Consultation Paper

Service delivery in remote and discrete Aboriginal and Torres Strait Islander Communities

MARCH 2017
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Inquiry into service delivery in remote and discrete Aboriginal and Torres Strait Islander communities

The Queensland Productivity Commission has been asked to examine what the Queensland Government spends on services to remote and discrete communities. The aim of the inquiry is to identify what works well to improve outcomes for remote and discrete Aboriginal and Torres Strait Islander communities, and why; and what could be improved.

Have your say

Make a submission

You are invited to make a submission on matters raised in the Consultation Paper, or other matters relevant to the terms of reference.

Submissions can be made in a number of ways — from a short letter detailing your views on a particular matter to a more extensive submission covering a range of issues.

Submissions are due by close of business 2 June 2017. They can be lodged online or via post:


Service delivery in Indigenous communities
Queensland Productivity Commission
PO Box 12112
George St QLD 4003

Submissions will be treated as public documents and published on the Commission’s website. If your submission contains genuinely confidential information, please provide the confidential material in a clearly marked separate attachment.

Register your interest

You can register your interest to ensure you receive our email alerts on key developments including release of reports, call for submissions and details of public consultation.

Contact us

Enquiries regarding this project, including making arrangements to meet with the team can be made by telephone (07) 3015 5111 or online at http://www.qpc.qld.gov.au/contact-us/

Key dates

Terms of Reference
16 December 2016

Consultation paper released
March 2017

Due date for submissions
2 June 2017

Release of the draft report
August 2017

Further consultation
Until October 2017

Final report submitted to the Government
30 November 2017
The role of the Commission

The Queensland Productivity Commission provides independent advice on complex economic and regulatory issues, and proposes policy reforms. The Commission’s goal is to increase productivity, drive economic growth and improve living standards in Queensland.

Wide-ranging, open and transparent public consultation underpin the Commission’s functions.

The Commission is an independent statutory body established under the Queensland Productivity Commission Act 2015.

The Commission’s work encompasses four key streams:

- public inquiries into matters relating to productivity, economic development and industry in Queensland, as directed by the Treasurer
- research and advice on matters beyond the formal inquiry function
- advice and guidance to government departments on the quality of regulatory proposals
- investigation of competitive neutrality complaints about state and local government business activities.

The Commission operates independently from the Queensland Government. Its views, findings and recommendations are based on its own analyses and judgments.

The Commission has an advisory role. This means it provides independent advice to the government that contributes to the policy development process — but any policy action will ultimately be a matter for the government.

After undertaking a public inquiry, the Commission provides a written report to the Treasurer, who must provide a written response within six months. Following this, the Commission publishes the Final Report.
1 About the inquiry

Background

Around 40,000 (20 per cent) of Indigenous Queenslanders live in remote and discrete Aboriginal and Torres Strait Islander communities (Queensland Government Statistician’s Office, 2016).

Investments by governments, the private sector and not-for-profit organisations significantly affect the lives of people living in these communities. The Queensland Government plays a central role, delivering policies, programs and services across child and family services, health, education and training, employment, housing, community safety, native title, and land management.

Many innovative and successful programs have been implemented by, and for, Aboriginal and Torres Strait Islander communities, but the community outcomes for some programs and services have not met expectations.

The Queensland Productivity Commission has been asked to review and report on government investment in remote and discrete communities to identify what works well, and why, with a view to improving outcomes for Aboriginal peoples and Torres Strait Islander peoples.

What has the Commission been asked to do?

The terms of reference for this inquiry asks us to identify how available resources can be best used to improve outcomes for communities. We have been asked to investigate and report on five key areas:

1. Levels and patterns of government investment and how these change over time
2. Interactions between investments made by all levels of government, non-profit organisations and third party service providers
3. The range of service delivery programs and whether there is duplication or a lack of coordination across programs
4. An evaluation of the design and delivery of existing Government services in improving outcomes for remote and discrete Indigenous communities
5. Best practice approaches for evaluating the effectiveness and efficiency of service delivery

The full terms of reference is available in Attachment A.

Our approach

The scope of the inquiry is broad, covering all services delivered to remote and discrete communities.

The Commission is seeking views on the scope of the inquiry and evidence from all stakeholders on the issues covered by the terms of reference.

In setting the scope of the inquiry, a range of factors will be considered.
The challenge of determining causality — attributing change to a policy, program or service — is considerable, particularly when all levels of government, the private sector and community organisations deliver a complex web of interrelated services. The unique characteristics of individual communities and people add an extra layer of uncertainty to the effects of services and how they are achieved.

In addition, the inquiry needs to account for, and not replicate, the many reviews that have previously been undertaken or are underway by governments, academics and not-for-profits.

Given the potential breadth of issues, it is unlikely to be feasible to provide an in-depth assessment of every policy or program. The Commission proposes to focus on the framework for service provision into communities, and the governance surrounding this. Particular areas will be examined in greater detail where they build an evidence base for what does and does not work.

As the inquiry will make recommendations to the Queensland Government, the primary focus will be on Queensland Government policy and expenditure. However, the inquiry will examine Commonwealth and local government activities to the extent that they interact with the investment and objectives of the Queensland Government, and for lessons learned.

The Commission is guided by the terms of reference and the principles underpinning the Queensland Productivity Commission Act 2015, which focus on productivity, economic growth and improving the living standards of Queenslanders. In considering factors and making assessments, we adopt a community-wide view that extends beyond the interests of particular individuals or groups.

Stakeholder participation

The Commission operates a public inquiry model, underpinned by open and transparent consultation, and seeks to provide all interested parties with a range of opportunities to contribute.

This Consultation paper has been prepared to assist individuals and organisations to prepare submissions to the inquiry. Visits will be undertaken across the state to talk with the community leaders, government service providers and residents. We are seeking comment and information on all issues which participants consider relevant to the inquiry’s terms of reference.


Structure of this paper

Section 2 describes key characteristics of Queensland’s remote and discrete Aboriginal and Torres Strait Islander communities.

Section 3 sets out a high level structure for assessing the performance of current arrangements, as well as perspectives on good practice principles that are important when considering the design and delivery of services for Aboriginal peoples and Torres Strait Islander peoples.

Based on the framework set out in section 3, the remainder of the paper sets out the key matters the Commission is seeking feedback on.

Section 4 examines the service delivery environment in remote and discrete Indigenous communities, expenditures and drivers. The section discusses the assessment of service delivery, as well as coordination, levels of service response and economic development.

Section 5 discusses the division of roles and responsibilities between the Australian, Queensland and local governments, and whether the current delegation of decision-making powers is effective and efficient.
Section 6 considers a range of issues related to funding arrangements and how they influence the effectiveness and efficiency of service delivery. It discusses the reliance of remote and discrete Indigenous communities on external grant funding, along with implications for control, flexibility, user choice and financial sustainability.

Section 7 sets out some issues to improve evaluation efforts to inform program design, and incentivise quality and efficiency of service delivery.
2 Queensland’s remote and discrete Aboriginal and Torres Strait Islander communities

This section defines and highlights key characteristics of Queensland’s remote and discrete Aboriginal and Torres Strait Islander communities.

What are remote or discrete communities?

Remote communities: those communities within the area defined as ‘remote’ or ‘very remote’ under the Australian Bureau of Statistic’s Standard Geographical Classification Remoteness Structure (Appendix B).

Discrete communities: a bounded geographical location inhabited predominantly by Aboriginal peoples and Torres Strait Islander peoples with housing or infrastructure owned or managed on a community basis (Box 1). See Appendix C for a list of discrete communities.

There are more than 40 discrete communities, most of which are considered remote. In addition, there are a number of Aboriginal and Torres Strait Islander communities in remote locations that are not discrete.

Box 1 The discrete communities — historical context

Most discrete communities in Queensland are former missions established on land gazetted as reserves for the use of Aboriginal and Torres Strait Islander peoples during the late 1800s.

Missions were run under the guidance of the Aboriginals Protection and Restriction of the Sale of Opium Act 1897. It allowed for the forced removal of Aboriginal peoples from their lands and gave designated ‘Aboriginal Protectors’ control over most aspects of daily life. This included the administration of employment, wages and bank accounts.

Most historical accounts of missions suggest they were underfunded and overcrowded. Indigenous cultural activities and languages were actively discouraged and men, women and children were often housed in separate dormitories.

The history and extent to which Indigenous culture and self-determination were impacted appears to have varied considerably from community to community.

In 1966, Aboriginal councils were established by regulation that gave communities limited government powers. An Aboriginal Advisory Council and an Island Advisory Council, composed of chairs from the Aboriginal and Island Councils, were established by the Aborigines Act 1971 to advise the responsible Minister on matters relating to Aboriginal and Islander affairs.

In 1982, the Land Act (Aboriginal and Islander Land Grants) Amendment Act 1982 was passed enabling government to grant land in trust to Aboriginal and Torres Strait Islander peoples. This allowed reserves held by the State to be transferred to Aboriginal and Torres Strait Islander Councils under a Deed of Grant in Trust (DOGIT).

From January 2015, new rules gave communities the option to convert some of their communal lands to freehold. Conversion of land to freehold provides ownership rights to the land, including the ability to sell, lease or use the land as security to borrow against.

