

Australian Government Social Policy- Where are Aboriginal and Torres Strait Islander People Positioned in Policy-making?

Dr. Cynthia Briggs

Southern Cross University

Lismore NSW, 2480

Australia.

Abstract

For too long Australian State and Federal, Governments have excluded Australian Aboriginal people from the planning, design, and implementation stages of social policies. Annually updated socio-economic outcomes for Aboriginal Australians in the *Closing the Gap* Report reveal a “minimal change in health and education outcomes, housing needs, and socio-economic outcomes” (Lowitja Institute, 2022, p. 14). The data from the 2022 Productivity Commission Report confirm this statement stating that “Education, employment, health and wellbeing, interaction with the criminal justice system, access to land and waters, and strength of Aboriginal and Torres Strait Islander cultures and languages” (Productivity Commission, 2022, p. 19) are targeted areas for improvement in socio-economic outcomes. The design and implementation of Government social policies is a critical point of engagement between Aboriginal Australians and Australian Commonwealth and State Governments. Changing socio-economic outcomes require a major shift in how, why, and what policies are being planned, as well as ascertaining who will be responsible for the implementation. Being able to navigate a complex system of bureaucracy means having a presence in that process. Without a presence it is difficult to achieve targeted outcomes that are identified, to improve socio-economic living standards. Historically, Governments control and manage policy-making however, it is essential for Aboriginal people to access key entry points of policy-making, to secure Aboriginal involvement; Aboriginal decision-making and finding solutions to ongoing policy issues, that have occurred for many years.

Key words

Policy; Aboriginal social policy; socio-economic outcomes; closing the gap; policy analysis.

Introduction

This paper adds to how policy operates for the Australian public, generally and the impact of government policy on Indigenous Australians.

Firstly, it discusses government policy-making in Australia, with a focus on the formal structure of policy design, implementation, and delivery. Second, the reality of the impact of government policy on Aboriginal people is realised, and it provides an example of how policies impact service delivery for an Aboriginal Community-Controlled Organisation (ACCO) in NSW. Highlighting the impact of policies underpinned by the policy based on neoliberalism and why these policy frameworks do not work for Aboriginal Australians, is the third part of the paper; and the fourth, discusses the most recent narrative from the 2022 *Closing the Gap Report* on the significance of involvement of Aboriginal people in government policy. In this part of the paper, it discusses how June Oscar, the National Aboriginal and Torres Strait Islander Commissioner emphasises the importance of the involvement of Indigenous Australians in Australian government policy-making and identifies the extent of a critical point of absence of Aboriginal people in Government policy procedures and practices.

Policy-making in Australia

Many policy analysts have evaluated Australian policy systems to understand such things as the functions of policy; the policy development process; the implementation procedure, and what agency facilitates new and reformed policies.

Policy is described as being about “what governments do, why and with what consequences” and that public policy is generally understood as being developed to “deal with problems” (Fenna, 2004, pp. 3-6). Further adding to this, policy can be understood as an ‘authoritative response to a public issue or problem, as well as being a “course of action by government designed to attain certain results” (Althous, Bridgman & Davis, 2007, pp. 6-8). Policy systems embed ideas that are utilised in “both the analysis and the practice of the way we are governed” (Colebatch, 2009, p. 1).

Broadening the meaning of policy further infers that policy makers make “decisions with a focus on purpose while considering both ends and means through a procedure that may involve action, or inaction and applying a consistent approach to a situation” (Maddison & Denniss, 2009, p. 5). Whilst policy can also refer to the “principles and practices of pursuit by the government of social, political and economic outcomes” (Goodwin, 2010, p. 168).

Others argue that policy involves “values, interests, and resources that are mediated by politics” (Davis, et al., 1993, p. 15) and that policy and public policy is an institutionalised process that is “inherently and unavoidably political” (Maddison & Dennis, 2009, p. 6). Thus, the term “policy” incorporates a range of meanings that are linked to the roles of government and authoritative responses to issues of concern for the community.

