



**Indigenous and Community Violence Branch, Attorney –
General's Department, Canberra**

Community Legal Education Workers Workshop
Success, Problems and Solutions
Wednesday 18th and Thursday 19th March 2009

Grant Sarra Consultancy Services
gsarra@bigpond.net.au
Mobile 0417 502 049

Workshop Sessions

Session One - Revisit the environment in which we are working to consider the problems, solutions and performance measures/indicators for success.

Session Two - Report on individual Work Plans outlining:

- Service Areas
- Where people have travelled
- What topics have been delivered
- What topics are being proposed to be delivered

Group Discussion – What knowledge has been gained from putting into practice what you have learnt from the initial Trainee's Workbook – An Honest Appraisal. Strengths, Weaknesses, Opportunities and Threats.

Session Three – Engaging with diverse communities:

- How should we engage with diverse communities?
- Consider and discuss methods that are successful.
- Consider and discuss why some methods don't work.
- Consider ways to improve community capacity to work with large organisations
- How to avoid communication breakdowns

Session Four – Where to from here?

- What will/should we focus on in the next twelve months?
- How can/does the program benefit the community?
- How should the program be distributed throughout communities?

Group Discussion – What are the general problems or issues during your time on the ground.

Debate Versus Dialogue - (in a Conflict Context)

People in debate usually:

Seek to convince each other that they are right.

Demand speaking time.

Look upon each other's speaking time as lost time.

Undermine each other's standpoints.

Attack each other's arguments.

Try to make each other's viewpoints seem unintelligible/GAMIN.

Partners in dialogue aim to:

Investigate the matter.

Give each other room to speak.

Pose questions in order to understand each other.

Reflect back each other's words.

Say only what they really mean.

Strive for mutual understanding.

Have a common understanding of the matter.

Make their own viewpoints as clear as possible to the other.

Are willing to give arguments that support their viewpoints.

Investigate differences of opinion.

Strive for consensus.

Extracted from Managers Develop Moral Accountability: The Impact of Socratic Dialogue, Hans Bolten, *Reason in Practice*, *The Journal of Philosophy of Management*, Vol 1/3, p. 21-34. Reason in Practice Limited, Oxted. Found at www.rongen.com/english/socrat/moral.htm .)

Key Ideas

Measuring the success of the Community Legal Education Program both in terms of achieving its aims in the community and program and service delivery requirements.

Measuring success will allow you and the Department to assess and report on effectiveness, seeks ways to improve quality and program and service delivery and ensure the project remains focused, relevant, culturally appropriate, community sensitive, cost effective and efficient.

Key Questions

How will we know if the CLE has been effective?

How will we measure success

- in the community, and
- in terms of programs and operating procedures

Has time been planned for debriefing, review, and reflection with the AG's Department to improve the CLE Program?

How will you collate and report your findings?

How can you use your findings to improve outcomes?

Session One - Revisit the environment in which we are working to consider the problems, solutions and performance measures/indicators for success.

Our Past affects our Present

All people become socialised to think, feel and behave based on their past experiences. To be treated poorly in one's past, almost inevitably, results in one thinking, feeling and behaving poorly in one's present.

“By healing one's past, we provide hope and a greater chance of succeeding in the future”

“We need to acknowledge and respect the diversity, issues, language, kinship, aspirations and needs of all of our people – in terms of their, and OUR COLLECTIVE CULTURAL obligation, LORE, CUSTOMS and SECURITY”

Environmental Scanning

Given the problems, issues, aspirations and challenges faced by you in the organisation and by your client group – you must always ensure that you scan the environment in which you are operating to ensure that the decisions you make are high in certainty, the solutions you develop and actions you take - lead to tangible, cost effective, efficient and culturally appropriate and community sensitive outcomes.

Effective Environmental Scanning will:

Allow you and your organisation to develop and maintain and acute awareness and understanding of problems, issues, challenges and changing trends and allow you and the organisation to adopt an innovative and continuous improvement focus to influence positive change, and ensure efficient responses are developed to meet new challenges.

Traditional Society Characterised by:

- Time of Creation - Dreamtime
- Strong spiritual beliefs and respect for the ancestral beings – the creators of the land, rivers, plants, animals, and the people
- Spiritual connection to the land – the mother
- Oral tradition of learning
- Sacred songs, stories, ceremonies, dance and artwork which contribute to the recording or passing on of information
- Kinship systems that linked families through skin and language groups
- Systems of lore and punishment
- Intimate knowledge, understanding and deep respect for the environment
- Traditional medicines

- Ceremonies for birth, death, initiation, marriage
- Sacred sites and places for men and women
- Designated areas for burial sites, meeting places, initiation grounds
- Sacred places and features linked to the ancestral beings
- Clearly defined roles and responsibilities for men, women and children
- Clearly defined land boundaries
- Technology and trade suitable for a subsistence economy
- Traditional society was based on survival. To survive, people understood and respected their connection to the land, the plants, the animals and the environment.
- Respect, responsibility and relationship were important elements relating to the land and the environment.
- Respect, caring and sharing were important values relating to the people.

Transitional Society – Settlement, Invasion or Colonisation?

