

2.0 Background

The service delivery environment in remote and discrete Aboriginal and Torres Strait Islander communities is a product of legacy factors and current governance and commissioning arrangements.

This chapter provides an overview of these issues and outlines the current architecture for service delivery.

Key points

- A range of legacy factors impact on outcomes and opportunities in communities.
- Most discrete communities are former missions, located without consideration of traditional Aboriginal land areas or economic viability. Many of the missions and reserves, and several Torres Strait Islands, were granted to the communities in the mid-1980s. Aboriginal shire councils and Island councils obtained powers associated with local governments in 2005–07. Today, around 40,000 Aboriginal and Torres Strait Islander peoples live in the remote and discrete communities.
- Numerous reviews and several Royal Commissions have investigated issues facing Aboriginal and Torres Strait Islanders. Recommendations have consistently centred on empowerment and self-determination of Indigenous peoples, and the need to address socioeconomic determinants.
- Services are delivered via a complex system overlapping all three levels of government, non-government organisations and a well-established Indigenous organisational sector. All levels of government make policies, fund and deliver services that impact on outcomes in the communities.
- Government funding and commissioning dominate service delivery, with implications for how services are delivered and the fiscal sustainability of Indigenous organisations and communities. Most services are delivered by government and mainstream non-government organisations.
- Indigenous councils provide municipal, social and other services to their communities. Other key Indigenous organisations include the Torres Strait Island Regional Authority, Aboriginal Community Controlled Health Organisations, community justice groups, land councils, native title representative bodies and the Cape York Partnership.

2.1 The remote and discrete communities

Remote communities are those communities within the area defined as ‘remote’ or ‘very remote’ under the Australian Bureau of Statistics’ Standard Geographical Classification Remoteness Structure (Appendix D).

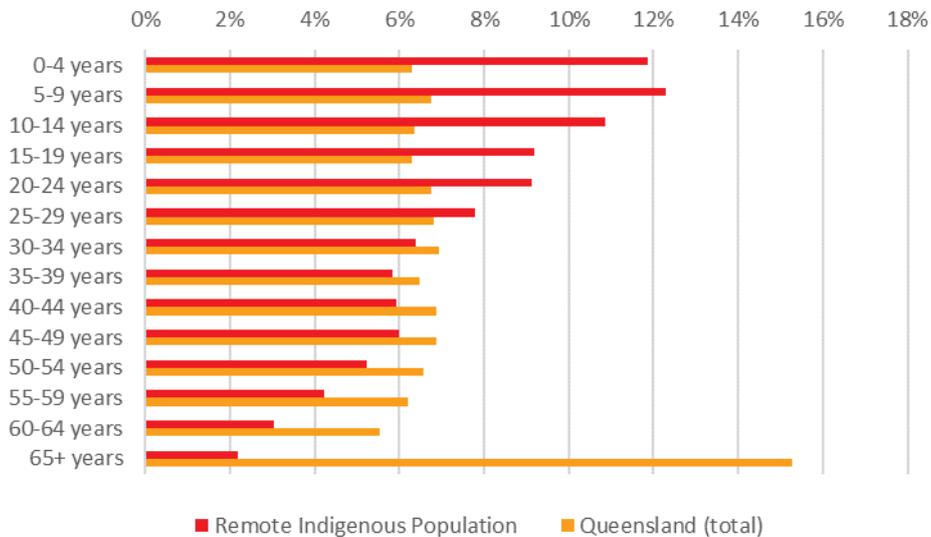
Discrete communities are bounded geographical locations inhabited predominantly by Aboriginal and Torres Strait Islander people with housing or infrastructure owned or managed on a community basis (AIHW 2016)² (Appendix E).

Around 40,000 Aboriginal and Torres Strait Islander peoples live in remote or very remote parts of the state. This includes over 22,000 living in mainland discrete communities and 7,000 in the Torres Strait (QGSO 2016a). The remainder live in other remote areas, mainly in townships.

According to the 2016 Census, 27 per cent of Queensland’s remote population is Aboriginal or Torres Strait Islander. This percentage increases to 85 per cent in the Torres Strait and 93 per cent in mainland discrete communities (ABS 2016a).

The population of communities is significantly younger than the rest of Queensland, with over half the population under the age of 25 (Figure 2). Communities experience a significantly lower rate of population growth than Queensland overall. The Queensland Government population projections estimate that Queensland’s population will increase by 51 per cent from 2011 to 2036, whereas Queensland’s discrete communities will increase by 24 per cent in the same timeframe (QGSO 2015).

Figure 2 Age distribution of Queensland’s remote Indigenous population, 2016



Source: ABS 2016a.

2.2 Historical context

Many of the outcomes and challenges faced by remote and discrete Aboriginal and Torres Strait Islander communities continue to be influenced by past government policies and other historical factors. Table 1 provides a brief timeline of events relating to Aboriginal and Torres Strait Islanders in Queensland.