The legitimacy of the power of government policy has also been analysed by relevant policy analysts. For example, associated policy with the Commonwealth of Australia Act 1901, suggests that it is “woven into the fabric of the national institution created by the Constitution” (Davis et al., 1993, pp. 49-50). In a similar way, it has been described as an “exercise of the sovereign power of government, backed by legitimate force and is a deliberate action covering any area of government authority” (Fenna, 2004, p. 5). Consequently, policies are bound by regulated processes, are authoritative, and operate within an institutionalised governance framework.

In comparison to Colebatch (2009), Davis et al., (1994), Fenna (2004) and Maddison and Dennis (2009), another view is that policy is the government's “best attempt to deal with problems” (Bacchi, 2009, p. 1). Bacchi argues that rather than addressing problems, policies indeed “give shape to problems” (Bacchi, 2009, pp. x-1).

Thus, the term ‘policy’ incorporates a range of meanings linked to government roles and authoritative responses to issues of concern for the community. It's a legitimate system that many argue is needed. Indeed, other views on policy, such as that put forward by Bacchi provides an opportunity to find solutions through an analytical process.

Foundational Framework for Australian Policy-making?

Besides the functions of policy, the development and the implementation procedure, and the identification of what agency is responsible for facilitating new and reformed policies, the process of policy-making in Australia is grounded on “colonial traditions, British concepts of responsible government and American models of federalism” (Althous, et al., 2007, p. 14).

In Australia policy-making systems:

exert authority and legitimacy in an electoral system... the power instilled in relevant political party executive members, and the judicial system of the courts’, and the administrative arm of the Australian Government includes a federal ‘division of powers with a representative of the British Monarch to perform in accordance with the federal parliament executive. (Althous, et al., 2007 pp. 12-14)

Consequently, politicians are empowered through legislation and Acts of Parliament to make policy, rather than implement policies (Davis et.al, 1993, p. 190). Therefore, included in the domain of government policy-making, the policy process has adopted means that ensure the delivery of policy remains in a specific field of responsibility and those involved can be referred to as “policy actors” (Maddison & Denniss, 2009, p. 102), as such with differentiated roles from politicians. For example, ministerial staff “provide a firewall around Ministers within Parliament” (Walter 2006, cited by Althous et.al, 2007, p. 16) and senior public servants “manage policies positioned external to Parliament thereafter” (Althous et al., 2007; see also, Maddison & Denniss, 2009) to be delivered to the public domain. The policy process includes the implementation of policy production that is underscored by an ordered procedure to reach the implementation stage of an adopted policy. Policy production involves a unique group of public servants who work directly with policy, clients, and the public, and are referred to as “street-level bureaucrats” (Lipsky, 1980, p. 3) who abide by and implement previous, amended, and new policies that align with their specific field of service delivery. For example, public servants could include teachers, police, doctors, social workers, public lawyers, health workers and government workers, such as those employed at Centrelink¹. Key public service employees are a link between Australian citizens to the bureaucratic domains of the political arena (Lipsky, 1980, p. 4). Consequently, street level bureaucrats “exercise discretion; develop strategies to align with the local community needs; and must be equitable in-service delivery to the public” (Davis et.al., 1993, pp. 191-192). Therefore, the process of government policy involves the “intersection of a wide range of participants” (Colebatch, 2018, p. 312) each driven with separate ideals on a given issue, making the policy process a complex and competitive system. At the same time, they remain within the domain of a given political agenda.

In today’s political arena, key stakeholders such as non-government organisations (NGO) volunteers, and community people can “contribute to the development, implementation and evaluation of policies” (Althous et al., 2007, p. 18). These groups “can use the media to influence policy” (Maddison & Denniss, 2009, p. 181) and employ “media advisors” (Maddison & Denniss, 2009, p. 191) to create awareness about a problem. Therefore, the media can be either a manipulative tool in policy-making or influence the decision-making process regarding the final adoption of an amendment to a previous policy

¹ The Australian Government Department of Human Services deliver Centrelink social security payments and services to Australians. (<https://www.humanservices.gov.au/individuals/centrelink>)

or new policy. Consequently, the media can be “a powerful framer of political action” (Althous et al. 2007, p. 19).

