MURDI PAAKI REGIONAL ASSEMBLY
COMMUNITY-LED GOVERNANCE
LESSONS LEARNED

THE MURDI PAAKI
STORY
IN SUMMARY

WHY LESSONS LEARNED?

Murdi Paaki Regional Assembly, together with its 16 constituent Community Working Parties (CWPs), is a pioneer in community-led Indigenous governance. Such a model does not exist anywhere else in Australia. The Murdi Paaki model has evolved over almost thirty years into a mature, stable networked arrangement for governance and representation for Aboriginal people in the most remote parts of NSW. For this reason, and because of its uniqueness, the Murdi Paaki model drew the attention of the National Indigenous Australians Agency. The Agency and the Assembly, together, resolved to undertake the Lessons Learned project to showcase the achievements of the model over the last three decades, to investigate the lessons learned from the experience of developing and sustaining the model, and to communicate the lessons so that Indigenous groups elsewhere in Australia which aspire to develop their own custom-made governance structures and practices are able to draw on the Murdi Paaki experience in building a process that works. In addition, the Murdi Paaki Lessons Learned project is able to provide governments with policy lessons which can be incorporated into relationship-building and service planning, delivery and evaluation.
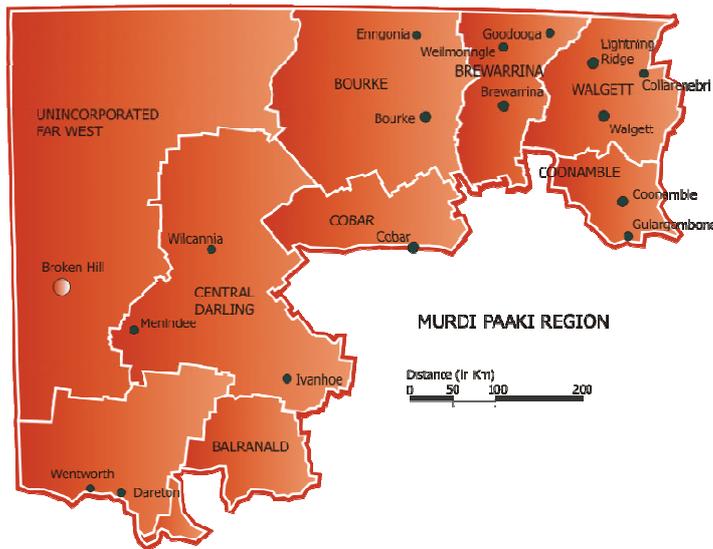
The Agency, in partnership with the Assembly, has engaged Burns Aldis to explore the Murdi Paaki Model's factors for success. All intellectual property in this project has been assigned to the Assembly – an important departure from the Government's usual practice of retaining ownership of work that it funds. The findings of this process are summarised here and are presented in greater detail in the Part A and Part B resources; longer form documents which are attached as appendices to this synopsis. Insights are drawn from a series of focussed group interviews with the Assembly and eight of the 16 CWPs; individual interviews with people who played a key role in the evolution of the model; and from documentary sources. The key lessons are summarised below. Background information about the model and the Murdi Paaki Region is provided, and each of the lessons explored briefly, then a short literature review is offered to give academic context.

KEY LESSONS FROM THE MURDI PAAKI MODEL

- Good governance: Build and strengthen capacity at all levels in the model of governance; document policies, rules and practices for an accountable, open system of governance which meets the needs of the people; and does not impinge upon the legitimate responsibilities of others;
- Fit for purpose: Create representative bodies which are culturally informed, geographically specific and logical, inclusive, accountable and values-driven;
- The ultimate goal: Articulate a clear and consistent vision and purpose and maintain a strong collective focus on achieving the long-term goals essential to sustaining the model and maintaining motivation;
- Engage with young people as leaders: Embrace the personal potential and nurture the leadership capacity of young people and other emerging leaders to carry the governance model securely and innovatively into the future;
- Plan strategically: Identify community need, develop an evidence base, design realistic and culturally aligned strategy, advocate for actions to be resourced; evaluate outcomes; and augment skills where required;
- Establish and foster relationships: Forge relationships as the basis for effective, respectful and productive collaboration with governments, NGOs and the private sector to bring about positive change.

