
2014–15 BUDGET SUMMARY: INDIGENOUS LEGAL SECTOR

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INTRODUCTION

The 2014-15 Federal Budget was released by the Commonwealth Government on the 13 May 2014. Upon delivering his first Budget, Federal Treasurer, the Hon Joe Hockey MP, stated that “[w]e know that for some in the community this budget will not be easy. But this Budget is not about self-interest. This Budget is about the national interest.”¹ The following is an overview of the 2014-15 Budget and its implications for Indigenous Australia. The summary focuses on the impacts to the Indigenous legal sector and includes some responses from some Aboriginal and Torres Strait Islander organisations.

BUDGET 2014-15 SUMMARY

- \$13.41 million funding cut from Indigenous Legal Aid and Policy Reform Programs.²
- \$3.5 million funding cut from the Torres Strait Regional Authority.³
- \$549.4 million funding cut from Indigenous programs⁴, including \$160 million from Indigenous health⁵ and \$15 million from the National Congress of Australia’s First Peoples (‘Congress’).⁶
- \$4.8 billion investment to consolidate more than 150 individual programs and services into five streamlined programs over four years.⁷
- \$41.1 million investment in education, including 18 million funding for the Remote School Attendance Strategy and \$13 million for the Clontarf Foundation Academy.⁸
- \$54 million investment in new police infrastructure for remote communities.⁹

IMPLICATIONS FOR INDIGENOUS AUSTRALIA MID-YEAR ECONOMIC AND FISCAL OUTLOOK, DECEMBER 2013

In December 2013, the Abbott Government announced cuts to community legal services via the Mid-Year Economic and Fiscal Outlook.¹⁰ Among those cuts were \$13.41 million from Indigenous Legal Aid and Policy Reform Programs,¹¹ \$3.66 million from Family Violence Prevention Legal Services,¹² and two \$15 million funding

commitments made in the 2013-14 Budget to the National Aboriginal and Torres Strait Islander Legal Services (‘NATSILS’) and Congress respectively.¹³ In addition, the Indigenous Law Centre, which produces the *Indigenous Law Bulletin* and *Australian Indigenous Law Review*, has been 100 per cent defunded by the Commonwealth Attorney General’s Department.¹⁴

BUDGET 2014–15, MAY 2014

The 2014-15 Budget will see both cuts and expenditure to the Indigenous sector, with the major change to the Indigenous Affairs Budget being the introduction of the *Indigenous Advancement Strategy*.¹⁵ In addition to the major cuts and expenditure, the Budget has also raised the pension age to 70, which will come into effect by 2035.¹⁶ While below the average life expectancy of non-Indigenous Australians, the new pension age stands above the average life expectancy of Indigenous men (69), and just below that of Indigenous women (73).¹⁷

THE INDIGENOUS ADVANCEMENT STRATEGY

The *Indigenous Advancement Strategy* will consist of five streamlined, broad-based programs, with the sole objective of achieving real results in the Government’s priority areas.¹⁸ The *Strategy*, which will begin on 1 July 2014, comprises of 150 former Indigenous programs consolidated into the following five streams:

- Jobs, Land and Economy
- Children and Schooling
- Safety and Wellbeing
- Culture and Capability; and
- Remote Australia Strategies.

Under the management of the Department of the Prime Minister and Cabinet, the *Strategy* will begin with a transition period to allow continuity of frontline services, in addition to time for communities and service providers to adjust to the new arrangements.¹⁹

RESPONSE TO THE BUDGET 2014–15

On a general level, the reaction to the Budget 2014-15 by the Australian community at large has been negative, with support

for the Government decreasing by 10 points in favour of the Opposition.²⁰ There has been a similar response from Aboriginal and Torres Strait Islander communities. Congress Co-Chair, Kirstie Parker raised concerns over changes to Indigenous Affairs portfolio. In an address at Parliament House—with NATSILS Chairperson, Shane Duffy; Antoinette Braybrook, representing Family Violence Prevention Legal Services and Wurli-Wurlinjang Health Service CEO, Marion Scrymgour—Ms Parker stated:

