

‘MUTUAL OBLIGATION’, ‘SHARED RESPONSIBILITY’ AND ‘MAINSTREAMING’ IN INDIGENOUS AFFAIRS

The Howard Government’s [decision to abolish ATSIC](#), the national representative Indigenous body, and return all Indigenous-specific programs and funding to mainstream departments, represents a massive about face in Indigenous affairs away from self-determination as the basis of Commonwealth policy. It takes Indigenous affairs policy back to the 1960s.

Without consultation with Indigenous people, the Government has pressed ahead with sweeping changes to Indigenous policy and service delivery under its policy doctrine of "mutual obligation" and "shared responsibility".

So what are these changes and what do they mean?

Shared Responsibility Agreements

The lynch pin of the mainstreaming policy is [shared responsibility agreements \(SRAs\)](#), based on the concept of 'mutual obligation', that is, placing conditions on the provision of Indigenous funding. These ad hoc agreements between local communities and government are modelled on the unevaluated 'whole of government' service delivery trials (these are also known as COAG [Council of Australian Government] trials).

Beyond the fact that SRAs make Indigenous program funding conditional on behavioural change and other commitments from local communities, there is no clear outline of what SRAs actually are. The Government argues SRAs will give local communities more say in targeting Indigenous spending - that they are a "bottom up" approach. However, evidence presented to a Senate Select Committee and from Ministerial statements indicate that SRAs are ad hoc agreements that will be applied in an ad hoc way.

Indigenous leaders and others have criticised the policy basis for SRAs, particularly the lack of policy and program coordination and the loss of Indigenous self-determination and participation that has resulted from increasing mainstream control.

Indigenous Coordination Centres

SRAs take the place of co-ordinated policy and program delivery previously provided through the Indigenous controlled structures of ATSIC regional councils. SRAs will be negotiated by new Indigenous Coordination Centres (ICCs) which replace the abolished ATSIC Regional Councils as structures for coordinating Indigenous service delivery. ICCs are staffed by bureaucrats from mainstream agencies.

After the ATSIC Regional Councils wind up on 30 June, bureaucrats will have total responsibility for all aspects of Indigenous programs. It has been said that this will now sheet responsibilities home and that under-performing departments and governments can no longer hide behind ATSIC – or as Democrats Senator Aden Ridgeway has said, "...they will not have ATSIC to kick around anymore."

Loss of Indigenous experience and participation

Unfortunately in this process, extensive bureaucratic and cultural experience in Indigenous program and service delivery is being lost, as many former ATSIC and ATSI staff are being straight-jacketed into their new departments rather than encouraged to bring their ATSIC experience to the job. Decades of expertise and administrative culture developed successively through the federal Department of Aboriginal Affairs (DAA), the Aboriginal Development Corporation (ADC) and then ATSIC is being discarded.

At the same time, there is no evidence to support Government statements that the process of mainstreaming is a genuine "bottom up" approach. In fact, without national or regional Indigenous-controlled representative organisations, Indigenous communities are denied effective representation at these levels, restricting their ability to contribute to policy formulation as well as to public debate or to challenge the Government over Indigenous policy changes. They have been made mere spectators in the determination of their own futures.

Other 'mainstreaming' changes

In addition to the new mainstreaming arrangements at the macro level, the Government is also proposing to increase mainstream involvement in particular Indigenous programs. An example is the introduction of 'competitive tendering' for Indigenous-specific services, such as legal aid, which to date has been delivered by a network of specially set up Aboriginal legal services (ALSs). These ALSs have Indigenous staff, provide culturally sensitive services and have developed close links with local communities. Competitive tendering involves opening the delivery of Indigenous legal services to tender, including to non-Indigenous law firms, arguing that efficiency and improving access are priorities. However, in the tendering process, criteria such as the ability to provide culturally-sensitive services, the employment of Indigenous staff, and reducing detention in custody are not given priority. The Government's tendering criteria also raise the prospect of restricting legal support to those already convicted of certain crimes, such as violent assault.

Critics argue that the changes represent a reduction in Indigenous participation in and control of the delivery of legal services, loss of Indigenous capacity to provide such services, and the prospect of culturally-insensitive and otherwise inadequate Indigenous legal services.

Another area of flagged change is with the Community Development Employment Program, or CDEP, which is an Indigenous work-for-the-dole scheme. The CDEP scheme was previously managed by ATSIC but has been transferred to the Department of Employment and Workplace Relations (DEWR). The Government has announced an intention to change the scheme, arguing it is more often a dead end rather than a stepping stone to a job. However, Indigenous communities, denied a voice or role in the changes, are concerned that without sufficient jobs and training places, CDEP changes could have negative impacts on Indigenous communities.

Killing off self-determination

The above has outlined some of the ways that Indigenous participation in and control over their lives is being reduced through the mainstreaming changes of the Howard Government. At the same time there is no evidence that the changes will improve Indigenous policy and service delivery but many indications that they will not only fail to significantly improve outcomes, but negatively impact on individuals and communities.

These changes have been made without Indigenous consent. Indigenous Australians have been disenfranchised by removing their national and regional elected representative bodies.

The real fear of many has been realised: there has indeed been a structured plan to kill off Indigenous self-determination. The Government calls it a quiet revolution: ANTaR calls it assimilation by stealth.

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Further information

ANTaR Fact Sheet: *Shared responsibility agreements – A critique.*
http://www.antar.org.au/mutual_oblig.html

ANTaR Fact Sheet: *2005-06 Federal Budget: Indigenous spending analysis*
<http://www.antar.org.au/budget05-06.html>

Government information on the new changes
http://www.oipc.gov.au/About_OIPC/new_arrangements/default.asp