THE REGION

The Murdi Paaki Region, located in the north-west and far west of NSW, occupies about 40% of the land area of the state, and is largely arid and remote. The largest settlement in the Region is the city of Broken Hill. There are fifteen other towns in the Region which feature in the Murdi Paaki governance model. The Region includes all of the local government areas of Coonamble, Walgett, Brewarrina,
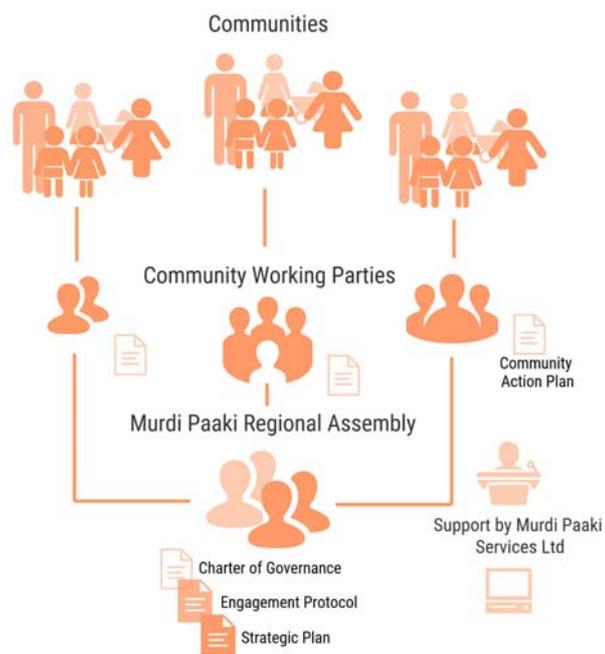
MURDI PAAKI REGION

Bourke, Central Darling, Broken Hill and Wentworth and the Unincorporated Far Western NSW and part of the Cobar and Balranald local government areas.

Aboriginal people of the Region have been land owners from time immemorial. The Region takes in Country belonging to a number of nations, language groups and dialect groups although historical circumstances have also led to people from a range of other language groups from south-western Queensland and South Australia, making their homes in the Region over the period since European settlement.

THE MURDI PAAKI MODEL OF GOVERNANCE

The Murdi Paaki model for community-led governance evolved from a decision of the former Murdi Paaki ATSIC Regional Council to establish a body with each of the 16 CWPs of the Region equally represented. This body was to become the Murdi Paaki Regional Assembly. During the almost 30 year process of development of the model, a regional governance structure emerged which ensured equal representation for each of the sixteen larger communities, and also arrangements for the very small communities to have their voices heard. The Assembly chose not to become incorporated and is proud of its strategic judgment in developing a culturally sound forum for decision making that cannot be abolished. The model is founded in the tradition of egalitarianism and is accepted because it is equitable.

Authorship and ownership of the model rest exclusively with the Aboriginal people of the Region.

The model is about how Aboriginal people engage with each other, internally in their communities and externally with other communities across the Region. The Assembly expresses a strong sense of continuity with the traditional model of governance and decision-making – as a contemporary form of governance around the camp fire. This grounded approach is seen as conferring cultural authority.

COMMUNITY WORKING PARTIES

The CWPs are the peak bodies for representation and decision-making at a community level. Each CWP develops its own locally-relevant governance practice within the boundaries of the Murdi Paaki Charter of Governance, ensuring that all Aboriginal people in a community are able to participate, if they wish. CWP form and composition are decided by the communities themselves to suit local ways of engaging and decision-making, as are the processes used to give effect to the CWP. The Assembly respects CWP autonomy, while requiring that the governance model as a whole works to a consistent set of values and practices around probity, inclusiveness and principles of shared importance. There is thus a strong sense of ownership by communities which view the CWPs as an expression of community

desire for voice and representation, and it is from this commitment that the Murdi Paaki model draws its authority. Each CWP has a seat at Regional Assembly. Assembly delegates are usually CWP Chairs who may be joined in the Assembly by the three NSW Aboriginal Land Council Councillors whose regions overlap the Murdi Paaki Region, and four Murdi Paaki Aboriginal Young and Emerging Leaders. The Assembly is chaired by an independent chairperson in a salaried position.

Communities are most engaged through their CWPs, and CWPs are most productive, when there is strategic work to do and when that work is adequately resourced, in terms of human capital or funding, or both. One high point in the Region was reached during the COAG Trial when each community was resourced with a Community Facilitator charged with supporting the community to identify need, prioritise actions and negotiate outcomes. Participation by community members in CWPs is voluntary and CWP Chairs are often employed full-time and have limited time to spend on CWP administration and/or do not have ready access to technology.