Another major overhaul of Aboriginal and Torres Strait Islander programs, no long-term certainty for our health and legal services or clarity around measures to Close the Gap, and undermining of Congress as the only national independent Aboriginal and Torres Strait Islander representative body.²¹

Congress also stated that: 'Anything—such as the GP co-payment—that further deters our peoples from managing their illness together with their doctor will inevitably compound our already higher rates of hospitalisation for chronic or acute conditions.'²²

Shane Duffy expressed concerns over legal services cuts: 'If NATSILS are forced to cut services people will be left to face court without any advice or representation, something which is meant to be a basic right protected in Australia.' Amnesty International also stated concern over community legal services: 'The cuts will affect the 'frontline' delivery of legal aid to Aboriginal and Torres Strait Islander peoples.'²³

Reconciliation Australia Co-Chairs, Dr Tom Calma AO and Ms Melinda Cilento said the Budget could have an impact on efforts to build equality between Indigenous and non-Indigenous Australians:

We acknowledge Australia's tight fiscal environment and the need to establish sustainable spending programs. But the need for reconciliation and Closing the Gap has not lessened, and the risk is that the extensive cuts to Aboriginal and Torres Strait Islander organisations and programs in this budget will threaten the momentum towards these national priorities and result in great need and spending in the future.²⁴

The Minister for Indigenous Affairs commented on the raising of the pension age to 70: 'It's a vexed issue. Let's just hope by 2035 that there are an awful lot more Aboriginal people living a lot longer.'²⁵

For further information on the 2014-15 Budget visit: www.budget.gov.au.

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5 Michael Coggan, 'Budget 2014: \$534 million cut to Indigenous programs', *ABC* (online), 16 May 2014 <<http://www.abc.net.au/news/2014-05-13/budget-2014-534-cut-to-indigenous-programs-and-health/5451144>>.
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15 Commonwealth, above n 3 185.
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19 Department of Prime Minister and Cabinet, *Indigenous Affairs Budget 2014-15* <http://www.dpmc.gov.au/accountability/budget/2014-15/IA_budget.cfm>.
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INDIGENOUS LAW BULLETIN SEEKING CONTRIBUTORS

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ARTIST NOTE BINDI COLE CHOCKA



Award-winning artist Bindi Cole Chocka was born in 1975 in Melbourne, Australia. She studied at Northern Melbourne Institute of TAFE and the University of Ballarat.

Bindi Cole is a resilient and ingenious Melbourne-born photographer, curator and new media artist with Wadawurrung heritage who speaks compellingly about taboo topics through her photographs, videos and installations. Cole's early interest in photography was curtailed by the trauma of her mother's heroin addiction and death from cancer, causing her descent into depression and drugs. During a transformative prison term, Cole found Christianity and recaptured her self-belief. Her deeply personal and powerful artistic practice focuses on identity and the exploration of tensions within.

Cole works to expose the questions most are afraid to ask. Her artworks are at times so personal, cathartically imbuing them with a gritty honesty that the viewer's experience can verge on voyeurism. Mixing photography, installation, video, sound and projections, Cole's work exposes the latent and unspoken power dynamics of global culture in the here and now. She subtly but powerfully reveals some uncomfortable truths about the fundamental disconnection between who we are - the communities and identities by which we shape our sense of self - and how the prevailing culture attempts to place and define us.

In 2010, Cole was listed as one of the Top 100 Most Influential People in Melbourne. Her work has been widely exhibition in solo and group exhibitions including the National Gallery of Victoria, Art Gallery of NSW, Museum of Contemporary Art, Queensland Gallery of Modern Art, National Portrait Gallery, Perth Institute of Contemporary Art, Museum of Contemporary African Diasporan Art (Brooklyn, USA), Museum of Contemporary Art (Taiwan).