

The Senate

Select Committee on Measuring
Outcomes for First Nations
Communities

Select Committee on Measuring Outcomes
for First Nations Communities

April 2025

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Members

Chair

Senator Dorinda Cox

AG, WA

Deputy Chair

Senator Jana Stewart

ALP, VIC

Members

Senator Ross Cadell

NATS, NSW

Senator Jacinta Nampijinpa Price

CLP, NT

Senator Nita Green

ALP, QLD

Secretariat

Jane Thomson, Committee Secretary

Anika Khwaja, Principal Research Officer

James Dawson, Research Officer

Ella Shea, Administrative Officer

PO Box 6100
Parliament House
Canberra ACT 2600

E-mail: measuringFNoutcomes.sen@aph.gov.au

Ph: 02 6277 3083

List of recommendations

Recommendation 1

4.54 The committee recommends that the Senate reappoint the Select Committee on Measuring Outcomes for First Nations Communities in the 48th Parliament. This would enable further consideration and inquiry into these important issues that are critical to the well-being of First Nations people and communities around the country.

Chapter 1

Introduction

- 1.1 On 28 November 2024, the Select Committee on Measuring Outcomes for First Nations Communities was established to inquire into and report on the current regression of the Closing the Gap targets on the rates of suicide, the number of children in out-of-home care, adult incarceration and the number of children commencing school who are developmentally on track, with particular reference to:
 - (a) the ways in which the targets are funded;
 - (b) the ways in which the targets are measured and evaluated;
 - (c) the priority of the targets in the National Partnership Agreement and progress under the National Priority reforms;
 - (d) the degree to which current measurements and targets reflect the strengths of First Nations cultures, as opposed to an emphasis on deficit and lack;
 - (e) the possibility of incorporating broad ideas about wellness into measurements, with a view to promoting mental, physical, and spiritual health and wellbeing;
 - (f) the incorporation of alternative measurements as a complement to existing measurements;
 - (g) opportunities for building on and expanding the current Closing the Gap framework; and
 - (h) any other related matters.
- 1.2 Under the terms of reference, the committee is required to present its final report by 30 May 2025. However, due to the upcoming federal election, the committee agreed to table this interim report to consider some of the evidence received so far.
- 1.3 Details of the inquiry were made available on the committee's webpage and the committee invited government departments and agencies, organisations and individuals to provide submissions.
- 1.4 At the time of writing, the committee received 55 public submissions which are listed at Appendix 1 of this interim report, and held the following public hearings:
 - 19 February 2025, in Sydney
 - 6 March 2025, in Canberra.
- 1.5 A list of the organisations and individuals who attended as witnesses at these public hearings can be found in Appendix 2. The public submissions, additional

information received by the committee and Hansard transcripts are available on the committee's website.¹

- 1.6 The committee intends to hold additional public hearings in the 48th Parliament and encourages the Senate to reestablish the committee so it can continue this important work.

Structure of report

- 1.7 This interim report is set out in four chapters.
- 1.8 Chapter 1 provides an introduction to this report.
- 1.9 Chapter 2 outlines the development of Closing the Gap in Australia, leading up to the signing of the historic National Agreement on Closing the Gap in 2020. It also sets out the priority reforms and socio-economic targets agreed to by Parties to the National Agreement.
- 1.10 Chapter 3 discusses responsibilities of the parties under the National Agreement and the accountability mechanisms in place.
- 1.11 Chapter 4 considers some of the themes that have been identified in the evidence received to date.

Notes on references

- 1.12 References to Committee Hansard may be references to a proof transcript. Page numbers may differ between proof and official transcripts.

Acknowledgements

- 1.13 The committee sincerely thanks all those who have contributed to the inquiry by making submissions, providing additional information, and appearing at public hearings.

¹ The committee's website is available at: aph.gov.au/Parliamentary_Business/Committees/Senate/Measuring_Outcomes_for_First_Nations_Communities.

Acknowledgment

1.14 The Select Committee on Measuring Outcomes for First Nations Communities acknowledges Aboriginal and Torres Strait Islander peoples as the Traditional Owners and Custodians of Country throughout the lands now known as Australia. The Committee pays respects to Ancestors and Elders past and present, and honours Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships to lands, waters and seas.

Notes on language

1.15 The committee acknowledges that Australia's First Nations peoples comprise hundreds of groups that have their own distinct languages, histories and cultural traditions. In this report, the terms 'Aboriginal and Torres Strait Islander people', 'First Nations people' and 'Indigenous people' are used interchangeably, with respect.

1.16 The committee understands that some Torres Strait Islander peoples may not be comfortable with some of these terms. It should be noted, however, that each of these terms has been used in the evidence to the committee. The committee only means to convey respect through the use of these words.

Content warning

1.17 Material in this report may be confronting. Sometimes words can cause sadness or trigger traumatic memories. If you need to talk to someone, support is available. The following services are available 24 hours a day:

- Beyond Blue: 1300 224 636
- 1800RESPECT: 1800 737 732
- MensLine Australia: 1300 789 978
- Lifeline: 13 11 14
- Suicide Call Back Service: 1300 659 467
- 13YARN: 13 92 76

Chapter 2

Closing the Gap

Introduction

2.1 This chapter outlines developments leading to the signing of the historic National Agreement on Closing the Gap in 2020. It also sets out the priority reforms and socio-economic targets agreed to by the Parties to the National Agreement, noting the continued regression of four of these targets, including the rates of suicide, the number of children in out-of-home care, adult incarceration and the number of children commencing school who are developmentally on track.

