

Evaluating Shared Responsibility Agreements: *Whose Responsibility?*

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Overview

The main vehicle for current federal government Indigenous policy in Australia is the 'Shared Responsibility Agreement'. These agreements enable communities to obtain government funding for specific projects which provide specified benefits to the community. At the same time the community is required to provide something in return. Much discussion has ensued about the type of agreements entered and their long-term value for communities. In particular questions have been raised about how the success of these agreements will be evaluated. However one crucial question is rarely asked: how will the government, the other partner in each agreement, be evaluated? Already there have been complaints that government has not fulfilled its side of the agreement in a timely way, though expecting the Indigenous community to fulfil its side of the agreement irrespective of this delay. An examination of history shows that this is not a new pattern.

This paper evaluates some previous initiatives where governments and Indigenous communities have reached agreement on programs. The analysis will focus on the extent to which governments have abided by their side of the agreement and acted to facilitate the achievement of the objectives of the selected initiatives. From this analysis, some suggestions are made regarding how the government side could be evaluated in relation to SRAs.

SRA's: What are they?

In April 2004 the Federal Government announced 'new arrangements' for Indigenous Affairs. These arrangements involved the abolition of the Aboriginal and Torres Strait Islander Commission (ATSIC) and its service delivery arm, Aboriginal and Torres Strait Islander Services (ATSIS). Instead, a 'whole of government' approach was to be instituted, under which responsibility for the delivery of Indigenous programs would be shared by relevant government departments. The emphasis was to be on 'flexibility and regional service delivery':

The new approach involves setting priorities at a regional level, and negotiating agreements with Indigenous families and communities at the local level. Central to

this process is the concept of ‘mutual obligation’ or ‘reciprocity’ for service delivery. (Arabena 2005, p7).

This approach built on the 2000 agreement of the Council of Australian Governments (COAG) ‘to work together – a whole of government approach - to improve coordination and delivery of services in Indigenous communities’. In 2002, COAG further agreed ‘to work in partnership with Indigenous communities to support them find and manage sustainable solutions to local problems’. Subsequently trials were established in a number of communities to give effect to the concept of ‘Shared Responsibility’, defined in April 2002: ‘responsibility for the condition and well-being of Indigenous communities is one shared by the community, its families and individuals and with governments - this is being called Shared Responsibility.’ (www.indigenous.gov.au/coag/coag_initiative.html)

A major mechanism for achieving ‘mutual obligation’ is the Shared Responsibility Agreement. According to the Office of Indigenous Policy Coordination:

SRAs are agreements that spell out what all partners—communities, governments, and others—will contribute to help bring about good long-term changes.

SRAs start with ideas from the community on what changes you want to make and how they will be done. They will build towards the kind of future your community wants for your children and grandchildren...

SRAs will develop over time. As this happens, what government funds are spent may also change so that communities get the results they need. (www.oipc.gov.au, accessed 27/07/2006)

An Indigenous Communities Coordination Taskforce (ICCT) was established and developed a template for SRAs, which includes the objectives of SRAs for governments and communities; these objectives include to:

- establish partnerships and share responsibility for achieving *measurable* and sustainable improvements for people living in the community;...
- *learn* from a shared approach - *identify* what works and what doesn’t and *apply lessons* to future approaches both at the community level and more broadly. (cited in McCausland 2005, p23, emphasis added)

This clearly implies that SRAs will be subjected to on-going evaluation against pre-determined measures and that the approach will be adjusted to take account of the findings of such evaluations. However, to date there is little evidence that such a program has been implemented, as will be discussed further below.

Some examples from History

Underlying the philosophy of ‘mutual obligation’ and ‘shared responsibility’ is a conception of Indigenous communities and individuals being somehow responsible for the disadvantaged state in which they now find themselves, that it is due to their *lack* of responsibility in the past. Before looking at some SRAs and the criticisms directed at them, a brief review of some history will be conducted. This will show that this is not the

first time that Indigenous Australians have attempted to be responsible for their own futures and have not received the needed support from government.