² The Queensland Government definition of an Indigenous discrete communities differs in that the community lies on land held as a deed of grant in trust (DOGIT).

Table 1 Timeline of key events relating to Indigenous Queensland, 1770–recent

Date	Event
1770	Start of colonisation. Estimated Aboriginal population in Australia 750,000.
1800–	Frequent contact of coastal clans with maritime traffic inside Barrier Reef and Torres Strait. Moreton Bay convict settlement confined to its immediate hinterland.
1840–	Rapid pastoral push into Queensland. By 1870 most easily accessible grazing land was stocked with sheep or cattle. ‘Border wars’ with Aboriginal peoples.
	Small camps of Aboriginal people were established on the outskirts of towns and curfews against Aboriginal people were imposed.
1865	First legal removal of Aboriginal children under <i>the Industrial and Reformatory Schools Act 1865</i> .
1879	The Torres Strait Islands were made part of Queensland by the Colonial Parliament without consultation with Torres Strait Islander people.
1885	The <i>Queensland Elections Act 1885</i> specifically excluded ‘Aboriginal natives’ from voting.
1897	The <i>Aboriginal Protection and Restriction of the Sale of Opium Act 1897</i> (Qld) (Protection Act) made Aboriginal people wards of the state, removing freedoms in relation to movement and labour, custody of their children and control over personal property.
	Reserves created where Aboriginal people could be forcibly relocated by government. Reserve locations ignored traditional Aboriginal land areas and were often chosen based on land considered not suitable for cattle raising.
1901	Federation. The Commonwealth Constitution stated: ‘in reckoning the numbers of people ... Aboriginal natives shall not be counted’. States retained their power over Aboriginal Affairs.
	States continued policy of removing children from their families.
1904	Torres Strait Islanders brought under the Protection Act. Torres Strait Islanders owned the largest pearling fleet in the north, marketing products through the Native Trading Station and Branch stores.
1920	Aboriginal population of Australia estimated to be 60,000.
1939	New legislation. Unlike the <i>Aboriginal Act 1939</i> (Qld), the <i>Torres Strait Islander Act 1939</i> gave constitutional effect to a system of self-government.
1948	The <i>Citizenship and Nationality Act 1948</i> gave ‘Australian citizenship’ to all Australians. However, Aboriginal people still suffered legal discrimination at the state level.
1962	Electoral Act amendments gave the vote to all Aboriginal people in federal elections.

Date	Event
1963	Police evicted residents at Mapoon, Queensland. People were taken to other reserves and their settlement was burned down to allow mining by Comalco.
1965	The <i>Aboriginal and Torres Strait Islanders' Affairs Act 1965</i> (Qld) (assimilation law) gave the Director of Aboriginal Affairs considerable power over 'assisted' Aboriginal people.
1967	The Commonwealth Referendum passed. All Aboriginal people are counted in the national census, and the Federal Government can legislate for Aboriginal people in the states.
1971	The 1965 assimilation law was replaced with the <i>Aborigines Act 1971</i> (Qld) and the <i>Torres Strait Islanders Act 1971</i> (Qld). Both these laws abolished the Director's power to remove children.
1984	Aboriginal Child Placement Principle adopted (Qld)—an Indigenous family must be the preferred placement for an Indigenous child in need of alternative care.
	<i>Community Services (Aborigines) Act</i> and <i>Community Services (Torres Strait) Act 1984</i> (Qld)— Indigenous councils responsible for supply of town and social services.
1991	<i>Aboriginal Land Act 1991</i> and <i>Torres Strait Islander Act 1991</i> provided for Indigenous land rights in Queensland.
1992	Native title was first recognised by the High Court in the Mabo case.
	The <i>Legislative Standards Act 1992</i> (Qld) required that legislation has 'sufficient regard to Aboriginal tradition and Island custom'.
1994	The Torres Strait Regional Authority (TSRA) was established.
1999	The Parliament of Queensland apologised to Aboriginal and Torres Strait Islander people in Queensland for the past separation of children from their families.
2002	First alcohol management implemented in partnership with the Aurukun community.
2008	National Apology to the Stolen Generations.
	The Council of Australian Governments entered the National Indigenous Reform Agreement, focused on closing the gaps in health, education and employment.
2009	Australian Government endorsed the United Nations Declaration of the Rights of Indigenous Peoples, which includes the right to self-determination, and that states shall take effective measures to ensure continuing improvement of their economic and social conditions.
2010–	The <i>Constitution (Preamble) Amendment Act 2010</i> (Qld) inserted a preamble into the <i>Constitution of Queensland 2001</i> , recognising Queensland's Indigenous peoples.
	Despite governments' attempts to close the gaps, poorer outcomes for Indigenous people prevail.