Introduction of	new culture
Doctrine of Terra-Nullius	disease
forced removal from land	poisoned flour and water holes
religion	government policies – Protection, assimilation
massacre	new laws
missions and reserves	education systems
genocide	new technology and trade
protection	racism and discrimination

No recognition of	spiritual beliefs and values
prior existence	land boundaries
kinship systems	status as human
connection to the land	lores and punishment

Disruption to	
culture	relationships to the land
land boundaries	plants, animals, environment
sacred sites and places	traditional hunting grounds
kinship and language systems	song, dance and ceremonies

Breakdown of

	land boundaries
language	culture and society
spiritual self	kinship system through physical abuse of women and forced removal of children
lore and punishment	Family and responsibilities and roles of men and women

The Myth of Homogeneity

Prior to 1770, the original inhabitants of the land lived in different sized groups across the entire land. This was determined and managed through the kinship system. Post 1770, the original inhabitants, considered to be Stone Age or "primitive beings" by the new settlers, were eventually named Aborigines and identified as all belonging to one group.

The "Aborigines" were further categorised as follows:

"... the reality is that for thousands of years the original inhabitants of Australia maintained important cultural distinctions. Indeed never in Australia has there been a single cultural identity; never has there been a single generic name. It was the Europeans who imposed their pseudo-scientific latinised word Aborigine on the total population of the original inhabitants. This has the unfortunate effect of classifying them all as one cultural group. Certainly, traditional Aboriginal people do not accept this concept.

Categorisation of Aboriginal people

In his essay introducing the section on contemporary issues, Basil Sansom stresses that, since the Aboriginal population is so heavily sub-divided into Distinct types of communities, it is no longer possible to think about Aborigines as if that word stood for a set of people who are all alike.

The categories are important because they are lasting. He quotes Professor C.D Rowely's categorisation of Aboriginal people into different social contexts, as follows:

Aborigines of the settlements established either by missions or governments.

Aborigines working on cattle stations forming small station communities.

Aborigines of small town Australia, usually living in fringe camps and social separation from the local whites.

Aborigines of the cities who may be either

- fringe dwellers, or
- suburban householders" [\[i\]](#)

[i]

Office of the Commissioner of Community Relations, [Lets end the slander](#), 1979, p.37

Government Policies – Protection Act

In the late 1800's, Governments had started to introduce legislation for the protection of the Aborigines.

Under Protection Acts, Indigenous people were not allowed to:

- marry unless it was agreed by the Chief Protector,
- conduct ceremonies,
- practice culture,
- speak language,
- mix with whites.

The Acts were designed to assist and protect Aboriginal people who had become oppressed and disadvantaged.

Exemption certificates were given to Indigenous people of mixed racial percentage so that they could mix with white people and have access to employment and housing.

Government Policies – Assimilation Policies

In 1951, the Federal Government convened an Australian Council for Native Welfare composed of various responsible Ministers and their advisors. At the inaugural meeting in September, Tasmania and Victoria declined to attend, claiming to have no real Indigenous problem. The policy of Assimilation, in part, was formulated as follows:

That all Aborigines “shall attain the same manner of living as other Australians, enjoying the same rights and privileges, accepting the same responsibilities, observing the same customs and being influenced by the same beliefs, hopes and loyalties as other Australians.” ^[i]

^[i] W. Ross Johnson, p.146

Contemporary Society – Self Determination, Reconciliation, NT Intervention – Continued Confusion

No recognition of	connections to land
prior existence and rights	psychological scaring
injustices and mistreatment	sociological impacts
sacred sites and places	spiritual values and beliefs

Continued disruption to	
culture and society	relationships to the land
land boundaries	plants, animals, environment
sacred sites and places	traditional hunting grounds
kinship and language systems	song, dance and ceremonies