Sources: State Library of Queensland, 2016; Frankland, 1994; Department of Aboriginal and Torres Strait Islander Partnerships, 2016; Queensland Government, 2016.

Figure 1 provides a snapshot of the size and location of remote and discrete communities and some key indicators for these communities.
Figure 1 A snapshot of remote and discrete communities

20% of Queensland’s Aboriginal and Torres Strait Islander population live in remote or very remote parts of the state.

There are over 40 discrete communities in Queensland, ranging from around 50 people to just over 2,700.

A lack of economic opportunity in remote areas means only 41% of young adults are engaged in work or study.

33% of Aboriginal and Torres Strait Islander people living in remote Australia suffer high or very high levels of psychological distress.

Around 40% of Aboriginal and Torres Strait Islander households in Queensland’s remote and discrete communities live in overcrowded housing.

The data suggests the majority of residents of remote & discrete communities:

- Are not victims or perpetrators of crime
- Actively engage with the labour market
- Do not have a drinking problem
- Regularly participate in social & cultural events
- Report high levels of overall life satisfaction
Outcomes in remote and discrete communities

Wellbeing is a concept that can be used to support an assessment of quality of life. There is no single accepted indicator of wellbeing. Rather, community level outcomes are measured using partial indicators such as educational attainment, arrest rates, employment and health indicators.

The Australian Bureau of Statistics National Aboriginal and Torres Strait Islander Social Survey (NATSISS) provides the most comprehensive measures of community wellbeing; however, because the populations in remote regions are so small, remoteness data are only available at the national level. Data from this survey (Figure 2) show that Indigenous Australians living in remote regions are more likely to suffer from overcrowding, but that report good health and identify to a greater extent with a clan tribe or language than their counterparts in less remote parts of the country.

Figure 2 Indicators for Indigenous Australians by remoteness

![Figure 2 Indicators for Indigenous Australians by remoteness]

Source: ABS (2016).

Box 2 It matters how outcomes are reported — Deficit thinking and reporting

Aboriginal people and Torres Strait Islander people in remote and discrete communities are often viewed through the lens of the problems facing their communities. While these communities have very real health, economic and social issues, there is growing recognition that the use of ‘deficit language’ stereotypes Aboriginal and Torres Strait Islander identity in a negative way (Gorringe et al. 2011).

In this context, it is important to recognise that most Indigenous Australians are actively engaged in meaningful social and cultural activities, are educated and are seeking or participating in economic activity (ABS 2016). Many current and former residents of remote and discrete communities are highly educated, participate in the mainstream economy, deliver services in their communities or lead the way for others to follow. And many have a strong commitment to language and cultural activities — around 40 per cent of Aboriginal and Torres Strait Islander people living in discrete communities speak an Indigenous language (ABS 2016).
Data show that, broadly speaking, outcomes in discrete and remote communities in Queensland are significantly worse than for Indigenous Queenslanders in the rest of the state (Figure 3). Moreover, outcomes for Indigenous Queenslanders are generally worse than for non-Indigenous Queenslanders.

**Figure 3 Selected indicators for Indigenous Queenslanders¹**

![Bar chart showing selected indicators for Indigenous Queenslanders.](image)


The data imply there are significant differences in wellbeing between each of the remote and discrete communities (Figure 4).

While the Torres Strait region has health, economic and social issues they are trying to address, the indicators for Torres Strait communities are better than in other communities. For example, reported offence rates in the Torres Strait are less than one-third of the rates observed in mainland discrete communities. Educational attainment rates are high, unemployment is low and the rate of youth engagement with work or study is high despite the geographic isolation of many Torres communities.

**Figure 4 Selected indicators for Torres Strait and mainland discrete communities¹**

![Bar chart showing selected indicators for Torres Strait and mainland discrete communities.](image)


¹ Offences against the person include the offence categories of assault, sexual offences, homicide, robbery, and other offences against the person. Offence rates are age standardised rates and do not include rates for Indigenous populations outside of the discrete communities. Youth engagement with work or study is the proportion of 18–24 year olds who are participating in full or part-time work or study. The indicator for overcrowding measures the proportion of households that have at least 2 more persons than there are bedrooms.
Aboriginal peoples and Torres Strait Islander peoples in remote areas outside of discrete communities also appear to achieve better outcomes than those living in discrete communities. Excluding the Torres Strait, those outside of the discrete communities are more likely to be employed, less likely to live in overcrowded housing and more likely to attain a year 12 education (ABS 2011).

Local context is important for understanding the differences between remote and discrete communities, making direct comparison difficult. These differences may be due to a range of factors including historical influences, demographic factors, isolated incidences and/or on-the-ground measurement issues.

**Are things improving?**

There is little publicly available data that can be used to demonstrate whether outcomes have meaningfully improved over time in Queensland’s remote and discrete Aboriginal and Torres Strait Islander communities. The data that are available suggest that progress has been mixed.

The Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) has published levels of reported offences against the person for selected communities over the period from 2001. These figures show that offence rates have not changed since 2001 for these communities (DATSIP 2015). However, these results need to be interpreted with caution, as local context can distort them. Also, recent efforts to encourage greater reporting of offences may mask changes to actual offence rates.

The Australian Early Development Census (Australian Government 2016) indicates improvements in developmental outcomes since 2009 in some communities, such as Yarrabah and the Torres Strait, while in other regions this trend is not evident. Again, the early childhood results need to be interpreted with caution, since they are based on small sample sizes and do not provide coverage across all communities.

More broadly, the Productivity Commission’s recent Overcoming Indigenous Disadvantage report (SCRGSP, 2016) shows that outcomes for all Indigenous Queenslanders have been mixed. Some outcomes, particularly those relating to early childhood development and economic participation, have shown significant progress, while others have remained static or deteriorated — increases in incarceration rates are particularly noticeable for Queensland.
3 A high-level framework for assessing service delivery

This section outlines a high-level framework for assessing the performance of current arrangements, and some perspectives on good practice principles for service delivery.

All services are delivered under a policy, governance and funding structure (Figure 5). How appropriate and well-established this architecture is directly affects the effectiveness and efficiency of programs and services, and the level of accountability for public monies. As a result, any assessment of service delivery should consider how well these three elements support performance improvement.

**Figure 5 Policy, government and funding framework**

Overlaying these broad issues, the literature suggests there are a range of good practice principles that are important when considering the design and delivery of services to Aboriginal and Torres Strait Islander communities (Box 3).
Box 3 Good practice service delivery — perspectives on what works

- A ‘bottom up’ approach to program design and decision making that incorporates community ownership and leadership
  - Decisions made locally by the people most directly affected by them (Hunt, J 2016)
  - Approaches tailored to the local situation and realities on the ground (Chaney 2013)
  - Incorporating the cultures and world views of Indigenous peoples (Cunningham 2009)
  - Balance the talking with the doing (Higgins 2005)
- A focus on outcomes, with a common purpose to improve the connections between people and services (Leigh 2008)
- A governance and legislative framework that allows sufficient authority to do what has to be done (Chaney 2013)
- Employment of Indigenous workers within service delivery improves accessibility (Bainbridge et al. 2015; Chaney 2013)
- A focus on building community governance rather than on reporting to senior bureaucrats (Australian Government 2014)
- Ongoing government support (human, financial and physical resources) (SCRGSP 2016b)
- Cooperative approaches between Indigenous people and government—often including the non-profit and private sectors
- Cross-sectoral participation in the design of community services (Queensland Council of Social Service 2013)
4 Service delivery to remote and discrete Aboriginal and Torres Strait Islander communities

Governments deliver a wide range of services to remote and discrete communities, including education and training, health care, public safety, mental health services and disability support services. Services also include basic services such as drinking water, town planning, electricity supply and maintenance of road networks. Publicly funded services may extend to include the kinds of services that are normally delivered by the private sector, such as the operation of general stores.

The terms of reference asks us to make recommendations to improve the effectiveness and efficiency of these investments in achieving social, cultural, economic and environmental outcomes for Aboriginal and Torres Strait Islander people.

To address this aspect of the inquiry, we would like to know:

- the levels of expenditures on service delivery in each community, either directly or indirectly
- how these expenditures translate into services delivered on the ground
- whether services are effective in achieving outcomes and whether there are other ways that could achieve better outcomes
- the factors, if any, that are constraining the ability of service providers to meet best practice
- the factors, if any, that are hindering the effective coordination of service delivery, and the actions that could be taken to improve the coordination of service delivery
- whether sufficient attention is given to intervention and prevention, and the factors that might hinder the implementation of preventative measures.

The service delivery environment

Services are provided by all levels of government

Services for remote and discrete Aboriginal and Torres Strait Islander communities that are funded or delivered by the Queensland Government exist within a complex web of services, programs, policies and agreements. The effectiveness of any single service is heavily influenced by other services being delivered and the policies, agreements and institutions that govern service delivery.