Source: *Australian Museum 2015; Queensland Parliament 2015, 1992; RQI 2008; UN 2008; Myvill 1991.*

Most discrete communities in Queensland are former missions established on land gazetted as reserves under the Protection Act. 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. Education was poor—for many years schooling did not extend beyond Year 4, and was focused on training for station work (males) and domestic work (females) (Wyvill 1991, p. 18).

There was little basis for economic development in the discrete communities. The traditional owners' economic system was extinguished when they were removed from their lands and located to the reserves. Lacking autonomy and access to capital, and having few employment opportunities, the Indigenous residents were caught in a system of control, repression and passive welfare (Hughes 2005, p. 1; Sutton 2001, p. 128).

The only legal mechanism by which Indigenous Queenslanders could live independently away from reserves or missions was through acquiring an 'Exemption Certificate' issued by the Chief Protector, introduced originally in section 33 of the Protection Act. Obtaining an exemption certificate required the severing of all ties with Aboriginal kinship and culture, including connections with country, under threat of revocation by the State. The exemption system operated in Queensland until 1965.

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* and the *Torres Strait Islanders 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 and islands held by the State to be transferred to Aboriginal and Torres Strait Islander Councils under a Deed of Grant in Trust (DOGIT). Ownership of homes in discrete communities was first enabled in 2008.

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 (DATSIP 2016a; Frankland 1994; Queensland Government 2016; State Library of Queensland 2016).

Key inquiries and government policy changes

Many reviews and several Royal Commissions have investigated issues facing Aboriginal and Torres Strait Islanders. Recommendations have consistently highlighted the need for empowerment and self-determination of Indigenous peoples, and the need to address socioeconomic determinants. Four key inquiries and an economic modelling report (outlined in Box 2.1), illustrate consistent findings over the past three decades.

Box 2.1 Some key inquiries and reviews

The Royal Commission into Aboriginal Deaths in Custody was established in 1987 to report on the social, cultural and legal issues behind the deaths in custody and the underlying effects of dispossession, colonisation and institutional racism on Aboriginal peoples. It found that the deaths were due to the police and prisons failing their duty of care, combined with the high numbers of Indigenous people being arrested and incarcerated. Of the 339 recommendations, approximately 40 per cent concerned social factors including housing, self-determination, land rights, reconciliation, health, employment, alcohol, education, youth policy and employment—setting the foundations for ‘Close the Gap’ efforts (Haughton 2016; RCADIC 1991).

In 1997, the Human Rights and Equal Opportunity Commission reported on the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families. Key findings were that ‘the laws, policies and practices which separated Indigenous children from their families have contributed directly to the alienation of Indigenous societies today’; lives have been permanently scarred; and ‘the harm continues in later generations’ (HREOC 1997, p. 4).

In 2001, the Queensland Government commissioned the Cape York Justice Study (Fitzgerald Report), to examine the causes, nature and extent of breaches of the law in the Cape York Indigenous communities. Fitzgerald identified an urgent need for a negotiated partnership approach to better support the many positive initiatives already well developed in the communities. A coordination unit was recommended, to empower communities’ greater ownership and control of their initiatives by providing a central focus for best practice protocols and coordination of Cape-wide funding arrangements. Another key recommendation was the development of ‘Community Action Plans’ by each community, to facilitate participation in implementing proactive strategies to overcome chronic problems at a community level (Fitzgerald 2001).

The Northern Territory report of the Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse (2007) found that the incidence of child sexual abuse, whether in Aboriginal or ‘mainstream’ communities, is often directly related to other breakdowns in society. It recommended addressing poor health, housing and education; alcohol and drug abuse; and general disempowerment to set communities on a path to recovery (Wild & Anderson 2007, p. 6).

Economic modelling in the *Indigenous incarceration: Unlock the facts report* (PwC 2017) highlighted that high rates of Indigenous incarcerations has a heavy impact on individuals, families, communities, and the Australian economy (\$7.9 billion per year). Systemic change was recommended—self-determination, system reform, law reform and increased community awareness—to underpin initiatives and responses, particularly initiatives controlled and led by the Indigenous community.

Response to the Cape York Justice Study

The Queensland Government responded to the Fitzgerald Report in 2002 with the Meeting Challenges, Making Choices policy. Cape York Partnerships (CYP) was established as a model for government and community interaction in the Cape. The focus of the government was to act as facilitator of capacity building and providing targeted assistance, the nature of which was to be determined at the community level in community plans. Government services were to be aligned with communities’ priorities identified in plans, and negotiated decision-making would be undertaken through mechanisms such as Negotiation Tables (Spence 2003).

