

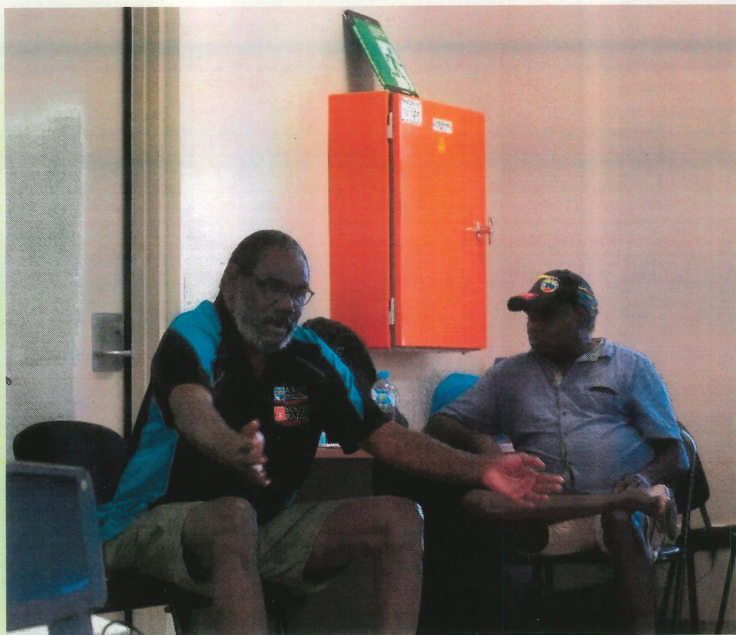
Committee: PAC
Paper No: 1.3 Date: 27/10/22
Tabled By: ARDS
Signed: [Signature]

ARDS & LDM workshops facilitation

1. ARDS' role
2. Meetings & discussions so far
3. Facilitation approach
4. Common discussion points about LDM and some lessons learnt
5. Challenges
6. Ideas for future work

Meetings and discussions so far

Miyarrka region (held in Gapuwiyak); 1-5 March 2021





THE UNIVERSITY OF CHICAGO

[illegible]

new houses
to
developing
homelands
(increasing
homelands)

→ equal services
→ Coping with +
homebonds

→ give participants

549

and models
JAH / Federal
for Indigenous

100

Gapuwiyak and homelands (multiple meetings), 27 June-1 July 2022



Ramingining, 27 & 28 May 2021, 6 & 7 July 2022



Milingimbi, 20-21 May 2021



Facilitation approach

1. Yolŋu Matha (language) discussions, led by Yolŋu djämaŋirr (staff)
2. Meetings are a Yolŋu space, following Yolŋu Rom
3. Background materials prepared & presented in Yolŋu Matha
4. 'Open' agenda, usually long meetings (4+ hours); time for people to discuss background issues and history
5. Open Yolŋu participation – no limits on who is allowed to participate
6. Pre-meeting visits to get consensus about the right time and place to meet
7. Background visits & phone calls to make sure as many Bäpurru (clans) are represented in discussions
8. Follow-up with key people who aren't present at discussions

Common discussion points and learnings

1. Yolŋu wear many hats

- For example; employment, board membership & reference groups.
- These 'hats' usually come from the Balanda system.
- In recent years, many divisions and loyalties have been created, which makes it difficult to come together as gurruṯumirr (through kinship that unites everyone).
- This makes it hard to think about what is best for the whole community.
- Many Yolŋu have described this as the government way to 'divide and conquer'.

2. Where does legitimate authority come from? Proper Yolŋu authority comes through the existing Yolŋu Rom system; from Bāpurru mala (clans).

In May 2021, the LDM Partnership Agreement finished, and the NT Minister for LDM, Selena Uibo, wrote a letter about LDM work in the Yolŋu region. In her letter (27 October 2021) she says,

There are some clear, overwhelming messages:

- 1. bāpurru (clan) and gurruṯu structures (Yolŋu kinship) are the source of Yolŋu strength and decision-making processes, and these structures should underpin empowerment and local decision making in the Yolŋu sub-regions; and*
- 2. it is now time to move beyond talking and into action, particularly to negotiate more LDM agreements and take the necessary steps towards meaningful change in communities, homelands and sub-regions.*

- LDM processes must make gurruṯu and bāpurru leadership stronger, not damage these things.

3. Government processes and authority have grown much more complex in recent years.

- In Village Council times, there was a single government point of contact, who had authority to decide things on behalf of government.
- Now, there are three levels of government in Yolŋu communities, with many different departments. The government workers in Yolŋu communities do not usually have decision-making power. Decision-making power is sitting in Darwin or Canberra.
- It is hard to know who to talk with about problems, and it is hard to talk with someone who has power to change things.

