



**OVERARCHING AGREEMENT
ON INDIGENOUS AFFAIRS BETWEEN THE
COMMONWEALTH OF AUSTRALIA AND THE
NORTHERN TERRITORY OF AUSTRALIA**

2005 - 2010

A Whole of Government Agenda for Action

1. The Commonwealth of Australia and Northern Territory of Australia (the Governments) are committed to achieving better outcomes for Indigenous people in the Northern Territory.
2. This Agreement provides an overarching framework for the Governments to work together in a spirit of close cooperation.

Background/Preamble

3. The Governments are committed to working together and in partnership with Indigenous people and communities in order to take action and address entrenched levels of disadvantage among Indigenous people in the Northern Territory.
4. Indigenous Territorians constitute nearly 30 per cent of the Northern Territory's population and 12.4 per cent of the national Indigenous population. Of the Territory's children, 38 per cent are Indigenous. In addition, 72 per cent of Indigenous Territorians reside on Aboriginal land in remote communities.
5. According to the Commonwealth Grants Commission report on Indigenous funding completed in 2001 the Northern Territory's Indigenous population as a whole suffers the highest comparative levels of disadvantage, across all socio-economic indicators, when compared to other States and Territories.
6. The National Framework Principles for Service Delivery to Indigenous Australians, endorsed at the COAG meeting on 25 June 2004 (Attachment A), underpins the way governments work together in Indigenous affairs. These principles include:
 - sharing responsibility and building partnerships at all levels of government and with Indigenous people at all levels, including local and regional levels;
 - harnessing and lifting the performance of mainstream programs;
 - streamlining service delivery;

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- increasing flexibility;
 - addressing jurisdictional overlap;
 - recognising the need to take account of local circumstances;
 - strengthening government effort;
 - establishing transparency and accountability;
 - developing a learning framework; and
 - focusing on priority areas.
7. Consistent with these principles, the Governments are committed to building on existing bilateral agreements and to working cooperatively and in good faith towards achieving mutually agreed objectives.
8. As agreed, the Wadeye COAG Trial continues. Different working arrangements may prevail in this region as a result of the Trial.
9. The Schedules and the Attachment form part of this Agreement.

Objective

10. This overarching agreement sets out the agreed positions on:
- priority areas for bilateral action, including streamlining of existing programs and minimising administrative costs of programs;
 - principles underpinning bilateral agreements;
 - future arrangements for Indigenous representation at the regional level and consultation with Indigenous people across the Northern Territory;
 - core principles for Shared Responsibility Agreements; and
 - whole of government machinery required.

Agreed priority areas

11. The priorities agreed by the Governments are:

- improving outcomes for young Indigenous Territorians, including through early childhood intervention - a key focus of which will be improved mental and physical health, and in particular primary health, and early educational outcomes;
- safer communities which includes issues of authority, law and order;
- strengthening governance and developing community capacity to ensure that communities are functional and effective;
- building Indigenous wealth, employment and entrepreneurial culture, as these are integral to boosting economic development and reducing poverty and dependence on passive welfare; and
- improving service delivery and infrastructure that recognises demographic change and the need to lift the performance of the Governments.

12. Further detail on these priority areas are set out in the Schedules and the Governments agree to work together to implement those priority areas.

13. The parties agree that as details of further priority areas are finalised by the Governments those details can be added to this Agreement as additional Schedules.

14. These priorities will complement priorities that may be identified at the local or regional level by communities.

Principles underpinning bilateral agreements

15. In addition to the overarching COAG principles for service delivery are the following principles underpinning this agreement:

- more effective planning and service delivery mechanisms can be facilitated by greater certainty and stability in funding arrangements, including multi-year funding agreements, subject to due accountability;

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- working to strategic plans agreed under relevant schedules by both Commonwealth and Northern Territory Government Ministers where necessary;
 - collaboration at all levels;
 - focus on regional and local need – where appropriate, different approaches for different regions;
 - a willingness by the Governments to be flexible and innovative in their approaches;
 - improvements in accountability and performance monitoring at all levels;
 - effective leadership by the Governments that encourages working with Indigenous people in a whole-of-government way;
 - Indigenous involvement in high level policy decisions;
 - involvement of mainstream, not just Indigenous specific funding;
 - achieving clarity of responsibility for services within regions and communities; and
 - recognition of the need to strengthen government effort to address the full extent of Indigenous disadvantage, which does not jeopardise overall funding allocations.

