

EMPOWERING REMOTE COMMUNITIES IN THE EAST KIMBERLEY

06 September 2018 | Australia

One of the most important transformations in the relationship between government and Indigenous and Torres Strait Islander communities is underway across Australia.

Empowered Communities is an opt-in program of reform designed to shift the traditional top-down approach of policy-makers to a true partnership.

Empowered Communities aims to:

- empower Indigenous individuals and families to achieve economic, social and cultural development; and
- achieve greater productivity from available resources and opportunities

The core of this approach is the decentralisation of decision-making, acknowledging that Indigenous peoples are best placed to identify the challenges faced in their own communities - and the best ways to resolve them. The opt-in model enjoys bipartisan support from the Federal Government.

“We want for our children the same opportunities and choices other Australians expect for their children. We want them to succeed in mainstream Australia, achieving educational success, prospering in the economy and living long, safe and healthy lives. We want them to retain their distinct cultures, languages and identities as peoples and to be recognised as Indigenous Australians.”

--Empowered Communities vision statement

The Empowered Communities agenda is shared among eight regions across Australia. For the past four years Herbert Smith Freehills has contributed resources and expertise to a detailed proposal for implementing that agenda in the East Kimberley region in northern Western Australia.

The headline policy proposal is Indigenous empowerment, comprising three parts:

1. the empowerment of Indigenous people to take responsibility for their lives and futures;
2. focusing all activities on achieving broad-scale social, economic and cultural development; and
3. increasing productivity across Indigenous affairs.



WORKING WITH JAWUN INDIGENOUS CORPORATE PARTNERSHIPS

One of the organisations contributing to the Empowered Communities agenda is Jawun, which channels resources from corporate and philanthropic partners into Indigenous development. Herbert Smith Freehills has provided pro-bono support to Jawun, a not-for-profit organisation, since 2010.

Jawun has facilitated Herbert Smith Freehills' contribution to a range of Indigenous organisations based in the East Kimberley region. The firm has now sent 64 legal and business services staff to work on six-week secondments with 20 different host organisations in the East Kimberley.

Since 2014, the firm's Jawun secondees have worked principally with Binarri-binyja yarrowoo (**BBY**) and its member organisations. BBY is leading Empowered Communities in the East Kimberley region. During that time our people have:

- **Strategy:** prepared a strategic plan for BBY and prepared a strategy paper on how the reform proposals of Empowered Communities and two other policy reviews could work together;
- **Governance:** provided advice on corporate structuring and director remuneration,

developed a corporate governance manual for BBY directors and prepared a range of materials for Indigenous organisations opting-in to Empowered Communities through membership of BBY; and

- **Implementation:** completed a discussion paper on Government contracting that supports a model of shared accountability at the regional level and assisted in the development of the Regional Development Agenda for the East Kimberley.

In 2018 Senior Associate Nina Valentine worked with BBY to complete a discussion paper on Government contracting that supports a model of shared accountability at the regional level and assisted in the development of the Regional Development Agenda for the East Kimberley.

“A Jawun secondment is a unique, intense and overwhelmingly positive experience. The time I spent in the East Kimberley, the people I met and the things I learned will always stay with me.”

“The issues faced by Indigenous Australians in the East Kimberley region are complex and there are diverse opinions within the community on the approach to addressing those challenges and the priorities for development. The work undertaken by BBY is critical in ensuring that each of those ‘threads’ is pulled together in a cohesive and sustainable way which best serves to empower the broader community in the longer term.”

SECONDEE EXPERIENCES 'LIFE-CHANGING'

Herbert Smith Freehills' secondees routinely report profound satisfaction with the professional and personal outcomes of their Jawun secondments.

In 2017 Senior Associate Iva Bacvic worked with Wunan, an Indigenous organisation aiming to shift the balance of dependence of Aboriginal people on welfare from 80% to 20% over 20 years. Iva helped adapt Board level conflict of interest policies to an Indigenous context.

“It was incredible to be involved in an organisation that is pushing boundaries, in particular the way it approaches its own funding and governance,” Iva said.

“For example, over half of Wunan's funding is self-generated, and it channels those funds into loss-making projects that assist the community, like education programs. I had direct access to the Board and Executive, and everybody was incredibly generous with their time and vision.”

In 2017 Elecia Churchill, Head of Clients & Sectors, Asia-Pacific, worked with iBase (a social enterprise of Wunan) which provides accounting and finance support to a range of Indigenous businesses in the East Kimberley region. Elecia supported the proposed growth plans for iBase, developed a process for client feedback and assisted in accessing support for small Indigenous businesses through IBA.

“The Jawun secondment was such a great opportunity and experience,” Elecia said. “From a development perspective the focus on skills transfer and what you can leave behind stretches you to think about things very differently. Little things that we take for granted can have such a significant impact on businesses in the East Kimberley.”

In 2018 Solicitor David Vallance also worked with Wunan to develop a fundraising and sponsorship plan for the Kimberley Education Excellence Program.

“Every day I find myself thinking about my time as a Jawun secondee in Kununurra,” David said. “The people I met, the places I visited and the opportunities I was given to engage with meaningful work within the community have all left a lasting impression. All the challenging, thought-provoking and rewarding moments have left me feeling like I am more capable professionally and more fulfilled personally than I was before I went on secondment.”