander Enrolled Nursing Scholarships.

Commencing semester one 2011 the Health Directorate through the Yurauna Centre, Canberra Institute of Technology (CIT) made available two Aboriginal and Torres Strait Islander Enrolled Nursing Scholarships to undertake a Diploma of Nursing (DP-2C115) at the Canberra Institute of Technology.

New and existing Aboriginal and Torres Strait Islander students were encouraged and given the opportunity to apply for the Scholarships to undertake the Diploma on either a full time or part time basis.

In order to utilise the two Aboriginal and Torres Strait Islander Enrolled Nurse Scholarship the Yurauna Centre, CIT works in close association with:

- Nursing and Midwifery Office who manage the administration of the Aboriginal and Torres Strait Islander Enrolled Nursing Scholarships (along with all other ACT Government Health Directorate Nursing Scholarships) on behalf of the ACT Chief Nurse and the Aboriginal and Torres Strait Islander Health Unit, Policy and Government Relations; and
- Through the Aboriginal and Torres Strait Islander Health Unit support is given directly to the Yurauna Centre, CIT with advertising and getting the message out to the broader Aboriginal and Torres Strait Islander communities.

ATSIEB: I would be interested to know who is taking them up, where they are and what is going on with it.

In 2011, no applications were received despite a combined advertising effort from the Nursing and Midwifery Office, Aboriginal and Torres Strait Islander Health Unit and the Yurauna Centre, CIT. The two Aboriginal and Torres Strait Islander Enrolled Nursing Scholarships have again been advertised and made available for 2012. The Yurauna Centre, CIT has reported more interest and three potential students have applied for the Scholarship in 2012.

ATSIEB: Is there a person employed as an Aboriginal and Torres Strait Islander Alcohol and Drug Liaison Officer?

The Alcohol and Drug Liaison Officer position was vacated unexpectedly in September 2011. A review of the duty statement was undertaken with consultation of Aboriginal and Torres Strait Islander community members. A recruitment round was undertaken in December 2011. However, recruitment to the position was unsuccessful. Attempts to fill the position are ongoing.

ATSIEB: Is there a person employed as an Aboriginal and Torres Strait Islander Mental Health Liaison Officer?

An Aboriginal person is employed as a Mental Health Liaison Officer. Until last year this position was located at Winnunga Nimmityjah Aboriginal Health Service but due to internal accommodation issues the Mental Health Liaison Officer relocated to new accommodation at Gugan Gulwan Aboriginal Youth Corporation. The worker still works closely with Winnunga Nimmityjah Aboriginal Health Service and their consumers. Mental Health ACT has funded a senior Mental Health Nurse position to work full time at Winnunga Nimmityjah Aboriginal Health Service providing specialist Mental Health treatment, care and expertise. Recruitment to the position will take place as soon as possible.

ATSIEB: Can you explore other models in other jurisdictions relating to an Aboriginal and Torres Strait Islander Mental Health model (identified beds and facilities within the hospital)? If not, is there a plan to look at that issue? How does it support those families to get that rest from looking after our members who have these issues?

The Australian Government is currently developing a National Mental Health Service Planning Framework and is consulting broadly during its development. Mental Health Inpatient beds are provided to treat people who are diagnosed with having an acute serious mental illness.

The Mental Health ACT Acute and Adult Inpatient Unit will provide care, treatment and apply recovery principles and practices for mental health consumers who require short term, intensive therapeutic intervention when less restrictive treatment options have been deemed unsuitable or are unavailable. The service will be consumer centred and the unit will work closely with other health services, organisations and agencies to ensure a comprehensive integrated service is provided.

The Preliminary Model of Care (June 2009) for the service includes the following principle: “respect for consumer and family dignity and their cultural and religious needs”, which incorporates the following actions:

- Staff will deliver services that are sensitive to the social and cultural beliefs, values and practices of Aboriginal and Torres Strait Islander consumers;
- With the consumer’s consent, staff will refer all Aboriginal and Torres Strait Islander consumers to the Aboriginal and Torres Strait Islander Liaison Officers;
- Where necessary, Aboriginal and Torres Strait Islander consumers will be referred to the Alcohol and Drug Service Liaison Officer (Aboriginal and Torres Strait Islander Liaison Officer);
- The Unit will work in partnership with Aboriginal and Torres Strait Islander agencies and organisations in the community such as Winnunga Nimmityjah Aboriginal Health Service;
- Recognition of and privacy for cultural and spiritual practices including provision of a non denominational “spiritual space” within the Unit; and
- Recognition of traditional Aboriginal and Torres Strait Islander family structures.