Continued breakdown of

Spiritual self

Language groups

Family structures and kinship

Culture and society

Ongoing conflicts over

Political systems

Native Title

Land rights

resource development

Cultural heritage

Aboriginal Rights

Exploration and mining

Recognition of Aboriginal Knowledge

Government policies

Legitimate Aboriginal needs

Western Management Framework

Standard Management Process and Functions

Transforming Inputs into Outputs

Responding to the Environment

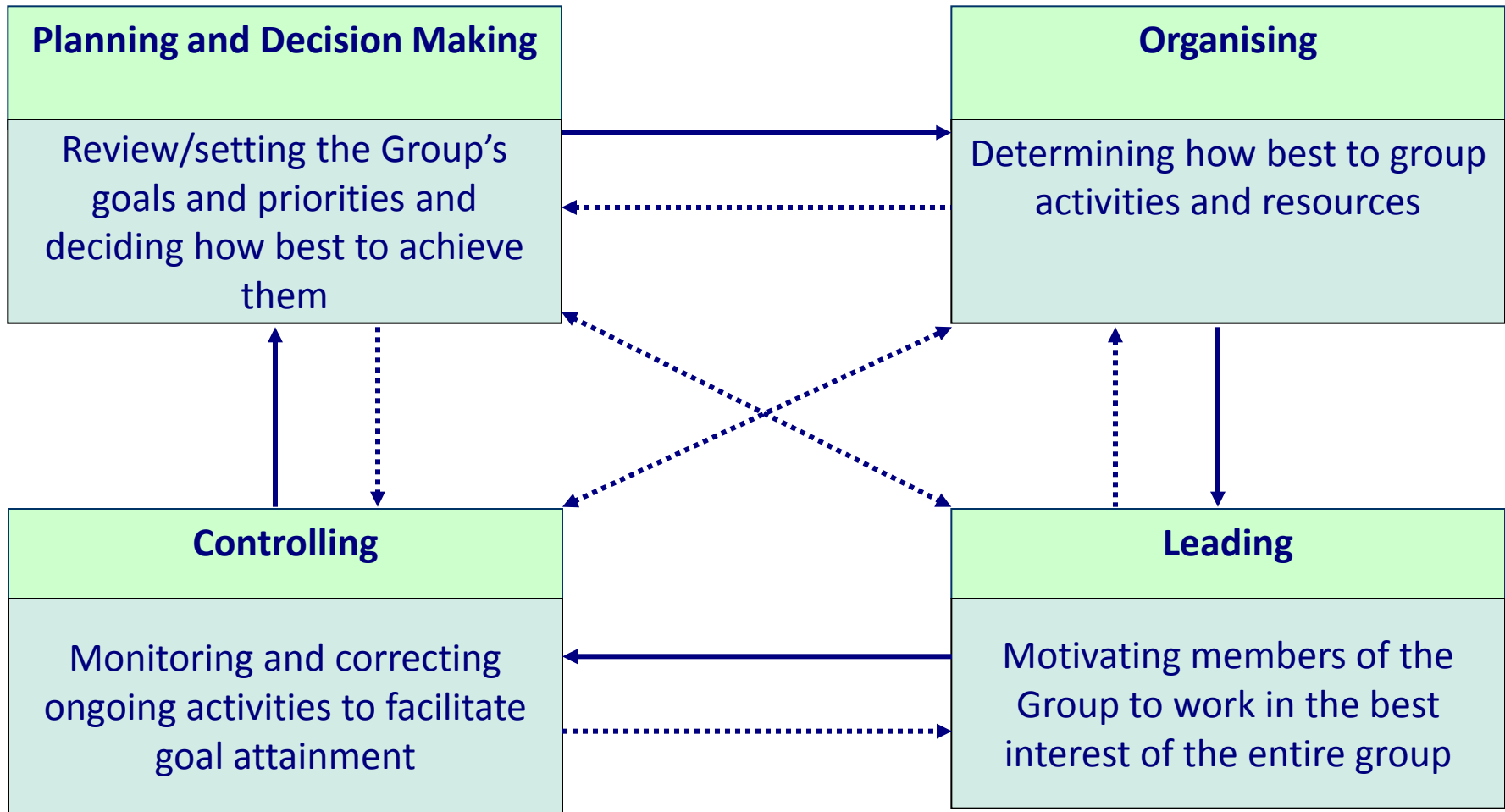
Public Sector Policy Development and Problem Analysis Process

