

# National Indigenous Australians Agency submission to the Productivity Commission's three yearly review of the National Agreement on Closing the Gap

## Introduction

The National Indigenous Australians Agency (NIAA) is providing this submission in the context of its role leading and coordinating the development and implementation of Australia's Closing the Gap targets in partnership with Indigenous Australians.

The submission responds to the Commission's request for further detail in three main areas:

- the proposed approach to the review
- progress against each of the socio-economic outcomes and Priority Reforms
- suggestions for case studies demonstrating what is working well and where improvement is needed.

For context, the NIAA plays several ongoing roles in relation to the National Agreement on Closing the Gap (National Agreement) executed in July 2020. These include acting as the Commonwealth Secretariat for Closing the Gap, which involves coordination of Partnership Working Group and Joint Council meetings; organising weekly Drafting Group meetings, to discuss papers in advance of their submission to key meetings; hosting regular meetings of government officials involved in the partnership, such as the Commonwealth Indigenous Australians Interdepartmental Committee (IA-IDC) and Deputy Senior Officials Working Group on Closing the Gap (DSOWG); and coordination of the Commonwealth's Closing the Gap Annual Reports and Implementation Plans. The NIAA also provides an important liaison point between the Commonwealth Minister and the Coalition of Peaks Secretariat and members and coordinates cross-Commonwealth implementation of the Priority Reforms.

Further information on the broader Commonwealth commitment to Closing the Gap is provided in the 2022 Closing the Gap Annual Report (Attachment A) and the 2021 and 2023 Commonwealth Implementation Plans (Attachments B and C).

## The proposed approach to the review

The Commission is to be commended for the broad based approach to consultation proposed for this review. NIAA would encourage it to seek the views of a very wide range of individuals and organisations, and to conduct consultations widely across Australia in doing so. Given the results of the recent Australian Bureau of Statistics 2021 Census, particularly regarding the growth in size and the location of Indigenous populations, a mix of locations, including urban and regional settings, is required.

Consideration of the broader policy landscape, as part of the Review, is also welcomed. The Australian Government is committed to implementing the Uluru Statement from the Heart in full, including holding a referendum in the second half of 2023 to enshrine an Aboriginal and Torres Strait Islander Voice (the Voice) in the Constitution. The Voice will provide independent advice to Parliament and Government on the policies, programs, and services that impact First Nations people's lives. It is a key step towards implementation of Priority Reform One. Closing the Gap, together with the

Government's commitment to an enshrined Voice, are major complementary policy frameworks for the Australian Government.

It is likely that stakeholder awareness of the National Agreement and related activities is variable beyond the immediate representative base involved directly in Closing the Gap activities, who are often located in capital cities. It is important that the inter-relationship between the National Agreement and other key commitments, such as an enshrined Voice, and the extent to which, in combination, these provide for an adequate voice for all members of community, is broadly understood across stakeholders.

#### Assessing progress requires a mixed approach

In drawing on established reporting and data, NIAA would encourage the Commission to consider the extent to which it provides an accurate picture of progress, and how it could be improved across time, recognising the inter-dependence between targets.

The National Agreement recognised that there are significant limitations in the data available to support reporting against the socio-economic targets. The data limitations include frequency of collection, and depth of analysis of content. Much of the data is derived from mainstream datasets which, although useful in terms of understanding the inequalities experienced by First Nations people, are limited in their scope for including information specifically designed for First Nations people.

The Closing the Gap Information Repository currently works within the data limitations to provide high level information to support accountability. However, the Repository should not be seen as a comprehensive exploration of the socio-economic targets – there are other resources that provide more in-depth analysis. These reporting arrangements also place a greater onus on data development activities. NIAA is currently leading important work on these issues, guided by the Data development Plan 2022-2030, which was agreed at Joint Council in August 2022 (Attachment D).

The NIAA is also working with representatives of Australian Government departments, and in partnership with First Nations and other non-government representatives, to develop a Framework for the Governance of Indigenous Data.

The Framework will include a focus on objectives shared by the Indigenous Data Sovereignty movement in Australia and the Australian Government. The Framework will guide Australian Government agencies to improve the conceptualisation, collection, use and disclosure of data so government-held data better serves Indigenous priorities.