Other key actors in policy processes are positioned externally to the formalities of policy-making, beyond politicians, public servants, and street-level bureaucrats. For example, pressure groups and interested persons who can influence the public discussion, mostly via the media and social media sites, add to the discussion and sometimes the decisions made about policy. Davis et al., (1993) identified that since the establishment of the Aboriginal Tent Embassy in 1972 in Canberra, “many pressure groups use the doors of the Commonwealth Government's parliament as a point of entry to gain publicity for their opinions and policy demands” (Davis et al., 1993, p. 152). Larissa Behrendt (2003) identified another external dimension to the establishment of the Tent Embassy in that it creates political awareness about issues to do with Aboriginal people. Another perspective on externally driven policy-making is to be found in the 1997 Report of the *National Inquiry into the Separation of Aboriginal Torres Strait Islander Children from Their Families*, known as *Bringing them Home* (Wilson 1997). This Report detailed how colonial policy-making in the late 1800s manipulated, controlled, and legitimately enforced discriminatory practices on the lives of Indigenous Australians. For example, the Report stated that “as the Board [Aboriginal Welfare Board] had very limited resources it relied on local police to administer its child removal policy, protect Indigenous people, distribute rations and prosecute offenders” (Wilson, 1997, p. 37).

Policy-making and Australian Aboriginal People

Policies are instruments of governing that shape the lives of all populations, but they have a particularly profound effect on the lives of Aboriginal Australians. Since the onset of colonisation in Australia, government decision-making has inhibited the lives and freedoms of Aboriginal people through the design and implementation of policy. From 1883-1937 a series of well-organised policies were developed for Australia's Aboriginal people by Australian State Governments. It was a time when “historical eras of policy” (Patrick & Moodie, 2016 p. 167) were created.

Policy reform during the *protection era* (1883-1937) included increasing the authority of the Board for Protection of Aborigines through an amendment to the Protection Act in 1909 which provided authority to remove an Aboriginal child without parental consent and/or court order (Goodall, 1996, p. 305). During this era, evidence suggests that “protectionism at the time had the capacity to demean, demoralise and keep Aboriginal people impoverished”

(Bennett, 2019, p. 10). Policy reform occurred again when *assimilationist policies* (1937-1969) were adopted, underpinning these new policies was the expectation that Aboriginal people would assimilate within white/settler colonial society (Goodall, 1996; NSW Law Reform Commission, 1997; Parbury, 1988; Wilson, 1997). Policy was designed so that Aboriginal people would become just like other Australians, but it also “went deeper than this and had other implications” (Bennett, 2019, p. 10). It has been argued that *assimilationist* ideals were impossible to achieve in the context of the continuation of protectionist values and practices. Goodall (1996), for example, stated:

The irony of the Welfare Board's assimilation policy was that while it tried to disperse families to anonymity, it needed ever-increasing control over as yet unassimilated people to hold them within its re-education stations or under the surveillance of the DWOs [District Welfare Officers]. (Goodall, 1996, p. 305)

As a consequence, Aboriginal people had no choice but to succumb to an authoritative lifestyle that was delivered under the pretence of Aboriginal people having an opportunity to live as other Australians. The *integration era* which followed assimilation promoted the expectation that Aboriginal people would integrate. Patrick and Moodie (2016) argues that this period represented was an attempt to recognise ‘Aboriginal culture’ and the basic ‘human right’ to sustain ‘languages’ and recognise traditional country through policy, while not putting into practice the objective of Aboriginal self-determination.

Thus, a significant shift in the area of policy-making is crucial for Aboriginal people, organisations, and communities to improve the general intergenerational monopoly on Aboriginal people's lives; as the structure of Australian government policies leans towards a more neoliberal method of policy development, which is a disadvantage to Aboriginal Australians.