All levels of government are involved in service provision in some way. This may be through the direct provision of mainstream services (such as health, police and road maintenance) and Indigenous-specific services, or through the provision of funding for third party providers. A range of non-government organisations are also active in remote communities, often attracting significant levels of non-government funds (Figure 6).
Expenditures

This inquiry has been asked to report on the levels and patterns of government investment to remote and discrete Aboriginal and Torres Strait Islander communities in Queensland, including key drivers of expenditures and how these have changed, and are likely to change, over time.

The Queensland Government makes large investments in service delivery to remote and discrete communities. However, little information is available at the community level.

In 2012–13, the Queensland Government spent approximately $4.2 billion (2015–16 dollars) on services for all Aboriginal peoples and Torres Strait Islander peoples across Queensland (Figure 7). This compares to $43.4 billion for non-Indigenous Queenslanders (SCRGSP 2016a). In per capita terms, this equates to just over $21,000 for each person of Aboriginal and Torres Strait Islander origin in the state, just over double the amount spent for each non-Indigenous person ($9,743) (SCRGSP 2016a).

The Federal Government spends an additional $3.7 billion, or $18,751, for every Indigenous Queenslander (SCRGSP 2016a). This compares to $12,665 for every non-Indigenous Queenslander.

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At the time of writing there is no comparable data available for expenditure across Queensland’s remote and discrete communities.
The main factors driving differences in the level of expenditure for Indigenous and non-Indigenous Queenslanders are:

- The Aboriginal and Torres Strait Islander population in Queensland:
  - has a much younger age structure than the non-Indigenous population (Queensland Government Statistician’s Office 2016). This changes demand for services such as early childhood and education
  - are more likely to be located in remote or very remote regions, where the cost of service delivery can be very high. For example, a recent study found that, on average, the cost of food is more than 50 per cent higher in remote communities than in capital city supermarkets (Ferguson et al. 2016).

- Service delivery expenditure can vary where there are significant levels of disadvantage. As discussed in the previous sections, Aboriginal and Torres Strait Islanders living in remote
communities tend to suffer from poorer health, have lower education levels and have less income than their counterparts in the rest of the state.

Data from the Productivity Commission suggest the majority of the difference in the expenditure on services provided to Indigenous and non-Indigenous Queenslanders is attributable to greater intensity of service use (around two-thirds of the difference). The remainder of the difference can be attributed to differences in the costs of service provision (Figure 8).

**Figure 8 Breakdown of differences in per capita expenditures on Aboriginal and Torres Strait Islander persons in Queensland**

Higher expenditure in remote communities, therefore, does not mean that there are more or better services in these communities. It may simply reflect that service provision is more costly to provide (including that service provision may be less efficient than it could be).

**Assessing service performance**

This inquiry has been asked to examine whether services are improving outcomes for remote and discrete Aboriginal and Torres Strait Islander peoples and identify any actions that would better achieve outcomes. The Commission would like to hear about your experiences of service performance, including the factors you think contribute to this performance, and your suggestions for what could be done to improve things — particularly for those services that were not included in a current or recent review.

The following section, which builds on the high-level framework presented in Section 3, examines how services are performing.

**Service assessment**

A stylised assessment process is presented in Figure 9. The process provides a way of assessing service performance — both in the way it is designed and the way it is delivered.
Figure 9 A stylised process for assessing service delivery

Source: Adapted from ABS (2010); Edwards, M (2004); Queensland Treasury (2014); Urban Institute (2008).

Design

Best practice service delivery involves designing programs and services around a program or investment logic that clearly identifies the policy issue and considers how it could be best addressed. The supporting analysis should demonstrate how the program’s objectives are expected to be met by the proposed actions and benefits realised, and how past policy learnings have been incorporated into program design. Short-run and long-run consequences should be considered, including the potential for unintended impacts. Ideally, a program logic will be underpinned by evidence, but where this is unavailable or unreasonable (for example due to time constraints), there should still be a good rationale or theory for action (Banks 2009).

More broadly, the program logic should demonstrate:

- a case for government intervention, including that the government intervention is likely to do more good than harm
- the right level of government to intervene
- the range of options or instruments that could be adopted to address the policy issue and deliver the identified benefits.
Effectiveness, efficiency and equity are three overarching dimensions of best practice service delivery.

Effectiveness

Effectiveness refers to how well a service is achieving its objectives — is the service working and is it reaching the right places and people? Are the benefits being achieved?

Understanding whether services are effective can be complicated — for example, it may be difficult to demonstrate that a program has changed outcomes if these will occur over a long time. Similarly, there is the challenge of isolating the impact of a service from the multitude of other factors contributing to outcomes, as well as accounting for any unintended impacts.

Effective programs are likely to be:

- accountable — including clear mechanisms of accountability to service clients
- accessible — including aspects of community access, timeliness, affordability, language and culture
- appropriate — consistent with policy objectives, suitably targeted to their intended cohort, and avoiding under-servicing or over-servicing.

Efficiency

Efficiency refers to how well inputs are combined over time to provide services that produce the outcomes that the community values most (Productivity Commission 2016). The concept of efficiency is typically considered in a number of different ways:

- For a given outcome, is the program or service delivered at the lowest possible cost? (technical efficiency).
- Is the program or service being delivered to the areas of greatest need and does it provide the things that clients or communities value the most? (allocative efficiency).
- Is the program or service responsive to change and being continually improved (for example, by taking on board the latest technology or new ways of doing things)? (dynamic efficiency).

In a policy/service delivery context, the aim is to identify the efficient option — the service/policy that results in the highest net benefit (benefits minus costs) to the community.

Considerations for assessing efficiency might also include whether there are sufficient incentives for providers to improve the cost effectiveness of providing services of the type and quantity that users need and want.

Administration and compliance effort might also be a key factor impacting the efficiency of service delivery. For example, a common complaint amongst service providers is that grant funding can create a high administrative burden on organisations, diverting energy and time away from service delivery:

*The combination of administrative and fiscal fragmentation and notions of accountability stemming from ‘new public management’ reforms has resulted in Indigenous organisations becoming subject to often unsustainable administrative requirements and burdens. This problem is fuelled by the volume of grants that are often small and short-term in nature. Organisations are therefore caught in a continuous cycle of applying for, and reporting against, grants that have often been provided for very specific purposes with only limited allowances for the administrative requirements that accompany them. This approach to funding perpetuates a sense of funding insecurity, often resulting in organisations committing significant human resources to playing the ‘funding game’. The overburden report (Dwyer et al., 2009), also noted the underutilisation of data by the departments that collate them; and importantly, the overemphasis on corporate aspects of reporting while neglecting to collate evidence regarding meaningful and substantive change or outcomes. (Moran et al., 2014, p. 11)*
Equity

Equity is about how resources and services are distributed between individuals and communities. How well is the service aligned with the requirements of the community, including those with special needs or difficulties in accessing government services? Equity is concerned with achieving outcomes, and recognises that people face a wide range of challenges — meeting these needs may not be achieved through a one-size-fits-all response.

Assessing equity includes consideration of whether funds are allocated to communities and individuals based on need, whether services are delivered in an impartial manner (that is, without making a judgement of client needs in the absence of robust evidence), whether there are sufficient feedback mechanisms to ensure that service delivery can respond to client needs, and local/cultural perspectives on what determines whether the provision of a service is equitable.

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Issues that affect service performance

Coordinating service delivery

At the highest level, the National Indigenous Reform Agreement (COAG 2016) outlines objectives and outcomes (such as the Closing the Gap targets) sought by Indigenous service delivery and the roles and responsibilities of the Commonwealth and state governments.

The Australian and Queensland governments cooperate on a range of other reform agendas that impact on the way services are delivered across Queensland’s remote and discrete communities — for example, the Cape York Welfare Reforms developed in a partnership between the Cape York Institute, the Australian and Queensland governments and five Cape York communities.

In many communities, a large number of programs and services are provided to relatively small populations. For example, Coen has 40 separate service providers, delivering around 70 services and programs to a
population of just over 350 people, of which 310 are Indigenous Queenslanders (Queensland Government 2017; Queensland Government Statistician’s Office 2016).

The large numbers of grants, programs and service providers can make it difficult to effectively coordinate service delivery:

Notwithstanding the commitment to whole-of-government coordination to adopt place-based approaches to planning and service delivery, the political and interdepartmental barriers to pooling resources and coordinating governments and agencies have proven difficult to overcome. This has resulted in problems with implementation and inefficiencies as highlighted by a Department of Finance and Deregulation (DFD, 2010:13) review.

Program management and service delivery remains fragmented rather than coordinated, with weak linkages even within agencies, let alone across them. The multitude of separate disconnected programs runs contrary to the need for flexibility of service delivery, most obviously in remote locations, and creates a surplus of unnecessary red tape … Significant efficiencies could be gained by pooling expertise and coordinating efforts in areas where individual agencies are currently ‘doing their own thing’. (Moran et al., 2014, p. 11)

The mechanisms currently in place to coordinate the delivery of services in remote and discrete communities can be seen as case-based or place-based.

Case-based approaches to service delivery are emerging to coordinate the complex needs of many of the residents of remote and discrete communities. For example, the welfare reforms, under the auspices of the Family Responsibilities Commission and working with wellbeing centres in welfare reform communities coordinate services for identified at-risk individuals.