Consultations were conducted with the following stakeholder groups: Winnunga Nimmityjah Aboriginal Health Service; Gudan Gulwan Aboriginal Youth Corporation, Aboriginal and Torres Strait Islander Elected Body; and United Ngunnawal Elders Council.

Respite services are funded to provide in home and residential support options for carers and families. Carers ACT can be contacted for respite options in the ACT.

ATSIEB: The National Mental Health Reform plans to develop a 10 year plan for mental health. Will there be a section for Aboriginal and Torres Strait Islander mental health care?

The draft national 10 year Roadmap for Mental Health Reform (The Roadmap) details a commitment by governments to a long-term national reform plan for mental health to guide future action and investment across Australia over the next ten years. The Roadmap is a key component of the Australian Government’s *Delivering National Mental Health Reform* package of the 2011–12 Budget.

The Roadmap has been developed with states and territories and informed by input from mental health experts, including mental health consumers and carers, and was released for public consultation during January 2012.

The Roadmap acknowledges the need to improve access, services and reporting for Aboriginal and Torres Strait Islander peoples. Principle eight of the Roadmap recognises the importance of mental health and social and emotional wellbeing as part of closing the gap in Aboriginal and Torres Strait Islander health outcomes.

ATSIEB: What do we have with our local strategy so that ATSIEB can feed into a national strategy so that it comes back through the national planning?

The local mental health strategy 'ACT Mental Health Services Plan 2009–2014' (The Services Plan) involved broad community consultation during its development, including Carers ACT hosting an Aboriginal and Torres Strait Islander consultation. The National Roadmap is being written to give an over arching strategic direction for Mental Health Reform and will guide further implementation of the Services Plan.

Feedback on the National Roadmap can be submitted by email to Roadmap@health.gov.au. The contact person for the ACT is Mr Richard Bromhead, Manager of Mental Health Policy Unit. Mr Bromhead is available to talk with the ATSIEB on National Mental Health issues and various strategies in development.

The Commonwealth is forming a working group to renew the National Aboriginal and Torres Strait Islander Social and Emotional Wellbeing Framework (The Framework). It would be expected that the Commonwealth would release a draft for consultation. Key Aboriginal and Torres Strait Islander stakeholders involved in the development of the Framework and who sit on the Working Group comprises of:

- National Aboriginal and Torres Strait Islander Health Officers Network;
- Stolen Generation Alliance;
- National Sorry Day Committee; and
- National Aboriginal Community Controlled Health Organisation.

ATSIEB: How is this impacting on the Aboriginal and Torres Strait Islander peoples in the ACT? What involvement do we have locally?

There was a public consultation on a draft of the '10 year Roadmap for Mental Health Reform' from 16 January 2012 to 2 February 2012. The Commonwealth requested feedback from individuals, community groups and jurisdictions through an online survey and written submissions.

ATSIEB: Are there any targets on Aboriginal and Torres Strait Islander data that try to meet the needs?

As outlined above, currently there are projects underway to improve identification of Aboriginal and Torres Strait Islander peoples in the Directorate's datasets so that the data collected can be used to more effectively identify health issues and needs for Aboriginal and Torres Strait Islander peoples and therefore target services and programs appropriately.

ATSIEB: Are Aboriginal and Torres Strait Islander peoples accessing the step up-step down facilities for young people and adults? If so what are the statistics? If not, why not?

There is a step up/step down (STEPS) sub-acute residential facility located at Watson for adolescents aged 13–17 years. The adult STEPS is a partnership between Mental Illness Victoria and Mental Health, Justice Health and Alcohol and Drug Services (MHJHADS). Referrals to STEPS are made by Child Adolescent and Mental Health Services (CAMHS)

clinicians and/or medical staff for clients of the CAMHS service who require this type of treatment facility whatever their cultural background.

The statistics are kept by STEPS and are reported to the Mental Health Policy Unit every three months. The current statistic shows that there has been one consumer who has identified as Aboriginal and/or Torres Strait Islander person through the programme.

ATSIEB: What are your plans to connect people up in a way that does not get to a crisis point and to support people out of hospital so that they can move back into their community?

The Health Directorate through their Health Services have funded six Aboriginal and Torres Strait Islander Liaison Officer positions.

Canberra Hospital Aboriginal and Torres Strait Islander Liaison Service

The Canberra Hospital Aboriginal and Torres Strait Islander Liaison Service works with the patient, multidisciplinary team and Social Work Services to establish a clear and comprehensive discharge plan to support patients back into the community.