Coranderrk

In an attempt to establish a self-supporting station, in 1863 the Kulin Aborigines of Victoria negotiated a grant of land at Coranderrk near Healesville. They wanted to live on their own land, working for themselves, in short doing what the colonists wanted them to do – settle down and not be a drain on the public purse. However, despite early success, during which they used their own money and resources to establish a thriving farm and community, a parsimonious government would not provide sufficient support to enable on-going success. The Government made a number of decisions to the detriment of the station including draining the station of all profit while refusing to pay the workers for their labour. The station eventually failed and the Aborigines were blamed. Failure at Coranderrk added weight to calls for removal of Aborigines to reserves. This ‘solution’ to the ‘Aboriginal problem’ was soon adopted by other colonies.

Ngukurr

For the second example it is necessary to skip 100 years forward, as the intervening period was one where Aboriginal people were under the paternalistic ‘protection’ era when governments, without input from Aborigines, made all the decisions about how Aborigines were to be treated and how they were to behave. For example while it was under Christian mission control the residents of Ngukurr, then Roper River Mission, were strictly disciplined, all aspects of their daily lives being under the control of the missionaries. They were forced to attend church and eat in communal mess halls and the children had to sleep in dormitories separate from their parents, all in the name of ‘Protection’. From this experience, Aborigines were supposed to learn to be good citizens, fit to take their place in white society (Taylor, Bern & Senior 2000; Bern 1972; Arabena 2005).

Towards the end of the Protection era, during the 1960s, the missions were taken over by governments. The Aboriginal residents of Roper River Mission wanted to take the opportunity to consolidate their identity as a community by increasing their autonomy from European domination. Under the Mission, a Station Council had been established, with equal numbers of non-Indigenous and Indigenous members. Its express purpose was to educate Aborigines to accept responsibility; this was also pursued through relaxing some aspects of discipline, such as giving Aborigines control over expenditure and allowing them to buy and prepare their own food. The Aborigines, with the support of the mission, wanted an increase in autonomy and to take over rights to the mission land. However, as Bern has stated: ‘For the government, Ngukurr was another settlement to be fitted into the general pattern of settlement administration’ (1972, p215). What little power the Aborigines had through the Station Council was taken over by the government, as was the land, when it assumed control of Ngukurr in 1968. ‘Formulation of policy, major administrative decisions, and finances were controlled directly by the head office of the Northern Territory Welfare Branch in Darwin and by the Department of Interior in Canberra (Taylor, Bern & Senior 2000, pp10-11).

In 1972, Ngukurr became the first Northern Territory community to receive a pastoral lease but the community paid with restrictive government management and control of the lease. Their equity and autonomy have only ever been partially granted. Some level of autonomy was restored with the establishment of the Ngukurr Township Association in the mid-1970s and of a Council in 1988. Until 1974 Aboriginal workers were paid a training wage of about one-third of the basic wage. In more recent times, most workers were part of CDEP employment projects, thus meaning that reliance on public funding remains (Taylor, Bern & Senior 2000, p12).

Summary so far

The thrust of government policy from colonisation to the 1960s was for Indigenous Australians to *improve*, become ‘civilised’, ‘assimilate’, in short to relinquish their culture and adopt the dominant European one. Always this has been despite Aboriginal wishes. When Coranderrk people wanted self-sufficiency and Ngukurr people wanted autonomy and land, Governments provided only limited support and in effect acted to *prevent* these goals from being achieved. This was as true in the early days of colonisation as in the period immediately following the referendum of 1967. From this point of view, governments have *created* the disadvantage that Indigenous people now suffer.

The question now is have government actions since the 1970s served to redress the wrongs of the past. Space is not available here to thoroughly examine over three decades of history. Instead, this question will be approached by examining recent SRAs to see what they can tell us about the success or failure previous government policies.

Evaluating SRAs

The SRAs so far negotiated cover a wide range of activities. The examples chosen for examination here were selected randomly, but cover a range of issues typical of the breadth of activities which are the subject of SRAs. In the following, the selected SRAs are examined in relation to their content and the degree to which this reflects previous government action/inaction. This analysis will enable some tentative conclusions to be drawn about SRAs as a gauge of past Government policy in relation to Indigenous individuals and communities.

Mulan

The Mulan community was part of the COAG trials and has had two previous SRAs. This agreement is headed ‘Economic strength and healthy kids’ and is summarised on the Government website:

Under the third SRA the Australian Government is funding the installation of fuel bowsers both for the convenience of the community and to cater for tourists visiting nearby Lake Gregory (Paruku). More tourist stops will allow the community to benefit from related businesses such as arts and crafts, cultural tours, camping and bird watching.