There are several place-based mechanisms for coordinating service delivery. In the Torres Strait, the Regional Authority (TSRA) has responsibility for coordinating activity and has undertaken an extensive service-mapping exercise to identify and close service gaps. In other regions, various measures have been put in place to improve service delivery coordination. The most significant policy attempts at service coordination are perhaps the National Partnership Agreement on Remote Service Delivery (NPARSD), although this approach seems to have achieved mixed results (Australian Government 2014).

DATSIP plays an important role in place-based service coordination, employing a network of regional directors to assist with service delivery coordination. The Queensland Government has also reintroduced the Government Champion program where Ministers and their departmental CEOs are partnered with individual communities.

Questions

How effective are the current arrangements for coordinating service delivery in remote and discrete communities?

Are there examples of service duplication or service gaps in remote and discrete communities?

What could be done to improve coordination?

Which factors impede effective coordination of service delivery?

Do those responsible for coordination have sufficient delegated powers to fulfil their role effectively?

Are there examples where coordination is done well? If so, how?

Is there anything else you want to tell us that you think is important about service delivery coordination? Please expand.
Response, management, prevention and early intervention

Services can address social problems at different stages. They may:

- respond to a problem (for example, by arresting people who are causing problems through alcohol)
- manage a problem (for example, by enforcing alcohol restrictions)
- prevent the problem from occurring in the first place (for example, by managing the social issues that lead to problem drinking).

Preventative measures invest in future outcomes. They may cost more in the short run, but if they are effective, they can provide significant savings both in terms of future expenditures on response and management, but also on future levels of social harm.

Effective social services investment is about investing, innovating and planning for the future. It recognises that issues are often complex and entrenched and outcomes may take many years to achieve. Through a greater focus on prevention and early intervention, individuals, families and communities are assisted earlier to reduce long term harms and disruption to their lives, as well as avoid higher intensity and costly interventions. Crisis support is provided to those most in need to assist them to rebuild and take greater control of their lives and re-engage with their community. (Queensland Treasury, 2013, p. 4)

Although an emerging body of research on what does and does not work is available, there are few long-term evaluations of the effectiveness of early intervention and prevention programs in Indigenous settings (AIWH 2013; Dudgeon et al. 2014; Higgins & Davis 2014).

There have been criticisms that insufficient attention has been given to preventative measures in remote and discrete Aboriginal and Torres Strait Islander communities. For example, it is commonly cited that the Queensland Alcohol Management Plans have paid insufficient attention to managing the root causes of problem drinking (Clough & Bird 2015). Similarly, it is known that early intervention and prevention is critical for improving outcomes in child protection, but it has been argued that not enough is being done in communities to prevent child abuse or harm from occurring in the first instance (Wild & Anderson 2007).

However, it is not clear if this is due to lack of will, or whether there are difficulties in delivering effective preventative strategies in these communities. For example, despite available funding, Queensland Health has been unable to recruit suitably qualified mental health professionals to assist young people at risk in Aurukun:

Child Youth and Mental Health services in Aurukun continue to be a concern in terms of their capacity to provide specialist mental health services including case management and therapy for local children and adolescents exhibiting complex mental health issues including psychosis, mood disorders and reactions to trauma. The Commission worked closely with DOTSI this year to develop a plan to bring relevant parties together in an effort to provide more effective service provision for the youth of Aurukun. To date little progress has been achieved. (FRC, 2015, p. 52)

Economic development

The lack of economic opportunities in remote and discrete communities has long been recognised as an important factor contributing to the lower levels of living standards observed in many of these communities (Cape York Institute 2007; Hudson 2008; Hughes 2005). Economic opportunity is likely to increase incentives to pursue self-improvement (including education), reduce disadvantage, improve health outcomes and reduce dependence on government-funded services (Henry 2007).

Services delivered into communities can influence economic development either directly or indirectly.

Many services funded or delivered by the state and federal governments are directly targeted at improving economic development. Many of these initiatives are outlined in the state government’s Moving Ahead strategy, which includes initiatives to increase the number of Aboriginal and Torres Strait Islander Queenslanders working in government, procurement policies and skilling programs.
Services may also indirectly affect economic development. This may be because they create:

- incentives that encourage or discourage individuals from participating in economic activity — for example, it has been argued that the former Community Development Employment Programs (CDEP) had actively discouraged recipients from engaging in real work opportunities (Hudson 2008)
- barriers to employment — for example, it has been argued that Alcohol Management plans have given some otherwise law-abiding residents a criminal record, making it more difficult from them to find work
- an environment unsuitable to economic activity — stakeholders have raised concerns that the lack of staging of government-funded capital works, and a uncertain funding over the long term, results in boom and bust conditions in remote communities, creating a reliance on outside contractors

Services themselves are an important source of economic opportunity in remote and discrete communities. In many communities, they may be one of the few sources of local employment for residents, and they may provide career pathways and provide opportunities for Indigenous role models to encourage youth engagement with study and work. For this reason, it may be possible to leverage economic opportunities from service delivery through preferential employment, preferential procurement policies or other forms of government support.

Even so, such policies have the potential to create a range of unintended consequences. For example, preferential procurement policies have recently been linked to ‘black-cladding’ (where businesses effectively pretend to be Indigenous), creating incentives for firms to ‘play the game’ rather than compete and undermining legitimate, competitive Indigenous businesses by creating an un-level playing field (Hudson 2016a).

The Commission would like to understand how service delivery affects economic development in remote and discrete communities, if there are ways that existing services could be better used to leverage economic opportunity and the extent to which government policies may have unintended consequences.

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<thead>
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<th>Questions</th>
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<tr>
<td>Are there priority service areas that you think should be assessed?</td>
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<td>Can you provide examples of service delivery that is working particularly well? Do you think the lessons learned could be useful for service delivery elsewhere?</td>
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<tr>
<td>Do you think sufficient attention is given to early intervention and prevention? How effective are current preventative measures? Are there impediments that hold back the implementation of effective preventative measures? How could these be addressed?</td>
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<tr>
<td>Could existing services be used to better leverage economic opportunities for remote and discrete communities? To what extent might this compromise service delivery or have other unintended consequences?</td>
</tr>
<tr>
<td>Is there anything else you want to tell us that you think is important about response, management, prevention, early intervention or economic development? Please expand.</td>
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Other issues complicating service delivery

Service delivery in remote and discrete communities is complicated by some issues that are not directly covered by the terms of reference. These issues will be considered to the extent that they impact on service
delivery, and the extent that the Queensland Government can take practical steps to address them. Land tenure is a key example.

Land tenure impacts on service delivery by:

- affecting the ability of service providers to provide essential services and construct roads

- preventing or delaying housing construction and contributing to overcrowding, exacerbating many of the social problems services are trying to address

- stifling economic development and limiting the opportunities available for Aboriginal peoples and Torres Strait Islander peoples to move out of poverty and dependence on government-funded services

The Queensland Government plays an active role in land tenure resolution. For example, the Cape York Peninsular Tenure Resolution program aims to change the tenure of selected properties to Aboriginal freehold land, to better allow this land to be used for economic purposes. The state also plays a role in assisting the negotiation of Indigenous Land Use Agreements, helping to provide surety for native title holders and other interested parties.

Although land tenure issues have clear implications for service delivery, resolving these issues may not be straightforward, particularly where native title is yet to be resolved. Further, land tenure issues may be affected by Commonwealth and state legislation, which is outside of the scope of this inquiry. Nevertheless, we want to understand how land tenure impacts on service delivery and if there are any opportunities to improve outcomes.

Questions

Are there actions that the Queensland Government could take to expedite the resolution of land tenure issues affecting service delivery in remote and discrete communities?

Are there any other issues not directly covered by the terms of reference that have a significant effect on service delivery? Please expand.
Good governance is important for effective service delivery. It provides the foundation to allow effective decision-making, make clear roles and responsibilities and help ensure that information is passed between service users, providers and funders.

To understand the effectiveness of service delivery and how it may be improved, we are interested in:

- The extent to which the division of roles and responsibilities between the Australian, Queensland and local governments is appropriate for service delivery in remote and discrete communities
- Whether the current delegation of decision making powers regarding service delivery is appropriate
- The extent to which communities and individuals are able to use local governance arrangements to voice their preferences, concerns or needs
- Whether government services, programs and institutions are well-governed and what could be done to improve things
- What things are impeding or helping to improve governance in Indigenous organisations involved in service delivery
- The extent to which community level governance is effective in influencing and improving service delivery and what could be done to improve things
- The extent to which government decisions have eroded or developed local governance capacity
- Whether existing governance arrangements are effective and efficient, and what should change

Roles and responsibilities

The financing of programs and services and the institutions that guide them (including Indigenous councils) is influenced by the broader context of Australia’s system of federal financial relations. When considering the appropriate split of responsibilities, two principles to consider are:

- subsidiarity principle — decision-making should reside at the level of government closest to where the benefits and costs occur, to facilitate greater local input and better customisation of services to suit local preferences
- fiscal equivalency — the beneficiaries, and those operating and funding services, should share a similar geographic boundary as this will help avoid under-provision or over-provision of services.