Understanding and Dealing with Conflict

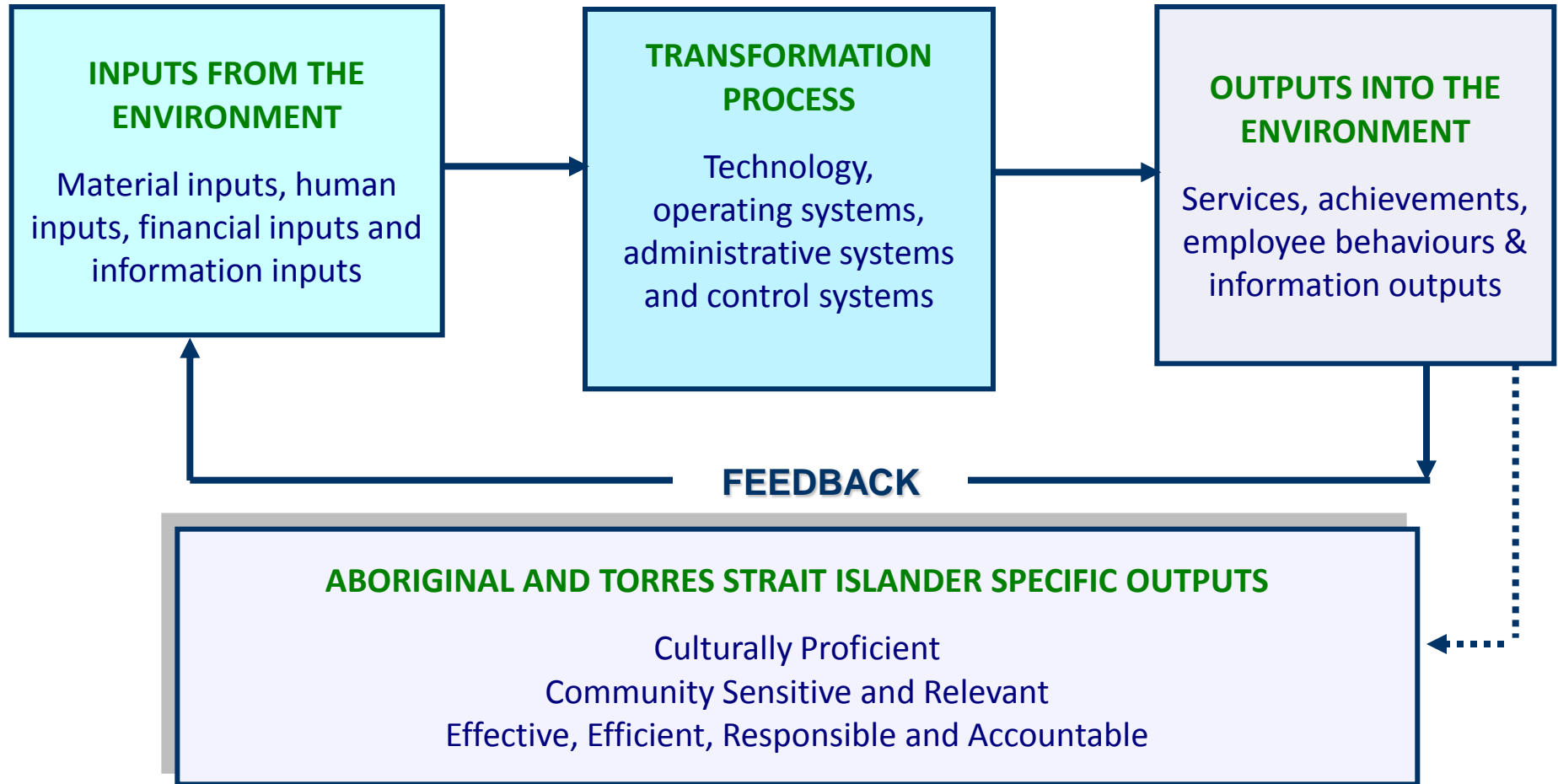
Decision Making

Strategic Planning, Action Planning, Project Planning and Measuring Performance

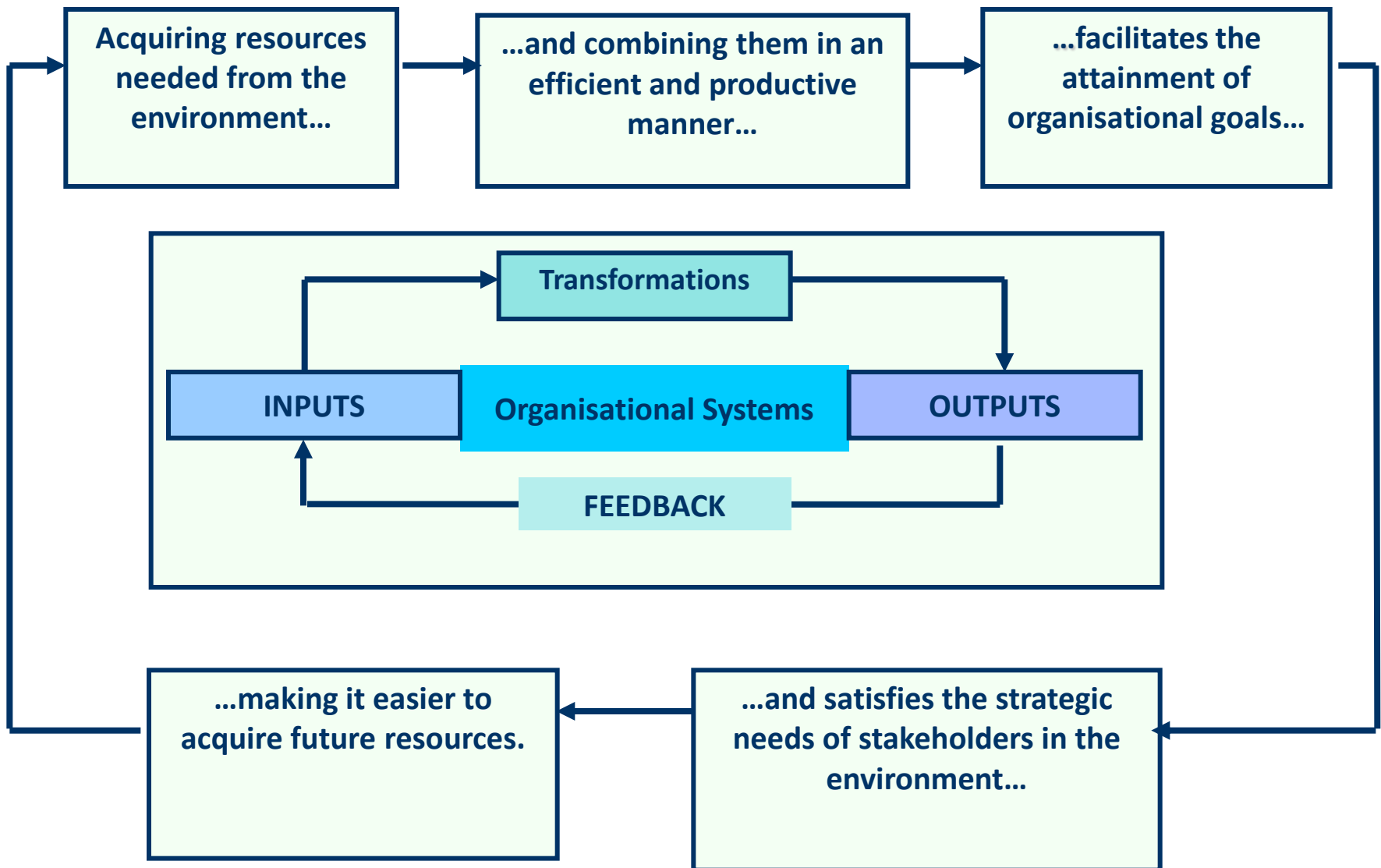
The Standard Management Functions & Process