To improve the health of their children, families have been working to ensure kids shower and wash their faces on a daily basis. This has already led to reduced rates of trachoma. Families are also making sure their kids get to school, crèche or the health clinic on time. Families are reducing rubbish around their homes and the community corporation is focusing on getting rents paid on time, to fund better home maintenance and more regular waste removal and pest control. (<http://www.indigenous.gov.au/sra.html#states>)

The implication of this agreement is that Indigenous people could have prevented the children's eye health problems and they could have had economic development, if only they'd taken responsibility for doing so. No account is taken of the environmental causes of trachoma, its virtual absence from non-Indigenous communities and the ease of treating it given proper facilities and support. Instead, Indigenous parents are blamed. At the same time, petrol bowsers are to be provided to the community. In this case no account is taken of previous attempts to gain funding for such infrastructure, funding which had been refused until the untenable connection was made between child health and economic development (McCausland 2005).

The need for this agreement illustrates the failure of previous government policy to provide economic opportunity through the provision of infrastructure (petrol) or health services to a reasonable standard. The content of the agreement also indicates the different standards applied to the provision of services to Aboriginal communities compared with non-Indigenous communities, where rubbish removal and such services are provided by local governments funded by rates and government funding. Contrary to the implications of the SRA, the absence of these services reflects more on government neglect than on Aboriginal irresponsibility.

Emu Point

The summary of this SRA, headed 'Working Towards Self-Sufficiency', on the government web site states:

The Emu Point community wants to become self-sufficient by developing a stockyard and market garden, as well as maintaining traditional harvesting of bush tucker.

The SRA will provide labour and materials to complete the cattle fence and provide a water supply. The local land council is providing start-up stock and CDEP participants will learn how to run the stockyard and maintain the garden.

To support these activities and promote early childhood development, the Australian Government will also fund a new child-care facility. Community elders will work with young people to develop stock-handling skills and art and craft skills. They will also ensure cultural knowledge is passed down to the next generation.

A new state school will soon be built for the growing community at Emu Point. As part of the SRA, the community will participate in the school and child-care councils and families will make sure kids go to school. (<http://www.indigenous.gov.au/sra.html#states>)

In fact, clearly the elders of this community already have the stock work skills needed to teach the children. The community has lacked stock and a water supply to enable this project to be implemented, small measures to help a community to move back towards self-sufficiency. The community also currently lacks a school and other educational infrastructure normally provided to communities. This reflects badly on governments and calls into question the success of the long term policy of educating Aboriginal children to take a place in Australian society, a policy used to justify removing Aboriginal children from their country and their families. In addition it begs the question of the nature, cultural appropriateness and quality of the education offered to Aboriginal children, assuming instead that the irresponsibility of parents is the root cause of poor attendance rates, despite all evidence to the contrary.

Brewarrina

Two SRAs have been agreed with the Brewarrina Aboriginal community. The first, entitled 'Homemaking Skills for Women' is summarised on the web site as follows:

The SRA creates opportunities for the women of Brewarrina to work and learn homemaking and craft skills and provide healthy food to schoolchildren...

The community will rent premises for a women's centre, that will provide a safe environment, a support network and an opportunity to learn new skills. Home wares will be produced (such as curtains, quilts, sheets and soft furnishings) and eventually arts and crafts. The home wares will be used in local houses and may become the basis for a business as the centre expands to include facilities such as a laundromat.

The women will also run the school canteen, learning skills in food handling and financial management as well as providing healthy food to the children.

Governments will support this project by providing capital and start up costs, funding equipment, providing training through TAFE, and providing free rent and electricity for three months for the school canteen. (<http://www.indigenous.gov.au/sra.html#states>)

Similar issues as those noted for Emu Point apply to this SRA. During the many years Aborigines were largely confined to pastoral work, the women's role was usually to provide domestic services to the property owners or managers. In the decades since the 1967 referendum and the end of the Protection era, it seems that both the source of income and the skills of Aboriginal women have been lost. This implies a failure of policy over the ensuing decades, leaving Aboriginal people in a position where they in effect have to beg for simple measures which could have been implemented at a much

earlier time. A question which needs to be asked here and in relation to other SRAs is why is there now a need for training when an ostensible reason for incarcerating Indigenous Australians in reserves for so long was to train them to take a place in Australian society? This sort of SRA points to a failure of policy not only during the Protection era but in the ensuing decades.