The Australian Government has become more heavily involved in service provision in remote and discrete Aboriginal and Torres Strait Islander Communities, reflecting a trend for greater federal involvement across a broad range of policy areas. The involvement occurs through a range of mechanisms including the direct provision of programs and services, the funding of non-government bodies, and through funding for lower levels of government (such as occurs through National Partnership Agreements).

This has resulted in the Australian Government and Queensland Government often being active in the same policy spaces. The data show that there is a significant overlap of expenditures, particularly in relation to the funding of Indigenous specific programs (Figure 10). At the same time, there is also a push for greater
community-led initiatives, such as are outlined in Empowered Communities, which would significantly change existing roles and responsibilities (Empowered Communities 2015).

**Figure 10 Overlap in mainstream versus Indigenous-specific expenditure, 2012–13**

Source: SCRGSP (2014).

There are different views on whether the overlap of roles and responsibilities between the Australian and state and territory governments results in good outcomes or not. Some of the problems are:

> Shared roles and responsibilities increase the risk of administrative duplication and overlap and result in higher administrative costs, blurred accountability, opportunities for cost shifting, a reduction in the efficiency, effectiveness and equity in the delivery of services and ultimately, services not being provided in a manner that improves the wellbeing of Australians. (National Commission of Audit, 2014, sec. 8.2)

The alternative view is that problems are exaggerated and that there are several benefits of shared and overlapping roles and responsibilities, including that the Australian Government has an important role to play in coordinating policies and in fostering competition amongst the states to find best practice policies (and that this benefit outweighs the costs of duplication and overlap) (Pincus 2008).

The issues arising from the sharing of roles and responsibilities between the Australian Government and the Queensland Government also apply to the relationships between the Queensland Government and existing Indigenous institutions including councils, peak bodies and other governing bodies.

**Questions**

Is the existing division of roles and responsibilities between the Australian Government, the Queensland Government, and Indigenous bodies ideal? If not, what changes would improve outcomes and what are the implications for Queensland Government service delivery?

Does the system of shared roles and responsibilities result in significant cost inefficiencies? Is there evidence of other problems?

Is there evidence of benefits from the system of shared roles and responsibilities?
Meaning and importance of governance

In the Steering Committee for the Review of Government Service Provision (SCRGSP) series of reports on Overcoming Indigenous Disadvantage, the term governance refers to:

*the way the members of a group or community organise themselves to make decisions that affect them as a group. Governance includes the structures and institutions that guide individual and group behaviour, and describes who has the authority to make decisions in a community, how those decisions are to be carried out and how different members of the community are included in the making, implementation and communication of those decisions.* (SCRGSP, 2011, p. 11.1)

Overseas evidence suggests that the quality of governance in Indigenous communities is a critical factor determining the economic and social progress of the individuals living within those communities.3

The Overcoming Indigenous Disadvantage reports focus on six determinants of governance:

- governing institutions
- leadership
- self-determination
- capacity building
- cultural match

Government policies can have significant impacts on community governance. They can impose outcomes on communities, shape incentives that lead to damaging behavioural changes, and restrict the ability of Indigenous people to drive change. On the other hand, meaningful engagement with communities in terms of priority setting, program design, implementation strategies, monitoring and evaluation may increase the likelihood that a policy will achieve its objectives, or achieve those objectives more effectively, and that the objectives will better align with what is valued by the people whom the policy is intended to serve.

Governance and the scope of this inquiry

The terms of reference states that the government’s objective is to increase social and economic participation by ensuring, in part, that high quality services are delivered. Therefore, the governance of government programs and services is clearly part of the scope of this inquiry. However, where the quality of governance in a broader range of institutions or community organisations impact on social and economic participation, the inquiry will also consider those issues. Some of the institutions might include:

- Local Government councils — all discrete communities now form Local Government Areas (LGAs) under the *Local Government Act 2009*, or have been amalgamated under regional councils that have the status of an LGA. The population of each Indigenous LGA is overwhelmingly Indigenous. The communities of Coen and Mossman Gorge are exceptions, with Coen residing within the LGA of Cook Shire Council, and Mossman Gorge in Douglas Shire Council.

- Regional authorities — for example, the Torres Strait Regional Authority (TSRA) is an Australian Government representative body for Torres Strait Islander and Aboriginal people living in the Torres Strait.

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3 See, for example, Flanagan and Johnson (2015) and the Harvard Project on American Indian Economic Development, accessed at [http://hpaied.org/about/overview](http://hpaied.org/about/overview).
Strait. The TSRA forms a layer of governance which overlays other governing institutions. The activities of the TSRA are broad, ranging from representative functions, planning and coordinating activities, to the delivery of programs (Box 4).

- Indigenous corporations and other businesses — Indigenous corporations are often involved in service delivery to Indigenous peoples funded under contractual arrangements with governments or through other funding sources.\(^4\)

- Other types of organisations — including third party service providers (for example, NGOs contracted by the government to provide services), Aboriginal Community Controlled Health Service Organisations (ACCHOs), Native Title Representative Bodies (NTRBs), Registered Native Title Body Corporates (RNTBCs), and incorporated associations, cooperatives and limited partnerships.

Although the findings and recommendations of this inquiry will be framed within the constraints of the existing legal and political framework, this still leaves significant room to improve outcomes because much of what is done, how it is done, who does it and who funds it is a matter of policy choice, rather than being constitutionally or legally required.

**Box 4 The role of the Torres Strait Regional Authority**

The TSRA’s Development Plan sets out priority areas for action, including:

- driving regional planning processes, including improving the integration of service delivery between governments at all levels working in the region
- monitoring, evaluating and delivering advice on the sustainable management of the natural resources (land and sea) of the Torres Strait communities
- enhancing the Torres Strait region’s wealth by creating sustainable industries and increasing employment opportunities for our people equivalent to the wider Australian community
- protecting, maintaining and progressing Native Title rights and recognition over the Torres Strait region’s land and sea country
- securing whole-of-government infrastructure investment for Torres Strait communities in the region to support healthy homes and healthy living environments
- improving access to safe and accessible community infrastructure and improved land and sea communications systems
- protect, promote, revitalise and maintain Torres Strait Islander and Aboriginal traditions and cultural heritage
- leading the coastal management infrastructure project to protect existing community infrastructure from rising seawater.

Source: Department of the Prime Minister and Cabinet (Australian Government) (2016).

\(^4\) An Indigenous business can voluntarily register for incorporation under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act).* An Indigenous ‘business’ may also be family businesses operating as a non–profit business. In 2014–15, there were 675 Indigenous corporations registered in Queensland. Of these, roughly 79 per cent were classified as small, 18 per cent medium, and 3 per cent as large, as defined under the *CATSI Act.* Alternatively, an Indigenous business can register under the *Corporations Act 2001* similar to any other non–Indigenous business wishing to incorporate.
Is governance improving?

There are a range of views on what policy directions are consistent with improving governance, and those which are not (Box 5).

Box 5 Improving Indigenous community governance

Views on what works:
- Community ownership of governance improvement with organisational change led by Indigenous people using existing community capacity
- Long-term partnerships between government and Indigenous people, with a focus on strengthening capacity
- Collaborative developmental approaches between Indigenous people and government that aim to strengthen existing capacity through long-term partnering
- Capacity-strengthening programs with clarity of purpose; that is, a clear notion of the type of capacity being strengthened and for whom, and how effectiveness will be measured
- Building trust and respect between government agencies and Indigenous communities.

Views on what does not work:
- Programs that do not reflect community priorities
- Attempts to improve Indigenous governance structures, without attending to the processes by which people govern
- Fragmented or rapidly changing government processes; overload of initiatives; ad hoc funding; poorly coordinated and monitored programs; and multiple accountability requirements (red tape).

Key design principles of good governance include:
- networked governance models that account for the needs of men and women
- governance systems arising from locally dispersed regionalism and ‘bottom-up’ federalism
- subsidiarity and mutual responsibility as the basis for clarifying and distributing roles, powers and decision making across social groups and networks
- emphasis on internal relationships and shared connections as the foundation for determining self-governance.

Source: Hunt, J (2016); Tsey et al. (2012).

Taking a longer-term view, it appears that progress has been made in improving the strength of governance in Indigenous communities whether related to local governing arrangements, Indigenous businesses or the delivery of programs and services.

More recently, there is mixed evidence on whether governance is improving or not across the broad range of institutions listed earlier, and which factors are driving changes. Some positive developments appear to be:
- Queensland local government reforms implemented in 2005–07, give Indigenous councils LGA status on an equal footing with other Queensland LGAs.
• Local perceptions and a review of the TSRA are generally positive (Australian National Audit Office (ANAO) 2014), although consultations have indicated some concern for the multiple levels of governance arrangements applying in the Torres Strait.

• The governance of Indigenous businesses appears to have continued to improve over time based on various indicators from the Office of the Registrar of Indigenous Corporations (ORIC), although the indicators are compliance-oriented (Office of the Registrar of Indigenous Corporations 2016 and 2010).

• At least in some instances, policy development processes appear to involve Indigenous communities from an early stage and in implementation (for example, the Queensland Indigenous Land and Sea Ranger program, and the current Queensland Social Reinvestment program pilot).