Development of Closing the Gap

2.2 In 1993, the Aboriginal and Torres Strait Islander Social Justice Commissioner (commissioner) role was first established within the Human Rights and Equal Opportunity Commission with the following functions:

- report annually on the enjoyment and exercise of human rights by Aboriginal and Torres Strait Islander people and recommend, where necessary, what actions should be taken to ensure these rights are observed;
- promote awareness and discussion of human rights in relation to Aboriginal and Torres Strait Islander people;
- undertake research and education programs;
- examine and report on legislation to ascertain whether it recognises and protects the human rights of Aboriginal and Torres Strait Islander people; and
- report annually on the operation of the *Native Title Act 1993*.¹

2.3 In 2005, the commissioner, Professor Tom Calma AO, published the *Social Justice Report 2005*, which urged Australian governments to commit to achieving equality for Aboriginal and Torres Strait Islander people in health and life expectancy within twenty-five years.²

2.4 Following this report, in 2007, the Council of Australian Governments (COAG) pledged to close key gaps between Indigenous and non-Indigenous Australians

¹ Human Rights and Equal Opportunity Commission, *Social Justice Report 2005*, November 2005, p. 2.

² Human Rights and Equal Opportunity Commission, *Social Justice Report 2005*, November 2005, p. 16.

in life expectancy, mortality rates for children and reading, writing and numeracy achievements within a decade.³

- 2.5 In November 2008, COAG approved the National Indigenous Reform Agreement which sets out six Closing the Gap targets:
- to close the life expectancy gap within a generation;
 - to halve the gap in mortality rates for Indigenous children under five within a decade;
 - to ensure access to early childhood education for all Indigenous four year olds in remote communities within five years;
 - to halve the gap in reading, writing and numeracy achievements for children within a decade;
 - to halve the gap for Indigenous students in year 12 attainment rates by 2020; and
 - to halve the gap in employment outcomes between Indigenous and non-Indigenous Australians within a decade.⁴
- 2.6 From 2009 to 2014, a Closing the Gap report was tabled each year in the Australian Parliament, providing an update on the nation's progress against the above targets. In 2014, COAG agreed to an additional target on school attendance and, in 2015, an additional target on early childhood.⁵
- 2.7 In 2016, COAG agreed to 'refresh' the Closing the Gap framework and to work on it with Aboriginal and Torres Strait Islander people. In February 2018, a Special Gathering of prominent Aboriginal and Torres Strait Islander Australians presented COAG with a statement setting out their priorities for a new Closing the Gap agenda. This followed the acknowledgement by the then Prime Minister, the Hon Malcolm Turnbull MP, that six of the seven targets for Closing the Gap were not on track.⁶ The Special Gathering sought for this next phase of Closing the Gap to be guided by the principles of empowerment and self-determination and to deliver a community-led, strengths-based strategy.⁷
- 2.8 In December 2018, COAG committed to a formal partnership with Aboriginal and Torres Strait Islander people to finalise the Closing the Gap Refresh. COAG also issued a draft Closing the Gap framework as a basis for further discussion

³ History of Closing the Gap, closingthegap.gov.au/resources/history (accessed 13 January 2025).

⁴ History of Closing the Gap, closingthegap.gov.au/resources/history (accessed 13 January 2025).

⁵ History of Closing the Gap, closingthegap.gov.au/resources/history (accessed 13 January 2025).

⁶ Special Gathering of prominent Aboriginal and Torres Strait Islanders, *Closing the Gap Refresh: Building pathways for future prosperity*, p. 2, closingthegap.gov.au/sites/default/files/files/special-gathering-statement-coag.pdf (accessed 13 January 2025).

⁷ Special Gathering of prominent Aboriginal and Torres Strait Islanders, *Closing the Gap Refresh: Building pathways for future prosperity*, p. 2, closingthegap.gov.au/sites/default/files/files/special-gathering-statement-coag.pdf (accessed 13 January 2025).

with Aboriginal and Torres Strait Islander peoples. In 2019, the Coalition of Aboriginal and Torres Strait Islander Peak Organisations (Coalition of Peaks), a representative body of over 80 Aboriginal and Torres Strait Islander community-controlled peak organisations and members, was formed to enter this formal partnership with governments.⁸

- 2.9 In March 2019, the Partnership Agreement on Closing the Gap 2019–2029 between all Australian Governments, the Coalition of Peaks and the Australian Local Government Association (ALGA) was signed. This partnership is known as the Joint Council on Closing the Gap (the Joint Council).
- 2.10 On 27 July 2020, the National Agreement on Closing the Gap (the National Agreement) came into effect. The agreement is a historic commitment from the Commonwealth government, all state and territory governments, ALGA and the Coalition of Peaks to work in partnership towards Closing the Gap, in a way that 'takes full account of, promotes, and does not diminish in any way, the cultures of Aboriginal and Torres Strait Islander people'.⁹ Collectively, these bodies are recognised as the Parties to the National Agreement.

National Agreement on Closing the Gap

- 2.11 The objective of the National Agreement is to overcome the entrenched inequality faced by many Aboriginal and Torres Strait Islander people so that their life outcomes are equal to those of all Australians. It is the first such agreement to include non-government parties, through the Coalition of Peaks, and calls for fundamental change from all levels of government and in every state and territory.
- 2.12 The National Agreement acknowledges that:
- The extensive expertise and experience of the Coalition of Peaks and its membership have been central to the commitments in this Agreement. So too has the feedback from the extensive engagements in 2019 with Aboriginal and Torres Strait Islander people across Australia, led by the Coalition of Peaks, on what should be included in this Agreement.¹⁰
- 2.13 The agreement arises from a commitment from all Australian governments and Aboriginal and Torres Strait Islander representatives to a fundamentally new way of developing and implementing policies and programs that impact the lives of Aboriginal and Torres Strait Islander people.¹¹ This was recognised as an unprecedented shift in the way governments work, by encompassing shared

⁸ History of Closing the Gap, closingthegap.gov.au/resources/history (accessed 13 January 2025).