4. LDM should also be a pathway and preparation towards Treaty.

- The pathways we develop for LDM should be similar to the pathways we will use for Treaty. We should not do LDM in a way that is substantially different to what a Treaty process will look like.
- LDM is a chance to practice or develop skills for negotiating a future treaty with government.

5. Legitimate decision making happens when there is broad consensus;

- Must work to include all the right people and get to consensus.
- The people with authority might not be people who regularly attend meetings / reference groups.

Challenges – Yolŋu side

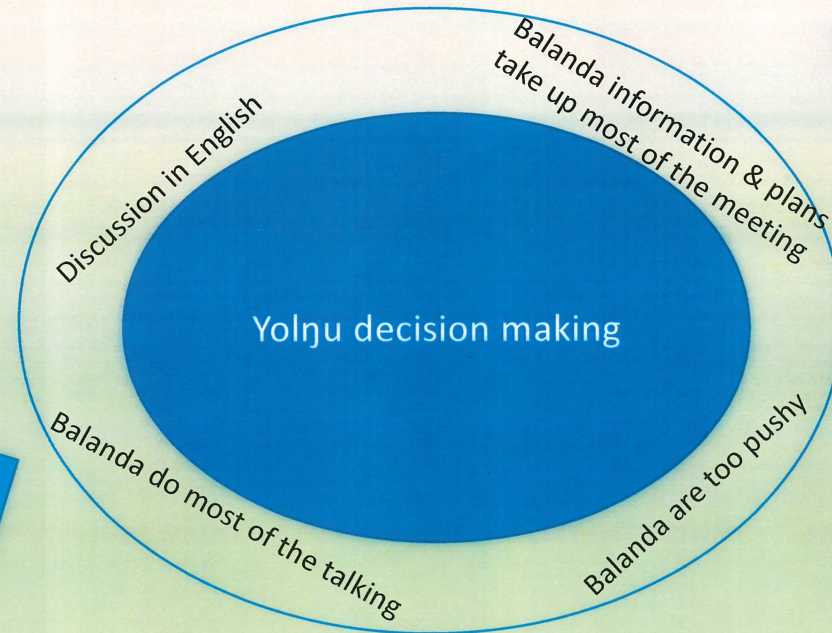
- Pre-existing tensions
 - working towards consensus; sometimes need to do background meetings/mediation about non-LDM disputes, so that LDM discussions can progress.
 - Tensions often caused because Yolŋu are wearing many hats in the Balanda system
- Lack of trust in government
 - Why invest time and effort, when government changes approach every several years?
- Organisational 'balance of power'
 - Mistrust amongst local organisations, based on competition for limited government funding and lack of clarity about why government allocates funding.
 - Worry that LDM will change the existing regional balance; some organisations might end up getting less work or money.
- Logistics – large region, many communities & homelands

Challenges – Balanda side

- Too many meetings happening in community
- Similar Federal programs (The Voice and Empowered Communities) happening at the same time
 - Is causing confusion; taking attention away from LDM discussions.
- Scope of LDM policy not clear
 - Open or broad discussions mean that too many topics are being talked about at the same time, hard to go deep on any particular topic.
 - Difficult to know who the right people are to make decisions, when the topic and scope of decisions is not clear.
- Departmental policies & programs continue regardless of LDM

Balanda 'gatekeepers'

- Balanda decide time & place of meeting
- Balanda make the agenda / what the meeting is about
- Balanda have the background information and context
- Balanda control who is invited, who gets information, what information
- Balanda control \$ - who gets paid, how much, arranging travel



After meeting - Balanda control

- Balanda write the minutes or action points
- Balanda ignore things that aren't relevant or convenient.
- Balanda email other agencies about the meeting outcomes
- Balanda 'implement' the decision, often without Yolŋu oversight or involvement.
- Balanda claim authority based on the Yolŋu decision.
- No feedback loop for Yolŋu decision-makers to correct Balanda interpretation and use of Yolŋu decisions.

Before meeting - Balanda control

Evolving approach (small to big)

- Decision making is a skill; need to take a developmental approach
 - Decision-making capacity has been reduced in recent years (through loss of opportunity and experience)
 - Focus on re-building skills & trust (process) rather than just pushing for a decision (outcome)
 - Start with the things that are easy to agree about. Then work on the things that are difficult to agree about. Not everything needs to be agreed all at once.
 - There are already lots of examples of Yolngu taking control and making decisions at the local level. How do we link these things into LDM policy and agreements?

Going forward

- How to re-engage Aboriginal organisations in a supporting capacity → supporting clan-based decision making?
- Who creates the momentum & drive needed to keep LDM moving forward?
- How to design a process that minimises potential gatekeepers, and creates trust between local organisations?
- How to link organic expressions of local decision making into the formal LDM process?