Canberra Hospital Social Workers are mainly responsible for linking patients to appropriate personal care, household support services and other specialised services identified and agreed upon with the patient. Where possible the Liaison Service will link with specific Aboriginal and Torres Strait Islander services, especially in the health field.

Presently Aboriginal and Torres Strait Islander Liaison Officers are unable to offer direct follow up post-discharge due to the demands of the inpatient load, though in complex situations Aboriginal and Torres Strait Islander Liaison Officers will endeavour to check that arrangements made for discharge have been adequate.

In the future, Canberra Hospital Aboriginal and Torres Strait Islander Liaison Service aims to provide a follow up to patients within two days after discharge to ensure services and supports are in place.

Calvary Health Care ACT (CHC ACT) Aboriginal and Torres Strait Islander Liaison Service

An Aboriginal person was employed in August 2011 as the Aboriginal and Torres Strait Islander Liaison Officer. The Aboriginal and Torres Strait Islander Liaison Officer is involved in designing and implementing specific care enhancements and initiatives, and is guiding the organisation through informed and appropriate cultural changes.

These initiatives include:

- Visiting all Aboriginal and/or Torres Strait Islander patients on a daily basis, undertaking liaison with outside services such as Winnunga Nimmityjah Aboriginal Health Service to link patients with programs, and will also contact any family members in accordance with patient requests;
- All Aboriginal and/or Torres Strait Islander patients receive a follow up telephone call;
- Aboriginal and /or Torres Strait Islander patients attending a Pre Admission Clinic are

phoned to ensure that they know the date and time for the appointment and that they have transport to and from CHC ACT;

- Assistance with public transport vouchers are provided to Aboriginal and/or Torres Strait Islander patients to attend CHC ACT;
- The CHC ACT Chief Executive Officer, Adjunct Professor Ray Dennis, and the Calvary Director of Mission, Ms Maria Egan, will support the Aboriginal and Torres Strait Islander Liaison Service in developing an Aboriginal and Torres Strait Islander Cultural Awareness module which will be part of the CHC ACT Mandatory Training Program and be a foundation element of the broader development of a Reconciliation Action Plan (The Plan); and
- CHC ACT has made initial contact with Reconciliation Australia to commence the formulation of a Reconciliation Action Plan. As the Plan develops it will be incorporated in CHC ACT's Operational and Strategic Planning framework.

ACT Medicare Local Closing the Gap and Care Coordination and Supplementary Services (CtG/CCSS)

ACT Medicare Local CtG/CCSS program aims to contribute to a reduction in presentations to hospital in crisis circumstances. It also offers assistance to Aboriginal and Torres Strait Islander peoples post-discharge by providing all Community Services in the ACT with the opportunity to refer service users to access CtG/CCSS when service users meet the following eligibility criteria;

1. Are of Aboriginal and/or Torres Strait Islander descent;
2. Are 15 years and older (under review to include children under the age of 15); and
3. Are presenting with a condition that has lasted or will last for longer than 6 months.

The CtG/CCSS team can assist Aboriginal and Torres Strait Islander peoples to access timely and financially supplemented allied health services and specialists. This can consist of although are not limited to physiotherapists, dieticians and nutritionalists, podiatrists, occupational therapists, osteopaths, speech pathologists, cardiologists, audiologists, personal care assistants. The CCSS program can assist with providing the patient with coordinated care through the use of an Aboriginal and Torres Strait Islander outreach worker, a registered nurse, a social worker or an Aboriginal and Torres Strait Islander care coordinator.

These care coordinators can walk beside patients to assist them in managing all aspects of their health journey, from working with the patient's General Practitioner or Practice Nurse, to developing a care management plan. Coordinators assist the patient to access prompt and affordable health care across the patient's health journey, which may include addressing health related factors such as housing, mental health, financial stability, and referral to other agencies that can further assist.

This program is an invaluable way in which Aboriginal and Torres Strait Islander peoples can be empowered to actively engage with the primary health sector, while developing ways to self-manage their own health needs.

ATSIEB: We would like to have a look at the Statement of Intent signed by Winnunga Nimmityjah Aboriginal Health Service and former Chief Minister Jon Stanhope and how the ATSIEB can work with Winnunga Nimmityjah Aboriginal Health Service.

The Closing the Gap Aboriginal and Torres Strait Islander Health Equality Summit Statement of Intent was signed by representatives from Winnunga Nimmityjah Aboriginal Health Service, former ACT Government Chief Minister Jon Stanhope and a representative from the Close the Gap Steering Committee. The Statement of Intent is available for viewing through Winnunga Nimmityjah Aboriginal Health Service.