Even so, some argue that some initiatives over the last decade or so conflict with improved engagement and local governance capacity building. At the national level, examples are reforms to the Community Development Employment Projects (CDEP) program (Altman 2016; Chaney 2013; Jordan & Fowlkes, 2016).

Sound governance is a key enabler of performance and significant effort continues to be directed towards improving it. Both government policies and non-government initiatives seek to improve local governance capabilities. Many initiatives seek to provide councils, Indigenous businesses and community organisations with practical resources to assist them in improving their governance (Bauman et al. 2015).

Questions

Which governance issues are the most important to achieve improved outcomes?

Are there some simple things that could be implemented that would improve governance in the short term?

Longer-term, what should be the governance framework going forward? How complicated would it be to implement and what impediments would need to be overcome?

Are the factors that are important for Indigenous community development the same factors that are important for economic growth and raising living standards in the broader community? What differences exist? How do these relate to governance issues?

How does local governance capacity influence the effectiveness and efficiency of the delivery of programs and services?

Which factors support a strengthening of governance at the local level and why?

Are there examples of government policies that have had the unintended consequence of eroding governance capacity at the local level? Has this limited the ability of programs and services to achieve their objectives in an effective and efficient manner? How?

Where there have been policy failures, is the nature of the failings ad hoc — no common theme or repeated cause of the failings over time — or systemic? If systemic, what are the causes?

Are Aboriginal peoples and Torres Strait peoples over-governed? If yes, what actions could be taken to address the problem? How does it impact on the effectiveness and efficiency of service delivery?

Are policy learnings reflected in the day-to-day design and implementation of policies that impact on Indigenous governance? If not, please provide examples.

Is there anything else you want to tell us that you think is important about governance? Please expand.
6 Funding arrangements

Funding arrangements play an important role in determining the effectiveness and efficiency of service delivery. Varying degrees of funding continuity, flexibility and fragmentation influence the ability to plan and deliver services efficiently and can build or undermine local capacity and governance, in turn helping or hindering the mechanisms for effective service delivery.

To understand the influence of current funding arrangements on service delivery, what works best, and where improvements could be made, we are interested in evidence on:

- the consequences of the reliance on tied grant funding
- any impediments to Indigenous councils reducing their reliance on grant funding
- whether Indigenous organisations have appropriate levels of flexibility and control over spending
- the degree to which fragmentation of funding is an issue and how specific problems could be addressed
- whether current grant distribution mechanisms result in any unintended negative impacts and, if so, how those impacts could be minimised
- any other aspects of funding arrangements that impact on the effectiveness and efficiency of service delivery.

Reliance on external grant funding

Remote and discrete Aboriginal and Torres Strait Islander communities are heavily reliant on external grant funding. This dependency reflects historical influences, land tenure issues, difficulty accessing markets and high levels of demand for government services.

How Indigenous councils and other bodies are financed, impacts on service delivery within Indigenous communities. Some impacts are related to the financial sustainability of councils, the linkages between control over expenditure and resource allocation to match local priority setting, and the incentives provided by funding arrangements to develop own sources of revenue and improve service delivery. Funding arrangements are influenced greatly by the roles and responsibilities of the various levels of government in the federation.

Indigenous councils generate revenue through fees and charges, rental and interest income, sales, contributions and donations, other current revenues, and grants. Grant funding is sourced from the Australian Government, the Queensland Government and other sources. Funding may involve recurrent funding or capital grants (Figure 11).
Financial sustainability

Compared to councils that are predominantly non-Indigenous, a much lower proportion of Indigenous council revenues are derived from rates and levies. Greater reliance on grant funding — provided by external sources — is seen as a factor which reduces the sustainability of councils.

On average, Indigenous councils derived just 2.6 per cent of their revenues from rates and levies in 2014–15, compared with coastal councils (60%), resource councils (36%), rural/regional councils (45%), rural/remote councils (15%), and south east Queensland councils (52%). An important driver of the lack of own-source revenue is that Indigenous councils operate on largely unrateable communal title land and are limited in their ability to raise revenue from general council rates. This is compounded by the fact that currently local economies are relatively weak, limiting the development of other tax bases.

A report by LGAQ highlighted the following factors as affecting Indigenous council financial sustainability: reliance on grant funding; cost of infrastructure burden per resident; attracting and retaining qualified staff; cost of providing services; and the capacities and circumstances of local government areas.

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5 'Resource councils' are those local governments in, or adjacent to, Queensland’s key mining regions/basins, where their operations are affected by current or proposed resource activity. 'Rural/regional councils' are those local governments in large inland areas with populations of more than 10 000 residents, and a high reliance on agricultural activities. 'Rural/remote councils' are those local governments west of the Great Dividing Range in large areas, with populations of fewer than 10 000 residents.

6 The Local Government Act 2009 (section 94) allows local governments to levy rates and charges on rateable land, and this is a key revenue source for non-Indigenous councils. However, under the Land Valuation Act 2010, valuations are not issued for rateable land in Indigenous local government areas. Section 71(2) of the Local Government Regulation 2012 provides that Indigenous local governments are not able to use the rating options that rely upon the land having a valuation. Although Indigenous local governments are not able to charge a general rate for freehold or other rateable land, they can levy charges (including utility, separate and special charges) on rateable land in their areas. For example, Indigenous councils can levy rates on mining claims. In 2014–15, other sources of Indigenous council revenue included fees and charges which raised 5 per cent of total operating revenue, rental and interest income 6 per cent, and sales, contributions and donations 23 per cent. Indigenous council ‘controlled revenue’ which includes rates & levies plus fees & charges as a proportion of total operating revenue, was roughly 8 per cent in 2014–15.
experienced staff and councillors; population density; impacted by natural disasters; low population growth; low rate base; remoteness; running operating deficits; and ageing infrastructure. Many Queensland Government service programs either seek to address these factors or are influenced by them.

Outside of councils, the sustainability of other Indigenous bodies is also largely dependent on grant funding. One of the criticisms of the Australian Government’s Indigenous Advancement Strategy (IAS) is that the way grants are structured (competitive tendering over relatively short funding cycles) undermines the sustainability of Indigenous corporations and significantly reduces the ability of communities to exert control over service delivery (Moran et al., 2014; SFBACS, 2016).

**How effective is the current grant funding model?**

A reliance on external funding invariably means less control, flexibility and independence. Reliance on external funding brings into play the tension in inter-governmental financial relations, between providing flexibility to recipients in how funds are spent versus tied funding, where the funds provider sets conditions, often including input controls or the management of program implementation. Controls are generally aimed at ensuring accountability for outcomes and public monies.

Councils and other Indigenous bodies appear to receive a relatively small proportion of grant assistance by way of general revenue assistance. In contrast, funding for the TSRA, appears to devolve more flexibility and control over spending to the local level:

The TSRA is the only example of an Indigenous authority in Australia receiving a single direct appropriation in the form of a block grant to cover the entirety of its operations. There is a significant degree of autonomy and flexibility, compared with other funding modalities, allowing the TSRA to plan, self-govern resources, and monitor and evaluate outcomes, with one consolidated annual report. The single line appropriation of government revenue provides a far more streamlined administrative and reporting onus. The TSRA history is unique, and its fiscal relationship with the Commonwealth is best described as inter-governmental, similar in status to an Australian state or territory. (Moran et al. 2014, p. 40)

The main argument for funding through general revenue assistance is that it provides flexibility to Indigenous councils, so that resources are more likely to be directed towards activities that are valued more highly by Indigenous peoples. This is based on the argument that governing bodies, under the auspice of local residents, have a better understanding of the priorities of local Indigenous people and locality-specific issues than those making decisions through centralised decision-making processes. The responsibility for expenditure decisions may also support improved capacity strengthening and service delivery outcomes where councils and other governing bodies are downwardly accountable to their constituents.

Some studies argue that greater reliance on block funding arrangements has the potential to provide a wide variety of benefits, for example:

Block funding was identified for its potential to reform the public finance system to create enabling conditions for enhanced Indigenous governance. Building a devolved accountability framework around the organisation, rather than the centralised grant program, is a sensible alternative to multiple grants and ineffective cycles of grant risk management and attendant accountability measures. (Moran et al., 2014, p. 5)

Alternatives to reforms which focus on how funding is provided are policy approaches which give resources directly to those receiving services. Individuals (or local community organisations as coordinators) then have the resources to purchase the services directly. This reorients accountability requirements of service delivery organisations away from compliance requirements to funding organisations and towards meeting the requirements to whom the services are intended.

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7 See Local Government Association of Queensland (LGAQ) (2013, p. 71) for a table of key factors impacting council sustainability by different types of councils.
In remote Indigenous communities, there are likely to be practical limits to the benefits that can be gained from these sorts of policies reflecting the small scale of their populations and lack of service provider choice. Nonetheless, reforms which support greater demand-driven service delivery may be more consistent with greater empowerment of Aboriginal peoples and Torres Strait peoples and better outcomes than current supplier driven approaches.

