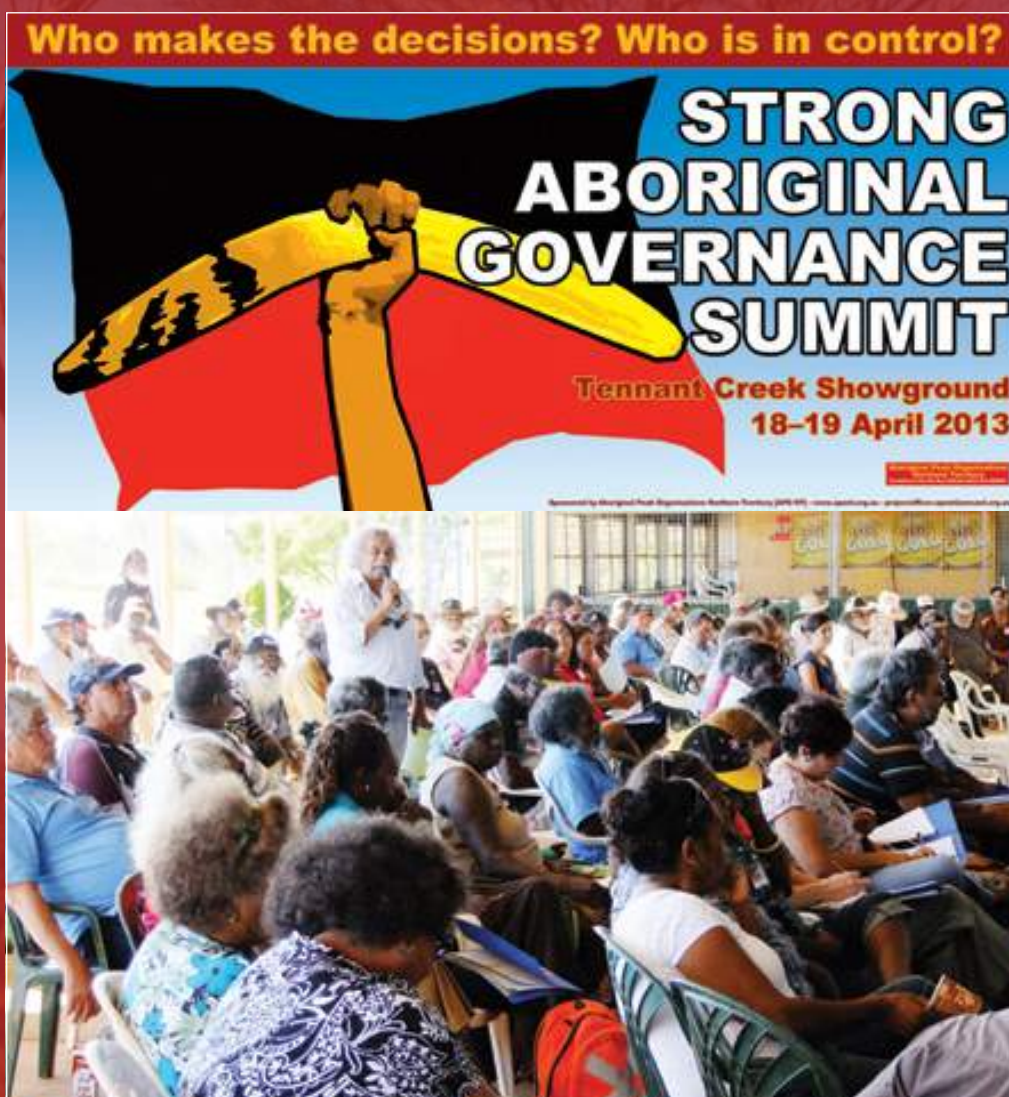


ABORIGINAL PEAK ORGANISATIONS OF THE NORTHERN TERRITORY

STRONG ABORIGINAL GOVERNANCE REPORT MAY 2013





Contents

1. Acknowledgements	4
2. The Governance Summit	5
3. Governance: What It Means To Us	6
4. Governance: Why It's Important For Us	7
5. Reclaiming Our Self Determination	9
6. Self - Determine - Nation: Turning Rights Into a Reality	11
7. The Current Challenges	12
8. Making It Happen: It's Up To Us!	13
9. The Big Themes and Recommended Actions	14
Law and Culture - Men	16
Law and Culture - Women	18
Aboriginal Organisations	20
Local Government	24
Youth and Leadership	26
Dealing With Conflict	28
10. Where To From Here?	30
Concluding Ideas And Insights	32
Summary - Governance is Happening Now	32
Listening Carefully - Beyond The Big Themes	34
A Way Forward	37
The Message For Government – "Service Rich But Outcome Poor"	41

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1. Acknowledgements

Thank you to the Warumungu (Tennant Creek) traditional owners, past and present, for allowing us the opportunity to meet on their country for the Strong Aboriginal Governance Summit 2013. The Aboriginal Peak Organisations of NT (APONT) would like to thank Tennant Creek traditional owner, Rosemary Plummer from Patta Aboriginal Corporation, for warmly welcoming participants to your country, and Gina Smith from the Council of Elders and Respected Persons (CERP) for giving a run down on the CERP protocols and visitor rules for Tennant Creek.

APONT were extremely happy with the high level of participation and thought provoking discussions at the Summit. We would like to acknowledge all the participants and give special thanks to those Aboriginal organisations and community groups who sponsored and supported their board members, staff and members to attend.

Those who attended were strong representatives for their communities and organisations, and gave insightful messages on the opportunities and barriers for improved Aboriginal governance in the NT.

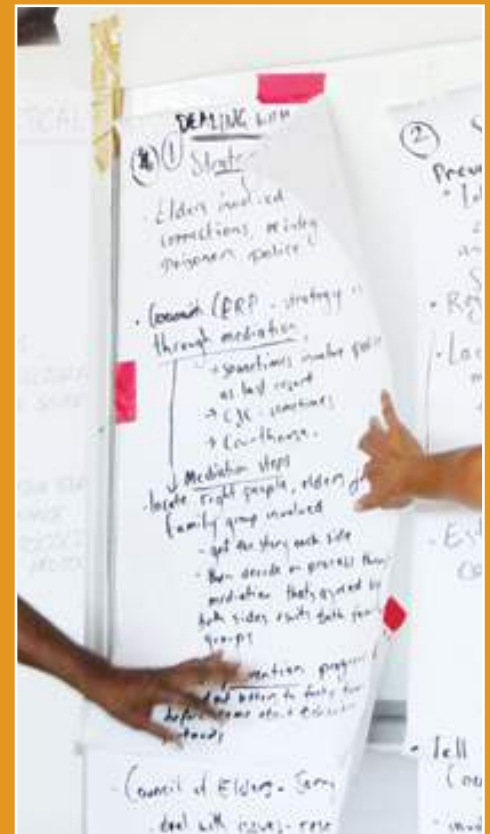
APONT would like to especially acknowledge those representatives who gave presentations at the Summit. They include: Geoffrey Barnes, Pat Brahim, Joseph Cox, Steve Edgington, Alistair Ferguson, Roslyn Frith, Fiona (FM) Gibson, Mick Gooda, Dene Hereen, Willy Johnson, Barbara Martin, Andrea Mason, Sharon Nampijinpa, Judy Napaljarri, Kitty Napanangka, Harry Nelson, Biddy Nungarrayi, Leslie Robertson, Eddie Robertson, Lottie Robertson, David Ross, Helen Williams, Wali Wunungmurra, and Joaz Wurramara.

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John Paterson and Priscilla Collins deserve special mention as the Summit Chairs. They kept order to the program and ensured good representation from the floor. APONT was assisted by rapporteurs at the Summit including Donna Ah Chee, Diane Smith, Miles Holmes and Trish Rigby. Diane Smith and Miles Holmes have subsequently compiled this overarching report of the Summit.

Finally, thanks to the many staff of APONT and the member organisations that played a critical role behind the scenes, making sure the Summit ran smoothly.

APONT, MAY 2013



Gina Smith.

2. The Governance Summit

WHY WAS A SUMMIT NEEDED?

The Aboriginal Peak Organisations of the NT (APONT) have committed to working together more closely. They also share a view that Aboriginal governance is fundamentally about the building of institutions (rules), networks and processes that deliver well-organised action and genuine decision-making control to Aboriginal people over the issues of most importance to their lives and future communities.

SO WHY WAS IT IMPORTANT TO HAVE AN ABORIGINAL SUMMIT NOW ON GOVERNANCE?

Over the last 10 years, Aboriginal people have been on the receiving end of constant changes in policies and programs by every level of Government. In many cases this has undermined Aboriginal governance; especially local decision-making authority. It's not surprising then, that Aboriginal people are demoralised and unclear about what the future holds for them.

Governments have lost their way on Aboriginal issues, and their own capacity to implement policies and deliver outcomes is the lowest ever. They talk a lot about governance, but always in terms of their own priorities, values and solutions.

It's important for Aboriginal people to propose their own governance priorities and share ideas about what works. But it's also time to do the practical governance work that is needed to turn rights into outcomes. Governments will come and go, but Aboriginal people will still be here.

So the Summit was about an Aboriginal governance agenda. It was not about waiting for Governments to act. It was an opportunity to have an honest, open - and hopefully inspiring - conversation about what Aboriginal people can do now – drawing on your law and culture, values, and resources – to shape Aboriginal governance, and deliver real progress on the ground.

THE SUMMIT ASKED THESE CRITICAL QUESTIONS:

1. Where do you want to be in twenty years?
2. How do you want your clans, nations and communities to be governed?
3. What role can your cultural values and laws play in strengthening your governance solutions?
4. How can you practically support women and young people to play greater leadership roles in your governance?
5. What can the organisations you already have do to help us get there, and to keep traditional decision-making processes and law strong?
6. How do you build new governing structures and build your capacity?



Eddie Robertson.

AIMS OF THE SUMMIT

1. *"This summit aims to provide space for Aboriginal people and their organisations to reclaim the governance agenda by reassessing our governance needs, values, aspirations and priorities, and sharing insights and solutions".*
2. *"The objective is to share examples of strong Aboriginal governance, to hear about what works - what is happening that is new, innovative, promising, or productive - and identify why it works".*
3. *"We will draw on lessons learnt from the past. While we will consider common barriers to strong Aboriginal governance (both internal and external), we want to focus on identifying practical positive pathways to overcome those barriers and maximise our self-determination through strong governance".*
4. *"We need a plan, a roadmap for claiming practical control over our own lives based on your own informed decisions about your governance arrangements, and a shared commitment to build a future for our kids that allows them to excel in both worlds".*

3. Governance: What it means to us

THE WORD 'GOVERNANCE' MEANS DIFFERENT THINGS TO DIFFERENT PEOPLE AND CULTURES.