Shared Responsibility

16. Shared Responsibility is about governments and communities working as partners and sharing the responsibility to achieve better outcomes for communities, families and individuals. Shared Responsibility and partnerships will be achieved through agreements at the local or regional levels.

17. Shared Responsibility Agreements (SRAs) are based on the following principles:

- a spirit of cooperation and partnership;
- all partners contribute and agree to priority setting;
- improved outcomes for communities, families and individuals at the local and regional levels;

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- responsibilities and commitments are shared – by governments and Indigenous partners to achieve outcomes;
 - outcomes are measurable;
 - accountability requirements are clear;
 - build capacity and strengthen governance; and
 - promote self-responsibility and reduce dependency on welfare.

Future arrangements for Indigenous consultation and representation

18. The Governments will work with Indigenous people to determine arrangements for Indigenous consultations and representation at the regional or local level.

19. These future representational arrangements will involve:

- identifying interim arrangements if necessary;
- a major focus on capacity development at the local level;
- in remote areas – building on local government including the possible development of Regional Authorities under the NT *Local Government Act*; and
- in urban areas – flexible arrangements (including options that bring together Indigenous peak bodies).

Joint machinery

20. The Governments will ensure effective implementation and evaluation of measurable outcomes under the agreement.

21. This will include:

- joint Ministerial oversight and reporting including meetings between relevant Northern Territory and Australian Government Ministers as appropriate;

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- up to three meetings a year of senior officials (including representatives from the Department of the Prime Minister and Cabinet, Northern Territory Department of the Chief Minister and Office of Indigenous Policy Coordination) to review and jointly report on progress of this agreement and bilateral agreements through their respective departmental heads to the NT Chief Executives' Taskforce on Indigenous Affairs and the Secretaries' Group on Indigenous Affairs;
 - establishing or strengthening joint coordination arrangements and include the potential for co-location of service delivery; and
 - agreed accountability and outcomes measures.

Term of agreement

22. The term of this agreement will be for five years. It will be jointly reviewed after three years and can be amended by agreement between the Governments.



EXECUTION CLAUSES FOR THE OVERARCHING AGREEMENT ON
INDIGENOUS AFFAIRS BETWEEN THE COMMONWEALTH OF AUSTRALIA
AND THE NORTHERN TERRITORY OF AUSTRALIA
2005-2010

SIGNED, for and on behalf of the
COMMONWEALTH OF AUSTRALIA
by the Prime Minister of Australia,

the Hon John Winston Howard MP

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Darwin, 6 April 2005

SIGNED, for and on behalf of the
NORTHERN TERRITORY OF
AUSTRALIA, by the Chief Minister of
the Northern Territory,

the Hon Clare Majella Martin MLA

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Darwin, 6 April 2005



NATIONAL FRAMEWORK OF PRINCIPLES FOR DELIVERING SERVICES TO INDIGENOUS AUSTRALIANS

All jurisdictions are committed to achieving better outcomes for Indigenous Australians, improving the delivery of services, building greater opportunities and helping Indigenous families and individuals to become self-sufficient. To this end, and in delivering services to Indigenous people, COAG agreed to national framework of principles for delivering services to Indigenous Australians.

Sharing responsibility

- Committing to cooperative approaches on policy and service delivery between agencies, at all levels of government and maintaining and strengthening government effort to address Indigenous disadvantage.
- Building partnerships with Indigenous communities and organisations based on shared responsibilities and mutual obligations.
- Committing to Indigenous participation at all levels and a willingness to engage with representatives, adopting flexible approaches and providing adequate resources to support capacity at the local and regional levels.
- Committing to cooperation between jurisdictions on native title, consistent with Commonwealth native title legislation.