Identifying Problems in Government Policy

The next part of this paper discusses the impact of government policy on the lives of Aboriginal Australians involved in the NSW child protection system. Following is an example of how the Aboriginal Child, Family and Community Secretariat (AbSec), which is a recognised lead agency in Aboriginal Out-of-Home Care in NSW, experienced the reality of government policy and the difficulty of applying policy within the operational framework of an Aboriginal organisation. The example encapsulating the organisation's story, is told in a submission to the 2008 Special Commission of Inquiry into Child Protection Services in NSW. The submission was analysed using Carol Bacchi's 2009 *What's the Problem Represented to Be* (WPR) policy analysis approach.

Carol Bacchi's (2009) policy analysis tool was used to consider the overall policy design and implementation of government policies of the operational functions of AbSec. An analysis such as this can highlight the deficits in government policy and identify the problematisations that make it impossible for an Aboriginal organisation to deliver a service within the roles and responsibilities component of the business's operational charter. The tool is intended to facilitate "critical interrogation of public policies" (Bacchi, 2012, p. 21). The approach is grounded in Foucauldian-inspired post structural ideas which follows Foucault's suggestion that "policies are prescriptive texts or practical texts since they tell us what to do" and are therefore "open to scrutiny or interrogation" (Bacchi, pp. 31-34). The WPR approach does not "involve a conventional form of policy evaluation; instead, it establishes a platform to question the problem representations or, the taken-for-granted assumptions that lodge in government policies and policy proposals" (Bacchi, 2009, p. 5), by interrogating, or problematising the language (or *discourses*) used in policy texts. The WPR policy analysis approach enables analysts to closely scrutinise and question both the making of government policy and what government policy makes or produces.

Bacchi argues that problems represented can affect different groups in different ways and it is crucial to be able to identify "which aspects of problem representations have deleterious effects for which groups, hence may need to be rethought" (Bacchi, 2009, p. 18). The approach considers the implications of "how the issue is thought about and for how the people involved are treated and are evoked to think about themselves" (Bacchi, 2009, p.1). Thus, a key focus was on identifying what was problematic for this agency that had the following responsibilities:

- Work towards achieving self-determination for all Aboriginal people and communities and building a safe, secure, and caring environment for their children and young people that is surrounded by culture.
- Support Aboriginal organisations in delivering quality holistic supports for all Aboriginal children, young people, families and carers, people with a disability and communities.
- Provide and support opportunities for continual improvement, learning, growth and change for organisations delivering for Aboriginal children, young people, families, people with disability and their communities, recognising the principles of self-determination.
- Represent and inform government and key stakeholders on the issues facing Aboriginal children, young people, families, carers, and communities, particularly in accessing quality holistic supports for lifelong wellbeing surrounded by culture; and

- Support Aboriginal workforce development to ensure a strong and capable workforce for supporting Aboriginal children, young people, families, people with disability and their communities. (AbSec, 2022).

The above list of priorities captured the key areas within which AbSec envisaged the organisation to function. Furthermore, AbSec positioned itself to operate as an Aboriginal Community Controlled Organisation (ACCO) stating that it is an ‘independent, not for profit organisation’, incorporated as an ‘Aboriginal organisation’, which advocates for the right of Aboriginal people to ‘self-determination’ (AbSec, 2022). This organisation believed that ACCOs governed by an ‘Aboriginal Board’ and in which ‘decision-making’ by the Board is determined by Aboriginal Board members with a key focus on building the ‘capacity and strength’ of communities and people, provided ‘quality cultural support’ through service delivery and advocacy (AbSec, 2022). Their aims and objectives aligned with the operational framework of Aboriginal self-determination and with Section 11 of the *NSW Children and Young Persons (Care and Protection) Act 1998* that had been developed over the decades.

The Submission identified an open and direct response to the Inquiry that targeted key areas nominated as in need of policy reform for Aboriginal child protection services. The WPR analysis identified seven different problems identified by AbSec: (1) the problem of disadvantage as social disadvantage; (2) the problem of disadvantage as produced by systemic failures of the DoCS; (3) the problem of inadequate funding: impact on AbSec; (4) the problem of inadequate funding: impact on Aboriginal children and young people in Out-of-Home Care (OOHC); (5) the problem of excluding the role of AbSec; (6) the problem of excluding Aboriginal decision-making in case work practice and (7) the problem of excluding Aboriginal decision-making in the development of culturally appropriate care resources. These problems are all associated with how government provides operational frameworks for non-government organisations such as the Aboriginal lead agency in OOHC in NSW (AbSec 2008).