Here is what David Ross (CLC Director) said in his opening talk:

"Aboriginal Governance is about working together to build structures and processes that reflect your culture, your priorities, your world view, and your solutions to problems.

Governance is not just a matter of effective service delivery, or organisational compliance, or management. It is about the self-determining ability and authority of clans, nations and communities to govern: to decide what you want for your future, to implement your own initiatives, and take responsibility for your decisions and actions.

You can decide now to work together to be strong and unified, to increase your governing skills and capabilities to exercise your rights, and to adequately prepare your young people for the weighty responsibility that comes with any quest for greater control and power.

This Summit will be a wasted opportunity if we spend all our time and energy talking about what should be delivered by governments. That is not self-determination in action!

Governance is about what you can do for yourselves, how you make decisions and take responsibility for them, how you get things done properly, so you can determine your own future".

David Ross

"Culture underpins our community governance and should inform our organisational governance, and the way in which government facilitates and enables our governance".

Mick Gooda

"What is governance? It's working together, solving internal fights first, having one voice. Second, it's our own organisations running well, not being dysfunctional and getting in trouble".

"Governance has to come from the grass roots from us, governance is us all working together as one to achieve something".

Willie Johnson

"I did my governance training, but I have my own governance through my culture. You need to trust each other, trust your board and the people in the community need to trust that everyone is doing what is required".

Helen Williams

"Being sovereign is in the heart. The question is how you start acting sovereign without having to be given it on a plate".

John Christopherson

"We believe in respect and our old people in charge that is the best governance. We made up our mind, it was our choice... Good governance starts with us and making decisions".

Nigel Morton

"Aboriginal people have always had their own governance. But now there are other forms of governance we need to be aware of. So we need to make organisations strong to avoid damage to our own people and so we keep control".

Wali Wunungmurra

"Good Aboriginal governance means being inclusive, getting consensus, keeping your community and people with you. It means women and men together equal. Making strong decisions. Then doing it! Being responsive and getting things done. Making each other accountable and making sure governments are held accountable".

Pat Brahim



David Ross.

4. Governance: Why It's Important For Us?

WHEN ABORIGINAL PEOPLE AND THEIR ORGANISATIONS HAVE GOVERNANCE THAT IS FAIR, EFFECTIVE, AND CULTURALLY LEGITIMATE, THEY ARE MUCH BETTER ABLE TO:

- * organise themselves together to get the things done that matter to them.
- * make rules that people follow, and decisions that win support and get carried out properly.
- * protect the cultural values, relationships and values that are important to them.
- * sort out their own internal conflicts and behaviour problems, without outsiders intervening to impose solutions.
- * speak confidently with one voice, so they can negotiate more effectively with outsiders.
- * get economic development, local projects and businesses going that have a better chance of succeeding and lasting.

THIS IS ABORIGINAL GOVERNANCE IN ACTION!



Conference Participants.



Rosie Baird .

WHAT PEOPLE SAID

"We have Warlpiri ways of talking about governance. We support each other to make decisions. Now we are stronger at making decisions together. We do have 'governance work' and we are proud of it".

Barbara Martin

"Effective Aboriginal governance puts us back in the driver's seat... You can start by acting now on the things you do control, and make decisions about priority issues to tackle".

David Ross

"We realised we were service rich, but outcomes poor. Our communities were still no better off. So we decided to fix our own governance in communities and across our region. When Aboriginal people are involved in making the decisions they take responsibility. Now governments are coming to us to make agreements and partnerships".

Alistair Ferguson



Wali Wunungmurra.

THE TENNANT CREEK ABORIGINAL PROTOCOLS

Rosemary Plummer gave the 'Welcome to Country' at the Summit and told us about the Protocols for Behaviour and Respect which have been developed by the Council of Elders and Respected Persons in Tennant Creek.

The Protocols sets out the Aboriginal rules, laws and behaviours that are expected of all visitors to town.

She said that the most important rule is Respect - respect from old way. Every visitor should behave with respect while they are in town:

- Respect for yourself
- Respect for your family and elders
- Respect for other people
- * Respect for country



Barbara Martin.

Below: Harry Nelson, Pat Brahim, Wali Wunungmurra, Priscilla Collins and John Paterson.



A landscape photograph of a red rock desert canyon. The foreground is dominated by large, dark red rock formations and a large clump of tall, thin, yellowish-brown grass. The middle ground shows a valley with sparse green and grey vegetation. In the background, a range of red rock hills is visible under a bright, hazy sky. The overall scene is a natural, rugged desert environment.

Reclaiming Our Self-Determination

5. Reclaiming our self determination

AT THE SUMMIT, MANY LEADERS PUT OUT A STRONG CALL FOR ABORIGINAL PEOPLE AND ORGANISATIONS TO RECLAIM THE CONCEPT OF SELF-DETERMINATION, AND TO TAKE PERSONAL RESPONSIBILITY NOW FOR BUILDING THEIR OWN GOVERNANCE.

Self-determination means having genuine decision-making power and responsibility about what happens on your lands, in your families and communities, in your governing systems, and in your future development. It's about having meaningful control over your own lives and cultural well-being.

Even though times seem tough, Aboriginal people have already fought for, and secured, some impressive rights and wins. But that is just the beginning, because now there is an even bigger challenge: Aboriginal people have to be able to practically deliver on their rights and promises, in order to ensure that life is better, now and for future generations.

THERE ARE TWO BIG CHALLENGES AHEAD IN BUILDING GOVERNANCE THAT MAXIMISES ABORIGINAL SELF-DETERMINATION.

Firstly, Aboriginal people need to be unified, strong and strategic in negotiating for stronger rights and this is difficult when many communities and families are suffering ... and consumed with so much internal conflict. Drugs, alcohol, violence, lack of education, and loss of cultural knowledge are problems that are ruining young lives and can't be ignored. The message at the Summit was: confront them and look at your own personal role and conduct.

Secondly, individuals need to be ready and capable to take on the responsibility that comes with achieving greater rights and more power. Power and responsibility are inextricably linked – it is like the Kirda-Kurdungurlu relationship – you can't have one without the other.

Self-determination has been bastardised and shoved into the closet by governments. So neither the Australian political nor the legal system will give you self-determination. It must be created by you - fought for and implemented by you.

To do that Aboriginal people and organisations need to be ready with the skills, cultural authority and confidence to turn rights into practical improvements on the ground.

People can start by acting now on the things that can be controlled and improved, and by making shared decisions about the priority governance issues they need to tackle.

IF ABORIGINAL PEOPLE WANT SELF-DETERMINATION, THEN THEY HAVE TO GOVERN WELL.

POLITICAL MATURITY IS NEEDED NOW TO BUILD ON THE RIGHTS AND POWER ALREADY WON.



Mick Gooda.

"The exercise of self-determination can only be achieved if we have good community governance. This means the existence of 'effective, accountable and legitimate systems and processes' where Aboriginal and Torres Strait Islander peoples can 'articulate their interests, exercise their rights and responsibilities and reconcile their differences. ... Sovereignty – people need to act sovereign, not wait for it to be given by government. .. Governance is a way of asserting control".

**Mick Gooda,
Aboriginal Social Justice
Commissioner.**

"We have to park past disagreements, leave them behind. Talk good way, respectful and with a united voice. That's what it's all about".

John Paterson

"The time is now. For our mob to lead the way and take action for the future".

Priscilla Collins

6. Self - Determine - Nation: Turning Rights Into A Reality

WHAT PEOPLE SAID:

"Tjurrkurpa, the law, gives us self-determination on the land, and that's how we learnt and get our leadership role.. From that law you already have your constitution, your rights, your land. We been doing governance every day in our own cultures".

Sammy Butcher

"How are we going to unite? How are we going to reconcile? To go forward we have to unite".

Norman George

"Reconciling starts with us, with our own people on the ground, in our own families. We got to reach out and help each other. The vision for change comes from within".

"We need to be strong in the group to keep Yapa law up there, not down under. We are strong, firm, not going to let go of Yapa culture law".

Geoffrey Barnes

"There is an opening for us to stand up as a one voice, to keep going, pushing. We need not only to talk about it, but to DO IT! We need that empowerment back to stand strong".

Wali Wunungmurra



Sammy Butcher.



Geoffrey Barnes.

SELF	DETERMINE	NATION
WHO? WILL DO IT	HOW? WILL WE DO IT	WHY? WILL WE DO IT
= OUR PEOPLE	= OUR GOVERNANCE	= OUR FUTURE
WHO IS THE SELF IN OUR GOVERNANCE?	WHAT KIND OF GOVERNANCE DO WE WANT?	HOW DO WE KEEP IT STRONG?
Our relationships, families, clans	Cultural governance	- Innovative ideas
Our communities and grass-roots	Strong rules and decisions	- Hard-headed monitoring
Our organisations	Honest inclusive leadership	- Young leaders
Our Law, Land and Culture	Practical capacity, skills and knowledge	Realistic goals & priorities
Our rights and interests	Personal and collective responsibility	Shared vision & support
THE FIRST STEP IS TO:		
= RECONCILE AMONGST	= MAKE INFORMED CHOICES	= COMMITMENT
= OURSELVES FIRST	= EXERCISE SELF-CONTROL	= POLITICAL MATURITY
= SPEAK WITH A UNITED VOICE	= SUCCESSION PLAN	= RESPONSIBILITY
= NOT SELFISH DETERMINATION	= CONSOLIDATE	= SUSTAINED ACTION

7. The Current Challenges

REPORTING BACK FROM THE BREAKOUT SESSIONS

EXTERNAL BARRIERS:

- Racism, ignorance and negative attitudes. Governments focus on Aboriginal deficiencies not strengths.
- No recognition of Aboriginal Law or decision-making authority in white law and policies.
- Lack of respect and understanding for our culture and its role in governance today.
- The 'governance of governments' is very poor. Governments are always changing the goal posts, changing programs, policies and rules.
- Governments impose structures from the top-down, not bottom-up. Government is big brother, demanding but not learning about our governance.
- The government is taking power and decision authority away from communities (eg; the Intervention, Local Government changes, removing permit system, cutting bi-lingual education and outstation support).
- Government funding has too many strings attached, it's stop-start, and too many buckets. This creates dependence and we operate according to external priorities and plans. Government money is 'strings-attached' determination.
- Government is over-riding community decisions and rules which undermines our governance. We put up new ideas but they just get knocked down. We got no power to put in place local solutions to local problems. All the power is in Canberra.
- Communities are being cut up into pieces by all the different government committees, reference groups, advisory groups and none of them have any local power.