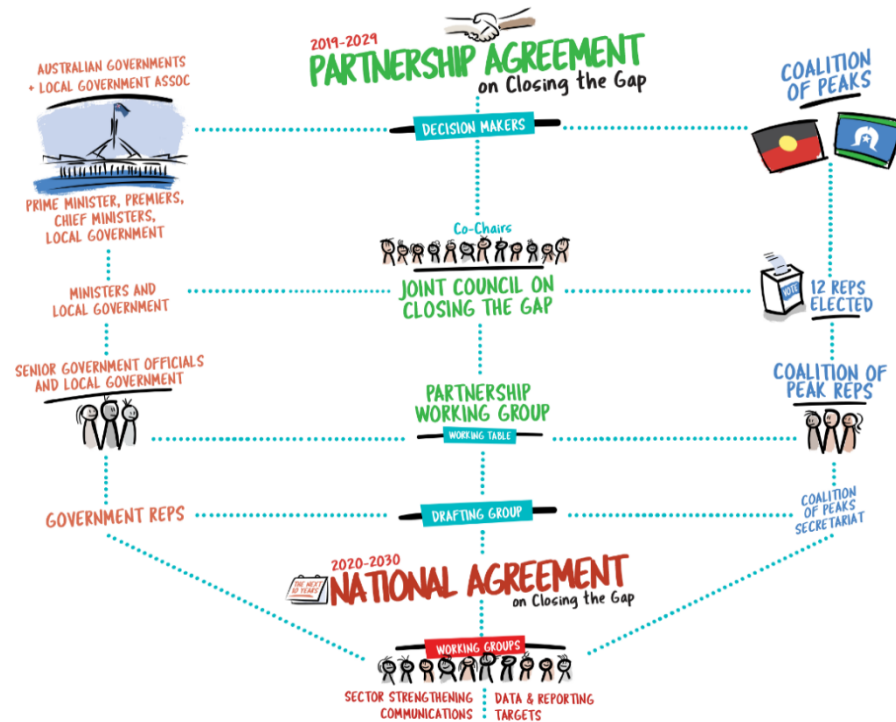
⁹ History of Closing the Gap, closingthegap.gov.au/resources/history (accessed 13 January 2025).

¹⁰ National Agreement on Closing the Gap (National Agreement), July 2020, p. 2, closingthegap.gov.au/sites/default/files/files/national-agreement-ctg.pdf (accessed 19 March 2025).

¹¹ National Agreement on Closing the Gap, July 2020, p. 2.

decision-making in the design, implementation, monitoring and evaluation of policies and programs to improve life outcomes for Aboriginal and Torres Strait Islander people.¹²

- 2.14 The diagram below, published by the Coalition of Peaks, shows the Parties to the National Agreement as well as the respective partnerships and working groups and how they work together.¹³



- 2.15 The National Indigenous Australians Agency (NIAA) explained that the Joint Council on Closing the Gap is the primary decision-making body of the National Agreement. It is co-chaired by the Minister for Indigenous Australians and the Lead Convenor of the Coalition of Peaks and includes Indigenous Affairs Ministers from all Australian governments, 13 members of the Coalition of Peaks and the President of the ALGA. Its role is to monitor the performance and implementation of actions under the National Agreement.¹⁴
- 2.16 The Joint Council is supported by the Partnership Working Group (PWG), which is responsible for driving the implementation of the Partnership Agreement and the National Agreement. The PWG is co-chaired by the NIAA Chief Executive Officer and the Lead Convenor of the Coalition of Peaks and is

¹² National Agreement on Closing the Gap, July 2020, p. 2.

¹³ Coalition of Aboriginal and Torres Strait Islander Peak Organisations, *Governance*, coalitionofpeaks.org.au/governance (accessed 13 March 2025).

¹⁴ National Indigenous Australians Agency, *Submission 45*, p. 4.

attended by senior officials from all Australian governments and representatives of the Coalition of Peaks.

- 2.17 The National Agreement itself is centred around four priority reforms and 17 socio-economic outcomes which are discussed below.¹⁵

Priority reform areas

- 2.18 The priority reforms underpin the National Agreement and the success of the socio-economic outcomes. The agreement details the expectations in relation to each priority reform area and stipulates the jurisdictional and partnership actions required to implement each reform. The four reforms agreed to are as follows:

Priority Reform 1 – Formal partnerships and shared decision-making

- 2.19 This priority reform is to ensure that Aboriginal and Torres Strait Islander people are empowered to share decision-making authority with governments to accelerate progress on Closing the Gap through formal partnership arrangements.¹⁶
- 2.20 The formal partnerships envisioned by this reform are policy and place-based partnerships. The partnerships should define who the parties are, what their roles are, what the purpose and objectives of the partnership are, what is in scope of shared decision-making, the reporting timeframes and arrangements, and the monitoring, review and dispute mechanisms.¹⁷
- 2.21 Importantly, decision-making under these partnerships should be shared between governments and Aboriginal and Torres Strait Islander people. This means the decisions should be consensus based, where the voices of Aboriginal and Torres Strait Islander parties hold as much weight as those of governments.¹⁸
- 2.22 The National Agreement also requires all governments to commit to establishing policy and place-based partnerships within their jurisdictions to respond to local priorities. Additionally, governments need to undertake a 'stocktake' of partnership arrangements already in place in their jurisdiction and provide a report to Joint Council and work to strengthen these existing partnerships.¹⁹ Further, it was expected that by 2024, six new place-based

¹⁵ National Indigenous Australians Agency, *Submission 45*, p. 4.

¹⁶ National Agreement on Closing the Gap, July 2020, p. 3.

¹⁷ National Agreement on Closing the Gap, July 2020, p. 6.

¹⁸ National Agreement on Closing the Gap, July 2020, p. 6.