The second Brewarrina SRA is summarised under the heading 'Community Bus and Parks' as follows:

The Aboriginal community in Brewarrina want to overcome their isolation by more regular contact with groups outside the town. They also want venues for healthy family activities...

These two... SRAs are providing a community bus for transport of sports teams and community groups, and two parks (at Barwon Four and Brewarrina West). The parks will have seating, BBQs and shaded areas for community/family outings.

The community will provide lockable storage for the bus, devise and enforce bus travel rules, and develop a hire schedule for use of the bus covering the costs of petrol, drivers and maintenance.

Community members have committed to driver training and regular cleaning and maintenance of the bus. They will also contribute time and resources to camping/cultural trips and safe sporting activities. Residents, either as volunteers or CDEP workers, will build and maintain the parks, and hold community activities there. They will remove litter and work to prevent vandalism. The Australian Government is funding purchase of the bus and the upgrade of the parks including the installation of irrigation. (<http://www.indigenous.gov.au/sra.html#states>)

This is one of the few SRAs where information is available on the government's fulfilment of its side of the agreement. In a recent episode of Background Briefing on ABC Radio National the following conversation took place between the presenter and the head of the Brewarrina Working Party:

Lorena Allam: *The Brewarrina Working Party drew up a list of its needs five years ago, and that's what they wanted to talk about. Top of the list was a community bus.*

Jenny Barker: *We identified that we need a bus, it was our No.1 priority. We don't expect the government to keep propping us up.*

Lorena Allam: *And what was the bus going to be for?*

Jenny Barker: *It was going to be for the trips away that our kids, for sport, for number one, we have a lot of talented children here with sport, but we can't take them away to compete because we don't have transport for them. People can't get away to any activities or any social outings, because we need the bus.*

Lorena Allam: *When was the bus proposal put up to the government? How long ago was that?*

Jenny Barker: *2004. We are now in 2006 and still haven't got the bus. It's taken us two years to get a bus through the SRA. Let's get it right and make things happen, that's all we ask, you know. It's a partnership, so come on!*

Lorena Allam: *Background Briefing has established that funding for a bus has now been approved, but there is no time frame for its delivery.* (Background Briefing 12 March 2006, transcript available at www.abc.net.au/rn)

It's clear here that it is the government, not the community, that is failing to meet its obligations under the SRA in a timely manner. Another similar case of failure by governments was reported in the National Indigenous Times in 2005. The Murdi Paaki region, of which Brewarrina is part, was promised installation of air conditioning units in up to 200 community owned houses. The state government proposed to provide about \$2 million in funds and technical support while communities were responsible for creating programs that would focus on school attendance and encourage young people to participate in community clean ups and family violence workshops. Two years later, despite the community working hard at fulfilling all of its obligations, not a single air conditioner had been installed (NIT November 2005). In addition, it is worth noting that the parks sought by the community are to be built and maintained by volunteers or CDEP (work for the dole) participants. This again draws attention to the difference between local government services provided to non-Indigenous communities and employing fully paid workers, and those Indigenous communities are expected to provide for themselves.

Palm Island

The Palm Island community has often been in the news for its social and other problems. It has agreed an SRA entitled 'Our Horses, Our Responsibility':

Palm Island is home to a large population of horses, and the community wants to learn more about caring for them.

The SRA will provide for the construction of horse yards and purchase of a horse float, and the development of animal-control bylaws. The Palm Island Aboriginal Shire Council (PPIASC) is providing land for the yards and stables and will take up its responsibilities for animal management and welfare, including an animal registration system.

The local CDEP is providing labour for clearing and yard construction. The sports and recreation officer will develop a horse-carers' training program. Other animal-welfare training options will be explored.

The Australian and Queensland Governments are funding the facilities. The Australian Government is also providing an animal control officer to work with PIASC over the next 12 months to help the council meet its responsibilities under the SRA.

Families and individuals will collect materials for construction and help in building the yards. They will form a horse carers' group to work with visiting volunteers, train in horse management, commit to improved horse care and ensure that neglect and abuse of the horses are no longer accepted.