INTERNAL BARRIERS:

- Remoteness and geography, we are spread out, poor infrastructure and services in our communities.
- Low levels of governance skills and experience and lack of resources and uneven access to resources between different communities.
- Communication issues between all levels: in our families/communities/leaders/organisations.
- Lack of economic development and jobs. Still a lot of poverty.
- Aboriginal organisations are reactive, no time to work together, many are suffering real governance issues and cannot get good staff to stay.
- Young people leaving our communities and no succession planning to mentor them.
- Education – low level and qualifications, it's not culturally appropriate, poor financial literacy.
- Important rights have been won, but it's not delivering changes on the ground.
- Poor health, alcohol, drugs, mental health problems all make poor governance.
- Shyness (among young and old) keeps us from speaking out, low confidence & self-esteem.
- We always judging each other; too much intimidation, fights, family conflict hold us back.
- No gender balance; women not equal in governance and men stressed.
- Community conflict - violence, jealousy, intimidation, lack of unity



Valda Shannon.

YOU LOOK AT WHAT HAS HAPPENED OVER THE LAST 30 YEARS - THINGS JUST KEEP GOING ROUND AND ROUND, LIKE A TYRE ON A TRUCK. BUT WE AREN'T GETTING ANYWHERE.

SO WHAT'S THE SOLUTION? THE SOLUTION IS: WE'VE GOT TO TAKE CHARGE OF THE STEERING WHEEL..... MAKE SURE WE'RE GOING IN THE RIGHT DIRECTION.



8. Making it Happen: It's Up to Us!

REPORTING BACK FROM THE BREAKOUT SESSIONS

GOVERNANCE IS NOT OTHER PEOPLE. IT'S US! GET IT IN YOUR HEADS, YOU CAN DO IT, OF COURSE YOU CAN". REX GRANITES

The practical experiences presented in the case studies at the Summit show us that **a gradual, development approach** is critical to achieving sustained, effective and legitimate Aboriginal governance.

- That means:
- it takes time - lots of time.
- you need to bring your community members along with you, not get out in front of them.
- your internal conflicts need to be sorted out.
- making the hard decisions when needed.
- your decisions have to be backed up by taking responsibility to make them happen.
- you need to be flexible and see if your early solutions work, or need to be changed.

There also needs to be **greater support** for Aboriginal groups, communities and organisations to develop models of governance and management that work well on the ground.

A lot of hard work is required to **build governance capacity** in individuals, groups and organisations. It doesn't happen overnight. It needs a long-term commitment.

Aboriginal governance solutions must be able to meet both the 'mainstream' governance requirements of government and funding bodies, and the Aboriginal requirements of having cultural governance.



Rex Granites.

Here is what people said:

"Enough is enough. We have to work together. Reconcile with each other first. It's time to take control and put our governance back into a strong position".

Maurie Ryan

"We need physical and mental health to have good governance".

"To solve our problems people need to own and control their problems. Reach out and help each other. We got to be strong people to do the work ourselves".

Gina Smith

"If we want strong governance we will have to do it with our family groups first".

Yananymul Mununggurr

"You've got to set realistic goals and achievable goals so it is incremental. We can have all the rights in the world, but it means nothing if we aren't healthy, well-educated and have our culture".

John Christopherson



Linda Turner.

OUR STRENGTHS AND OPPORTUNITIES:

"We have the skills and knowledge. We need to support our own people to use them. Respecting and building on local knowledge and expertise for our governance".

"We've got strong culture. That's the foundation for governance today. You got to work at the grass roots with traditional owners. We get security and confidence from culture".

"We've got to get into education, scholarships, mentoring, multi-lingual in schools, and training for governance that is culturally appropriate".

"Developing our young leaders is the starting point".

"There's gotta be balance and support for both men and women in governance, including more women on boards of organisations".

"It's time for reconciling and united action between Aboriginal people".

"Our organisations, we have to make them stronger, better communication, team work, and wise use of finances".

"We need to strengthen our political voice and make changes to the constitution".

"We need to push for cultural awareness training for government organisations working with us - and we need to provide that training".



The Big Themes and Recommended Actions



Andrea Mason, NPY Women's Council.



Conference participants including Bernard Abbott and David Doolan.



Norman George.

9. The Big Themes and Recommended Actions

- **THE SUMMIT PARTICIPANTS CAME FROM DIFFERENT COMMUNITIES ACROSS THE NT AND BEYOND BUT THEY SHARED MANY COMMON CONCERNS AND PRIORITIES.**
- **PARTICIPANTS BROKE UP INTO SMALLER DISCUSSION GROUPS TO TALK ABOUT THEIR COMMON 'BIG THEMES' AND REPORT BACK.**
- **SEVERAL IMPORTANT GOVERNANCE ISSUES STOOD OUT AS NEEDING PARTICULAR ATTENTION AND ACTION FROM ABORIGINAL PEOPLE AND ORGANISATIONS.**
- **IN THE FOLLOWING PAGES YOU WILL READ PEOPLE'S IDEAS AND VIEWS AND THE ACTIONS THEY SAID NEED TO BE TAKEN.**
- **THESE ACTIONS ARE MAINLY FOR ABORIGINAL PEOPLE THEMSELVES - AFTER ALL THAT'S WHAT THE SUMMIT WAS ABOUT - ABORIGINAL SELF-DETERMINATION!**
- **BUT THERE ARE ALSO RECOMMENDATIONS FOR GOVERNMENTS WHICH WE ENCOURAGE THEM TO CONSIDER.**

Law And Culture - Men

THIS IMPORTANT THEME BECAME THE FOUNDATION FOR MUCH OF THE DISCUSSION ACROSS ALL THE BREAKOUT GROUPS ABOUT THE KIND OF GOVERNANCE THAT ABORIGINAL PARTICIPANTS WANTED TO DEVELOP IN THEIR COMMUNITIES AND ORGANISATIONS.

The law is not just legislation or a justice system. The word Law also means Lore and includes Aboriginal ethics, knowledge, ways of doing things, family systems, ceremonial practices, language, and it is the rules for land tenure. Aboriginal law is the governing system of people and country and the basis of culture. The breakout session reported that while different groups may have different interpretations of the Law, there is also much common ground.

Throughout the Summit there were many examples of how organisations are positively using the Law in their governance practices:

The Summit opened with the Council of Elders and Respected Persons Protocols and a call for more organisations to build the Law into their governance through specifying cultural rules and expectations. Many organisations use traditional rules about land tenure to structure their boards, and therefore provide representation in accordance with the Law. For example, the Anindilyakwa Land Council has 28 board members, including 2 from each of the 14 clan groups. Katherine West Health Board, Warlpiri Youth Development Aboriginal Corporation, (WYDAC), Murdi Paaki Regional Assembly and Maningrida Progress Association all described similar processes of culturally-based representation.

Julalikari Council uses Warrumungu kinship rules to guide its decision making, to encourage each other to do better, and to ensure balanced representation in board meetings. Positive incentives are created by using the inbuilt "competition mode" that exists in the kinship system through the generational moieties.

Cultural values were highlighted as important for governance.

Rosalie Kunoth Monks from the Urapuntja Aboriginal Corporation looked to the kinship rules that govern how families should support each other. She said that "**Aboriginal culture is inclusive - everybody counts**" - it is not about power, but healthy functioning.

The values contained in Aboriginal Law are the basis for WYDAC's programs which put kids and elders together on outstations and teach them about country and identity.

The StrongBala elders groups program is trying to reduce re-offending through connecting youth with culture.

The men's session stated that Aboriginal Law is very significant because good governance must first begin in communities and families. However, there are no rights to administer the tribal law to offenders and this means that Australian legislation is breaking Aboriginal Law, covering it up, so there is a conflict there between the two laws and ways of governing.



WHAT PEOPLE SAID:

"Tjurrkurpa you have already. It holds the constitutional law for our lands, our rights. We want recognition rights for that governance. Tjurrkurpa gives us self-determination on the land and that's how we learnt and get our leadership role. ... Law will protect people for the rest of their lives. Whether we like it or not we have to live by it. Law tells me who I am, What I am, And what I can do. Don't pretend to be someone else".

Wali Wunungmurra

"We don't want to see the law at different levels, we would like to see them side by side".

Geoffrey Barnes

"What is law and culture in respect to governance? We have it – born with it, It's who we are. It's our law; it is a way of governing; we do it every day".

Joaz Wurramara

"Our law covers everything, not just the manufactured white law".

Wali Wunungmurra and John Christopherson

"What I am trying to say is that Aboriginal people in spite of what has been thrown at us, our cultural links are still alive".

Rosalie Kunoth-Monks

"It will take old fellas like us, trying to teach our mob the law".

Rex Granites

"Governance comes from us – we have lived with governance all our lives is part of our culture".

Katherine West Health Board

RECOMMENDATIONS FROM LAW AND CULTURE MEN SESSION

THE LAW IS THE BEDROCK OF ABORIGINAL CULTURE AND THEREFORE SOME RECOMMENDATIONS FOCUSED ON ACTIONS WHICH SUPPORT CULTURE IN GENERAL, WHILE OTHERS FOCUSED SPECIFICALLY ON THOSE ASPECTS OF THE LAW THAT DEAL WITH JUSTICE. THEY INCLUDE:

1. Establish greater Aboriginal political representation through an Aboriginal Party or Independents.
2. NAAJA and CAALAS, with support from Aboriginal people, to look at ways Aboriginal Law can be implemented in today's world. Push for change in legislation to recognise Aboriginal Law.
3. Police power is needed by Aboriginal people to work at the local level.
4. Emergency calls should go to local police rather than the Darwin switch board.
5. Discretionary powers are needed for judges and magistrates, with agreement of community law and justice groups.
6. Local community people to assert themselves in ways that support their law and culture, such as: (a) Asserting their rights to self-determined sovereignty by establishing government-free days where every community puts aside two days a week and on these days Aboriginal community leaders and residents will talk to government agencies. If you want to visit us, send us a message and we will put it on the agenda; and (b) Creating community organisations based on cultural protocols.
7. Make culture and the law a link between young people and elders.



Law And Culture - Women

THIS GROUP TALKED ABOUT THE ROLE THAT WOMEN'S TRADITIONAL LAW AND CULTURE CAN PLAY IN ABORIGINAL GOVERNANCE SOLUTIONS, AND WAYS TO BETTER SUPPORT MORE WOMEN TO BECOME LEADERS IN GOVERNANCE. THE DISCUSSION WAS CARRIED OUT IN TWO DIFFERENT GROUPS OF PARTICIPANTS AND RANGED OVER MANY ISSUES AND CONCERNS.