**Fragmented funding and grants distribution processes**

Fragmented funding sources can cause problems for service providers, including from a drain on resources applying for additional funds; excessive output/outcome measurement to meet the requirements of different funding providers; increased reporting; a conflict of objectives between service and fund providers; and a conflict of objectives between various fund providers.

Some of these effects have been noted by the current national inquiry into human services delivery in remote Indigenous communities:

> The fragmented nature of services means providers often rely on funding from a variety of sources and programs. These separate sources of funding come with their own compliance requirements, placing a particularly significant burden on smaller organisations (Dwyer et al. 2009). Alford (2014) gave an extreme case of one Aboriginal Community Controlled Health Organisation (ACCHO) with over 90 funding agreements, and an associated compliance burden of about 423 reports annually. Funding also tends to be short term and uncertain in nature. As a result, providers and governments spend considerable time and effort managing funding flows rather than focusing on delivering better outcomes. (Productivity Commission, 2016, p. 135)

The way that grants are distributed (the carving up of the pie) can also create problems for service provision.

For example, it is possible that the way in which the distribution of assistance to councils through the Queensland Local Government Grants Commission processes creates disincentives for Indigenous councils to raise own-source revenues, minimise the costs of service delivery or improve economic development (Moran et al. 2014).

This occurs because the distribution of general revenue assistance amongst LGAs is determined by estimating the costs each council would incur in providing a normal range and standard of services, and the revenue each council could obtain through the normal range and standard of rates and charges. The allocation is then altered to bring all councils up to the same level of financial capacity (the principle of horizontal equalisation) (Department of Infrastructure and Regional Development 2015, p. 49).

The significance of this issue, and whether there are other similar problems relating to perverse incentives created by current funding arrangements is unclear.

**Questions**

- What are the consequences of a heavy reliance on grant funding (flexible and/or tied forms of funding)?
- What impediments are there to Indigenous councils reducing their reliance on grant funding?
- If economic development is a critical factor underpinning growth in own-source revenues, how can existing programs and services better support development?
- For Indigenous organisations, is the current level of flexibility and control over spending appropriate? If not, why and what reforms should be considered?
- Are there ways in which greater user choice could be introduced into remote and discrete communities?
- Is there anything else you want to tell us that you think is important about the funding arrangements? Please expand.
7 Developing an evaluation framework

The terms of reference asks us to examine best practice approaches for evaluating service delivery in remote and discrete Aboriginal and Torres Strait Islander communities, and to make recommendations about an evaluation framework to improve evaluation of these services.

To address this aspect of the inquiry, we are seeking perspectives on:

- whether reporting requirements associated with grant programs provide useful information to policy makers, service providers and communities
- current approaches to evaluation of services and programs funded by the Queensland Government
- whether current evaluation procedures follow best practice principles and whether evaluation is being used as a tool to monitor and improve service delivery
- whether traditional approaches to program evaluation work in the context of service delivery in remote and discrete Aboriginal and Torres Strait Islander communities
- whether there is an appropriate level of transparency in current evaluation approaches
- things that could be done to improve the culture of evaluation and make it more useful for driving improvements to service delivery
- the kinds of indicators that should be used to measure progress in remote and discrete Aboriginal and Torres Strait Islander communities.

Why evaluate?

Evaluation is an essential component of service delivery, particularly where services are delivered by government (Muir & Bennett 2014). It provides a systematic mechanism for collecting information and using this data to understand what is working and what is not. It can assist stakeholders to track progress as programs are rolled out, which is an important way to determine if a program is achieving the outcomes it was designed to accomplish, if it remains the best policy response and whether the program is delivering value for money:

*Evaluation matters. Too often it has been an afterthought in ... seen as an optional luxury for well-funded programs, or done only if a donor requires it. This must now change, so that the role of evaluation is understood as an opportunity for organisational learning, to improve performance and accountability for results, to build our capacity for understanding why some programs and initiatives work, and why others do not. (WHO, 2013, p. vi)*

Evaluation of service delivery may be particularly important in remote and discrete Aboriginal and Torres Strait Islander communities for the following reasons:

- The high cost of service delivery, combined with relatively higher needs of Aboriginal and Torres Strait Islanders living in remote regions, mean that mistakes in service delivery can be very costly.
- In many of the remote communities, residents have very little choice when it comes to service provision, as there is generally only a single government-funded service provider. In the absence of user choice, evaluations may provide an important mechanism for incentivising performance.
- Governments spend large sums of money addressing the high levels of disadvantage in Queensland’s remote and discrete communities. To ensure accountability for this expenditure, it is important to understand if progress is being made in these communities.
What evaluation is happening?

Despite the obvious need for evaluation and large amounts of public moneys spent on services in Australia’s remote and discrete communities, it is a common complaint that there is little proper evaluation of these programs (Biddle 2014; Cobb-Clark 2013; SCRGS 2014).

A recent review found that of the 1082 Indigenous programs identified, only 88 (8%) had been (or were in the process of being) evaluated, and of those that were being evaluated, most were not using methods that provided evidence of the program’s success (Hudson, 2016b).

Although it seems that evaluations of Indigenous programs and services are insufficient to paint a clear picture of what works and what does not, it is not clear that this deficiency reflects a lack of evaluation effort on the ground. A large amount of time, energy and money is spent on evaluation in Indigenous affairs. As an example, a search across the Australian Institute of Health and Welfare’s Closing the Gap Clearinghouse Research and Evaluation Register reveals 1,249 evaluation studies.

Approaches for evaluating

Evaluation can take many forms, with varying levels of complexity and expense. There are three commonly described approaches for program evaluation:

- Process evaluation – is the service implemented, is it being delivered and is it reaching the people as it was intended?
- Effectiveness (or impact) evaluation — is the service achieving the outcomes it intended to achieve?
- Efficiency evaluation — is the program efficient (are there better ways of providing the service?) and does it provide value for money (do the benefits outweigh the costs?)?

A high-level review of evaluations conducted in the context of remote and discrete Indigenous communities suggests that most evaluations are process evaluations. Those that attempt to demonstrate progress towards outcomes are rare, and those that successfully demonstrate progress are even rarer. The Commission is not aware of any publicly available evaluations that have successfully demonstrated the efficiency of service delivery in an Indigenous context.

Best practice in program evaluation

The Queensland Government maintains guidelines for program evaluation (Queensland Treasury, 2014). These guidelines outline the broad principles expected for program evaluations (including services) funded by the government, and set out the minimum standards that should be used for planning, implementing and managing these evaluations.

The Queensland Government guidelines are voluntary, and there is no formal mechanism for supporting organisations seeking to conduct evaluations of service delivery. They do not provide specific guidance for evaluations in an Indigenous or remote community setting.

The literature that suggests that evaluation needs to be incorporated into programs, rather than occurring as a separate process, or even as an afterthought (James 2012). Best practice requires that planning should start during program design, and where required, baseline data should be collected prior to implementation. After the program has commenced, there should be ongoing feedback between the evaluation and the program (Figure 12), to refine the collection of data, improve program design and to drive continual improvement (Chaney 2013).
Figure 12 The evaluation process — Queensland Government Program Evaluation Guidelines

Evaluation approaches are not one-size-fits-all and there are a number of issues that need to be considered when conducting evaluations in an Indigenous setting. Best practice approaches for evaluation in an Indigenous perspective might include:

- Involving local people in the design and implementation of policy (James 2012)
- Engaging local Indigenous researchers (Price et al. 2012)
- Ensuring that evaluations are culturally competent (Chouinard & Cousins 2007)
- Ensuring that the outcomes of an evaluation are accessible and useful to communities and local organisations (Price et al. 2012, Taylor 2006).

Cobb-Clark (2013) argues that increasing transparency and a much wider dissemination of results is central to raising the standards on program evaluation. Cobb-Clark calls for the establishment of an independent, arms-length body to oversee all evaluation undertaken on behalf of government (like the Reserve Bank):

> Unfortunately, our current system generally produces poor-quality evaluations that in the end do not tell us very much. Often evaluations are conducted within the very agencies responsible for meeting program objectives. When external evaluators are used, it is common for the government to insist that the results not be published. In short, the results of these evaluations are typically not independent, transparent or widely distributed. All of this is inconsistent with the move to evidence-based policy and undermines our ability to deliver on closing the Indigenous gap, raising educational achievement, and reducing social exclusion. (Cobb-Clark 2013, p. 90)

**Potential issues with evaluation**

**Evaluations are only effective if they are acted on**

Although effective evaluation can be a powerful tool for monitoring program progress and improving effectiveness, in practice, it is only helpful when the findings are useful and are acted on appropriately (James 2012).
A common complaint is that evaluations are often undertaken, but the learnings are ignored, or decisions to change funding are made before evaluations are completed (Chaney 2013; Moran 2016; Morgan Disney 2007).

### Outcomes may be difficult to measure

Although a focus on evaluating outcomes is ideal, in practice they may be difficult to measure. It can be very difficult to measure the success of programs that have not been designed with a clear objective. Outcome measurement could be further complicated by the very long timeframes involved — for example, it has been estimated that it will take over 100 years to close many of the gaps in Indigenous disadvantage currently being targeted by federal and state initiatives (Altman et al. 2008). Although it may be possible to undertake some form of process evaluation early in the life of a program, understanding the program’s effects on outcomes may be difficult within short timeframes.