Consequently, analysing with Bacchi’s policy analysis tool highlighted the difficulty of working with government policy to find solutions of a serious issue involving Aboriginal families involved in the child protection system in NSW.

The Impact of Neoliberalism Policies

Adding to the above, Libesman suggests that the impact of policy-making for Indigenous people links the “lack of commitment to implement principles of self-determination”, to the rise of a “neoliberal moral framework of personal responsibility” (2015/2016, p. 55). That is, welfare reforms are driven by “personal moral failings rather than systemic inequality

founded in historic experiences” (Libesman 2015/2016, p. 46), ignoring the impact of past policies and practices as well as the belief that the best outcomes are achieved through an Aboriginal self-determined framework. In practice, neoliberalism operates from within a “super structure” (Libesman 2015/2016 p. 55), that reduces expenditure for social welfare, controls who provides services and concentrates on personal responsibility through linking personal blame to social disadvantage, for example, health, poverty, unemployment and drug and alcohol dependency. This logic, or rationale, creates an individualised focus in social welfare. What is problematic for Aboriginal families is that a neoliberal framework “codifies the personal deficits” (Libesman, 2015/2016, p. 55) caused by historically sustained disadvantage, rather than accepting a more holistic way of determining the best way forward in finding solutions to child protection, or for example, implementing culturally appropriate management practices in Aboriginal health, education, unemployment, and decreasing incarceration rates policy issues.

Libesman's (2015/16) view provides insight into how the hard-fought-for recognition of Aboriginal self-determination, from *Bringing Them Home* and beyond, was de-legitimised in practice so soon after it had been adopted. The Report disclosed the shared stories of Aboriginal adults from each State in Australia which included New South Wales and the Australian Capital Territory, Victoria, Queensland, Tasmania, Western Australia, South Australia, and the Northern Territory. The stories depicted accounts of who were removed from their families, communities, and traditional country when they were babies, children, or young people (Wilson, 1997, pp. 33-214). Underpinning these stories are the lived experience of government policy, examples of the power of government policy and how government policy impacts the lives of Aboriginal Australians.

The introduction of a neoliberal approach to policy-making by various governments in Australia has further compounded the structure of policy delivery for Aboriginal Australians. For example, underpinning neoliberalism policy design is an unfair system of service provision because government policies are managed and controlled by bureaucratic processes and without the involvement of Aboriginal people. Thus, “the decolonising of Indigenous policy will need recognition of the people’s idiom for Indigenous Australians at many sites throughout our system of government” and that “those subject to colonisation must be heavily involved in the decolonising process” (Sanders, 2021, p. 18). Aboriginal Involvement requires decolonising the “power relationship between the coloniser and Indigenous people and culture” (Russ-Smith, 2019, p. 105).

Therefore, previous research undertaken by historians and policy analysts for example, suggests that policies that Government have generated in respect to Aboriginal people have been mechanisms for the control of Aboriginal people. Often framed as attempts to reduce disparities in outcomes between Aboriginal people and other Australians, policy in Australia has always been informed by and controlled from the government level, rather than from the Aboriginal community. It is for these reasons that the policy and policy-making has quite distinctive meaning for Aboriginal people: policy is neither neutral nor democratic. Overall, policy-making is the exertion of legitimate power (or governmental force) tied to the responsibilities of elected government officials in the liberal democratic system. Policy-making involves the input of politicians, ministerial staff, and senior public servants who have the authority to lead the implementation process for new and amended policy. Furthermore, external actors in the policy-making process can be lobby or pressure groups, and individuals who work to persuade and promote public interests that are of concern. In this sense, while policy authority is centralised, policy power is dispersed. However, where are Indigenous Australians placed within the network of planning, developing, and implementing procedures of Government policies?