Consideration could be given by ATSIEB to the development of a partnership agreement with Winnunga Nimmityjah Aboriginal Health Service. It is recommended that the ATSIEB contact Winnunga Nimmityjah Aboriginal Health Service directly regarding ways in which the two bodies can work together.

NOTES

ATTACHMENT A

Mr Rod Little
Chairperson
Aboriginal and Torres Strait Islander Elected Body

Dear Mr Little

Justice and Community Safety Directorate Programs Update

I would like to take this opportunity to, once again, provide the Elected Body with an update of the Justice and Community Safety Directorate's program of activities for 2012. We wrote to you in December to tell you what we were doing to address the issues you raised at Estimates. While we have met and discussed many of the issues, the purpose of this letter is to ensure you have been formally updated on the status of each item.

Aboriginal Justice Agreement

As you know, the Aboriginal Justice Agreement (Agreement) is a key priority for the Directorate in 2012–13. However it is important that the Directorate, in consultation with the Elected Body, obtains feedback from key stakeholders. Information collected during this process will assist in establishing a template for the new Agreement. The Elected Body's input into this important process will be invaluable and will ensure the Directorate remains focussed on delivering measurable outcomes for the local Aboriginal and Torres Strait Islander community.

A Report Card on the Agreement was tabled in the Legislative Assembly in the August 2012 sittings, reporting its successes and making a number of recommendations for the next Agreement.

The current Agreement contains 105 Action Items, with a total of 89 of these having been completed. A further 12 are on track to be completed. I anticipate all Action Items, with the exception of 1, will be completed by the end of 2013.

Justice Reinvestment

Justice reinvestment approaches have been promoted in the Australian context as a mechanism to address the over-representation of Aboriginal and Torres Strait Islander people within our justice systems. In terms of their development however, justice reinvestment strategies tend to focus on specific locations rather than ethnicity. Any impact on specific ethnic groups occurs as a consequence of co-location in high-crime areas. Due to the disproportionate rates of offending and victimisation within Aboriginal and Torres Strait Islander communities, any action to address these issues will consequently have a significant impact on Aboriginal and Torres Strait Islander people.

The new Property Crime Reduction Strategy 2012–15 takes a justice reinvestment approach, as does the Shine for Kids program run at the Alexander Maconochie Centre on a trial basis. The Directorate is committed to continuing with Justice Reinvestment approach to addressing the high incarceration rates of Aboriginal and Torres Strait Islander people in the ACT.

Aboriginal and Torres Strait Islander Employment Strategy

I am pleased to report that the Directorate launched an Aboriginal and Torres Strait Islander Employment Strategy in June 2012. We have set targets across the Directorate to meet our commitments. A sign of our commitment is the recent appointment of 5 new trainees, who commenced employment within the Directorate in July 2012.

I am confident this number will increase with the official signing of an Employment Strategy, which will focus on recruitment, retention and training of Aboriginal and Torres Strait Islander people.

Reconciliation Action Plan

The Directorate established a Reconciliation Action Plan Working Group, responsible for developing and implementing a Reconciliation Action Plan.

Under the RAP1 the Directorate is committed to:

- Building respect and understanding of Aboriginal and Torres Strait Islander culture and people;
- Raising awareness of issues faced by Aboriginal and Torres Strait Islander people; and
- Increasing and improving engagement with the Aboriginal and Torres Strait Islander community in relation to justice issues and services.

I'm pleased that the Directorate will continue to undertake appropriate consultation and collaboration with Aboriginal and Torres Strait Islander people to shape programs, services and activities in ways which address Aboriginal and Torres Strait Islander people's needs.

Respect, Equity and Diversity Program

The Respect, Equity and Diversity (RED) Framework articulates an action plan for the Directorate to address diversity challenges and as a mechanism for evaluating progress. To achieve this, the Directorate has implemented activities identified in the Frameworks Action Plan including:

- Establishing a RED Contact Officers' Network;
- Providing policy and process to eradicate workplace bullying and other forms of harassment; and
- Providing RED awareness and related training.

The Framework also includes workforce statistics relevant to respect, equity and diversity that assist in identifying workforce challenges for the ACTPS. It also supports the development of specific employment strategies for people with disabilities and for Aboriginal and Torres Strait Islander people.

As at June 2012, a total of 319 executives and managers had attended Respect, Equity and Diversity Awareness sessions which also covered Bullying Prevention and Management Training. 281 staff attended Respect, Equity and Diversity and Workplace Bullying and Harassment Awareness sessions. This training will remain a focus in the coming period.