¹⁹ National Agreement on Closing the Gap, July 2020, p. 7.

partnerships should be established across Australia under Jurisdictional Implementation Plans, with the locations to be considered by Joint Council.²⁰

2.23 The target set for this reform is the creation of formal partnership arrangements to support Closing the Gap between Aboriginal and Torres Strait Islander people and governments in each state and territory. These partnerships should enshrine joint decision-making responsibilities.²¹

Priority Reform 2 – Building the community-controlled sector

2.24 This reform reflects the commitment of Parties to the National Agreement to build up Aboriginal and Torres Strait Islander community-controlled sectors to support Closing the Gap.²² This supports the right to self-determination by First Nations communities and the idea that community control, as an example of self-determination, can lead to decisions and service designs that are better informed and involve the people who use those services.²³

2.25 This reform also acknowledges that Aboriginal and Torres Strait Islander Community-Controlled Organisations (ACCOs) employ more Aboriginal and Torres Strait Islander people, have greater cultural expertise, skills and knowledges, and have stronger ties to the community, which can lead to better service outcomes for Aboriginal and Torres Strait Islander people.²⁴

2.26 The objective of this reform is to ensure there is a 'strong and sustainable Aboriginal and Torres Strait Islander community-controlled sector delivering high quality services to meet the needs of Aboriginal and Torres Strait Islander people across the country'.²⁵

2.27 Agreement in support of this reform includes, among other things:

- to identify sectors for joint national strengthening efforts every three years through Sector Strengthening Plans, which all parties have agreed to undertake; and
- to implement measures to increase the proportion of services delivered by Aboriginal and Torres Strait Islander organisations, by way of funding

²⁰ National Agreement on Closing the Gap, July 2020, p. 7-8.

²¹ National Agreement on Closing the Gap, July 2020, p. 15.

²² National Agreement on Closing the Gap, July 2020, p. 8.

²³ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 49.

²⁴ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 49.

²⁵ National Agreement on Closing the Gap, July 2020, p. 3.

priorities, policies and other funding initiatives, which all government parties have agreed to undertake.²⁶

2.28 The target set for this reform is an increase in the amount of government funding provided to Aboriginal and Torres Strait Islander community-controlled organisations.²⁷

Priority Reform 3 – Transforming government organisations

2.29 The objective of this reform is to ensure that governments are held accountable for Closing the Gap, and are culturally safe and responsive to the needs of Aboriginal and Torres Strait Islander people, including through the services they fund.²⁸ It calls for the 'systemic and structural transformation of mainstream government organisations to improve accountability and respond to the needs of Aboriginal and Torres Strait Islander people'.²⁹

2.30 Under this reform, government parties commit to the following within their institutions and agencies:

- identify and eliminate racism;
- embed and practice meaningful cultural safety;
- deliver services in partnership with Aboriginal and Torres Strait Islander organisations, communities and people;
- increase accountability through transparent funding allocations;
- support Aboriginal and Torres Strait Islander cultures; and
- improve engagement with Aboriginal and Torres Strait Islander people.³⁰

2.31 Each government party has also committed to identify, develop or strengthen an independent mechanism, or mechanisms, that will support, monitor, and report on the transformation of mainstream agencies and institutions.³¹

2.32 The target set for this reform is a decrease in the proportion of Aboriginal and Torres Strait Islander people who have experiences of racism.³²

Priority Reform 4 – Shared access to data and information at a regional level

2.33 This objective of this reform is to ensure that Aboriginal and Torres Strait Islander people have access to, and the capability to use, locally-relevant data

²⁶ National Agreement on Closing the Gap, July 2020, p. 9-10.

²⁷ National Agreement on Closing the Gap, July 2020, p. 15.

²⁸ National Agreement on Closing the Gap, July 2020, p. 3.

²⁹ National Agreement on Closing the Gap, July 2020, p. 11.

³⁰ National Agreement on Closing the Gap, July 2020, p. 11-12.

³¹ National Agreement on Closing the Gap, July 2020, p. 13.

³² National Agreement on Closing the Gap, July 2020, p. 15.

and information to set and monitor the implementation of efforts to close the gap, their priorities and drive their own development.³³

2.34 Under the National Agreement, government parties agreed to implement a number of data and information elements, including data sharing with Aboriginal and Torres Strait Islander organisations and communities. Parties also agreed that by 2023, data projects will be established in up to six locations across Australia to enable Aboriginal and Torres Strait Islander communities and organisations to access and use location-specific data on Closing the Gap outcome areas.³⁴

2.35 The target set for this reform is that there will be an increase in the number of regional data projects to support Aboriginal and Torres Strait Islander communities to make decisions about Closing the Gap and their development.³⁵

Socio-economic outcomes

2.36 There are 17 socio-economic outcomes (SEOs) in the National Agreement. A table of all the SEOs and their relevant targets and indicators is at Appendix 3 of this report. In summary, the outcomes are:

- SEO 1: Aboriginal and Torres Strait Islander people enjoy long and healthy lives;
- SEO 2: Aboriginal and Torres Strait Islander children are born healthy and strong;
- SEO 3: Aboriginal and Torres Strait Islander children are engaged in high-quality, culturally appropriate early childhood education in their early years;
- SEO 4: Aboriginal and Torres Strait Islander children thrive in their early years;
- SEO 5: Aboriginal and Torres Strait Islander students achieve their full learning potential;
- SEO 6: Aboriginal and Torres Strait Islander students reach their full potential through further education pathways;
- SEO 7: Aboriginal and Torres Strait Islander youth are engaged in employment or education;
- SEO 8: Strong economic participation and development of Aboriginal and Torres Strait Islander people and communities;
- SEO 9: Aboriginal and Torres Strait Islander people secure appropriate, affordable housing that is aligned with their priorities and need;
- SEO 10: Aboriginal and Torres Strait Islander people are not overrepresented in the criminal justice system;

³³ National Agreement on Closing the Gap, July 2020, p. 3.

³⁴ National Agreement on Closing the Gap, July 2020, p. 14.

³⁵ National Agreement on Closing the Gap, July 2020, p. 15.