Transforming Resource Inputs into Outputs



Responses to the Environment



Cultural Sensitivity



Cultural Diversity

**STRONG LEADERSHIP AND
MANAGEMENT**

**ACCOUNTABLE
TRANSPARENT
RESPONSIBLE
EFFECTIVE
EFFICIENT**

**Aboriginal and Torres
Strait Islander families
living peaceful, happy
and harmonious
lifestyles.**

**Culturally Appropriate and
Community Sensitive**

**ABORIGINAL AND TORRES
STRAIT ISLANDER PEOPLE'S
REQUIREMENTS**

Identity, Client Understanding, Communication Barriers, Court Systems, Police, Resources, Western Law, Technology, Customary Lore, Cultures, Wealth Generation, Disadvantage, Geographical Isolation, Access, Equity, Participation, Capacity.

Accountability, Deaths in Custody, Psychological Scarring, Intergenerational Trauma, Anger, Bitterness, Mistrust, Apathy, Ignorance, Fear, Insecurity, Discrimination, Racism, Paternalism, Kinship Systems, Government Policy, Cultural Values, Identity, Dignity, Pride

Government Funding, Substance Abuse, Domestic Violence, Corporate Governance, Colonisation, Dispossession, Stolen Generations, Child Abuse, Community Factions, Confusion.

Strengths, Weaknesses, Opportunities and Threats

What are our Strengths?

What are our Weaknesses?

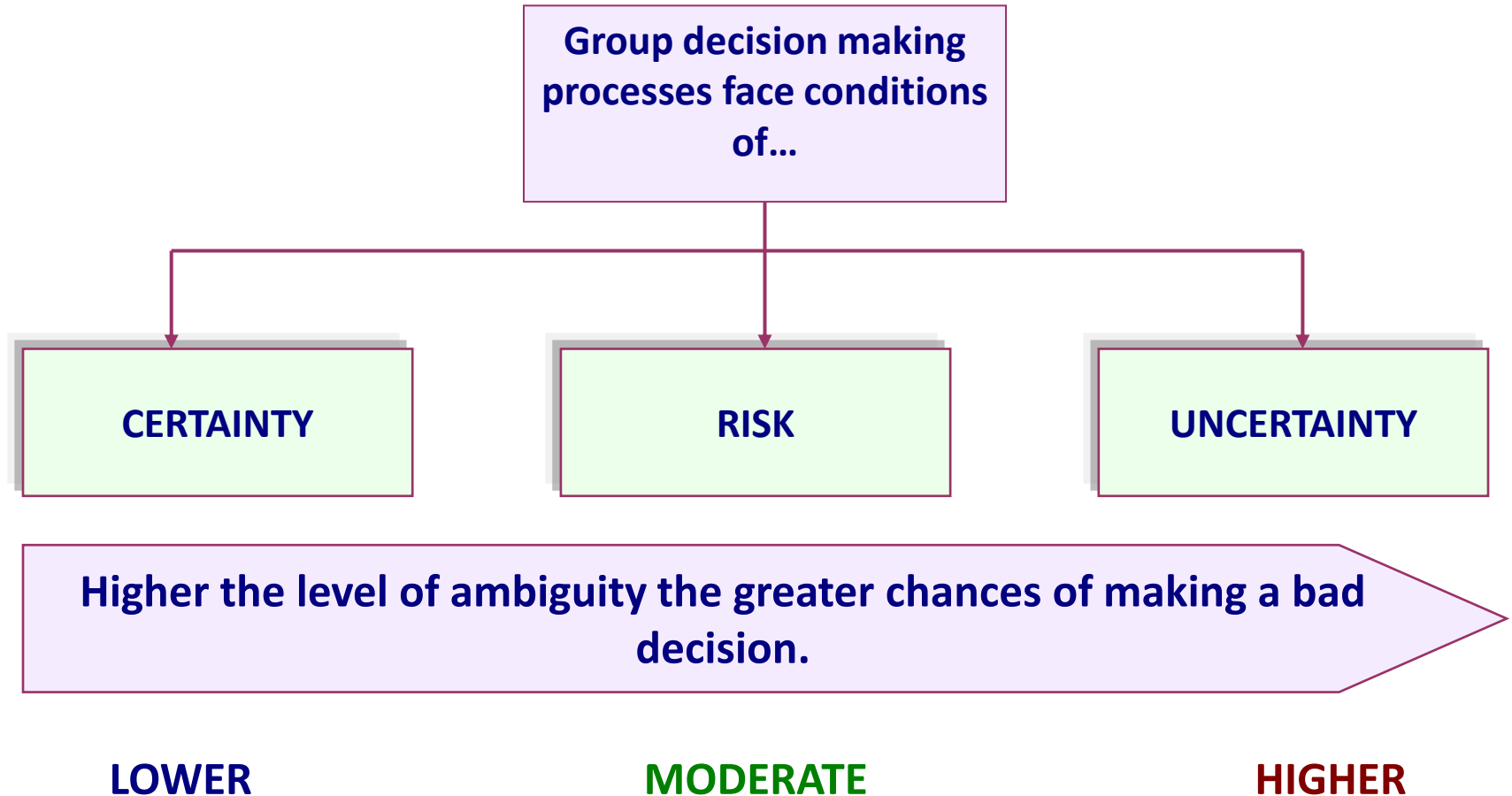
What are our Opportunities?