This SRA is part of a strategy to build capacity and stability in the Palm Island Community. (<http://www.indigenous.gov.au/sra.html#states>)

Given Palm Island's history as a virtual prison for recalcitrant Aborigines removed from reserves for misbehaviour, and as the home of Aboriginal workers who successfully took their claim for unpaid wages to the Queensland Anti-Discrimination Commission, it is curious that the government appears to be blaming the Aborigines for their lack of facilities. In fact Aboriginal people have been renowned for their skill with horses. The horses have been there for some time but the facilities have not. Even now, the local community is made responsible for providing materials, indicating the continuing parsimony of governments when it comes to supporting worthwhile initiatives in Indigenous communities.

Some Criticisms

Apart from the points noted above about SRAs as a reflection of the failure of previous government policies, a range of people have criticised SRAs more directly. Ruth McCausland has pointed to the 'enormous power imbalance [between government and community] embodied in such agreements' which 'shift the notion of government responsibility for provision of basic services and infrastructure that it has to all citizens, and makes such responsibilities conditional on certain behavioural or other changes in the community'. She also notes that there are 'no accountability mechanisms in place if governments do not live up to their commitments'. She warns that 'such policy serves to shift perceptions of responsibility for existing problems and lack of progress solely to Indigenous communities themselves' (2005, p28).

Indigenous leaders critical of SRAs include former senator Aden Ridgeway who stated: 'In this system the Government gives with one hand and slaps with the other... [it has the] potential to turn into blackmail with the Government withholding essential resources until communities fall into line' (cited in McCausland 2005, p9). Former Social Justice Commissioner of the Human Rights and Equal Opportunity Commission Mick Dodson stated: 'What are the obligations from government, what are they doing? All the obligation seems to be on the community. There's nothing really mutual about this' (cited in McCausland 2005, p10). The current Social Justice Commissioner, Tom Calma, stated in his 2005 annual report in relation to SRAs:

When a Shared Responsibility Agreement makes Indigenous peoples' access to core minimum human rights entitlements (such as safe drinking water, essential medicines, sanitation, primary health care) conditional on behavioural changes it is potentially in breach of human rights.... It should be noted that a SRA may still breach human rights if: it provides a benefit that is over and above essential

services; if it is provided in a manner that is discriminatory; or that makes addressing existing inequalities contingent upon the completion of mutual obligation principles. ... Establishing benchmark data and rigorous monitoring are required to make sure governments are transparent in all actions and decisions relating to SRAs - it is important to find out if SRAs are improving the lives of Aboriginal and Torres Strait Islander peoples who live in the communities affected by the SRAs. (HREOC, Social Justice Report 2005, Fact Sheet 2)

So far no such evaluations appear to have been done. However, already the government is talking of expanding the coverage of SRAs and of the 'mutual obligation' principle. On 28 December 2004, the *Australian* reported that in future some Aboriginal communities' access to CDEP places would be contingent on communities fulfilling certain responsibilities:

Under the plan, mutual obligation requirements – such as asking parents to ensure their children attend school – will be expanded. A community could be asked to ensure their children shower daily and attend to other health issues in exchange for CDEP places. Kevin Andrews was quoted as saying: 'It's an extended form of mutual obligation. The whole commonwealth arrangement with indigenous communities will be via a shared agreement.' (McCausland 2005 pp33-34)

Some small hope of revision of this misguided policy was provided on 16 June 2006 when the current Federal Minister responsible for Indigenous Affairs, Mal Brough ordered a review of all 100 SRAs so far in place: 'I just want to ensure that the mutual obligation aspect is being fulfilled, *also* that the Government's commitment to the particular initiatives are *also* rolled out appropriately', he said (ABS News On-Line 16 June 2006, emphasis added). However evaluation of government contributions is an obvious afterthought or lower priority of this review, as implied by the double 'also' highlighted in the above. Clearly once again the Aboriginal communities will be the focus of his review. Thus the question remains, *who will evaluate government and how?*

Conclusion

It is clear from the foregoing that the emphasis of government policy is still on Aboriginal people 'improving' to show they deserve the level of services and facilities the rest of us take for granted. No account is taken of the role of governments in first causing and then perpetuating the disadvantage of Indigenous communities. Instead, in the pattern set generations ago, Aboriginal people are provided inadequate support, are rarely consulted about matters which affect them, suffer the consequences of government inaction, misguided action and parsimony, and are then blamed for those consequences. SRAs and 'mutual obligation' are simply the latest manifestation of this pattern. At the same time, SRAs serve to illustrate successive governments' failure to adequately resource Aboriginal communities or ensure they have equitable access to the services and facilities.

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