- SEO 11: Aboriginal and Torres Strait Islander young people are not overrepresented in the criminal justice system;
- SEO 12: Aboriginal and Torres Strait Islander children are not overrepresented in the child protection system;
- SEO 13: Aboriginal and Torres Strait Islander families and households are safe;
- SEO 14: Aboriginal and Torres Strait Islander people enjoy high levels of social and emotional wellbeing;
- SEO 15: Aboriginal and Torres Strait Islander people maintain a distinctive cultural, spiritual, physical and economic relationship with their land and waters;
- SEO 16: Aboriginal and Torres Strait Islander cultures and languages are strong, supported and flourishing; and
- SEO 17: Aboriginal and Torres Strait Islander people have access to information and services enabling participation in informed decision-making regarding their own lives.³⁶

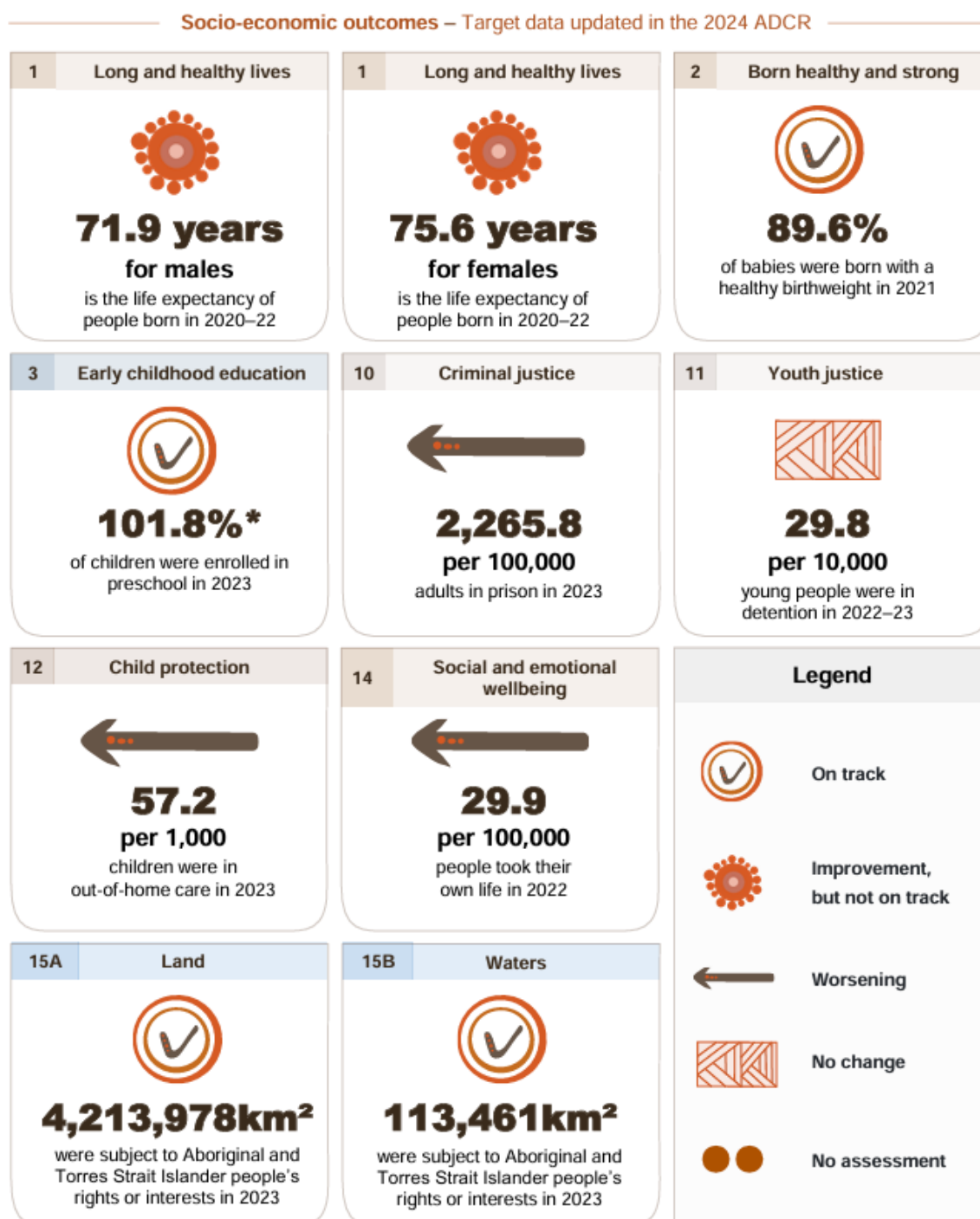
2.37 It is noted that the several new Closing the Gap outcomes areas, targets and indicators were included for the first time in the National Agreement to support the cultural wellbeing of Aboriginal and Torres Strait Islander people. These outcomes relate to languages, cultural practices, land and waters and access to culturally relevant communications.³⁷

2.38 Figures 2.1 and 2.2 below show the most recent data on Closing the Gap targets and indicators in relation to the priority reforms and SEOs. Concerningly, in addition to the regression of four SEOs, which was the impetus for this inquiry, there is no data available to assess progress of the four priority reforms. Additionally, assessments could not be made in relation to several SEOs, including the targets relating to family safety, culture and languages, and access to information. These issues will be considered further in this report.

³⁶ Closing the Gap Targets and Outcomes, closingthegap.gov.au/national-agreement/targets (accessed 14 January 2025).