Negotiation Tables

The Negotiation Tables were intended as a forum where Aboriginal and Torres Strait Islander community representatives could directly influence government decision-making, and improve government’s responsiveness to communities’ needs through better coordination between agencies and jurisdictions. Negotiation Tables were established across the discrete communities and communities with large Indigenous populations. The focus of each Negotiation Table reflected priorities identified by the relevant communities and government, and invitees included representatives from the community, council, and Queensland and Australian governments. The Negotiation Tables emphasised mutual planning and goal setting, responsibility, accountability and ownership of agreed outcomes as outlined in a community or regional action plan (Spence 2003, pp. 7–8).

Community members volunteered to represent their community at the Negotiation Tables.

Through the Negotiation Table process and my position as a community co-chair I am able to work closely with my community and government organisations via a collaborative arrangement. The process allows the community to highlight priority areas of concern to government organisations and address them in an open forum where agreements to potential resolutions are finalised.
(Saunders 2017)

Relevant data was made available to communities to inform planning and negotiations.

CEO Champions program

The CEO Champions program was initiated to complement the partnership approach. Mainland Indigenous communities were provided a direct link to an allocated Queensland Government department Chief Executive (CEO). The CEO would visit ‘their’ community and meet with community members at least twice a year, while also being available to advocate on the community’s behalf in Brisbane.

The Negotiation Tables and CEO Champions program ceased in 2012.

A new Government Champions program commenced in 2016, involving both CEO and Ministerial Champions.

Cape York Welfare Reform

In 2008, the Queensland and Australian governments partnered with the Cape York Institute and the communities of Aurukun, Coen, Hope Vale and Mossman Gorge to implement the Cape York Welfare Reform trial. In 2014, Queensland extended the program to the Gulf of Carpentaria community of Doomadgee and renamed the trial the Welfare Reform program. Objectives of the Welfare Reform are to restore positive social norms and re-establish local Indigenous authority, change behaviour in response to chronic levels of welfare dependence and economic exclusion, and encourage social responsibility, home ownership and participation in the real economy.

The *Family Responsibilities Commission Act 2008* established the Family Responsibilities Commission (FRC) as an independent statutory authority. The FRC is a key mechanism of the Welfare Reform to facilitate the rebuilding of intra-community social norms and encourage behavioural change. Local Commissioners—respected Aboriginal and Torres Strait Islander community members—encourage community members to voluntarily attend services, such as drug and alcohol rehabilitation. If behaviour does not improve, the FRC can order welfare payments to be subject to income management orders. Indigenous and non-Indigenous people living in the Welfare Reform communities and receiving welfare or community employment program payments are subject to the FRC’s jurisdiction (FRC n.d.).

At the time of writing this report, the Queensland and Australian governments continue to support the Welfare Reform program, noting the Australian Government has invested in and is moving towards a new model of funding through the Empowered Communities initiative.

2.3 The service delivery environment

Service delivery involves the Australian, Queensland and local governments, non-government organisations (NGOs) and a well-established Indigenous sector. This section provides an overview of Queensland Government agency roles, and describes the responsibilities of governments and Indigenous organisations for policy, funding and delivery of services.

Queensland government agencies

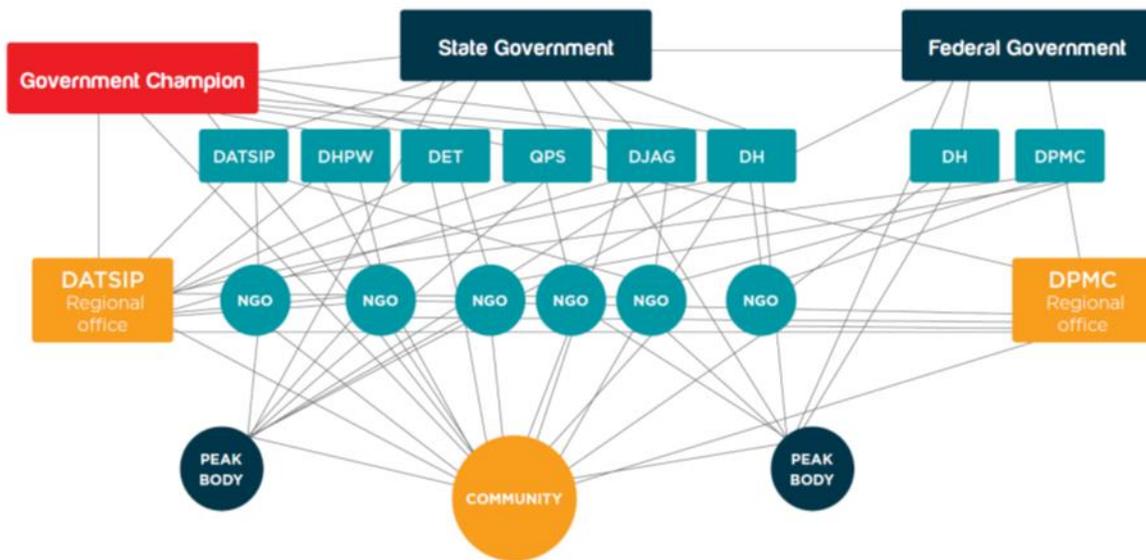
For any single community, at least 13 Queensland Government departments, as well as the Australian Government are involved in coordination, policy development and service delivery. The larger agencies responsible for service delivery have Indigenous policy and data collection units, which monitor outcomes and design service delivery in the communities. In addition, the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) develops internal departmental policy as well as whole-of-government policies relating to Indigenous affairs.