- Respect for women was raised as a critical internal issue amongst Aboriginal people - respecting each other in everything, the Law, community, in business, as workers, at conferences such as this one. Respect is also needed for elders who are the teachers.
- There needs to be broader recognition of existing Aboriginal cultural structures and ways of governing, including women's law and knowledge.
- In terms of organisational governance, it was pointed out that there are still not equal positions or numbers of women being elected onto the boards of organisations, and there is very little opportunity for women on organisations in communities. It was strongly felt these things need to be changed, but that can only be done from within, by Aboriginal people.
- The situation of young women received a lot of attention. Participants identified an urgent need for leadership and training for young people that focussed on governance. A strong call was also made to keep teaching younger women about culture and law.
- Education about governance needs to be 'two-ways' so that they understand both ways. But it also needs to ensure that there is respect paid to traditional owners and caretakers of country.
- Aboriginal organisations can all do more to involve older and younger women in leadership roles, and learning the practical skills needed to govern well.
- Considerable frustration was voiced about the cutting of funds from various community programs that support women's leadership and governance. In particular, the cutting of funds from women's centres across the NT was seen as particularly destructive to women's safety and well-being. Women's centres are a focal point in communities and provide a voice for women's issues in general. There was no consultation and negotiation about the cuts to funding. The result was that women had their local control and decision-making power taken away.

Women's Law and Culture break out sessions.



WHAT PEOPLE SAID:

"Traditional kinship keeps accountability. ... We have to walk in the white world."

Gina Smith

"We have to be innovative and think of new ways. Family is the source of loving support for young people"

Rosalie Kunoth Monks

"Are we going ahead? We should have our own Aboriginal government across the board, so we have strong community"

Yolngu representative

"Women and men - together equal"

Pat Brahim

"The time is now for our mob to lead the way and take action for the future"

Priscilla Collins

"Yapa always keep working to make life better for their families. We had big fight in office; people fighting over royalties. So we wrote a letter to all Aboriginal people that when they come in they got to respect Lajamanu place and rules"

Sharon Anderson



RECOMMENDATIONS FROM LAW AND CULTURE WOMEN'S SESSION

THE COMBINED RECOMMENDATIONS FROM THE TWO WOMEN'S BREAKOUT GROUPS FOCUSED ON ISSUES OF LAW AND CULTURE AS WELL AS ON FAMILIES, YOUTH AND WOMEN'S HEALTH AND WELL-BEING:

1. Greater support and resources are needed for specific governance training for women (older and young women), especially about governing organisations and informal community committees.
2. Women's centres and night patrol provide invaluable support to women and the wider community. They urgently need stable funding and resources to continue operating effectively.
3. Women's traditional and ongoing role in governance - in families, clans, communities and organisations - needs to be recognised and respected.
4. Women need to be better represented on the boards of incorporated organisations at community and regional levels. There should be equal positions and numbers of women on all boards; for example, when there are two positions available for Land Council delegates, one of the positions should go to a woman. All organisations should put this issue onto the agendas of their board meetings, and create strategies to encourage more women to run for board elections.
5. The Land Councils need to continue to fund and support for women's law meetings; encourage female staff to attend these meetings; and encourage women leaders to run for election to Council.
6. Women should network with each other across organisations to build supportive forums in which to discuss their governance roles and wider concerns. Land Councils and APONT should facilitate forums for women.

WETT Program, Fiona (FM) Gibson and Kate Mutsaers with Barbara Martin.



Aboriginal Organisations

DID YOU KNOW THAT THERE ARE OVER 730 ABORIGINAL ORGANISATIONS IN THE NT INCORPORATED WITH ORIC AND AT LEAST ANOTHER 100 UNDER NT LEGISLATION. IF EACH ORGANISATION HAS AN AVERAGE OF 8 PEOPLE ON THE BOARD, THAT MEANS THERE ARE OVER 5,000 ABORIGINAL PEOPLE IN THE NT DOING THE HEAVY WORKLOAD OF GOVERNING.

AND THAT DOES NOT INCLUDE THE TEAMS OF ELDERS AND CONCERNED COMMUNITY RESIDENTS WHO GIVE THEIR TIME FREE OF CHARGE TO ATTEND MEETINGS AND CONSULTATIONS AS PART OF REFERENCE GROUPS, LOCAL BOARDS AND COMMITTEES.

There was a lot of talk at the Summit about **the importance of Aboriginal organisations** - to families and communities - and it was well recognised that they face **huge challenges**. These include:

- Some organisations have old structures that were formed without balancing the community legitimacy and corporate governance demands. It would be good to restructure them because they have outdated or weak governance structures and they currently don't bring the best out of good leaders.
- The impact of disagreements and conflicts from the past can undermine good governance.
- Managing HR issues like bullying.
- There is a lack of transparency and financial accountability down to Aboriginal people.
- Many are under-resourced and there are too many strings attached to small buckets of money.
- There is not enough governance training and capacity building.
- No power to put in place local solutions to local problems.

People felt there was a strong need for hands-on support by Aboriginal (and other trusted) people with expertise, to work with organisations to help them review these internal issues and problems, and to develop longer-term governance development plans together, for overcoming them.

People also identified the need for greater support for Aboriginal organisations to develop models of governance and management that are appropriate to meet both the 'mainstream' governance requirements of governments and funding bodies, and 'community governance' requirements that recognise the cultural and social imperatives of Aboriginal society.



RECOMMENDATIONS FOR SUPPORTING ABORIGINAL ORGANISATIONS

SUMMIT PARTICIPANTS MADE A NUMBER OF RECOMMENDATIONS ABOUT THE KINDS OF PRACTICAL SUPPORT AND ACTION (BOTH INTERNAL AND EXTERNAL) THAT THEIR ORGANISATIONS NEED TO STRENGTHEN THEIR GOVERNANCE AND MAKE THEM VIABLE. THESE WERE DIVIDED INTO THE FOLLOWING AREAS:

CULTURAL:

"Organisations need to look at ways that traditional cultural structures and their organisational governance can better support each other - to help create 'two-way' and culturally competent governance."

"Look at ways to work within your own cultural governance (i.e. Aboriginal Law) to create governance principles and protocols for your organisation and community."

"Provide cross-cultural training for staff about cultural governance and Aboriginal Law."

"Focus on reconciliation with families and other organisations at the community level in order to move forward."

MANAGEMENT:

"All organisations should review their governance structures and policies to keep them up to date and workable."

"Organisations need help to build stronger management and HR systems and skills which are also culturally relevant; including getting financial literacy training that is understandable and helps to build people's confidence."

"Training is needed for staff and board in conflict resolution."

"Contractual arrangements are needed that make clearer the roles for management and board members, and CEOs must play a greater role in supporting their boards with governance training."

EXTERNAL:

"Develop networks and alliances connecting Aboriginal organisations; for example, between CEOs to share ideas and policies, and for chairpersons to support each other."

"Additional resources and stable long-term funding by governments to help people within organisations to spend time reviewing and rebuilding their governance and to support strategic planning."

"Being able to work on an equal basis with key stakeholders."

"Urgent reduction needed of the workload burden on Aboriginal organisations in terms of excessive administration placed on them by program grant applications and acquittals for multiple funding streams."



WHAT PEOPLE SAID:

"Aboriginal organisations with good governance are innovative hybrids which combine features of their community's governance culture, with meeting the requirement of the governments' own governance culture. [Such effective organisations]: are legitimate (and representative if necessary) in the eyes of the community; have transparent and efficient decision-making and dispute resolution procedures that encompass cultural values and community governance; are accountable to the people they represent and service as well as to any external, partners, stakeholders and funding providers; have the capacity to meet the requirements of the law and its funding providers; and facilitate, not obstruct, productive relationships with government and other external stakeholders".

Mick Gooda

"When you are elected onto an organisation you are a committee for people who are not there to hear and see it, so you have to go back and tell them".

Reporting Back

"Governance comes from the grass roots, from us. Members of our organisation are spread out because our governance is us - we are everywhere."

Roslyn Frith

"We had bad management and fights. So we changed the constitution to make better rules and keep things going properly"

Helen Williams

"Good organisation is when organisations make good decisions".

Wali Wunungmurra

ABORIGINAL ORGANISATIONS

CASE STUDY INSIGHTS

Case Study Insights: The Katherine West Health Board:

They told us about their regional governance issues. Their governance is grass roots and spread out because their members live across many communities. That means they put a lot of work into their strategic plans and communication. When they do hold an AGM, they spread it out over 4 weeks so they can get out to all the communities. Also, their first 10 years were really hard, with a big workload. In other words, becoming a strong regional organisation doesn't happen overnight. It takes time and effort to set up strong governance. Today the board "are the bosses of the organisation" and they "delegate to the CEO". They have made sure they get training in the 'money-story' side of their governing responsibilities. The picture story about money "helps us to work through our budget". All board members get governance training, and staff get cross-cultural training.

Case Study Insights: Lajamanu Kurdiji Law and Justice Group:

The men and women from the Warlpiri Law and Justice Group called Kurdiji (Shield) shared with us how they started a group to help young families and trouble makers in the community. They described how there was fighting in Lajamanu by members of other communities, so they wrote letters and spoke to those communities asking for respect when coming onto their community. They put in submissions to the Liquor Commission and petitioned for changes to policing. Kurdiji promotes the value and continuity of cultural law and tries to work side by side with western Law. Kurdiji collapsed when all its funding was removed by the Howard Government and is just starting again. Kurdiji

doesn't receive any funding and is an example of grass roots action started by elders and concerned residents of Lajamanu.

Case Study Insights: Warlpiri Education and Training Trust (WETT):

This project began in 1984 with "Warlpiri triangle" (Lajamanu, Yuendumu, Willowra and Nyirripi) teachers and women meeting once a year to talk and share ideas about education, work to develop materials and curriculum, have professional development and talk about broader issues. The WETT initiative was proposed by the woman who managed to take advantage of a renegotiation of a mining royalty stream to have money set aside specifically for education and training. WETT, with administration support from the Central Land Council, funds projects in early childhood education and adult learning. The project has focused on extensive governance training for its members. A lesson from the WETT members is that they worked hard to make their governance transparent so communities could trust the process of how their money was spent.

Case Study Insights: NPY Women's Council:

Andrea Mason from the NPY Women's Council gave an inspiring speech about the changing role of the organisation over its 32 year history. The first 10 years was focused on advocacy before they started also providing service delivery, in 1992, in the areas of aged care, domestic violence, children and social enterprise. Andrea focused attention on the long-term goals of keeping the organisation running and being relevant to the times. In particular, NPY is focussing on the fundamental need for youth succession to allow the organisation to continue. NPY sees this as a three-generation project (or 50 years) - exposing young people to the pioneers of NPY, educating them and lastly mentoring them into leadership roles where they can add diversity to the original

vision. Having run for 32 years NPY is now looking forward to the leaders of the year 2035.