Criminal Justice Quarterly Statistics Profile

The Criminal Justice Quarterly Statistics Profile (CJSP) provides a quarterly update of trends in recorded crime offences in the Australia Capital Territory. The CJSP contains data for the previous three months from ACT Policing, ACT Law Courts and ACT Corrective Services, including juvenile justice data.

The data provides an indication of the varying levels of crime in the ACT for Government, relevant government agencies and the public.

The CJSP shows trends in the major crime categories. The offences reported are for those where the number of recorded crime incidents is a reliable indicator of the actual incidence of the offence. The five year trends are calculated by adding the recorded crime incidents over the last four quarters.

My Directorate has, in consultation with you, taken steps to improve the data breakdown to increase Aboriginal and Torres Strait Islander status. I understand Directorate staff have provided a briefing on the latest CJSP data to the Elected Body. I hope you found the profile to be useful and practical for the Elected Body.

ACT Corrective Services

As outlined in my previous letter to you, ACT Corrective Services continues to provide support services to Aboriginal and Torres Strait Islander clients through a range of programs, as listed below.

- Relationships Australia—Counseling services
- Winnunga Nimmityjah Social Well:-Being Program
- Aboriginal and Torres Strait Islander Staff
 - Indigenous Services and Cultural Diversity Senior Policy Officer
 - AMC Indigenous Case Manager
 - AMC Indigenous Liaison Officer
 - Indigenous Probation and Parole (2 staff)
 - Indigenous Programs Officer
 - Indigenous Official Visitor (2 year term)—appointed by the Minister for Corrections

Restorative Justice Unit

As you are aware, the restorative justice process complements and enhances the traditional criminal justice response in dealing with an offence through a conference that brings together the victim and offender, each with support people, under the facilitation of a neutral conference convenor.

A six month trial involving the referral of all eligible Aboriginal and Torres Strait Islander youth to restorative justice commenced in May 2011. The initiative between The Restorative

Justice Unit and ACT Policing (ACTP) involved matters referred as a diversion as well as matters where charges had been laid. The initiative was developed to respond to the over representation of Aboriginal and Torres Strait Islander youth in the criminal justice system and the lower number of referrals, participation rates and compliance with agreements among Aboriginal and Torres Strait Islander youth compared to non-Indigenous youth.

The initiative resulted in a 100% (24 compared to 12) increase in the number of offenders referred to restorative justice compared to the same period (May-November) in 2010. Of the 24 offenders referred, 12 went to the conferences and 12 agreements were formed during the conferences. Of the 12 agreements, 10 are completed, and two agreements are still at monitoring stage. The trial recommenced in May 2012 for a further 12 month period. The involvement of the Indigenous Guidance Partner in initiating contact with young people referred as part of the trial has assisted in an increased understanding and benefits of restorative justice within the Aboriginal and Torres Strait Islander community.

Galambany Court Coordinator and the Indigenous Guidance Partner positions are located within the RJU.

Indigenous Guidance Partner

The role of the Indigenous Guidance Partner is to provide guidance and assistance to young Aboriginal and Torres Strait Islander people who are referred to or involved in restorative justice. The position supports the 'closing the gap' between the participation rates and agreement compliance rates for Aboriginal and Torres Strait Islander youth referred to the RJU compared to non-Aboriginal and Torres Strait Islander youth.

Galambany Court

The Galambany Court addresses offending behaviour within a culturally sensitive framework that recognises the ongoing disadvantage experienced by many Aboriginal and Torres Strait Islander people in the criminal justice system. Aboriginal and Torres Strait Islander Elders and panel members sit alongside the Galambany Court Magistrate to assist in the sentencing process.

The Directorate developed an options paper that canvasses a range of options to strengthen the operations of the Galambany Court in 2010. The Aboriginal and Torres Strait Islander community provided feedback on the options paper in 2011–12, through extensive consultation coordinated by the Aboriginal Justice Centre. A report on the outcome of the consultation was provided to the Directorate and a copy was recently forwarded to the Elected Body.

As the Aboriginal and Torres Strait Islander Justice Agreement notes, we have had some success, but there is still work to be done in this important area. I am committed to reducing the high level of incarceration of Aboriginal and Torres Strait Islander people in our gaol and I recognise the importance of the Aboriginal Justice Agreement in achieving this.

Yours sincerely,

Kathy Leigh
Director General
Justice and Community Safety Directorate
29 August 2012