A second reason is that it may be difficult to establish causation in remote and discrete communities. Cobb-Clark (2013) identifies several factors specific to Indigenous communities that make evaluation of outcomes particularly problematic.

### How we measure outcomes may be important

The way that information and data is collected, used and presented can have impacts on Aboriginal and Torres Strait Islander communities. Data is used to shape debate and influence policy decisions, identify areas of greatest need, direct resourcing and allow monitoring of progress over time (Biddle 2014).

It is recognised that Indigenous people’s perceptions and understandings of wellbeing extend beyond, and may conflict with, many of the indicators currently adopted by reporting frameworks (Taylor 2006). The United Nations’ workshop on Indigenous Peoples and Indicators of Wellbeing concluded that there is a need for more rights-based indicators, including control over land and resources, equal participation in decision-making, preservation of culture and control over development processes (United Nations 2006).

### Questions

<table>
<thead>
<tr>
<th>Question</th>
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<tbody>
<tr>
<td>Do the current reporting requirements associated with grant programs provide useful information to policy makers, service providers and communities, if no, why?</td>
</tr>
<tr>
<td>What approaches to evaluation of services and programs funded by the Queensland Government are currently adopted?</td>
</tr>
<tr>
<td>Do evaluation procedures follow best practice principles?</td>
</tr>
<tr>
<td>Do traditional approaches to program evaluation work in the context of service delivery in remote and discrete Aboriginal and Torres Strait Islander communities?</td>
</tr>
<tr>
<td>Is evaluation being used as a tool to monitor and improve service delivery? Are policy learnings reflected in the day-to-day design and implementation of policies that impact on Aboriginal and Torres Strait Islander peoples? If not, please provide examples.</td>
</tr>
<tr>
<td>Are current evaluation approaches transparent enough?</td>
</tr>
<tr>
<td>What could be done to improve the culture of evaluation and make it more useful for driving improvements to service delivery?</td>
</tr>
<tr>
<td>What indicators should be used to measure progress in remote and discrete Aboriginal and Torres Strait Islander communities?</td>
</tr>
<tr>
<td>Is there anything else you want to tell us that you think is important about evaluation? Please expand.</td>
</tr>
</tbody>
</table>
Appendix A: Terms of reference

Inquiry into service delivery in Indigenous communities

In accordance with section 23 of the Queensland Productivity Commission Act 2015, I hereby direct the Commission to undertake an inquiry into service delivery in remote and discrete Aboriginal and Torres Strait Islander communities.

Background

The Queensland Government invests significantly in Aboriginal and Torres Strait Islander communities delivering policies, programs and services across areas such as child and family services, health, education and training, employment, housing, community safety, native title, and land management.

The Government’s objective is to increase social and economic participation and achieve service outcomes that meet the needs of Aboriginal and Torres Strait Islander communities by ensuring that high quality services are delivered in a culturally capable, timely, affordable, efficient and effective manner.

The focus of the inquiry is to identify how available resources can be best used to support the achievement of this objective, and improve outcomes for remote and discrete Aboriginal and Torres Strait Islander communities.

As well as a quantitative assessment of investment, the inquiry will benefit from the Commission’s expertise in undertaking in-depth consultation with Aboriginal peoples, Torres Strait Islander peoples and other stakeholders to inform a qualitative assessment of service delivery and outcomes for remote and discrete Aboriginal and Torres Strait Islander communities. The inquiry should also consider the experience of other jurisdictions, and available literature.

Scope

The Commission is requested to undertake an inquiry into service delivery in Queensland’s remote and discrete Aboriginal and Torres Strait Islander communities in undertaking the inquiry, the Commission should investigate and report on:

- The levels and patterns of government investment in services to remote and discrete Aboriginal and Torres Strait Islander communities in Queensland, including key drivers of expenditures and how these have, and are likely to, change over time;
- Interactions between investments made by State, Commonwealth, and local governments, as well as the private sector, including the role of third party service providers;
- The range of service delivery programs in remote and discrete Aboriginal and Torres Strait Islander communities, whether programs are related to response, management and/or prevention and early intervention, and whether there is duplication or a lack of coordination across programs;
- Best practice approaches for evaluating the effectiveness and efficiency of service delivery in remote and discrete Aboriginal and Torres Strait Islander communities. This should include a program evaluation framework that can be used to assess the effectiveness and efficiency of service delivery in remote and discrete Aboriginal and Torres Strait Islander communities, and inform future Government investment;
• An evaluation of the design and delivery of existing Government services, including whether services are based on good practice, are co-designed with communities, delivered in a culturally capable way, and maximise opportunities for building local skills and jobs. Where appropriate, case studies may be used to demonstrate if, and how, existing services are supporting improved outcomes for remote and discrete Aboriginal and Torres Strait Islander communities;

• The identification of investment practices and/or services and programs that are likely to be most effective in improving outcomes for remote and discrete Aboriginal and Torres Strait Islander communities, and the key characteristics of those programs;

• Comparisons with relevant services delivered in other jurisdictions, or other benchmarks from available literature; and

• Recommendations to improve the effectiveness and efficiency of Queensland Government investments and services in achieving social, cultural, economic, and environmental outcomes in remote and discrete Aboriginal and Torres Strait Islander communities.

Consultation

In accordance with section 25 of the Queensland Productivity Commission Act 2015, the Commission must undertake public consultation in relation to the Inquiry. This should include in-depth consultation with remote and discrete Aboriginal and Torres Strait Islander communities and other key stakeholders.

Reporting


HON. CURTIS PITT MP

Treasurer

Minister for Aboriginal and Torres Strait Islander Partnerships Minister for Sport
Appendix B: Remote communities
### Appendix C: List of discrete communities

<table>
<thead>
<tr>
<th>Community</th>
<th>Estimated residential population</th>
</tr>
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<tbody>
<tr>
<td>Aurukun</td>
<td>1424</td>
</tr>
<tr>
<td>Cherbourg</td>
<td>1291</td>
</tr>
<tr>
<td>Doomadgee</td>
<td>1399</td>
</tr>
<tr>
<td>Hope Vale</td>
<td>1125</td>
</tr>
<tr>
<td>Kowanyama</td>
<td>1142</td>
</tr>
<tr>
<td>Lockhart River</td>
<td>548</td>
</tr>
<tr>
<td>Mapoon</td>
<td>294</td>
</tr>
<tr>
<td>Mornington</td>
<td>1225</td>
</tr>
<tr>
<td>Napranum</td>
<td>962</td>
</tr>
<tr>
<td><strong>Northern Peninsula Area</strong></td>
<td></td>
</tr>
<tr>
<td>Bamaga</td>
<td>1231</td>
</tr>
<tr>
<td>Injinoo</td>
<td>559</td>
</tr>
<tr>
<td>Seisia</td>
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<td>New Mapoon</td>
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<td>Umagico</td>
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<tr>
<td><strong>Total NPA</strong></td>
<td>2714</td>
</tr>
<tr>
<td><strong>Palm Island</strong></td>
<td>2671</td>
</tr>
<tr>
<td><strong>Pormpuraaw</strong></td>
<td>743</td>
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<tr>
<td><strong>Torres</strong></td>
<td></td>
</tr>
<tr>
<td>Bamaga and Surrounds</td>
<td>19</td>
</tr>
<tr>
<td>Horn Island</td>
<td>610</td>
</tr>
<tr>
<td>Muralag and Inner Islands</td>
<td>94</td>
</tr>
<tr>
<td>Port Kennedy (Thursday Island)</td>
<td>1836</td>
</tr>
<tr>
<td>TRAWQ (Thursday Island)</td>
<td>1106</td>
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<tr>
<td><strong>Total Torres</strong></td>
<td>3665</td>
</tr>
<tr>
<td><strong>Torres Strait Islands</strong></td>
<td></td>
</tr>
<tr>
<td>Badu Island</td>
<td>854</td>
</tr>
<tr>
<td>Boigu Island</td>
<td>227</td>
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<tr>
<td>Dauan Island</td>
<td>142</td>
</tr>
<tr>
<td>Erub (Darnley) Island</td>
<td>410</td>
</tr>
<tr>
<td>Hammond Island</td>
<td>249</td>
</tr>
<tr>
<td>Iama (Yam) Island</td>
<td>345</td>
</tr>
<tr>
<td>Kubin (Moa Island)</td>
<td>176</td>
</tr>
<tr>
<td>Mabuiag Island</td>
<td>283</td>
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<tr>
<td>Mer (Murray) Island</td>
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<tr>
<td>Poruma (Coconut) Island</td>
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<td>Saibai Island</td>
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<td>St Pauls (Moa Island)</td>
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<td>Ugar (Stephens) Island</td>
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<td><strong>Total Torres Strait Islands</strong></td>
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<td>Community</td>
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<td>----------------------</td>
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<tr>
<td>Woorabinda</td>
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<td>Mossman Gorge</td>
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<td>Yarrabah</td>
<td>2686</td>
</tr>
</tbody>
</table>

Note: The list of discrete communities excludes some outstations, which may or may not have permanent populations.

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