Harnessing the mainstream

- Ensuring that Indigenous-specific and mainstream programs and services are complementary.
- Lifting the performance of programs and services by:
 - reducing bureaucratic red tape;
 - increasing flexibility of funding (mainstream and Indigenous-specific) wherever practicable;
 - demonstrating improved access for Indigenous people;
 - maintaining a focus on regional areas and local communities and outcomes; and
 - identifying and working together on priority issues.

- Supporting Indigenous communities to harness the engagement of corporate, non-government and philanthropic sectors.

Streamlining service delivery

- Delivering services and programs that are appropriate, coordinated, flexible and avoid duplication:
 - including fostering opportunities for Indigenous delivered services.
- Addressing jurisdictional overlap and rationalising government interaction with Indigenous communities:
 - negotiating bi-lateral agreements that provide for one level of government having primary responsibility for particular service delivery, or where jurisdictions continue to have overlapping responsibilities, that services would be delivered in accordance with an agreed coherent approach.
- Maximising the effectiveness of action at the local and regional level through whole-of-government(s) responses.
- Recognising the need for services to take account of local circumstances and be informed by appropriate consultations and negotiations with local representatives.

Establishing transparency and accountability

- Strengthening the accountability of governments for the effectiveness of their programs and services through regular performance review, evaluation and reporting.
- Ensuring the accountability of organisations for the government funds that they administer on behalf of Indigenous people.
- Tasking the Productivity Commission to continue to measure the effect of the COAG commitment through the jointly-agreed set of indicators.

Developing a learning framework

- Sharing information and experience about what is working and what is not.
- Striving for best practice in the delivery of services to Indigenous people, families and communities.

Focussing on priority areas

- Tackling agreed priority issues, including those identified in the *Overcoming Indigenous Disadvantage Report*:

- early childhood development and growth; early school engagement and performance, positive childhood and transition to adulthood; substance use and misuse; functional and resilient families and communities; effective environmental health systems; and, economic participation and development.

Within this National Framework appropriate consultation and delivery arrangements will be agreed between the Commonwealth and individual States and Territories.

Council of Australian Governments, 25 June 2004

JOINT PRIORITY AREAS

The Governments have agreed priority action areas. These take into account the priority areas for strategic change developed in the *Overcoming Indigenous Disadvantage Report*:

- (1) improving outcomes for young Indigenous Territorians, including through early childhood intervention - a key focus of which will be improved mental and physical health, and in particular primary health, and early educational outcomes:
 - Working together to improve early childhood outcomes
 - Improving access and outcomes in education
 - Supporting the development of emerging Indigenous leaders
 - Streamlining the delivery of welfare services

- (2) safer communities which includes issues of authority, law and order:
 - Preventing family violence
 - Tackling substance abuse (volatile substances, alcohol, kava and gunga)
 - Providing meaningful activities (sport and recreation)

- (3) strengthening governance and developing community capacity to ensure that communities are functional and effective:
 - Ensuring effective and legitimate representation
 - Building the capacity of community members

(4) building Indigenous wealth, employment and entrepreneurial culture, as these are integral to boosting economic development and reducing poverty and dependence on passive welfare:

- Ensuring effective training, skills development and job creation
- Supporting existing and new Indigenous businesses
- Creating new jobs (including arts and culture)

(5) improving service delivery and infrastructure that recognises demographic change and the need to lift the performance of the Governments:

- Demographic changes - from communities to towns - infrastructure, housing and essential services
 - Expand housing effort
 - Seek strategic solutions to land issues
 - Rationalise essential services delivery in towns and outstations
 - Upgrade and expand communications infrastructure
- Lifting the performance of the Governments
 - Address jurisdictional overlap through finalising bilateral agreements with Australian Government on service delivery
 - Build skills and awareness within the Northern Territory Public Sector and the Australian Public Service
 - Monitoring and accountability