Current Conversations on Social Policy for Indigenous Australians

Unfortunately, the absence of Aboriginal and Torres Strait Islander peoples in the development and implementation of policies, affects the issue of finding solutions to socio-economic outcomes for this group. The 2022 *Close the Gap Report* states that: “To adequately address the extreme but preventable inequalities that Aboriginal and Torres Strait Islander people experience, we must first draw on Aboriginal and Torres Strait Islander people’s knowledge and expertise” (Lowitja Institute, 2022, p. 5).

Indeed, in the 2022 *Closing the Gap Report* it emphasised the need for change in policy management for Indigenous Australians. Stating that: “we know that to improve the outcomes for Aboriginal and Torres Strait Islander peoples, large-scale systemic reform and a paradigm shift in policy design and delivery is necessary to truly empower Aboriginal Islander peoples” (Lowitja Institute, 2022, p.6).

The emphasis on change in policy management is also a shift in how policy design and implementation should be considered for Indigenous Australians. Thus, this strategy has continued from the 2020 *Closing the Gap Report* which stated the Australian Government will “work in genuine partnership with Indigenous Australians” (Commonwealth Government, 2020, p. 6). A genuine partnership in this Report resonates with the “aspirations and priorities of Aboriginal and Torres Strait Islander individuals and communities in the

design of policies and programs which impact them” (Commonwealth Government, 2020, p. 6). A genuine partnership also related to “accelerating outcomes with the inclusion of Aboriginal and Torres Strait Islander people taking greater ownership over the design, development, and delivery of policies and programs that impact their lives” (Commonwealth Government, 2020 p. 10).

The most recent *Closing the Gap Report* released in 2022, suggests that:

...a paradigm shift in health and wellbeing policy and planning is needed. It is critical that policies and programs are developed and delivered in partnership with Aboriginal and Torres Strait Islander peoples to ensure the specific needs of Aboriginal and Torres Strait Islander peoples and communities are identified and addressed. (Lowitjia Institute, 2022, p. 6)

Clearly, the narrative in the 2022 *Closing the Gap Report* can be related to an approach to decolonise policy frameworks, design, and implementation, albeit inclusion of the voice of Indigenous Australians. A problem, however, is the timeframe in which this shift in policy-making will occur. Current statistics are seriously concerning for Indigenous people. For example, “four are *on track*; healthy birthweights of babies; the enrolment of children in the preschool; youth detention rates; and land mass subject to rights and interests”. Disappointingly, “five are *not on track*: children commencing school developmentally on track; out-of-home care; adult imprisonment; suicide deaths; and sea country subject to rights and interests” (Productivity Commission, 2022, p. 5). Consequently, although the Report suggests more involvement from Indigenous Australians in policy and how policies are implemented at the community level, may be the critical factors in achieving targeted outcomes.

Thus, to make change in these four targeted areas a more equitable representation of Indigenous Australians in finding solutions to improving the socio-economic outcomes of this group is needed. Equity can be achieved by “Initiatives that recognise Aboriginal and Torres Strait Islander leadership, that provide genuine opportunities for decision making, and strengthen and embed cultures, do and will lead to positive sustainable improvements in health and wellbeing” (Lowitjia Institute, 2022, p. 1).

June Oscar, the Aboriginal and Torres Strait Islander Social Justice Commissioner, links policy that impacts lives of Indigenous Australians to systemic change, stating “system reform must include the four priority reform areas as included in the National Agreement” (Lowitjia Institute, 2022, p. 6). These four areas include:

- Strengthen and establish formal partnerships and shared decision-making.

- Build the Aboriginal and Torres Strait Islander community-controlled sector.
- Transform government organisations so they work better for Aboriginal and Torres Strait Islander People; and
- Improve and share access to data and information to enable Aboriginal and Torres Strait Islander communities make informed decisions. (National Agreement on *Closing the Gap*, July 2020).