Numerous boards and statutory bodies also work with communities or develop policy that affect them.

Both levels of government also fund peak bodies and a range of NGOs working with the communities.

This has created a bureaucratic 'maze'—to service just over 40,000 people or less than 1 per cent of the state population (Figure 3).

Figure 3 Current model of service delivery



Note: This figure is a stylised representation and only shows a subset of the departments, authorities and non-government organisations involved in service delivery.

Policy

Policymaking that impacts communities occurs at all levels of government. The Australian Government is responsible for native title, employment, welfare and primary health care, national security and border control, and contributes to Indigenous housing policy, education and training, and social justice policy. The Department of the Prime Minister and Cabinet leads the Australian Governments’ Indigenous Advancement Strategy.

A Referendum Council was appointed in 2015 to report on how to best recognise Aboriginal and Torres Strait Islander peoples in Australia’s Constitution. On 30 June 2017, the *Final Report of the Referendum Council* proposed:

- constitutional change to provide for a representative body that gives Aboriginal and Torres Strait Islander peoples a voice to the federal parliament, and the right to be consulted on policies that affect them (Voice to Parliament); and
- a non-constitutional Declaration of Recognition—articulating Australia's shared history, heritage and aspirations, to be enacted by legislation and passed by parliaments across Australia (Referendum Council, 2017).

In October 2017, the Australian Government rejected the 'Voice to Parliament', and asked that a Joint Select Committee considers recommendations of existing bodies of work (Australian Government 2017).

The Queensland Government oversees policies that directly affect economic development, such as land tenure, zoning, town planning and infrastructure. It also has policy responsibility for social housing, secondary and primary health care, education and training, social justice, community services and child safety. DATSIP provides whole-of-government leadership in Aboriginal and Torres Strait Islander policy, coordination and monitoring.

The Indigenous councils³ are responsible for policy relating to the exercise of local regulatory functions, economic infrastructure and planning, and advocate for their communities in relation to policymaking by other levels of government. The Indigenous Leaders Forum, comprising leaders of the 16 Indigenous councils, identifies and prioritises common issues and agrees strategic initiatives.

The Torres Strait Regional Authority (TSRA) formulates Torres Strait regional policy, and represents the interests of the Torres Strait region to the Australian Government.

All levels of government policies impact on Indigenous economic development, including through tax and immigration settings, and land release and zoning. While the National Indigenous Reform Agreement provides a framework for closing the gap initiatives, there is limited coordination of the overarching policy environment.

Funding

Australian and state governments

Government funding is the main source of revenue to deliver services to communities. This has implications for the prioritisation, design and delivery of services, as well as the fiscal sustainability and autonomy of Indigenous organisations and communities.

The Australian Government directly funds over half of the Indigenous-specific programs across Australia through the Indigenous Advancement Strategy (IAS). The 2015-16 Australian Government budget allocated \$4.9 billion over four years to 2018–19, for grant funding and procurement activities under the IAS (AG 2017; Hudson 2016a, p. 1).

The Queensland Government provides for mainstream services such as education, health and community safety, as well as specific Indigenous programs. In 2015–16, the Queensland Government spent approximately \$4.5 billion overall on Indigenous-specific and mainstream services for Indigenous peoples combined (SCRGSP 2017). Queensland Government expenditure in remote and discrete Aboriginal and Torres Strait Islander communities is examined in Chapter 3.

Torres Strait Regional Authority

The TSRA receives most of its funding in the form of Australian Government grants (\$49.6m, or 74 per cent of TSRA total revenue in 2013–14) (TSRA 2014a). Funding is provided as general revenue assistance in the form of a recurrent block grant.

³ There are 16 Aboriginal and Torres Strait Islander Queensland local government councils and also a Torres Shire Council.