A CLOSER VIEW OF THE LESSONS

Good governance: Build and strengthen capacity at all levels in the model of governance; document policies, rules and practices for an accountable, open system of governance which meets the needs of the people; and does not impinge upon the legitimate responsibilities of others

What is good governance?

In its Charter of Governance, the Assembly aspires '*to provide the highest standard of governance, accountability, advocacy, and direction and support the principles of responsibility, strong leadership, commitment and partnership*'. For the Assembly, good governance is consensus-based, and aligned to local and regional cultural values, traditions and practice. Because it is locally and geographically specific, it differs from First Nations models elsewhere, as well as from non-Indigenous forms of governance. The Assembly has ensured it gives effect to its commitment to good governance through self-regulation by building consensus around values, principles and practices and then formally documenting its governance arrangements in written policies, including through codifying the conduct expected of Assembly delegates and the CWPs. The *Charter of Governance* defines the governance objectives of the model as:

- True community control;
- Respect for the right of Aboriginal communities to make decisions about their own development, ensuring they have the capacity to take responsibility, and the need for governments to be responsive to community needs;
- Recognition that communities will continue to need assistance in partnership with government for those matters beyond the powers of communities to fix for a variety of reasons;
- Offering government a legitimate representative structure at the community level to secure effective investment in those communities to support individuals and families;
- Support for direct participation in regional decision-making to make it more relevant for communities and to give them greater ownership;
- Recognition of the important role CWPs play in improving service delivery and assisting in laying the foundations for the next phase of regional development;
- Focus on community well-being as the indicator for desired outcomes, determined within the environment of the individual, family, clan and community;
- Working with all government and non-government agencies to achieve better outcomes for Aboriginal people.

Voice and representation

On the basis that having one's voice heard and having a truly open, representative leadership forum are among the chief tools for improving the circumstances of Aboriginal people, the Murdi Paaki model provides for representation for all Aboriginal people at a community level, and for equal representation for communities at a regional level where practicable. Local arrangements are designed to support community members to act in the best interests of the community as a whole. The Assembly regards it as a great strength of the governance model that the people's voice is represented by the people themselves and not mediated through corporate entities and agencies.

Managing conflict

Part of the Assembly's approach to good governance is adoption of measures to manage or eliminate conflict. The Assembly avoids involvement in management of funding to minimise the risk of dissent between communities. Roles for Assembly delegates, who are also generally CWP chairpersons, are clearly delineated at the different scales of the model to minimise the risk of conflicts of interest. While

the Assembly defines its roles broadly, it has always consciously avoided trespassing in matters which are the legal or moral responsibility of others, such as Native Title, land rights or cultural authority.

Fit for purpose: Create representative bodies which are culturally informed, geographically specific and logical, inclusive, accountable and values-driven

Cultural values, attributes and motivation

The Assembly itself is embedded in a web of place-based historical, cultural and kinship connections which underlie its jurisdiction. Assembly delegates recognise a strong sense of continuity with traditional modes of governance and decision-making. A culturally derived system of shared personal values underpins the conduct of delegates, defines the way the Assembly does business, and ensures self-regulation. Broader strategic collective values around shared responsibility, good governance, community at the centre, regional autonomy and jurisdiction, and respectful, productive relationships creates the foundation for the Assembly's strategic approach. Assembly delegates are motivated by the passion they feel for ensuring positive change occurs in the interests of community; this passion is strongly influenced by the values they share.

The importance of geography

The geography of the Murdi Paaki Region is seen by Assembly delegates as a great strength because it reflects the traditional and contemporary linkages of families and communities, and movement paths, along the Barwon-Darling River system. It provides a strong collective identity for the Region and its peoples. The regional boundary also forms a rational basis for planning, decision-making, allocation of funding and structuring engagement and service delivery, on the basis that it captures communities of common concern.

Values-driven leadership

In its Code of Conduct, the Assembly has articulated a system of values to guide the leadership practice of delegates: honesty, integrity, accountability to communities, transparency, selflessness, professionalism, commitment, leadership and confidentialities. Three shared governing principles underlie this values system: unity, loyalty and respect.