Commissioner Oscar highlighted the significance of the role of women in Aboriginal and Torres Strait Islander communities, stating the “Aboriginal and Torres Strait Islander women have always been the nurturers, carers and leaders for their families and communities” (Lowitjia Institute, 2022, p. 27). Thus, appropriate policy re-development to include the expertise of Indigenous community leaders, organisations, and professional Aboriginal knowledge from those employed in key service delivery areas are essential. In the 2022 *Closing the Gap Report*, Commissioner Oscar further states that

...women voices need to be elevated to the spaces of decision-making because what they know matters in forming meaning and effective policy and legislation, their knowledge matters every day, to ensuring the health and wellbeing of our children, families, and communities. (Lowitjia Institute 2022, p. 27)

From a social work perspective, research in 2019 found that “health for Aboriginal men is reported as the worst of any Australian group in the *Closing the Gap* Strategic Plan 2013-2023” (Prehn, 2019, p.157). Prehn suggested that federal policies dismiss the issue of Aboriginal male health, with the research finding that “poor Aboriginal male health impacts the mortality rates for young Aboriginal men” (Prehn, 2019 p. 159). Consequently, poor health for male and female Indigenous Australians, plus exclusion of Indigenous Australians in policy development and implementation add to the urgent need for change in policy-making processes.

Finally, in the late 1960s Aboriginal self-determination was introduced into the political arena as a collaborative communicative system between the Government and Aboriginal people; briefly interrupting the flow of a previous one-sided view of policy management, when non-Aboriginal decision-makers made decisions for and about Aboriginal people. The late 1960’s was a time when Aboriginal people demanded the freedom to make choices and decisions about how they were governed. Nevertheless, fast track to the 21st century and governments still fail in policy development for Aboriginal Australians. The most

recent example is the Commonwealth Government's *Closing the Gap* operational framework which monitors statistical records of all areas of service delivery to Aboriginal people. Unfortunately, current research in this area of under-development in policy engagement with Indigenous Australians, suggests that “despite all the policies and programmes, statistics that compare Aboriginal people with the rest of the Australian population show that disadvantage still exists” (Bennett, 2019 p. 22). In comparison to others in Australian society, Indigenous Australians find themselves living in a space of socio-economic disadvantage, unable to achieve equitable outcomes, as recognised recently by Bennett (2019), June Oscar the Aboriginal and Torres Strait Islander Social Justice Commissioner (2022), Patrick and Moodie (2016), Prehn (2019), Sanders (2021). Consequently, although policy-making is a hub of decision-making for the Government, it is also a main entry point for the involvement of Indigenous Australians.

Conclusion

In conclusion, this paper adds to current narrative on policy for Indigenous Australians. It has provided explanation about what underpins the fundamental structure of policy-making and how Government leads in the design, development and implementation of policy and those key stakeholders who have input into the implementation of social policies in Australia. Is there scope to include Indigenous people with the expertise to join discussions at this point of entry of policy construction? There has to be, and it has taken too long for this to happen. As layers of the formal policy process unfold at the Commonwealth and State Government levels, a major gap exists for Indigenous representation during all parts of policy development from start to end. This paper has provided a focus on the impact of neoliberal policy concepts that when reaching the implementation stage and or stages, without involvement from Indigenous Australians, effect socio-economic outcomes not being achieved. Indeed, a problem raised in the annual *Closing the Gap Reports*. Therefore, there are many steps to take before a fair and equitable systemic social policy process is implemented for Indigenous people. The impacts of Australian policy-making on Aboriginal people suggest that rather than continue to imagine that problems can be solved by policy and government programs, a shift from Aboriginal exclusivity to one of inclusivity in this domain of policy-making in Australia is essential.