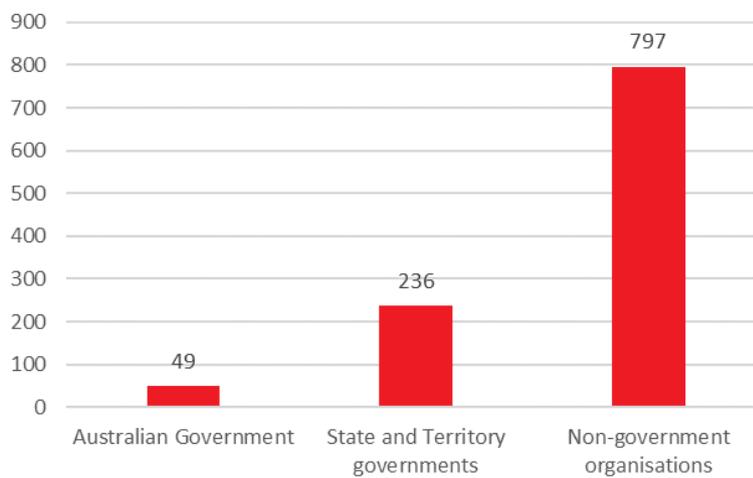
Indigenous councils

The Indigenous councils rely heavily on disparate state and Australian Government grants. In 2014–15, capital and recurrent grants combined represented over half of the Indigenous councils’ revenues (QAO 2016, p. 85).

Service delivery

There is significant overlap of governments delivering services to Indigenous people. Hudson identified 1,082 programs across Australia, of which 49 were federal government, 236 state and territory, and 797 (74 per cent) delivered by NGOs (though many are funded in part or full by government) (Figure 4). Over half of the programs are in the health and wellbeing category, followed by culture and recreation, early childhood and education, housing, community safety, employment, transport and communications programs (Hudson 2016a).

Figure 4 Delivery of Indigenous-specific programs in Australia

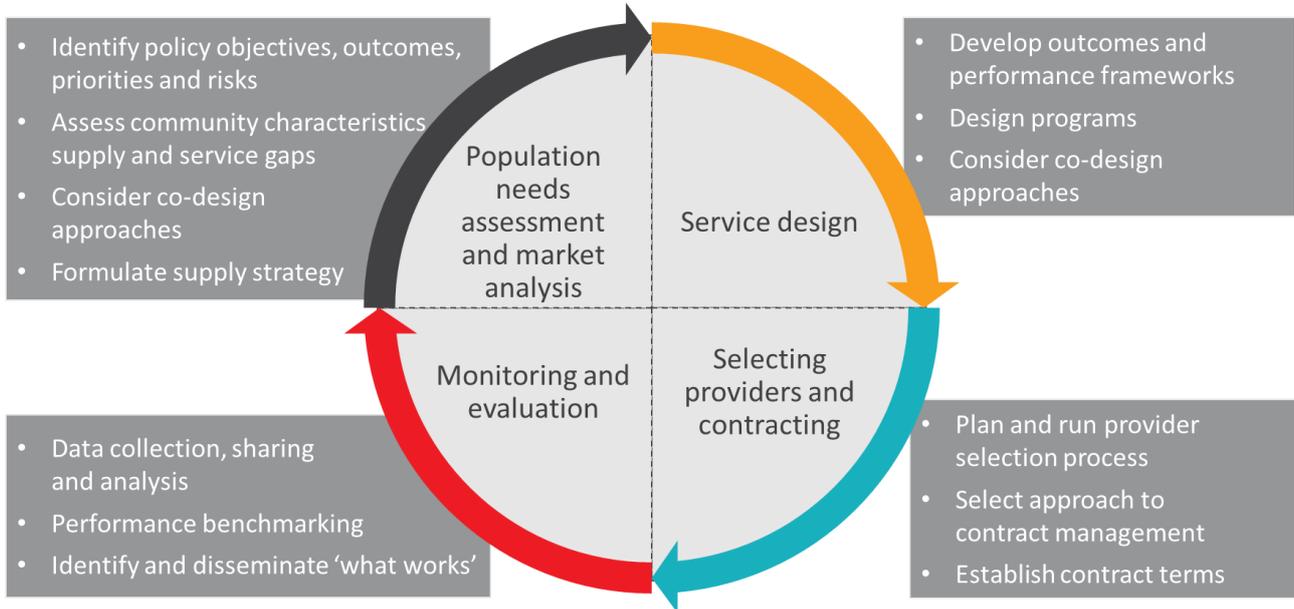


Source: Hudson 2016.

Queensland Government service delivery

Service delivery in Queensland’s remote and discrete communities is largely centred around a government ‘commissioning’ model (Figure 5). Commissioning is a cycle that begins with assessing and planning for service needs and moves through stages including service design, selecting providers, managing contracts (or directly delivering services) and undertaking ongoing monitoring, evaluation and improvement (PC 2017a, p. 202).

Figure 5 The commissioning cycle



Source: PC 2017a, p. 203.

In theory, the commissioning model provides a basis for good service delivery design and managing performance. However, governments do not always adhere or fulfil the principles well, nor complete each stage of the cycle.