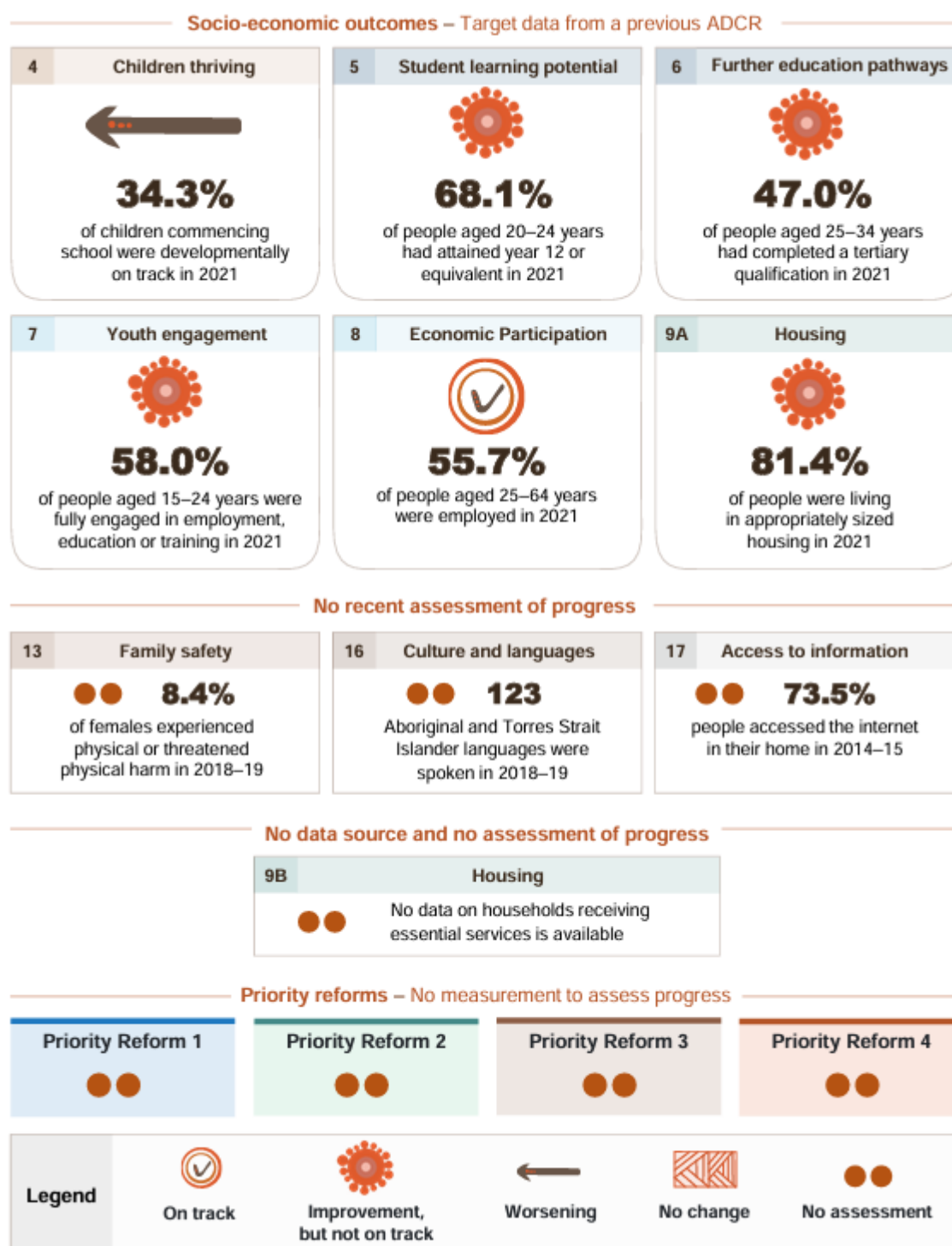
³⁷ National Agreement on Closing the Gap, July 2020, p. 4.

Figure 2.1 Priority Reforms and socio-economic outcomes – progress assessment



Source: Productivity Commission, *Closing the Gap Annual Data Compilation Report*, July 2024, p. 5

Figure 2.2 Priority Reforms and socio-economic outcomes – progress assessment



Source: Productivity Commission, *Closing the Gap Annual Data Compilation Report, July 2024, p. 6.*

2.39 The following chapter of this report will discuss the responsibilities of the Parties under the National Agreement and consider relevant accountability mechanisms.

Chapter 3

Responsibilities under the National Agreement

Introduction

- 3.1 All Parties to the National Agreement are responsible for its implementation and are jointly accountable for the agreed outcomes and targets. This chapter will set out the responsibilities of the parties and the mechanisms in place to hold them to account.
- 3.2 The Parties to the National Agreement include:
- Commonwealth, state and territory governments as well as the Australian Local Government Association (ALGA), and the
 - Coalition of Peaks which comprise national and state territory non-government Aboriginal and Torres Strait Islander peak bodies and certain independent statutory authorities.
- 3.3 All parties to the National Agreement are required to develop implementation plans in relation to their obligations under the agreement and to report on their progress in relation to those plans in publicly available annual reports.
- 3.4 As part of an implementation plan, each party is required to demonstrate a commitment to undertake all actions in a way that 'takes full account of, promotes, and does not diminish in any way, the cultures of Aboriginal and Torres Strait Islander people'.¹
- 3.5 Under the agreement, Jurisdictional Implementation Plans should be developed and delivered in partnership between governments, the Coalition of Peaks, and other Aboriginal and Torres Strait Islander partners. These plans must set out how existing policies and programs in the jurisdiction will be aligned to the agreement and provide details of the actions to be taken to achieve the priority reforms and agreed outcomes and targets. The plans should also include information on funding and timeframes for actions, as well as the approach to annual reporting. As part of their jurisdictional plan, the states and territories are also required to explain how they will work with local government to implement the agreement.²
- 3.6 The ALGA Implementation Plan is expected to ensure that local governments understand the National Agreement and its commitments and encourage its adoption by local governments. It is expected that the plan will assist state and territory governments to work with local governments in the implementation of

¹ National Agreement on Closing the Gap, July 2020, p. 46, closingthegap.gov.au/sites/default/files/files/national-agreement-ctg.pdf (accessed 17 March 2025).