References

- Aboriginal Child, Family and Community Care State Secretariat, (2008). *Submission to the Special Commission of Inquiry into Child Protection Services in New South Wales*. AbSec.
- Aboriginal child, Family and Community Care State Secretariat, (2022). *Who we are*. <https://absec.org.au/who-we-are/>
- Althaus, C., Bridgman, P., & Davis, G., (2007), *The Australian policy handbook* (4th ed.), Allen & Unwin.
- Bacchi, C. (2009). *Analysing policy: What's the problem represented to be?* Pearson.
- Behrendt, L., (2003). *Achieving social justice, - Indigenous rights and Australia's future*. The Federation Press.
- Bennett, B., (2019). The importance of Aboriginal History for practitioners. In B. Bennett and S. Green (Eds.) *Our voices – Aboriginal social work* (pp. 10, 22). Red Globe Press.
- Colebatch, H.K., 2009. *Policy* (2nd issue). Open University Press.
- Colebatch, H.K., 2018. What work makes policy? *Policy Sciences*,39 (4) 309-321.
- Commonwealth of Australia, Department of the Prime Minister and cabinet, *Closing the Gap Report 2020*. <https://apo.org.au/node/275101>
- Davis, J., Wanna, J., Warhurst, J. & Weller, P., (1993). *Public policy in Australia* (2nd ed.). Allen and Unwin.
- Fenna, A., (2004). *Australian public policy*. Pearson Education Australia.
- Goodall, H. (1996). *Invasion to embassy*. Allen & Unwin Pty. Ltd.
- Goodwin, S. (2010). Analysing policy as discourse Methodological advances in policy analysis. In L. Markauskaite, P. Freebody & J. Irwin, (Eds.), *Methodological choice and design* (pp. 167-180). Springer.
- Human Rights and Equal Opportunity Commission, (1997). *National Inquiry into the separation of Aboriginal and Torres Strait Islander children from their families, Bringing them home*. Commonwealth of Australia, Sterling Press Pty. Ltd.
- Libesman, T., (2015/16). Indigenous child welfare post Bringing Them Home: From aspirations from self-determination to neoliberal assimilation. *Australian Indigenous Law Review*, 19(1), 46-60.
- Lipsky, M. (1980). *Street Level Bureaucracy: Dilemmas of the individual in public services*. Russell Sage Foundation.

- Lowitjia Institute. (2022). *Closing the Gap Report*. Writing and Editing Team: Dent, P., Mohamed, J., Rind, B., Smith, R., Thomson, E., Zissermann, K. The Closing the Gap Campaign Steering Committee.
- Maddison, S., Denniss, R., (2009). *An introduction to Australian public policy*. Cambridge University Press.
- National Agreement 2020. Commonwealth Government, Department of the Prime Minister and Cabinet,. https://www.closingthegap.gov.au/sites/default/files/2022-09/ctg-national-agreement_apr-21-comm-infra-targets-updated-24-august-2022_0.pdf
- Patrick, R., & Moodie N. (2016). Indigenous education policy – Discourses in Australia. In T. Barkatsas & A. Bertram (Eds.), *Global learning in the 21st century*, (pp 165–184). Sense Publishers.
- New South Wales Law Reform Commission, (1997). *Aboriginal child placement principle*, Research report 7: The origins of the principle. NSW Law Reform Commission.
- Parbury, N., (1988). *Survival: A history of Aboriginal life in NSW*. David Ell Publishing.
- Patrick, R., and Moodie N., (2016). Indigenous education policy – discourses in Australia. In T. Barkatsas and A. Bertram (Eds.), *Global learning in the 21st century*, (pp. 165–184). Sense Publishers
- Prehn, J (2019). How social work can improve the health and wellbeing of Aboriginal men. In B. Bennet and S. Green (Eds.), *Our voices – Aboriginal social work* (p. 157). Red Globe Press.
- Productivity Commission Annual Data Compilation Report, July 2022. <https://www.pc.gov.au/closing-the-gap-data/annual-data-report/report>.
- Russ-Smith, J (2019). Indigenous social work and a Wiradyuri framework to practice. In B. Bennet and S. Green (Eds.), *Our voices – Aboriginal social work* (p. 105). Red Globe Press.
- Sanders, W., 2021. *Big picture essays on Australian Indigenous policy: Deep structures and decolonising*, Policy Insights Paper No. 05/2021. Centre for Aboriginal Economic Policy Research. The Australian National University. <https://doi.org/10.25911/E6JF-VY08>
- Wilson. R. (1997). *Bringing them home: Report of the national inquiry into the separation of Aboriginal and Torres Strait Islander children from their families*. Canberra, Australia: Human Rights and Equal Opportunity Commission.