In Queensland where new investment is sought, the commissioning cycle occurs through the budget process. Funds are allocated to deliver specific services and agencies are responsible for commissioning those services.

The Queensland Government directly delivers many services, such as primary education, most forms of health care, and policing. The government also contracts with private for-profit and private not-for-profit organisations to deliver services such as counselling, family support and justice services.

The Queensland Government is increasingly adopting community engagement and co-design approaches to commissioning services, as well as transferring service delivery to communities in specific areas, for example in health and wellbeing services. Trials of other innovative models currently underway are a justice reinvestment trial in Cherbourg and a social reinvestment pilot program (Box 2.2), as well as social benefit bonds (see Chapter 8, Box 8.8).

Box 2.2 Queensland Government—new service delivery models

The Queensland Government is investing in innovative ways to partner with communities to increase community participation and engagement to improve services.

In May 2017, the Queensland Government launched *Our Way*, a generational strategy for Aboriginal and Torres Strait Islander children and families to improve the safety and wellbeing of Aboriginal and Torres Strait Islander children. The strategy was developed in partnership with Family Matters and community sector organisations, and represents a fundamental shift in how child protection and family support services work.

The first three-year action plan invests \$150 million over five years for Aboriginal and Torres Strait Islander-community-controlled organisations to lead the design and delivery of Family Wellbeing Services to better support vulnerable families and communities. It also provides for engaging discrete communities in service reform initiatives and trialling family-led decision-making models.

The *Making Tracks Investment Strategy 2015–18* commits to progressing the transition of primary health care services to community control in at least two Cape York communities.

Mossman Gorge has had community-controlled primary health care services since 2009 through Apunipima Cape York Health Council, the regional Aboriginal and Torres Strait Islander Community Controlled Health Organisation.

In 2014, the local Aboriginal and Torres Strait Islander Community Controlled Health Service, Gurriny Yealamucka Health Service, became the provider of all primary healthcare services in Yarrabah, with the Cairns and Hinterland Hospital and Health Service continuing to offer emergency services.

In 2016, the Queensland Government committed to progressively transition Queensland Government funded primary health care services in five communities (Aurukun, Mapoon, Napranum, Coen and Lockhart River) to a community-controlled primary health model by December 2019.

The *Community Justice Group Program* supports Aboriginal and Torres Strait Islander organisations to work with their local community to develop strategies for dealing with justice-related issues. Community Justice Groups are run by members of the community and provide a community-based response to local issues, working cooperatively with magistrates, police and corrective services personnel.

Queensland Corrective Services supports Aboriginal and Torres Strait Islander offenders to reconnect with their local communities and provide specific intervention and support needs to ensure they remain crime free. This includes operating permanent Probation and Parole reporting centres in Mornington Island, Doomadgee, Weipa, Cooktown, Palm Island and Woorabinda, and a District Office on Thursday Island.

The Department of Justice and Attorney-General is implementing a *justice reinvestment trial* in Cherbourg in a co-design process with the community that aims to improve public safety and reduce related criminal justice spending to reinvest savings in strategies that can reduce crime and strengthen communities.

The draft *Advancing Aboriginal and Torres Strait Islander Education Action Plan* to drive higher expectations in early childhood education, school education, vocational education and training, and higher education takes an empowerment approach, recognising and building on the unique strengths, knowledge and skills of Aboriginal and Torres Strait Islander parents, elders, families and communities.

Source: Queensland Government (sub. 27, pp. 7–11; 18)

Indigenous councils

Indigenous councils provide infrastructure and other services including roads, water and sewerage services, manage airports, cemeteries, art and cultural centres, child care centres, and other community facilities such as pools, parks and gardens, sport and recreation facilities, historical centres, Indigenous knowledge centres, environmental health and animal management services (LGAQ sub. 14, p. 35).

Indigenous councils sometimes step in to fill gaps in service provision to their communities, for example providing mechanical, banking and post office services. They promote economic development of their communities through training, employment and business development opportunities. Indigenous councils also support their communities by managing and coordinating community justice groups, home and community care, youth and kids club programs, women's shelters, and men's groups (LRASC 2016a, pp. 12–15).

Indigenous and mainstream non-government organisations (NGOs)

Since the 1970s, Indigenous organisations have played a key role in delivering community-controlled services in areas such as health, local government, housing, community and welfare services (Sanders 2002; Tsey et al. 2012). While governments fund most services to remote and discrete communities, many are delivered by mainstream NGOs external to the community. Examples of Indigenous organisations and the areas in which they operate are outlined below.

Indigenous corporations

Across Australia there are about 2,500 Indigenous-owned and controlled corporations registered with the Registrar of Indigenous Corporations. The strength and governance of this sector has grown steadily—compliance with reporting requirements has improved significantly from 24 per cent in 2001–02 to 97 per cent in 2014–15, and the amount of self-generated income has steadily taken over from government-derived as the leading income source (ORIC 2016, p. 26). The vast majority of the top 500 are not-for-profit corporations. The most common sectors of operation were health and community services, followed by employment and training, and land management (ORIC 2016, p. 19).

