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Professor Alex Robson
Acting Chair
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Dear Professor Robson

Thank you for the opportunity to respond to the Productivity Commission's draft Review of the National Agreement on Closing the Gap (2023). I note this is stage one of a two staged review, with the next stage being an Aboriginal and Torres Strait Islander led review building on the Productivity Commission Review.

I note that, during the first three years of the National Agreement on Closing the Gap (National Agreement), Australia experienced an unprecedented national health emergency with the COVID-19 pandemic between 2020 and 2022. This created unique challenges for the ACT Government and the broader Aboriginal and Torres Strait Islander community, which impacted the ability to deliver against some elements of the National Agreement.

The primary document that I would like to provide for consideration is the ACT Government's Annual Report into Closing the Gap which was tabled before the Legislative Assembly on 20 September 2023. The Report includes key information on the work being undertaken across the ACT to strengthen implementation of the National Agreement, which may not have been included in the current draft review.

The ACT is committed to achieving equitable outcomes for Aboriginal and Torres Strait Islander Canberrans through the National Agreement and the *ACT Aboriginal and Torres Strait Islander Agreement 2019–2028* (the ACT Agreement).

Self-determination is the underlying principle in which the ACT Government works with the Aboriginal and Torres Strait Islander community. Our work across both Agreements is in partnership with the Aboriginal and Torres Strait Islander community through their elected representatives, the Aboriginal and Torres Strait Islander Elected Body (the Elected Body).

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The Elected Body is established under the *Aboriginal and Torres Strait Islander Elected Body Act 2008* (ACT) (ATSIEB Act) and includes the following functions:

- To receive and pass on to the Minister, and any other Minister concerned, the views of Aboriginal and Torres Strait Islander people living in the ACT on issues of concern to them.
- When asked by the Minister, to provide information or advice on the views of the Aboriginal and Torres Strait Islander community on matters requested.
- To represent, including nationally, Aboriginal and Torres Strait Islander people and to conduct regular consultation with the Aboriginal and Torres Strait Islander community in the ACT.
- To monitor and report on the effectiveness and accessibility of programs and services by government agencies for Aboriginal and Torres Strait Islander people, and the accessibility of programs and services for the general public for Aboriginal and Torres Strait Islander people.

The establishment of the ACT Agreement provides a foundation for how the ACT Government works in partnership with the Aboriginal and Torres Strait Islander community through the Elected Body, in accordance with Priority Reform One of the National Agreement.

Under the ACT Agreement sits Directorate Implementation Plans, which outline the tangible actions to deliver against the ACT Agreement. Each ACT Government Directorate develops its Plan in partnership with its Elected Body representative.

While there is still much more to do, the ACT Government will continue to work in partnership with Aboriginal and Torres Strait Islander groups, including the Elected Body, United Ngunnawal Elders Council, and the Dhawura Ngunnawal Caring for Country Committee. I would also like to highlight the work that we are doing to increase engagement with the Aboriginal community-controlled organisations (ACCO) sector in this.

In the last nine months, the ACT Government has established the Aboriginal Service Delivery Branch in the Community Services Directorate. This reflects the ACT Government's dedication to meeting our commitments in line with Priority Reform Two of the National Agreement. The Branch's key focus is to support the development and enhancement of established, new and emerging ACCOs in the ACT to deliver human services to the Aboriginal and Torres Strait Islander community.

The Branch aims to embed a genuine partnership approach and relationships between the ACT Government and the ACT Aboriginal and Torres Strait Islander community, non-government organisations (NGOs) and the human services sector. We are already seeing a significant shift with additional funding being allocated to ACCOs providing critical services to the Aboriginal and Torres Strait Islander community.

The ACT Government recognises the need to transform the way that government institutions work and those organisations that we fund, so that collectively we are better placed to work with the Aboriginal and Torres Strait Islander community to deliver against the National Agreement.

As identified in Priority Reform Three, a key element of genuine partnerships is ensuring the transparency and accountability of government. The Elected Body has the ability to hold public hearings into the effectiveness and efficiency of government services within the ATSIEB Act, with the most recent public hearings held on 14–16 August 2023. This also helps to ensure that the Aboriginal

and Torres Strait Islander community has the ability to hold government to account in accordance with the Priority Reforms, particularly on how we transform our services and approaches to deliver stronger outcomes for Aboriginal and Torres Strait Islander people.

We recognise that we have more to do and have been strengthening our internal governance processes to embed the Priority Reforms across the ACT Government and ensure that we are taking stronger approaches to deliver against the 17 socio-economic outcomes under the National Agreement. Key components of this include strengthening our Inter-Directorate Committee (IDC) and Strategic Board Committee (SBC) for Aboriginal and Torres Strait Islander Affairs, which include Elected Body representation and participation.

The ACT Government recognises the need for stronger data and data sovereignty of Aboriginal and Torres Strait Islander people led by the community. Professor Ray Lovett of Maïam Nayri Wingara within the Australian National University has been engaged by the ACT Health Directorate (ACTHD) to lead this work. Phase One provides an initial focus on implementation of Aboriginal and Torres Strait Islander data sovereignty principles and establishing data governance mechanisms that will build knowledge and awareness to support later implementation.

Activities of Phase One include socialising the concepts of Aboriginal and Torres Strait Islander data governance and data sovereignty through education, capability building, and engagement with the Aboriginal and Torres Strait Islander community in the ACT. Phase One also includes assisting ACTHD to develop policies and procedures for a data governance structure. Once established, these policies and procedures will be promoted across ACT Government directorates to enable them to initiate consistent principles and Aboriginal and Torres Strait Islander led data governance across their respective areas.

The ACT Government is committed to driving these reforms through our investments. The 2023-24 ACT Budget reflects our commitment to working with Aboriginal and Torres Strait Islander people to achieve their aspirations and to improve access to services. The Budget makes significant new investments in targeted and Aboriginal-led service delivery, guided by our partnerships.

This includes \$1.3 million over the next four years for the continued delivery of the Indigenous Allied Health Australia ACT Health Academy and \$2.1 million to deliver the ACT Health Workforce Strategy, which includes a mentoring program for the ACT's Aboriginal and Torres Strait Islander staff.

It also includes continued investment in targeted child protection reform, guided by the *Our Booris, Our Way* review and implementation oversight committee.

The Government has also committed to invest more than \$19 million in Gugan Gulwan Youth Aboriginal Corporation's purpose-built new facility. This is in recognition of the important work that Gugan Gulwan has delivered for Aboriginal and Torres Strait Islander children and families over the last 30 years, and will ensure that they have the facilities to meet the needs of a growing community into the future. This follows our previous investment into Winnunga Nimmityjah's new facility.

We are partnering with Winnunga Nimmityjah Aboriginal Health and Community Services to deliver a new alcohol and other drug residential rehabilitation facility to provide support for Aboriginal and Torres Strait Islander people as part of the \$49 million redevelopment of the Watson health precinct.

The Annual Report for the National Agreement and our reporting demonstrate the progress we are making, but we know that there is significantly more work to be done if we are to fully embed the Priority Reforms under the National Agreement and performance against the outcomes.

This is generational work, and while there is more to do, we are starting to see early signs of change.

Yours sincerely

Rachel Stephen-Smith MLA