The ultimate goal: Articulate a clear and consistent vision and purpose and maintain a strong collective focus on achieving the long-term goal essential to sustaining the model and maintaining motivation

Since the very first vision statement prepared for the *Murdi Paaki Regional Plan 1994*, the Assembly and its predecessor Regional Council have articulated an ambitious and consistent vision as part of its strategic development process. The model is respected because the Assembly is consistent and persistent in communicating its purpose, and has maintained its focus on working towards its vision through its own advocacy and leadership and through its internal and external relationships. The Assembly has ensured very strong alignment over time in making plans, negotiating partnerships and establishing regional infrastructure to achieve its purpose. Assembly delegates and CWP members, all volunteers except for the Assembly's Independent Chairperson, are motivated by the passion they feel for ensuring that positive change is brought about in the interests of community. They are led by a commitment for developing and implementing an evidence-based strategic agenda for change consistent with the Assembly's vision.

Engage with young people as leaders: Embrace the personal potential and nurture the leadership capacity of young people and other emerging leaders to carry the governance model securely and innovatively into the future

The Assembly is committed to developing the leadership qualities of young people and has, for many years, sponsored the Murdi Paaki Aboriginal Young and Emerging Leaders Assembly project (MPAYELA). MPAYELA provides formal leadership development for young people, and others with leadership potential, to succeed to leadership roles in their CWP and in the Assembly over time, thus securing the future of the Murdi Paaki governance model. The initiative strengthens the ability of resource-poor communities to conceive ideas, action community aspirations and have a strong voice. Young people who have passed through the MPAYELA generally achieve a high level of skill and employability; the Assembly is working to build a critical mass of emerging leaders with a view to retaining sufficient of them in the Region to provide for succession.

Plan strategically: Identify community need, develop an evidence base, design realistic and culturally aligned strategy, advocate for actions to be resourced; evaluate outcomes; and augment skills where required

STRATEGIC PLANNING

The Assembly and CWPs are actively involved in identifying need and planning a creative, strategic response founded in historically and culturally based knowledge of what works. Each CWP has prepared a Community Action Plan (CAP) to set out strategic priorities and map a local development agenda. The Assembly writes a Regional Plan every five years, based on evidence including census

data, economic statistics, inputs from communities via their CWP Community Action Plans and through direct representation by the CWP Chairs. The focus is on issues and strategies which are important across the whole Region, or relevant to a large proportion of regional communities. The *Murdi Paaki Regional Plan 2016* documents evidence-based strategy for development and invites government policy and practice alignment. A primary emphasis is enhanced service delivery with the goal of measurable socio-economic improvements.

Previous rounds of regional planning have identified and acted on the need for organisations to fill gaps in regional social infrastructure. The member-based organisations created, Maari Ma Health Aboriginal Corporation and Murdi Paaki Regional Housing Corporation, have exceeded expectations in providing a strategic response to regional service needs. The Assembly has identified an ongoing imperative to grow regional social infrastructure to ensure the needs of communities are met in a way that maximises return on investment.

PROFESSIONAL CAPACITY

In its *Murdi Paaki Regional Plan 2016*, the Assembly, recognising the impacts of power imbalances in relationships between communities and governments, identified the need to establish Murdi Paaki Services Ltd (MPS) as its professional operating arm. MPS is owned by and accountable to the Assembly and is governed by a board drawn from Assembly delegates. Its objectives include driving change throughout the Region through strategic liaisons, co-ordination, research, planning, evaluation; supporting CWPs; and acting as an auspice for funding. MPS has primary responsibility for supporting the Assembly to implement the *Regional Plan* and to form and foster long-term relationships to ensure negotiated agreements, such as the Local Decision Making Accord II, with governments, are informed by community knowledge and experience.

EVIDENCE AND OUTCOMES

Achieving authentic two-way accountability around policies, programmes and services is a priority for the Assembly in its relationships with government, NGOs and the private sector. In the Assembly's view, accountability should take the form of agreed conventions for needs assessment, planning, monitoring and evaluation of measurable and transformative outcomes based in culturally relevant research and evaluation practice.

Establish and foster relationships: Forge relationships as the basis for effective, respectful and productive collaboration with governments, NGOs and the private sector to bring about positive change

COLLABORATION WITH GOVERNMENTS

At an operational level, the Assembly commits considerable effort to working with governments. The Assembly values the principle of working in partnerships with governments, NGOs and the private sector because of the potential of such relationships to contribute to positive change in communities. Interaction is guided by the Murdi Paaki Engagement Protocol which provides a respectful and efficient pathway to co-design of services and programmes.