What are our Threats?

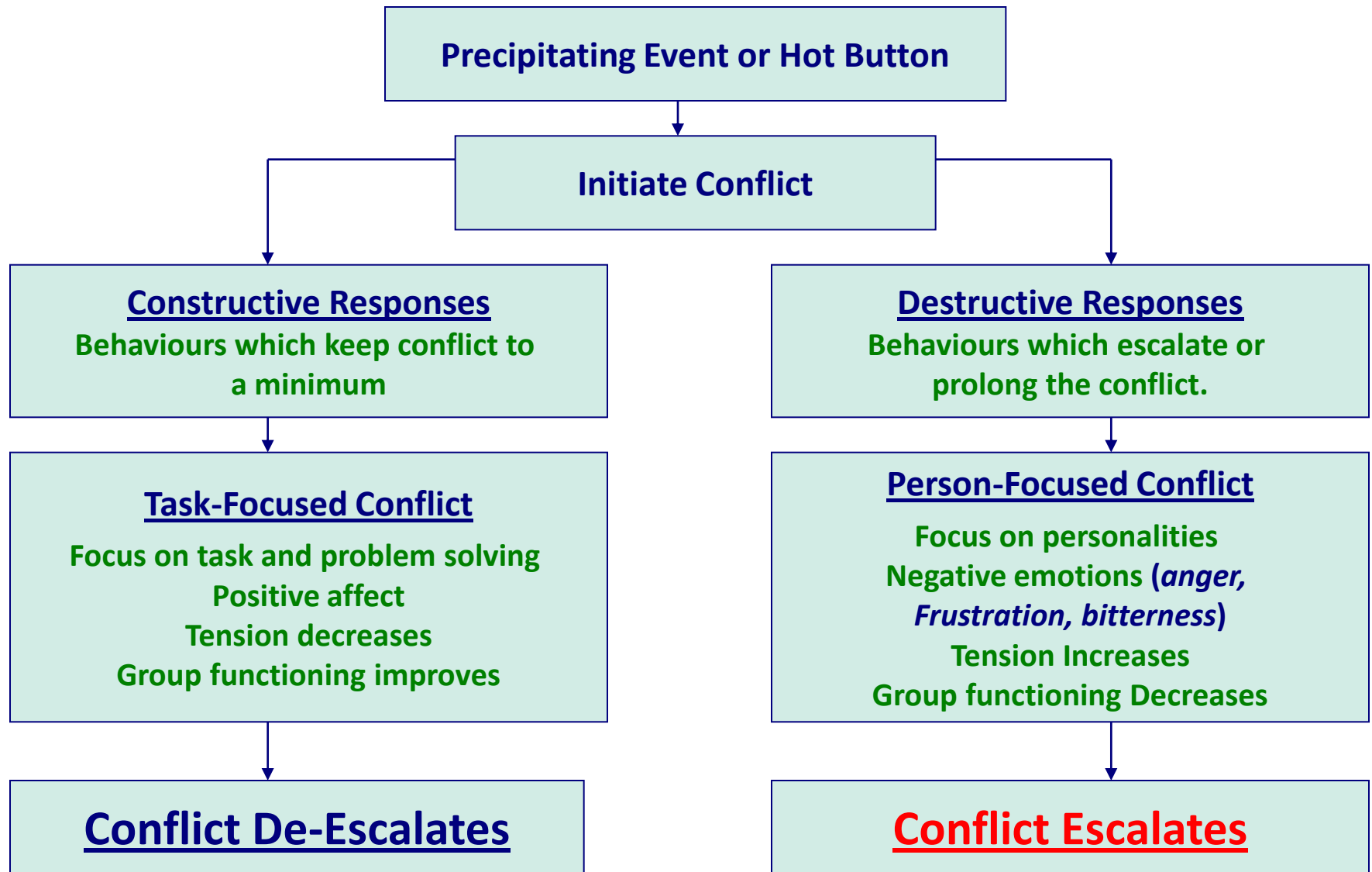
Public Policy Problem Solving Analysis

Problem	Issues	Solutions	Action
Clearly define the problem.	What are the issues which surround the problem.	What are the possible solutions based on time, quality, cost, accountability, effectiveness and efficiency.	What is the most appropriate action to take.
<p align="center">FORMULATE GOVERNMENT POLICY AND DIRECTION</p> <p align="center">Develop annual Action/Operational Plans</p> <p align="center">Review and Start again</p>			