² National Agreement on Closing the Gap, July 2020, p. 47.

the agreement and support strengthened shared decision-making at the local level.³

- 3.7 Requirements for the Coalition of Peaks Implementation Plan include details on how information will be communicated about the National Agreement with Aboriginal and Torres Strait Islander people, communities and organisations. Further, it is expected that this plan will set out actions to build Closing the Gap policy and program delivery expertise amongst Aboriginal and Torres Strait Islander people. It also requires actions to build understanding and ownership of the National Agreement amongst Aboriginal and Torres Strait Islander communities and organisations.⁴
- 3.8 The Joint Council is responsible for monitoring the implementation of the National Agreement, including progress by the parties against their respective implementation plans. For this reason, each party is required provide their plan to the Joint Council within 12 months of the National Agreement commencing so that it may provide advice on implementation and guidance on how the parties can work together to achieve the agreed outcomes.
- 3.9 Under the National Agreement, the parties have also committed to independent oversight and accountability for progress through four key mechanisms:
- an information repository, including a dashboard and annual report to inform reporting of progress against targets and key indicators;
 - annual public reports by each party;
 - Productivity Commission review; and
 - Aboriginal and Torres Strait Islander led review.

Information repository

- 3.10 The Productivity Commission (commission) is the Australian government's independent research and advisory body on a range of economic, social and environmental issues affecting the welfare of Australians.⁵ Under the National Agreement, the commission plays an important role in promoting accountability, including by maintaining a Closing the Gap information repository. The information repository includes a publicly accessible dashboard⁶ and an Annual Data Compilation Report.⁷

³ National Agreement on Closing the Gap, July 2020, p. 47.

⁴ National Agreement on Closing the Gap, July 2020, p. 47.

⁵ National Agreement on Closing the Gap, July 2020, p. 53.

⁶ Productivity Commission, *Closing the Gap Information Repository: Dashboard*, pc.gov.au/closing-the-gap-data/dashboard (accessed 20 March 2025).

⁷ Productivity Commission, *Closing the Gap Annual Data Compilation Report*, July 2024, pc.gov.au/closing-the-gap-data/annual-data-report (accessed 20 March 2025).

- 3.11 The public dashboard provides up-to-date information on Closing the Gap targets and indicators.⁸ Commissioner Selwyn Button informed the committee that the commission collects information from government agencies across the country for the dashboard. Where possible, the dashboard shows progress against the targets at a national and jurisdiction level, and by geographical remoteness across the country.⁹
- 3.12 Under the National Agreement, the commission is required to update the dashboard on a regular basis and at minimum, annually.¹⁰ The commission is also required to work with the Joint Council, through the Partnership Working Group, to develop the annual data compilation report.¹¹ The commission published its fourth Annual Data Compilation Report on Closing the Gap in July 2024.¹²

Annual public reporting obligations

- 3.13 In preparing their annual reports, government parties to the National Agreement are required to:
- draw from the dashboard and annual data compilation report, to ensure consistent measures of progress;
 - include information on efforts to implement the agreement's four priority reform areas;
 - demonstrate how efforts, investment and actions are aligned and support the achievement of Closing the Gap goals; and
 - list the number of Aboriginal and Torres Strait Islander community-controlled organisations and other Aboriginal and Torres Strait Islander organisations that have been allocated funding for the purposes of certain clauses of the Agreement, and, subject to confidentiality requirements, list the names of the organisations and the amount allocated to them.¹³
- 3.14 Jurisdictional annual reports are required to be tabled in their respective Parliaments, while the Coalition of Peaks annual report can be tabled in each Parliament (subject to parliamentary rules).¹⁴

⁸ National Agreement on Closing the Gap, July 2020, p. 48.

⁹ Mr Selwyn Button, Commissioner, Productivity Commission, *Proof Committee Hansard*, 19 February 2025, p. 1.

¹⁰ National Agreement on Closing the Gap, July 2020, p. 48.

¹¹ National Agreement on Closing the Gap, July 2020, p. 48.

¹² Productivity Commission, *Closing the Gap Annual Data Compilation Report*, July 2024, pc.gov.au/closing-the-gap-data/annual-data-report (accessed 20 March 2025).

¹³ National Agreement on Closing the Gap, July 2020, p. 49.

¹⁴ National Agreement on Closing the Gap, July 2020, p. 49.

3.15 The Commonwealth's most recent report, titled *Commonwealth Closing the Gap 2024 Annual Report and 2025 Implementation Plan* was published on 10 February 2025.¹⁵

Productivity Commission review

3.16 The National Agreement requires the Productivity Commission to undertake a comprehensive review of progress under the agreement every three years. This should include an analysis of progress in relation to the priority reforms, targets, indicators and trajectories.¹⁶ While the Joint Council is required to provide advice on the terms of reference for the review, the agreement stipulates that the review may include advice to the Joint Council on potential changes to the National Agreement itself, and inform the ongoing implementation of the agreement by highlighting areas for improvement.¹⁷ Following this review, the Joint Council is required to provide a formal response within 6 months of receiving it.¹⁸

3.17 The commission's first Closing the Gap review was delivered to the Joint Council on 24 January 2024 and publicly released on 7 February 2024.¹⁹

3.18 In undertaking this substantial review, the Productivity Commission was tasked with:

- analysing progress on Closing the Gap against the four priority reform outcome areas in the National Agreement;
- analysing progress against all of the socioeconomic outcome areas in the National Agreement;
- examining the factors affecting progress; and
- where relevant, providing recommendations to the Joint Council on potential changes to the National Agreement and its targets, indicators and data improvements.²⁰

Key findings

3.19 The commission's overarching finding was that the reforms agreed to under National Agreement have not been prioritised by governments. Further, despite

¹⁵ National Indigenous Australian Agency, *Commonwealth Closing the Gap 2024 Annual Report and 2025 Implementation Plan*, 10 February 2025, niaa.gov.au/resource-centre/commonwealth-closing-gap-2024-annual-report-and-2025-implementation-plan (accessed 20 March 2025).

¹⁶ National Agreement on Closing the Gap, July 2020, p. 49.

¹⁷ National Agreement on Closing the Gap, July 2020, p. 49.

¹⁸ National Agreement on Closing the Gap, July 2020, p. 50.

¹⁹ Productivity Commission, *Closing the Gap Review*, pc.gov.au/inquiries/completed/closing-the-gap-review (accessed 12 March 2025).