In 2014–15, 95 of the top 500 Indigenous corporations were in Queensland, with a combined total income of \$205.1 million, assets of \$254.3 million, and 1,795 employees (ORIC 2016, pp. 7, 16).

Aboriginal Community Controlled Health Organisations

Aboriginal Community Controlled Health Organisations (ACCHOs) are primary health care services initiated and operated by the local Aboriginal community to deliver holistic, comprehensive, and culturally appropriate health care to the community which controls it, through a locally elected Board of Management. The health services adopt an integrated primary health care model that is in keeping with the philosophy of Aboriginal community control and the holistic view of health.

ACCHOs have become key strategic sites for Aboriginal community development through employment, education of staff, engagement, empowerment and social action (Panaretto et al. 2014, p. 649). Queensland has 28 ACCHOs registered with the National Aboriginal Community Controlled Health Organisation.

Community Justice Groups

Community justice groups (CJGs) are Aboriginal and Torres Strait Islander organisations supporting Indigenous people who have come into contact with the criminal justice system. CJGs were first established in 1993 in North Queensland. They are run by local community members including Elders, traditional owners, Respected Persons and community members of good standing. Nearly all CJG members are volunteers.

CJGs provide a community-based response to local issues, working in cooperation with magistrates, police, corrective services personnel and staff from other government agencies. Key activities include making cultural submissions to the Magistrates Court on behalf of defendants; identifying and promoting treatment and support programs for defendants to help magistrates in their bail and sentence decision-making; and assisting and directing defendants as they progress through Murri Court (Queensland Courts 2017).

Land councils and native title representative bodies

Land councils are elected membership bodies representing Aboriginal affairs at state level. They aim to protect the interests and promote the aspirations of Aboriginal communities. Local Aboriginal land councils manage and deliver a range of support services including housing, legal affairs, employment, training and property acquisition and management.

Native title representative bodies (NTRBs) and native title service providers are regional organisations that assist Aboriginal and Torres Strait Islander people with all aspects of their native title claim, as outlined in the *Native Title Act 1993* (Cth). NTRB staff represent native title holders and claimants in native title related proceedings including native title claims, appearing in court on behalf of native title claimants, responding to ‘future act’ applications (for example, proposed mining on native title land or land subject to a registered native title claim) and negotiations for Indigenous land use agreements (ILUAs). Other functions of NTRBs include certification, dispute resolution, consultation and notification and agreement-making.

The National Native Title Tribunal lists five representative body areas in Queensland: Torres Strait (Torres Strait Regional Authority); Cape York Region (Cape York Land Council Aboriginal Corp); Carpentaria Gulf Region (Carpentaria Land Council Aboriginal Corporation); Northern Queensland Region (North Queensland Land Council Native Title Representative Body Aboriginal Corporation); and Southern and Western Queensland Region (Queensland South Native Title Services Ltd).

Family Responsibilities Commission

The Family Responsibilities Commission (FRC) was established under the *Family Responsibilities Commission Act 2008*. The primary role of the FRC and Local Commissioners—respected Aboriginal and Torres Strait Islander community members—is to convene conferences with community members to encourage clients, individuals and families to engage in socially responsible standards of behaviour. The FRC operates in Coen, Hope Vale, Mossman Gorge, Aurukun and Doomadgee.

Torres Strait Regional Authority

The Torres Strait Regional Authority (TSRA) focuses on progressing the Torres Strait region’s economic development, fisheries, cultural heritage, environmental management, governance and leadership, and community health and safety. The TSRA is also a registered Native Title Representative Body.

Cape York Partnership

Cape York Partnership (CYP) is an Indigenous organisation developing reformative policy that champions Indigenous economic and social development. CYP delivers services including commercial advisory, mentoring, building and landscaping, education and employment services.

2.4 Conclusion

Many of the outcomes and challenges faced by communities, as well as the service delivery environment, have been influenced by past government policies and other historical factors. Most discrete communities were positioned without consideration of their ongoing economic viability, and the residents have had little autonomy or opportunities for employment.

The architecture of service delivery is concentrated at the state and national level, with a complicated maze of policy, funding, delivery and regulation. Policy is made by numerous Queensland government agencies, boards and statutory bodies, as well as the Australian Government, the TSRA, and the Indigenous local governments. Government funding dominates service delivery, with implications for the prioritisation, design and delivery of services. Most services are planned and delivered by agencies and non-government organisations external to the communities.

The centralised and complex nature of the system gives rise to a range of challenges and risks. Expenditures, outcomes, issues and options for improvement are discussed in the following chapters.