Over time, the Assembly has been party to a succession of Shared Responsibility Agreements and Regional Partnership Agreements with the Commonwealth and a variety of partnership arrangements with the NSW Government. At present, the Assembly is negotiating Local Decision Making Accord II under the NSW Government's OCHRE Policy. In its negotiations, the Assembly actively promotes value of harnessing the collective knowledge, creativity and capacity of community to deliver a more profound and realistic approach to problem definition and solution generation.

RECOGNITION AND RESPECT

The Assembly aspires to have its achievements, capacity and agency recognised such that it is acknowledged for its leadership capacity and treated an equal in its engagement with governments, NGOs, the private sector and civil society. As a partner in community development initiatives, the Assembly seeks to engage through strengths-based approaches that recognise and respond to its emphasis on rigorous, evidence-based policy making, service delivery and evaluation.

A PERSPECTIVE FROM THE LITERATURE

Studies either of specific Aboriginal governance bodies or of arrangements for Indigenous community governance more generally have, in the post-ATSIC days, tended to focus at the scale of one or more individual community/ies rather than a region, and, with a few exceptions, on geographies where more traditional ways of living are dominant. Whether or not insights from individual community studies can be generalised is debatable given the tiered and networked nature of governance in the Murdi Paaki Region. More particularly, in the Murdi Paaki context, is the fact that the body of research tends to focus on community governance structures involved in direct service delivery rather than in governance, advocacy and representation *per se*. Even so, the literature does provide insights which resonate with the Murdi Paaki experience of community-led governance.

Particularly relevant are questions of the purpose of community-led governance, and what the nature of 'good governance' actually is. The differentiation of 'proper processes' from the outcomes of governance is problematic, as Limerick (2009) observed, and he noted the importance of assessing performance in terms of the outcomes sought by community. This approach is, though, clearly problematic where characteristics of governance are intrinsic but outcomes are strongly influenced by extrinsic factors. Also of interest is the question of whether the object of community led governance is 'statistical equality' or the broader notion of social justice and self-determination (Altman 2004; 2009). In practical terms, empirical research specific to the Murdi Paaki Region found, in the context of the COAG Trial, that 'good enough' governance was sufficient to deliver satisfactory outcomes (Jarvie & Stewart 2011), so strengthening for its own sake comes with an opportunity cost.

In general, writers agree on the attributes which make Indigenous governance structures more or less successful in the contexts examined. At an operational scale, factors such as separation of powers; rule-based governance; strategic orientation of leaders; arrangements for effective, consistent administration; community engagement; engagement with government(s); and a variety of contextual and personal factors including the local skills base, external orientation, focus on community rather than sectional interests, and orientation towards responsibility are seen as important (Limerick 2009). Perhaps more broadly, the importance of matters of cultural and conceptual complexity in governance; leadership nodes and networks in communities; Indigenous systems of social and political organisation; cultural legitimacy; geographical boundary-setting; institution-building; and governance capacity of government need to be recognised and responded to (Hunt & Smith 2006a).

The final point in the previous list is crucial in the context of Murdi Paaki experience: regardless of the attributes of specific examples of community-led governance arrangements, there is a general emphasis on the influence of relationships with governments. Governments bring their own cultures and entrenched regimes of practice and even their geographies of influence to their relationships with Aboriginal governance bodies (Cowlishaw 1998; Hunt & Smith 2006b; Morgan Disney & Associates 2006; Sanders 2004; Sullivan 2008). Experience in the Murdi Paaki Region has shown that even where relationships are characterised by goodwill on both sides, systematic policy learning within government may be challenging, particularly in a highly contested and politicised policy environment (Stewart & Jarvie 2015). The 'unresolved dialectical relationship between indigenous people and the State' which Finlayson & Dale (1996) wrote about in the ATSIC context is still evident.

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DISCLAIMER

The Murdi Paaki Regional Assembly presents one model of community-led governance, which is informed and influenced by a specific regional context.

The research used in this paper is not exhaustive. Any views, opinions, findings and conclusions or recommendations expressed in this paper are strictly those of the Murdi Paaki Regional Assembly and do not reflect the views of the Australian Government.

The information in this paper should not be relied on as an alternative to professional advice.