Case Study Insights: Maningrida Bawinanga Aboriginal Corporation:

This is a well-established organisation that has recently had some major internal problems - "some big ups and downs". Usually such crises are the cause of organisations falling to pieces leaving local people even worse off. But Bawinanga has managed to deal with its crisis against all the odds, by changing its governance arrangements. This is an important lesson. The board had to pull the organisation back into financial shape. That meant making some hard decisions together - about the board, staff, management, and local employment - and backing each other up to implement those decisions. They also had to sort out better succession planning, and employed an Aboriginal HR manager.

Case Study Insights: Maningrida Progress Association:

The Progress Association is another very old organisation that started back in the 1960s. They cover 13 language groups so have a big communication workload. Most organisations are like people - they go through stages in growing up and have problems associated with those different stages. At one time, the Association had bad management and a lot of fights. One way they sorted out their governance was to go back to their constitution and change it. They used it to make better rules to help them fix their management and financial responsibilities. They also looked hard at their own performance and how they measured their own effectiveness, and put a lot of effort into settling the conflicts. When things were bad, they had to meet every week, then monthly. Now they meet every 2 months as things are working well.

Case Study Insights: Murdi Paaki Regional Assembly (MPRA):

The Assembly model captured a lot of people's attention. MPRA is a legacy of the former ATSIC Regional Council and now is the peak representative structure that represents the interests of Indigenous people in 16 communities across Western NSW, each of which has its own Working Party and Action Plan. MPRA has a regional engagement group and independent chair. Its representation is gender balanced and women are encouraged to be part of decision making. MPRA also works hard at succession planning.

Its governance model aims to promote the practice of good governance, responsible leadership and empowerment. They state that "Community and Regional Governance are the tools that hand responsibility to us". They have a NSW state steering committee which drives policy agendas their way, and so is changing the dynamic of policy making in the governments. The Assembly has not been set up under legislation, and is not incorporated – so the community is in control. "We will never be abolished and never have administrators appointed. The

community set the structure not the government. It is traditional governance". As Alistair Ferguson said at the Summit, "I am governed by our country as we are from the land and it is the essence of who we are. Functions of Council include: advocacy, identifying regional priorities, monitoring, evaluation and developing partnerships with all levels of government. We are service rich, but outcome poor and we are taking steps to make sure services meet needs of the community".

Accordingly, the Assembly is delivering a regional agreement and regional plan. Independent evaluation of MPRA showed that its success was directly linked to the involvement of Aboriginal people in decision making.

Case Study Insights: Warlpiri Youth Development Aboriginal Corporation (WYDAC):

Lottie Napangardi Robertson and Eddie Jampijinpa Robertson spoke about how WYDAC started from Warlpiri people's own "pocket money" in 1994. It was then called "Mt Theo" and focused on young people who were petrol sniffing, but now so many other things are happening in

communities - such as suicide, as well as trouble in main towns - that it has developed a broad range of services and operates over four Warlpiri communities. WYDAC is training the Warlpiri way; they get older people involved in teaching culture, run programs in culturally appropriate ways and give youth better education. They hold workshops for young people, conduct mediation, and work with young people on court orders on outstations. As they said: "We don't give up on them, our young people are important in our lives – we educate them". Two important lessons emerge from WYDAC's experience. Firstly, the land and law are key. WYDAC brings young people to the MT Theo outstation for rehabilitation. At MT Theo outstation, elders teach them, through the culture, that life is more important. Secondly, a key of its success is young people talking to young people - young people who have been through the program mentor other young people.

Pamela Lynch.



Local Government

THIS SESSION WAS VERY WELL ATTENDED WITH LOTS OF DISCUSSION. AT SHORT NOTICE, ALISON ANDERSON THE MINISTER FOR LOCAL GOVERNMENT, WAS UNABLE TO ATTEND, SO AN OFFICER FROM THE DEPARTMENT OF LOCAL GOVERNMENT'S TENNANT CREEK OFFICE GAVE A TALK ABOUT THE NT GOVERNMENT'S PAPER ON "OPTIONS FOR REGIONAL GOVERNANCE IN THE NT". HE ATTENDED THE SESSION TO ANSWER QUESTIONS.

The consistent, strong message from people who attended this session was that everyone is unhappy with the way communities have been disempowered under the current shire arrangements, and with the poor level of local government service delivery and support.

Many people were also unhappy with the current local boards (lack of communication and no real decision-making powers).

People talked about the old days of community councils as a time when residents had more local say in decisions, local planning and funding.

But people didn't want to go back to the past. They talked about wanting strong governance in communities that would work well today, and would help them connect up with other communities and groups.

There was a lot of interest in the Murdi-Paaki model - especially how communities could keep local control over the things that mattered locally, but at the same time be able to work together and make decisions at a regional level - for example, by creating an alliance or assembly of their representatives. People were keen to hear more about this structure.

Some ideas and opinions kept coming up. **People kept saying that any new local government structures in communities and regions must be based on:**

1. **Real decision-making control at the local level.** Aboriginal people must be "on top" in any community governing structure "so no one can come along and take over". "We got to have ownership in community".
2. **Negotiation, not consultation with communities.** "Consultation is just all talk from government, and they got their idea already sorted out what they will give to us, and what they won't".
3. **Proper time to consider.** "We were starting to get things sorted out under that Regional Authority idea before". "A lot of good things happening elsewhere. We want to see what others are doing, get ideas". "So we need our own time and space to think all this through".
4. **Local solutions, not imposed models.** "We can walk side-by-side with government, but not to get idea pushed onto us. We got our own idea". "People have to support each other as leaders in our community to make sure there is a united voice about what the community wants".
5. **Aboriginal cultural foundations.** The very strong message from the group was that Aboriginal culture has to be the foundation for any new governance. Culture, Law, values, relationships and connections should be the basis for local government structures. Culture is seen as a solution not a problem, and the way to give real local credibility, authority, and support to local government.

RECOMMENDED ACTIONS FROM LOCAL GOVERNMENT SESSION

PEOPLE DID NOT SUPPORT EITHER OF THE TWO OPTIONS PUT FORWARD BY THE NT GOVERNMENT IN ITS OPTIONS PAPER. THERE WAS ONE BIG RECOMMENDATION THAT CAME OUT OF THIS DISCUSSION GROUP:

- That APONT tell the NT Government we are not happy with their options or timeframe for consultation, and
- That APONT work on developing some further ideas and options for new community and regional authorities working under Aboriginal cultural authority and governance.
- Any models should be based on what has been said at the Summit and by this breakout group, including:
 - Aboriginal people have ownership of the solutions.
 - Community councils or authorities have real community decision-making control over local issues.
 - Local people/s elect people who have real authority to represent us.
 - Community and regional structures to be based on our own cultural governance. Governance solutions have to come from our cultural foundation and cultural boundaries.
 - There is negotiation not consultation with Aboriginal people. The NT Government Working Group needs to work with APONT to discuss these new options and negotiate them with communities.



WHAT PEOPLE SAID:

“Who is the boss now in our community? There are too many bosses, too many committees and reference groups. Too many bosses, its confusing these days”.

“Before we had the Councils. Then government came and took it away. Well we had Councils but we never really had power. We got nothing now, no power in our own community”.

“People don’t want the shire like it is, they don’t want it. The shire took rights away from community”.

“We want self-management back, our own voice, our own council but new one. We want to exercise our own decisions.

“We want our own community authority with real power, real decision-making control, our own community structure”.

“Must be cultural governance; cultural basis - cultural authority is already in place. We want that as foundation for our own governance in community, as basis for any community authority”.

“Don’t want government pushing any options on us. 3 months not enough that’s a joke. We want to sort out our own idea”.

Here we are talking about governance; where we make our own decision and cop the responsibility that goes with it. But you’ve just thrown it out the window with the shires. Your government (the NT) has to listen to us”.



Des Rogers.

Youth and leadership

THIS SESSION WAS WELL ATTENDED BUT THE PARTICIPANTS NOTED THE LACK OF YOUNG PEOPLE AT THE GOVERNANCE SUMMIT AND SAID THAT, IN FUTURE, MORE OF AN EFFORT SHOULD BE MADE TO GET YOUNG PEOPLE TO COME.

This session focused on: the important role young people can play in governance; ways to get young people involved in governance; and how to make sure law and culture is kept strong in future generations.

Some big barriers were identified: A lot of people at the Summit felt strongly that we are failing our youth - by being bad role models, and weak in governance and leadership.

A lot of young people get hit by alcohol and drugs. They lose interest in doing anything for themselves and stop listening. Older people cut them off, don't teach them and don't encourage them to get into governance. Conflict in and between families' holds young people back.

Complicated government language, stop-start policies and limited funding were listed as barriers that needed to improve so that young people have the opportunity to participate more.

But there were a lot of positives identified as well: Families can be a really strong place for young people to learn about leading, taking ownership of their problems, and getting support to take the initiative.

Aboriginal parents and families were encouraged to give greater support and guidance to their kids as upcoming leaders, to get them to participate and learn from their own **elders** (formal and informal).

Greater support is also needed for elders who may be ill, for them to be able to pass on culture to young people.

All three levels – youth, middle-aged, and elders – play important roles in maintaining and preserving Aboriginal culture, and need to support each other so that their communities are governed well.

Youth need **two-way education** to become strong leaders for the future. And they need lot of support and mentoring to build their confidence and self-esteem so they can get involved in governing their own communities and organisations.

When young people show an interest and initiative they have to be supported, not knocked down. We have to find ways of bringing them together to develop peer-support processes.

Succession planning in Aboriginal communities and organisations was identified as a big issue.

There was also a strong conversation around not getting young people's hopes up, and then letting them down. People talked about how there is often a lot of talk and promises, but then it never happens.



WHAT PEOPLE SAID:

"Every day our young people are watching us and every day we are failing. "Where is our vision - with young people behind us?"

Robert Hoosan

"We gotta work with young people to prepare them to be able to govern, to be leaders in communities, in our organisations. We need a road map for the next 20 years for your kids that allows them to excel in both worlds"

David Ross

"Just starting the conversation in our boards and our committees might help to lead to change".

"People shouldn't agree to action unless it is going to happen, because we don't want to let our young people down again".

"Yes we have to do things like succession planning for our boards; and mentoring and training for young people as well". But you have got to start in your own families with young people, every day".