The Framework will help support commitments in the National Agreement on Closing the Gap, particularly implementation of Priority Reform Three: Transforming Government Organisations, and Priority Reform Four: Shared Access to Data and Information at a Regional Level. It complements the intention of the Closing the Gap Data Development Plan to enable more engagement with First Nations people across the data life cycle. An effective Framework will ensure NIAA, and all Australian Government agencies, can support the empowerment of First Nations peoples to make the best decisions to support their communities to meet their needs and aspirations.

All the above activities are being implemented in a context of greater demand for granular, place based data, for more extensive and regular data to inform reporting, and for data that is collected, held, accessed and owned based on arrangements that are reflective of genuine agency by First Nations people.

#### Rigorous monitoring and evaluation will continue to be critical

The Commission is also encouraged to emphasise the ongoing importance of monitoring and evaluation, and to consider how Closing the Gap can further incorporate good practice in this regard.

NIAA supports monitoring and evaluation that considers the principles in the Productivity Commission's Indigenous Evaluation Strategy (2020). These centre the perspectives, priorities and knowledge of First Nations people in planning and undertaking evaluations, and align with principles that NIAA adopted through the 2018 Indigenous Advancement Strategy Evaluation Framework.

Across the Indigenous Advancement Strategy, and in consultation with the Coalition of Peaks and other Parties to the National Agreement in relation to Closing the Gap, the Australian Government is focussed on building in rigorous evaluation processes as a key part of early planning of initiatives, and as a fundamental part of end of activity scrutiny. For example, NIAA is in the process of engaging a consultant to develop a Monitoring and Evaluation Framework to provide best practice guidance on the establishment of community data projects under Priority Reform Four.

The Closing the Gap Modelling Project, which is being funded by the Australian Government and will be completed by early 2024, is another evidence gathering initiative. The main output from the project will be a proof-of-concept model to enable quantitative and systemic long-term scenario analysis of Commonwealth policy options in achieving Closing the Gap targets.

- The model will cover 4 to 6 socio-economic targets in the National Agreement, including Life Expectancy.
- This modelling tool will complement other Closing the Gap initiatives by looking at multiple targets simultaneously including their interlinkages. It will also be able to capture expected policy impacts over a long period of time. For example, demonstrating how the public investment in early childhood development flows through to outcomes at later stages of life.
- The modelling project is being conducted in partnership with the Coalition of Peaks. The project is overseen by a Steering Committee, co-chaired by the NIAA and the Coalition of Peaks, with members from Australian Government agencies, the Coalition of Peaks and academia.
  - The model development will also be supported by an Indigenous Advisor to help ensure that the lived experiences of First Nations peoples are incorporated into the model

### [Progress on the socio-economic outcomes and Priority Reforms](#)

Whereas earlier agreements had a confined focus on a smaller set of socio-economic outcome targets, the new agreement has broadened the number of targets considerably, and has added the four Priority Reforms.

Evidence thus far on progress in meeting the socio-economic targets is mixed, and caution does need to be exercised in regard to the limited number of data points available across many socio-economic outcome areas in particular. That said, there are some notable areas where a concerning early trend is apparent. This includes child protection (Outcome area 12), adult incarceration (Outcome area 10) and social and emotional wellbeing (Outcome area 14).

As recognised by the Commission, the four Priority Reforms provide new and highly important foundational guidance to all Parties to the Agreement on where to focus particular efforts and, most importantly, on *how* progress may be accelerated.

Drawing on available information, in particular jurisdictional Annual Reports, NIAA would make the following observations on progress:

- Progress on *Priority Reform One* by jurisdictions is taking place via a combination of policy partnerships and place-based partnerships. Parties' reporting on the number and nature of partnerships varies in detail.
- Progress on *Priority Reform Two* shows jurisdictions building the community-controlled sector, predominantly by funding a variety of Aboriginal community-controlled sector

organisations, peak bodies and local government associations. However, the funding amounts and investment details vary significantly across each jurisdiction.