Decision Making Process



Conflict as a Process



Potential Consequences of Conflict

Potential Benefits	Potential Costs
<p>Stimulates creativity and problem solving</p> <p>Fosters teamwork and improves social relationships</p> <p>Encourages listening and perspective talking</p> <p>Promotes reflective thinking and open communication</p> <p>Yields information about people and situations</p> <p>Signals that changes are necessary in relationship of the group</p> <p>Provides the means for expressing emotions which can ultimately clear the air and reduce tension</p>	<p>Produces poor quality decisions</p> <p>Poisons relationships within the group with misunderstanding and distrust</p> <p>Disrupts self, others and potential opportunity</p> <p>Causes anger, bitterness, fear, defensiveness, negativity, hurt and embarrassment</p> <p>Detrimental to building lasting relationships</p> <p>Inhibits open communication</p> <p>Lessens joint and individual outcomes</p> <p>Instigates aggression</p> <p>Harms reputations</p> <p>Derails careers and Group Vision</p>

Conflict Styles

Competing – high levels of interest in satisfying one’s own interest and low concern about the other person’s needs (**defeat the other**)

Avoiding – low level of interest in meeting the needs of either person (**prefers not to deal with the issue**)

Accommodating – low level of concern about meeting one’s own needs and high level of interest in meeting other’s needs (**give into the other**)

Compromising – mid-level of interest in the needs of both parties (**split the difference**)

Collaborating – high level of interest in meeting the needs of both parties (**try for a win-win or both-gain solution**)

Responses to Conflict

First keep the peace within yourself, then you can also bring peace with others. *Thomas a Kempis*

Constructive		Destructive
Active	Perspective Talking Creating Solutions Expressing Emotions Reaching Out	Winning at all Costs Displaying Anger Demeaning Others Retaliating
Passive	Reflective Thinking Delay Responding Adapting	Avoiding Yielding Hiding Emotions Self-Criticising



Strategic, Action and Project Planning

What needs to be done

How will it be done

When will it be done

Who will do what

How Much will it cost

Types of Planning

Strategic Planning – 3-5 Years

Operational or Business Planning 1-2 years

Action Planning - 1 Year

Project Planning – Short Term and task specific

**Other types include – Corporate, Tacit,
Contingency Planning**

Strategic Planning – Key Questions

Three sets of questions are normally asked in the strategic planning process.

THE REALLY BIG QUESTIONS

What business are we in?

What is our Strategic Intent (Mission)?

What makes our people unique?

What is important to our success?

Will we still be in business in five year from now?



KEY TACTICAL QUESTIONS

How do we create value for our clients?

Where are the areas of greatest opportunity/need?

How much money do we have and what type or level of service can we provide?

What we have to do to sustain optimal levels of performance for our clients?



TRUE OPERATIONAL QUESTIONS

What needs to be done to get the most out of our Group?

What gets priority?

Who will do what and when?

What is the best way to complete each of the steps?

Action Plan Framework

Key Result Area COMMUNITY LEGAL EDUCATION TRAINING

Priority	Action	Responsibility	Timeframe	Performance Measurement
Deliver high quality CLE Programs that are culturally appropriate and community sensitive.	Conduct 4 programs per month across the region.	CLE Officer	Ongoing	4 programs delivered/month Number of families participating in each program Level of participant satisfaction.

Project Planning and Management

Project Planning is more concerned with the day-to-day tasks - Short Term and Task Specific

From the Strategic Plan and Operational Plan we need to focus specifically on the process of transferring the inputs into effective outputs

TIME

QUALITY

COST

What needs to be done, what takes priority, how much time needs to be allocated, what quality do we need to produce and how much will it cost

Set Action Goals

Action Specific and Measurable

Compatible with the bigger picture i.e. Strategic Plan

Time Specific- the day, the month that you want the job complete


In Writing i.e. Goals that are in writing make it more likely to be achieved otherwise we spend too much time daydreaming

Owned By Everyone involved in the project – give people “ownership and buy in” and they are more likely to stay focused on time, quality and cost requirements

Negotiated between the parties to ensure a WIN WIN outcome

10 Steps for the Effective Project Manager

- 1** Set a clear Project Goal
- 2** Break the project down into sub goals
- 3** Designate a person responsible for each sub goal
- 4** Work with the person responsible to keep things on track
- 5** Prepare a (WBS) Work Breakdown Structure, GANTT Chart and PERT Diagram

- 
- 6** Define accurate specifications (desired outcome/standards) and deadlines
 - 7** Have regular meetings with project participants to check progress
 - 8** Keep everyone informed with the project's performance in between meetings
 - 9** Hold debriefing meetings – what did we do right, what did we do wrong and what could we do better - EVALUATE
 - 10** Recognise, Celebrate and Reward

Work Breakdown Structure (WBS)



GANTT Chart

ID	NAME/TASK	TIME	JAN	FEB	MAR	APR	MAY	JUN	JUL
1	Venue	2W							
2	Agenda	3W							
3	Evaluate	3D							
4									
5									
6									
7									

Measuring Performance

What are Performance Indicators – A numerical measure of the degree to which the objective is being achieved.

- Helps to answer the question: How do we know what we are achieving
- **Example** if one of your objectives is to train community members so that are able to deliver “Anger Management Programs” one **Performance Indicator** can be the proportion of community members that can deliver such programs after the training has been delivered (by you).
- **Example** if one of your objectives is to improve parenting skills of parents one **Performance Indicator** can be the proportion of parents who feel they are coping better with parenting at the end of the training program compared to those at the start of the training.