Pat Brahim

"There is a lot of pain of young people growing up now. Family must be the source of loving support for young people to grow up strong leaders"

Rosalie Kunoth-Monks

"Our young people got no future - Why? Drugs, alcohol. Our country has already been abused. Now we're doing it to ourselves. We gotta teach our young people to have self-control".

Brian Tennyson

"Getting together with young ones is a way of keeping our culture strong when we might lose it".

Norman George

RECOMMENDED ACTIONS FROM THE YOUTH AND LEADERSHIP SESSION

This group made very practical recommendations. Many were actions that individuals or committees/boards or communities could do themselves without waiting for outside help.

- 1. Succession planning:** Every time a senior leader goes to a conference, summit, negotiation or important meeting, they should take a young person along with them for experience and training. Identified governance mentoring positions for youth are needed for all Aboriginal organisations.
- 2. Start the conversation now in your organisation:** All organisations at the summit should put succession planning and youth governance onto your next agenda for your board meeting.
- 3. Target key youth** who are showing potential as leaders and future board members. Invite them to your meetings to sit at the back, to listen and learn. Give them governance training in your organisation and community.
- 4. Governance training** for youth must be meaningful, culturally based and ongoing. More kids be given governance training so they know about both systems of law.
- 5. Youth governance:** Bring young people together in a region or a community so they can share ideas and issues, and talk about how they could be involved in governance and supported to do that.
- 6. Aboriginal law and culture** can be kept strong by making sure the elders and parents teach culture, law and Aboriginal governance responsibilities to young people. Elders and leaders need to ask young people to get involved in governance issues.
- 7. Use social media** to influence young people, e.g. APONT should establish Facebook and ideas sharing.
- 8. Mentoring for young people** has to start with Aboriginal people. Make sure there are Aboriginal-identified positions for youth to work alongside current employees and board members.
- 9. Follow through on promises and actions** - So we are not letting young people down. Today's leaders need to 'lead by example' for younger people. Do the right thing!

Ngaree Ah Kit- Youth and Leadership report back.



Dealing with conflict

IN THIS SESSION, PEOPLE TALKED ABOUT HOW CONFLICT IN COMMUNITIES IMPACTS ON FAMILIES AND ORGANISATIONS. ALSO, WHAT STRATEGIES COULD BE USED TO MANAGE CONFLICT?

Community conflict was identified as a barrier to good community governance, and a barrier to negotiating with government with one united voice. *“Conflict makes people weak, makes their voice divided and easy to ignore”.*

The CERP model of community protocols for Tennant Creek was discussed extensively as a successful model which others could adapt.

There was a call for reconciliation at an organisational and community level, before reconciliation can occur with the remainder of Australian. *“If we want strong governance we will have to do it with our family groups first.”*

Several organisations talked about how they are dealing with conflict.

- Laynhapuy Homelands Aboriginal Corporation started processes to reconcile with other Yolngu organisations and feel this is critical to their future success.
- Maningrida Progress Association was bogged down in community conflict as various groups fought for control. They changed their constitution to get representation from all clans so as to avoid conflict. At one stage, they called regular meetings to settle problems which became less frequent as issues were resolved.
- The Warlpiri Education Training Trust has significant funds for education programs but there was a low level of trust about how funds were spent. They undertook governance training and community education to build agreement and support.

It was said that some issues (**dealing with jealousy, violence, and problems with payback**) can only be tackled by families and individuals, perhaps with expert assistance as required. However, these are also issues that people can work on **now**, if they have the authority and cultural know-how. For example, at the community level the role of night patrol, and Law and Justice groups was raised as very important in terms of culturally-informed ways to deal with conflict.

It was recognised that it is sometimes hard dealing with some disputes (eg. between elders) and that funding changes to night patrol have caused problems. However a strength is that these groups are grass roots, often run by volunteers who love their community and want to improve residents lives.

Conflict in communities was also strongly linked to the effect on youth. As Robert Hoosan pointed out, “our young people are watching us”. It is important to ensure that leaders are aware of the importance of being good role models for the next generation. They need dispute management skills, and should be discouraging young people from fostering disputes.



Valda Shannon, Heather Rosas and Gina Smith.

WHAT PEOPLE SAID:

“How are we going reconcile? If we are going to go forward we need to unite”.

KWHB representative

“You have to reconcile with each other first before you reconcile with the rest of Australia. Recognise everyone here and give them a chance”.

Maurie Ryan

“Reconciling with other Aboriginal people is important, organisations have gone through a lot lately, one target for Laynhapuy is to reconcile with each other before we reconcile with other groups. Then we have reconciled with another organisation”.

Yananyumul Mununggurr

“WETT started really roughly there was a need to unite and understand”.

Fiona Gibson

“Once you build a relationship with the community then they will trust you and this is good governance”.

Helen Williams

“Good governance is a way of being inclusive (not creating jealousy). We need to make sure people hear about things and they benefit all people”.

Pat Brahim

RECOMMENDED ACTIONS FROM DEALING WITH CONFLICT SESSIONS

RECOMMENDATIONS FROM THIS BREAKOUT SESSION INCLUDED GENERAL IDEAS AND SPECIFIC ADVICE FOR PARTICULAR ORGANISATIONS AND GROUPS WITHIN COMMUNITIES.

1. Get Elders involved in mediation, corrections, re-integration of prisoners and police work.
2. Establish Councils of Elders and Respected Persons (CERP) as in Tennant Creek or Law and Justice Groups as at Lajamanu and create strategies for mediation.
3. Mediation steps should include: (a) Locate the right people, such as the elders from family groups involved; (b) Get the story from each side; (c) Then decide on a process through mediation that's agreed by both sides and suits both family groups; and realise (d) It can take a long time.
4. Law and Justice Groups should work to establish their own 'Prevention Programs'; for example, send letters to footy teams before game about behaviour protocols.
5. Lobby the Liquor Commission and involve police in lobbying and ask police to patrol more often in communities.
6. Utilise youth from existing youth development programs such as Clontarf or Strong Sisters.
7. Have regular meetings with other organisations to talk about concerns and strategies.
8. Tell people coming onto land about respect; for example, by having community protocols written up.
9. Petition for more funding for night patrol from Attorney Generals Department.
10. Resolve some law and order issues in community, the traditional way.
11. You need to have strong structures in place to deal with conflicts, and representatives from each language group in the community should be involved.
12. Ideas for working with youth include: (a) Establish youth steering committees or hold a youth leaders camp to focus on issues and skills. (b) Bring ringleaders from gangs in to deal with problems. And bring whole family in. (c) Involve people the person respects.
13. Try to stop repeated violence – circles of violence. Parents need to ensure they do not encourage violence, or perpetuate feuds and disagreements over time.
14. In the end it comes down to respect. People have to respect each other, and each other's rights.



Sandra Morrison, Heather Rose, and Valda Shannon.



Heather Rosas and Bunny Naparula.

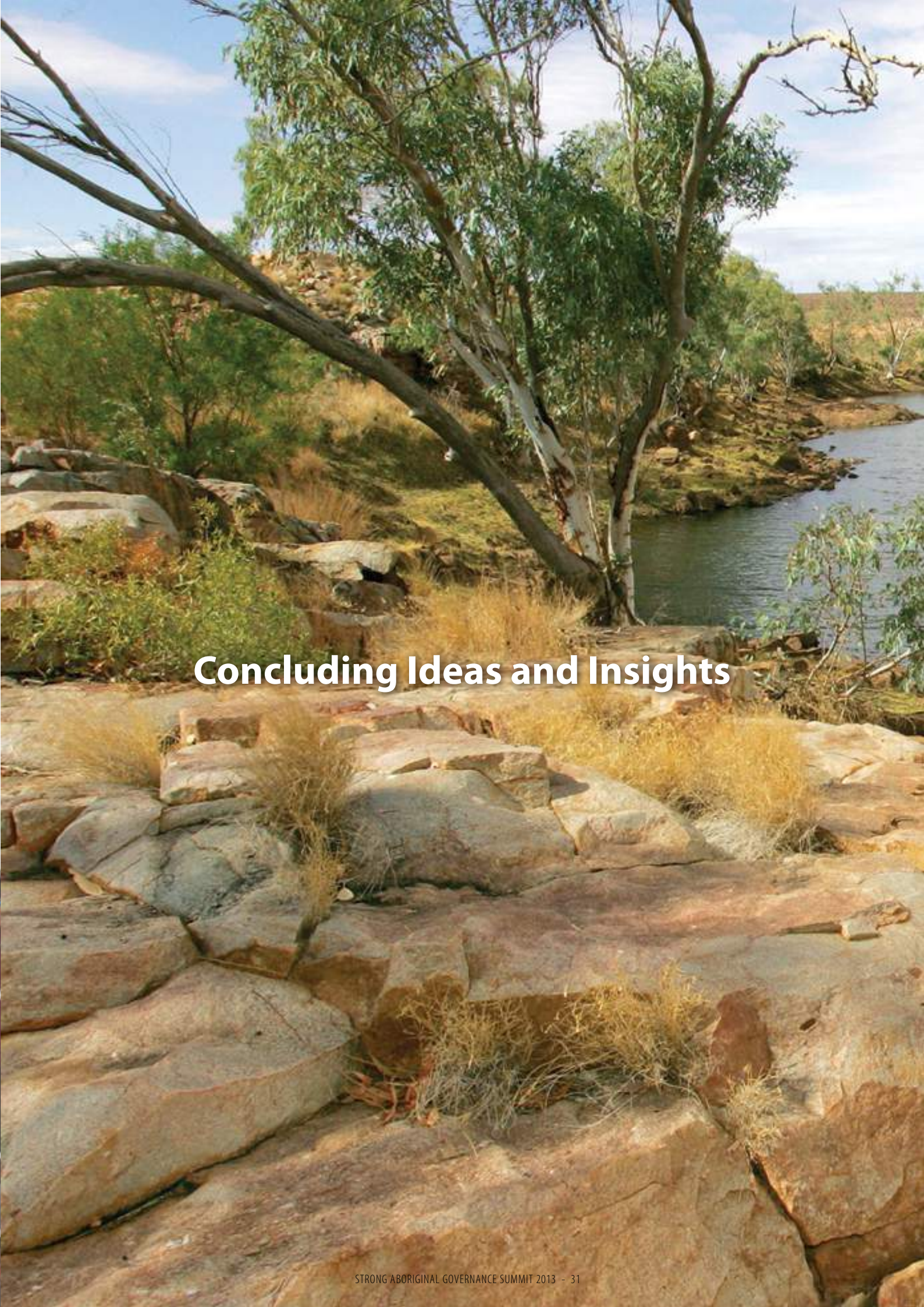


Marlene Bennett.