- Very limited progress is particularly observed with regard to *Priority Reform Three*. There is a focus largely on “business as usual” functions (for example Reconciliation Action Plans and cultural training for staff members), as opposed to transformative and systems change actions and levers (for example workforces, policies, programs, services, legislation, partnerships, and frameworks). There is limited information currently reported on the *delivery* of independent mechanisms to support transformation of mainstream/government organisations. Instead, there tends to be descriptions of jurisdictions’ intentions to develop or research these independent mechanisms in the future (per clause 67).
- *Priority Reform Four* is not consistently progressed, however there has been significant action in select jurisdictions recently. Jurisdictional annual reports often include non-specific updates about working with Indigenous partners in coming up with ways to share data at a regional level. Challenges related to progressing Priority Reform Four include accounting for privacy protection, and difficulty sourcing up-to-date data from relevant sources.

### Suggestions for case studies

The Commission has requested case studies that illustrate what is working well. Drawing on Implementation Plan and Annual Reports, NIAA provides the following select examples that may be of interest to the Commission and worthy of its further review, in particular given innovations observed and alignment with the objectives set out in the National Agreement:

- The *Justice Policy Partnership*, which was established in 2021 and is the first working Policy Partnership, brings together representatives from the Coalition of Peaks, Aboriginal and Torres Strait Islander individuals with justice sector expertise, and Australian, state and territory governments to take a joined-up approach to Aboriginal and Torres Strait Islander justice policy. It provides an opportunity for representatives to share their lived experiences, expertise, and insights into interactions with the criminal justice system. All representatives are committed to working together in genuine partnership and through shared decision-making, to achieve Outcomes 10 and 11.
- The *Rheumatic Fever Strategy (RFS)*, which involves the Australian Government partnering with the National Aboriginal Community Controlled Health Organisation (NACCHO) from 2021-22 to 2024-25 to deliver a nationally coordinated approach to implementation of the RFS. New national governance structures have been established as mechanisms through which key RFS stakeholders will be able to directly contribute to and influence the national discussion. Working in partnership to shape the way forward for the RFS through this new model embodies the vision and priorities identified in the National Aboriginal and Torres Strait Islander Health Plan 2021-2031 developed in conjunction with the Aboriginal Community Controlled Health sector.
- The *Connected Beginnings* program, which aims to support Aboriginal and Torres Strait Islander children aged zero to five to be school ready through integration of early childhood education, health and family support services and programs in each community. In 2021, the Commonwealth committed an additional \$81.8 million to support the expansion of the program from the current footprint to 50 sites nationally by 2025. \$44.8 million will be delivered through the Department of Education and \$37.0 million through the Department of Health and Aged Care. Once expanded the program has the potential to support up to 18,905 (20 per cent) of all Aboriginal and Torres Strait Islander children.

In considering case studies, in particular where limited progress is observed, NIAA would encourage the Commission to take into account the complexity of issues involved and associated timeframes. For example, and as discussed in the Commonwealth Implementation Plan (2023), the community data projects established under the National Agreement have involved complex issues around data

governance, privacy, Indigenous Data Sovereignty, and data access and sharing protocols. The progress to date made on these projects is, in part, a function of the complex nature of issues being considered, and the different expectations of project partners and community members about main project focus and deliverables.

### Summing up and future challenges

In NIAA's view, the major changes introduced by the most recent National Agreement, in particular around governance and working in partnership, have produced a dynamic negotiating and authorising environment that is strong enough to allow for both significant agreement and, at times, disagreement.

While it is relatively early in the life of the current National Agreement, likely future challenges are already becoming apparent. The ambitious reform agenda set out in the National Agreement will require sustained commitment and adequate resourcing and effort by all parties, and commitment to genuine progress and genuine reform.

A further key issue in the area of reporting is that the demand for detailed, regular data may far outweigh the ability, or in some cases the resolve, to supply it.

Most critically, early signs suggest that, while improvements in some socio-economic outcomes have been attained, others have not improved or, indeed, have worsened. The limited number of data points in these assessment areas suggest caution should be exercised at this point. But it remains the case that in areas such as social and emotional wellbeing, adult incarceration and child protection, particular vigilance, and policy and program innovation is required. Above all else, this must occur with First Nations people in partnership and shared decision-making in all efforts to close these gaps.

### Attachments

A: Closing the Gap Annual Report 2022

B: Commonwealth Implementation Plan 2022

C: Commonwealth Implementation Plan 2023

D: Data Development Plan 2022-2030 (Endorsed by Joint Council 26 August 2022)