Key Performance Indicators, also known as KPI or Key Success Indicators (KSI), help an organisation define and measure progress toward organisational goals.

Measuring Performance

What are Performance Measures – Performance measures quantitatively tell us something important about our programs, services, and the processes that produce them. They are a tool to help us understand, manage, and improve what our organisations is doing. In particular, performance measures will let us know:

- How well we are doing
- If we are meeting our goals
- If our clients are satisfied
- If and where improvements are necessary.

They provide us with the information necessary to make intelligent decisions about what we do.

What will it look like when we have successfully achieved the outcome we set out to achieve?

Measuring Performance

It is essential that Key Performance Indicators/Measures are developed using the acronym **SMARTA**, which means they should be:

Specific.

Measurable

Achievable

Relevant

Timely and

Aligned

Session Two - Report on individual Work Plans outlining:

- **Service Areas**
- **Where people have travelled**
- **What topics have been delivered**
- **What topics are being proposed to be delivered**


Group Discussion – What knowledge has been gained from putting into practice what you have learnt from the initial Trainee's Workbook – An Honest Appraisal. Strengths, Weaknesses, Opportunities and Threats.


Session Three Group Discussion – Engaging with diverse communities:

- **How should we engage with diverse communities?**
- **Consider and discuss methods that are successful.**
- **Consider and discuss why some methods don't work.**
- **Consider ways to improve community capacity to work with large organisations**
- **How to avoid communication breakdowns**

Factors that inhibit effective communication

- Entering communications with preconceived ideas, prejudices or stereotypes.
- Assuming all Indigenous groups are homogenous.
- Trying to incorporate “urban” concepts to address remote or rural area issues and vice versa.
- Disrespecting traditional communication processes and protocols.
- Expecting decisions to be always made in accordance with corporate/government timelines – trying to force the outcome to meet deadlines.
- Sending junior staff to speak at meetings where crucial decisions need to be made.
- Sending men to talk about traditional women’s issues and vice versa.


- 
- **Trying to communicate with people at inappropriate times, eg. deaths, funerals.**
 - **Turning up unannounced at communities or organisations.**
 - **Looking down your nose at, or judging the community, the people or their situation.**
 - **Assuming that you know it all - and they know nothing.**
 - **Becoming an “over-night expert” on all things Indigenous.**
 - **Being rude, disrespectful or arrogant.**
 - **Patronising people.**
 - **Playing one person, group or faction against the other.**
 - **Promising things that can’t be delivered.**

- 
- **Pulling the wool over people's eyes and having the wool pulled over your eyes.**
 - **Speaking above "or below" the people - using inappropriate language.**
 - **Not using appropriate go-betweens.**
 - **Trying to speak traditional language or dialects when you don't know how.**
 - **Pretending that you are interested when you are not.**
 - **Imposing your own values and beliefs where they not be appropriate.**
 - **Misinterpreting non-verbal communication cues.**
 - **Inappropriately touching.**
 - **Failing to promptly follow-up or provide feedback.**

Factors that improve effective communication

- Acknowledge the cultural diversity of our people.
- Try to put yourself in the shoes of the other person to better understand their situation.
- Prior to visiting a community, take the time to consider where the community and its' people have come from socially, economically, culturally and spiritually.
- Keep your eyes and ears open, your mouth initially closed out of respect for people and country, and your heart in the right place.
- Without being disrespectful – read the non-verbal communications processes and cues.
- Recognise that the people will read your non-verbal behaviour and actions.
- Be respectful of all people in the community.
- Be clear about what positions people hold within the community and according to culture.

- **Recognise that conflicts do exist in some communities - don't judge them, work with all relevant groups.**
- **Speak with the right people. Ensure that only appropriate community representatives make decisions.**
- **Be aware of the “protective do-gooder” personalities in some communities.**
- **Recognise that there will be levels of anger, bitterness and frustration – don't take it personally.**
- **Remember that you are dealing with “real people with real problems and issues”.**
- **Establish a common purpose – what are the mutual outcomes/goals.**
- **Be patient - stay focused on the bigger picture.**
- **Highlight the need and encourage leadership to progress within a mutually agreed time-frame.**
- **Balance western and Indigenous ways of doing business – seek out the common or middle ground.**
- **Use effective/respected go-betweens.**

- 
- **Keep the people in the communication process consistent – don't chop and change.**
 - **Through your action and your commitment show that you care and that you are sincere and genuine.**
 - **Be comfortable and confident in your own self and cultural identity.**
 - **Treat others as you want to be treated - be sensitive, honest, courteous and polite.**
 - **Build relationships that are based on honesty, sincerity and trust.**
 - **Recognise that once your meeting has finished, you can leave and go home – the community and the people remain.**
 - **If you make decisions, create hope or agree to outcomes – make sure that you respond within a reasonable timeframe.**
 - **Don't ever promise anything that cannot be delivered. Don't bullshit with people's lives - be honest and upfront.**
 - **Encourage and build cross-agency partnerships to avoid duplication and minimise community disruption.**

Session Four Group Discussion – Where to from here?

- **What will/should we focus on in the next twelve months?**
- **How can/does the program benefit the community?**
- **How should the program be distributed throughout communities?**
- **What are the general problems or issues during your time on the ground.**