10. Where To From Here?

FREEDOM	CONTROL	AUTHORITY
CHOICE	DREAMING	RISK
RELATIONSHIPS	CREATIVITY	CONTRIBUTION
SUPPORT	RESPECT	RESPONSIBILITY





Concluding Ideas and Insights

Concluding Ideas and Insights

SUMMARY – GOVERNANCE IS HAPPENING NOW

The Governance Summit was focused on Aboriginal processes. It was a call for Aboriginal people to reconcile conflicts, to take responsibility for community and organisational governance, to start now and not wait for government, and to start where you are at and with what you do have – even if this is simply the support of family. The Summit was a call to undertake personal and collective actions and make decisions which demonstrate practical sovereignty. It was also about political maturity, about building on rights already won and turning them into outcomes. It was about translating community will and authority into sustained, organised action, and about Aboriginal organisations making and implementing good decisions. Ultimately it was about the things that create self-determination on a daily basis.

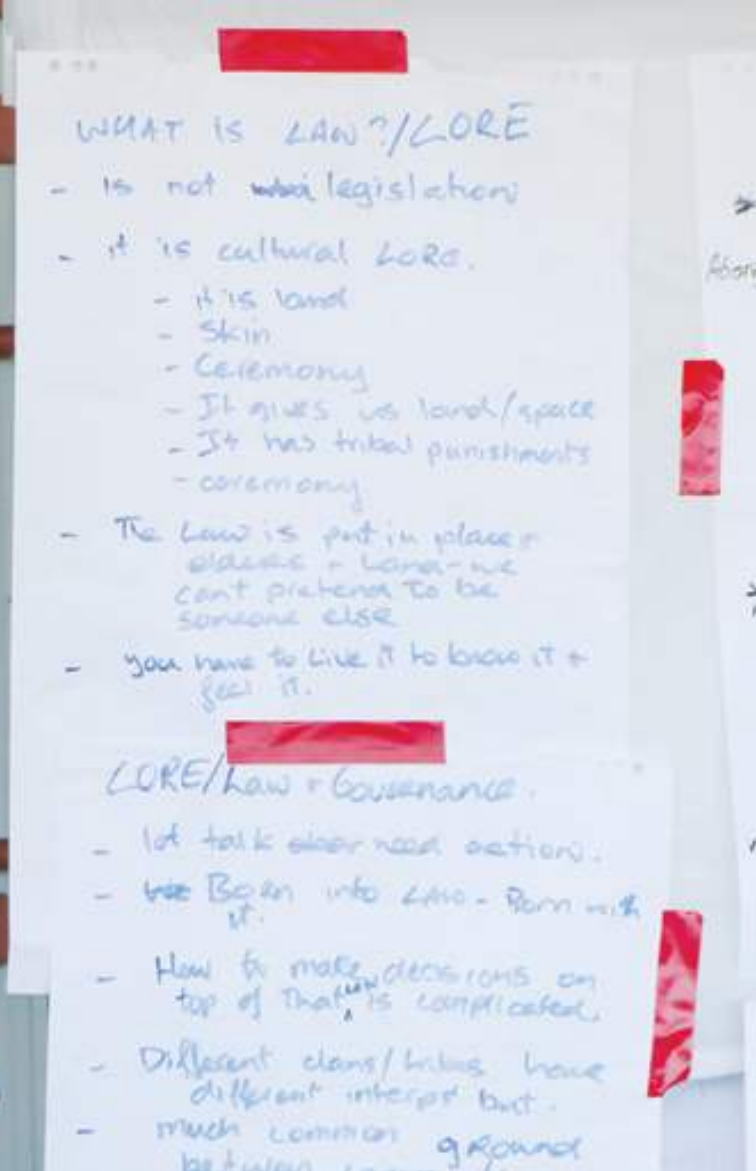
How self-determination and strong governance will be achieved, the barriers and solutions, were discussed through **the big themes of the breakout sessions** and are individually reported in the previous pages. They are: Aboriginal Law and Governance - Men and Women, Local Government, Organisational Governance, Youth and Leadership, and Dealing with Conflict. The 'governance' of governments was a big issue that ran through all of the themes.

What was evident is that despite media and government focus on failure there are successes. Many Aboriginal people and their organisations are doing great work and exercising strong governance under very difficult conditions. For example, Aboriginal Law is giving people the confidence to understand that governance is the same as what they have always done. The Law gives rules and behaviour for families, for groups and for country. Contemporary governance tries to fill some of the same function, it's just applied in different ways.

Innovative governance solutions based on the Law were presented at the Summit; for example, in creating board representation according to land tenure or language groupings (as displayed by Murdi Paaki, WYDAC and Maningrida Progress Association), by using cultural protocols to build respect and reduce conflict (in Tenant Creek), law and culture events for building women's governance skills (held by NPY) and youth diversionary projects which focused on country and culture (run by WYDAC and Katherine West Health Board).

Organisations such as WETT and the Laynhapuy Homelands Aboriginal Corporation talked about how they have already been through hard processes to reduce organisational and community conflict. The Council of Elders and





Wali Wunungmurra.

Respected People, the Lajamanu Law and Justice Group, and various night patrol groups talked about how they have built governance to help them operate effectively to reduce violence and to mediate community conflict.

Many groups are thinking about the issue of **youth succession**. NPY Women's Council talked about a vision that encompassed a 50 year process for youth development – to fill the past gaps left by not consolidating the skills of the next generation of young leaders. WYDAC has young people mentoring other young people as a core principle. And of course there was the lesson of young people who in the past travelled away to attend school together, and are now taking up leadership roles: As one Lajamanu man reflected, "we need be strong in the group. I am sitting here and there are many people I admire and I am sitting with them and that makes me proud".

Gender issues were raised. These are being addressed by Katherine West Health Board that has a Women's Reference Group, and many of the presentations were given by powerful local women.

Murdi Paaki's **networked governance model** captured a lot of people's attention as it showed regional and community governance being properly linked together with workable processes that seem to be delivering real decision-making power at the local level and which involve negotiation with governments, not just being on the receiving end of consultation.

These things are happening now. The solutions are there. They need to be shared amongst Aboriginal people so that a critical mass is achieved and Aboriginal governance as a 'community of practice' becomes more resilient. Building that shared Aboriginal practical experience is what creates self-determination now, not in the distant future. But it takes time. Government needs to slow down, recognise these solutions and by getting on board rather than in the way.

Listening Carefully - Beyond the Big Themes

BEYOND THE BIG THEMES, THE MAIN FEEDBACK SESSIONS, AND THE KEYNOTE PRESENTATIONS, THERE WERE MANY COMMON THREADS THAT WOVE BETWEEN ALL THE GROUPS. THESE SHARED IDEAS ARE IMPORTANT, THEY ARE THE TRACKS AND PATHWAYS OF GOVERNANCE AND ARE BORN OF EXPERIENCE AND OF SUCCESS AND FAILURE

TIME: Presentations from some long-established organisations revealed that all organisations have a lifecycle with ups and downs, just like a person, and it takes constant work and learning to maintain effectiveness and build resilience. NPY Women's Council (established for over 32 years) shed light on their stages of development - where they had gone from the hard work of pioneers, through some transitions and needing to consolidate their organisational structure and governance. Their focus is now on the challenges of the next 50 years and, especially, mentoring up the next generation of younger leaders.

Bawinanga Aboriginal Corporation (34 years old) talked about their board's decision to put the organisation into special administration as a very hard decision, but a positive one. It effectively enabled them to rebuild the organisation. Maningrida Progress Association, established in the 1960s, talked about the persistent work that went into their climb out of conflict since 2001. These organisations all reflected on the long time it takes to grow something up and keep it strong through the hard times. Andrea, from NPY, stated it takes 10 years to get movement on big issues. Tennant Creek Night Patrol volunteered for 15 years before any funding was received. WETT is 9 years in, built on the legacy of over 20 years of the Warlpiri Triangle, and now gaining stability.

In other words, governance that survives over the longer term is a slow and continual process of learning and development. Solutions that worked well 30 years ago, may not work so well today, or may have become weaker without anyone noticing. The lesson is to keep an eye on your governance and ask yourself: Is it still able to do the job properly for us now, or do we need to make some changes?

One big difference between organisations that survive crises and get stronger and those that fall apart, is when Aboriginal people get on the front foot and make the tough decisions and changes themselves.

Gina Smith and Heather Rosas.





HEALTH: Many people talked about the role of physical and mental health in governance, and called for families to take greater responsibility for their own health. The issues of grog, gunja and kava were acknowledged by everyone present as being big problems. Importantly, there were also many positive examples of families and organisations tackling these issues head on.

Health is a governance issue. Healthy people are needed to do the work of governance. Mick Gooda (the Indigenous Social Justice Commissioner of the Australian Human Rights Commission) went further and noted there is international evidence of a link between lower levels of suicide and attempted suicide in communities with control over decision-making.

FUNDING: People did talk about funding issues: especially about funding cuts to night patrol and women's centres; local government councils being abolished; the wasted resources of the NT intervention; about inefficient service delivery; short-termism and 'strings-attached' funding; and, the failure of government with its Stronger Futures policy.

But that wasn't the main thing people focused on. There was recognition that government money is not Aboriginal money, and is therefore not self-determination. Until government and Aboriginal agendas are the same or accepted equally, external money will not fit the needs of the people. Murdi Paaki talked about huge government inefficiencies that motivated them to start talking about ways they could use the money to do it better themselves. NPY Women's Council talked about the value of having a good patron to network them into corporate funding. Maningrida Progress Association shared how they initially received no government funding and distribute their own surplus to school and sports. The challenge all these organisations highlighted was that once you get greater control over funding, then you have to be able to deliver results to your people on the ground. That's where effective governance comes into the picture.

EDUCATION: Many people who stood to speak raised the value of education, and especially of two-way education. But Nigel Morton said it most clearly:

"When I look around I see the older fellas, I respect you mob. Looking around, one thing that really stood out: most of the younger ones standing up talking, we all come from the time at Yirrara, in the late 80s, and Komilda College. Most of us were educated in that time. Education is the main thing. It is sad to see younger fellas just after us in the 90s who can't read and write... so we have to teach and send our kids to school. But not only that, kids go to school but are they being educated? When I went to school our academic standards were rising and the government put a block on that. Now my brother and I run our health clinic. We run it as our people want it to be run, not being told by someone else how to run it. We tell them, if you come to work in our clinic, this belongs to the community and its run how our people want it. Part of my training is a business diploma, that's what I am doing to take over and keep on working there."

There was also a strong message from leaders. Education has to be multi-lingual, it has to incorporate Aboriginal Law and Aboriginal identity. It was acknowledged that it is a difficult road to walk, to master two systems but as the NLC Chair stated *"It is who you are. Don't pretend to be someone else"*.

BE PROACTIVE: This can be difficult for Aboriginal organisations, especially when there are major changes coming from government with regularity and without warning. But as Pat Brahim stated, *"It is necessary to look over the hill to try to see what's coming. You have to be on the front foot. You have to keep ahead so that you can meet the needs of people not just the needs of government"*. This is an important characteristic of successful governance.

GRASS ROOTS: Aboriginal culture and its governance are different from the mainstream and the Summit showed that enduring solutions do not come from government. Innovative ideas that work come from the people who know the local culture and concerns, which as Willy Johnson from Katherine West Health pointed out: *"is us ... governance has to come from the grass roots, governance is us all working together as one to achieve something"*. Marlene Bennett continued that idea, *"we have to start stepping up, volunteer if you need to, because the best people for the job are the people themselves"*.

The examples from the Summit showed that there is a high rate of volunteer 'governance work' being carried out by Aboriginal people in their own communities. People talked of the many *informal* organisations (such as reference groups, committees, and project-oriented groups) which are not incorporated under legislation but are doing valuable work on the ground. Many of these were begun by, and are currently still reliant upon, local Aboriginal volunteers. These people are doing the hard work of governance at the grass roots, but often go unrecognised and have little backup support by way of governance training. Rebuilding and strengthening Aboriginal governance arrangements have to start with these grass roots people and the organisations – both incorporated and informal - who support them.

As organisations grow and secure funding to deliver more services, they find that the program and grant dollars come with strings attached and priorities that have been created by external funders. Also, as they grow, non-Aboriginal people are often employed. If they are not careful, organisations lose their autonomy, and their governance becomes out-dated or disconnected from community people. Therefore, as Helen Williams reminded Summit participants, *"We need to protect governance. It belongs to us"* and it is necessary to have the governance skills and experience to be able to grow with the organisation.

Harry Nelson, Pat Brahim and Wali Wunungmurra.





A Way Forward

A Way Forward

GOVERNANCE IS POWERED BY PEOPLE. AS A WAY FORWARD, ASK YOURSELF WHAT CAN YOU DO TODAY, IN THE COMMITTEES YOU ARE ON, IN YOUR COMMUNITY, IN YOUR FAMILY TO STRENGTHEN YOUR GOVERNANCE?

In addition to the specific recommendations listed previously under each of the themes, some broader actions were collated from the Summit. These are set out below under four levels: family, community, organisation and NT-wide.

GOVERNANCE - YOU AND YOUR FAMILY

A range of governance-related issues which were raised at the Summit can only be tackled by families and individuals themselves, perhaps with expert assistance as required. These included finding personal ways and skills to:

- Build better dispute-management skills for use in small groups and discouraging young people from fostering disputes.
- Deal with jealousy issues that undermine projects, organisations and governance.
- Address shyness and an unwillingness to speak out amongst Aboriginal people, so they can become more effective leaders and negotiators.
- Deal with violence and problems with payback.
- Take personal responsibility for achieving better health for ourselves and our kids
- Take more responsibility to ensure kids get a better education, "both ways".
- Ensure that adults and leaders are aware of the importance of being good role models for the next generation and in their own families.



GOVERNANCE - YOUR ORGANISATION

There were several practical actions that were recommended for organisations:

- Take the issue of succession planning back to the boards of all organisations. APONT to act as a coordination point for organisations to share strategies and progress on succession planning.
- Take the issue of equality between women and men back to the boards of all organisations. APONT to act as a coordination point for organisations to share strategies and progress on gender equity.
- Take the report from the Governance Summit to future board meetings and discuss the recommendations and implications for your own organisations.
- Boards to be provided with conflict-management training.
- Each organisation to develop strategies and approaches to governance capacity-building.
- Be innovative about how Aboriginal Law can inform organisational governance.

GOVERNANCE - YOUR COMMUNITY

There was a lot of attention on the governance needs of communities, especially in the context of the massive unilateral changes that have been imposed upon them by governments. Suggested actions included:

- Develop and implement strategies for asserting control over community consultation processes: for example implement a visitor's protocol, develop community measurements of practical success, and hold government and your organisations to account for practical outcomes.
- Hold community meetings – don't wait for someone else to do it.
- Start a community conversation amongst your own families and groups about governance, representation and legitimacy – What kind of governance do you want to have in your community? Who should represent the community and on what issues? How should the community be organised?
- Call on governments to send agendas and information to the community *prior* to any meetings; decide who you want to meet with and when. Have government-free days in your community.





Kurdiji Group: Sharon Nampijinpa, Biddy Nungarrayi, Kitty Napanangka and Judy Napaljarri.

GOVERNANCE - NT-WIDE

There were a number of areas where broader political and coordinated action at a Territory level was recommended:

- Develop strategies for re-establishing community control of Night Patrol programs
- Support stable funding and resources for Aboriginal governance initiatives such as the Council of Elders and Respected Persons, community protocols, and community-based governance solutions
- Develop strategies to increase independent Aboriginal political representation in the NT

Several recommendations were for **APONT** in regard to its playing a valuable follow-up role in progressing specific recommendations arising from the Summit. These included:

- develop alternative governance options in response to the NTG *Regional Governance Options Paper* including a request for negotiation not consultation and longer timelines.
- ensure that young people are specifically supported to attend the next Summit.
- investigate ways to help communication (including electronic technology) and sharing of governance solutions between all the organisations, and consider how to help boards ensure their organisations have strong management (particularly in HR and financial skills).
- consider strategies for developing greater independent Aboriginal political representation in the NT.
- assist with the development of networks for CEOs and for the Boards of Aboriginal organisations.
- provide a central communication point for organisations to share cultural protocols and investigate options for ensuring that culture supports effective governance.

(specifically NAAJA and CAALAS) to look at ways to ensure that Aboriginal Law is recognised and enforced, especially in governance arrangements. Suggestions included:

- changes in legislation, police power devolved to local level, discretionary power for judges and magistrates.

The Message for Government – “service rich but outcome poor”

WHILE THE SUMMIT FOCUSED ON ABORIGINAL INITIATIVE AND ACTION, THERE WAS CONSIDERABLE DISCUSSION ABOUT THE PROBLEMS CREATED FOR COMMUNITIES AND ORGANISATIONS BY THE POOR ‘GOVERNANCE OF GOVERNMENTS’. MANY SUCH PROBLEMS WERE SPECIFICALLY REPORTED AS BEING EXTERNALLY-IMPOSED BARRIERS TO EFFECTIVE ABORIGINAL GOVERNANCE.

BE ACCOUNTABLE

Governments have asked Aboriginal people for input many times and it has been given many times and written up in volumes of reports. Governments demand ‘upwards accountability’ from Aboriginal people about funding and outcomes. Yet Summit participants reported a major gap in ‘downwards accountability’ from governments to them about the same things. *“The governments are dysfunctional. They have no accountability to us. No transparency to us. They ask for that from Aboriginal people but we don’t get it from them”*. The strong message for government is that if it purports to consult Aboriginal people, then **implement the recommendations**.

NEGOTIATION NOT CONSULTATION

Aboriginal people recognise consultation as tokenistic. Genuine local decision-making power and recognition of Aboriginal governance arrangements is required.

CULTURAL COMPETENCY

Non-Aboriginal people in government and the private sectors need to be able to engage in serious conversations with Aboriginal people and not always start at step one, like children. More importantly, they need to be able to know what they are hearing and understand that kinship, cultural values and traditional land tenure can be a positive part of governance arrangements, that country can cure petrol sniffing and the Law can help tackle difficult issues. **Train government and private sector staff at all levels so they are culturally competent.**



ACCEPT LAW AND CULTURE

Expect and accept that for Aboriginal people the Law, which is the basis of Aboriginal culture, will be part of governance solutions. Anticipate that it is hard to understand. It is different. Realise that acknowledging culture is more than paying respect or beginning your presentation by acknowledging the traditional owners. It is about making space for Aboriginal people with cultural authority to negotiate the design of solutions and their implementation. **Culture is not a problem for governance. It is part of the solution.**

LEGISLATE FOR CULTURE

Respect is giving Aboriginal culture weight in mainstream law so that communities and groups can deal with conflict and governance-related issues legally. This type of thinking is already working informally through law and justice groups, but could be much improved and better resourced and supported. **Achieve recognition in the Australian Constitution.**

LOOK FOR INNOVATION IN THE RIGHT PLACE

Accept that the juncture of Aboriginal and non-Aboriginal culture and governance requires innovative solutions and that governments have a poor track record in this area. As the NLC Chair stated at the Summit: *"You have to live it to know it and feel it"*, which in practical terms means that solutions that work are often at the grass roots levels, born of people with local experience and an understanding of workable solutions. Yet an issue, as Brian Tennyson noted, is that *"white people want to give us what they believe in their own hearts, but it is not for us"*. The right governance solutions are quietly (and not so quietly) being discussed and implemented in communities. They require much greater support and resourcing. **Invest in Aboriginal people to design governance arrangements.** Trust in their innovation and count on their energy.

FUNDING

Increase and better coordinate funding and support (don't decrease it!) for the governance and other initiatives that work in communities, such as: night patrol, women's centres and law and justice groups. Bureaucrats at the local level need to be given greater decentralised authority to approve local initiatives in communities. **Invest for innovation** as described above so that organisations can meet the needs of their people as well as the needs of government. **Invest in people** especially in governance education for youth and in support for leaders to govern well.

SUPPORT ABORIGINAL ORGANISATIONS

With power comes responsibility. Aboriginal organisations grow slowly, but if they appear to be effective, are quickly targeted as a body that can make decisions and get things happening for government. They are then swamped by the agenda of external agencies, have too much power too quickly, or don't have the governance and management skill to keep up with their rapidly expanding functions. **Invest in sustained governance training and support organisations to grow and be resilient over the long term.**

SLOW DOWN

Governments rush to make changes too often without learning from their own failures and successes. Governments need to learn to walk beside Aboriginal people, especially when developing new ideas about governance arrangements. The NT Government's proposed options for local government have been resoundingly rejected by the Summit, along with the 3 month timeframe for consultation. **Slow down, banish short-termism.** The Summit reports that 10 years is a minimum time frame for establishing a working entity with some resilience in its governance and able to deal with crises. **Make long-terms plans and funding available that support organisations over the longer-term.**







STRONG ABORIGINAL GOVERNANCE REPORT MAY 2013