²⁰ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. iv.

finding 'pockets of good practice', the commission found that progress against the priority reforms has been 'slow, uncoordinated and piecemeal'.²¹

- 3.20 The commission found that governments have 'largely not fulfilled their commitments under the agreement and failed to fully grasp the nature and scale of the change required'.²² As a case in point, the commission noted the following in relation to Priority Reform 3 - Transforming Government Organisations:

While governments are pursuing hundreds of actions ostensibly in support of Priority Reform 3, there is no clear strategy for transformation that underpins the individual actions – governments have not deeply examined their systems, structures and operations in the way the Agreement requires.²³

- 3.21 Emphasising the point that progress has been weak, reflecting 'tweaks to, or actions overlaid onto, business-as-usual approaches', the commission highlighted the need for significant structural reform:

The Commission's overarching finding is that there has been no systematic approach to determining what strategies need to be implemented to disrupt business-as-usual of governments. What is needed is a paradigm shift. Fundamental change is required, with actions based on a clear logic about how they will achieve that change.²⁴

- 3.22 The commission found that many plans focus on the 'what' and provide little if any detail on the 'how' or 'why'. It noted that for the most part, there was no strategic approach that would otherwise explain and provide evidence for how government-identified initiatives will achieve the significant transformation envisaged in the National Agreement. The commission concluded that without this information, it was 'near impossible' for Aboriginal and Torres Strait Islander people, and the broader community, to use the plans to hold government to account.²⁵

- 3.23 Despite the clear message received from Aboriginal and Torres Strait Islander people during the review, the commission found that persistent barriers to progressing the priority reforms included:

- lack of power sharing needed for joint decision-making, and

²¹ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 4.

²² Productivity Commission, *Submission 20*, p. 3.

²³ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 56.

²⁴ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 3.

²⁵ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 4.

- the failure of governments to acknowledge and act on the reality that Aboriginal and Torres Strait Islander people know what is best for their communities.²⁶

3.24 In response to these concerns and the outcome of the review, the commission concluded that:

Unless governments address the power imbalance in their systems, policies and ways of working, the Agreement risks becoming another broken promise to Aboriginal and Torres Strait Islander people.²⁷

Priority Reform 1: Formal partnerships and shared decision-making

3.25 The purpose of Priority Reform 1 is to commit governments to build and strengthen structures that empower Aboriginal and Torres Strait Islander people to share decision-making authority with governments to accelerate progress on Closing the Gap. The commission noted that this reform is about power sharing, which requires more than consultation and partnerships but rather the relinquishment of some control over decisions by government.²⁸

3.26 In its review, the commission found that:

- governments are not yet sufficiently invested in partnerships or enacting the sharing power that needs to occur if decisions are to be made jointly;²⁹
- contrary to the principle of shared decision-making which underpins the agreement, there appears to be an assumption that 'governments know best';³⁰ and
- many government organisations view shared decision-making with Aboriginal and Torres Strait Islander people as consultation in relation to a pre-determined 'solution' rather than as working together to identify priorities and co-design the most appropriate approach to achieving them.³¹

3.27 The commission provided some examples of successful shared decision making while noting that they remain pockets of success. However, its engagement with over 130 Aboriginal and Torres Strait Islander organisations did not identify

²⁶ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 3.

²⁷ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 3.

²⁸ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 4.

²⁹ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 4.

³⁰ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 4.

³¹ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 4.

systemic change in when and how decisions are made, thereby indicating limited progress towards this priority reform.³²

Priority Reform 2: Building the community-controlled sector

- 3.28 The purpose of this reform is to ensure that there is a strong and sustainable Aboriginal and Torres Strait Islander community-controlled (ACCO) sector delivering high quality services to meet the needs of Aboriginal and Torres Strait Islander people across the country.³³
- 3.29 The commission noted that as governments have acknowledged that ACCOs achieve better results for Aboriginal and Torres Strait Islander people in relation to delivering a broad range of services, they have agreed that more services should be delivered by ACCOs.³⁴ However, the commission also found that while some transfer to ACCOs is taking place in relation to the provision of services, efforts are 'slow (or ad hoc) and do not reflect the systemic changes that are necessary to transform service systems and improve outcomes'.³⁵
- 3.30 The commission further reported that, even where services have shifted from mainstream providers to ACCOs, governments still retain control over important elements of those programs. For example, they often impose generic, pre-existing models of service and program design, and require reporting against narrow key performance indicators instead of allowing ACCOs to design services and measure outcomes in ways that are most meaningful to the communities receiving those services.³⁶

Priority Reform 3: Transforming government organisations

- 3.31 Under Priority Reform 3, the parties to the National Agreement have committed to the systemic and structural transformation of mainstream government organisations to improve accountability and respond to the needs of Aboriginal and Torres Strait Islander people.³⁷
- 3.32 The commission observed that there is a 'stark absence of whole-of-government or whole-of-organisation strategies for driving and delivering transformation'

³² Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 43.

³³ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 49.

³⁴ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 5.

³⁵ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 5.

³⁶ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 5.

³⁷ National Agreement on Closing the Gap, July 2020, p. 11.

in line with this reform.³⁸ More concerningly, the commission reported that it was unable to identify any government organisation that has articulated a clear vision for what transformation looks like, adopted a strategy to achieve that vision, and tracked the impact of actions within the organisation towards this priority. Instead, to date, government efforts have focused on small-scale, individual actions rather than system-level changes to policies and practices which is required to implement this reform.³⁹

Priority Reform 4: Shared access to data and information at a regional level

3.33 The National Agreement states that shared access to location specific data and information will support Aboriginal and Torres Strait Islander communities and organisations to support the achievement of the first three Priority Reforms. Under the National Agreement, the parties agreed that disaggregated data and information is most useful to Aboriginal and Torres Strait Islander organisations and communities to 'obtain a comprehensive picture of what is happening to their communities and make decisions about their futures'.⁴⁰ In short, therefore, Priority Reform 4 focuses on ensuring that Aboriginal and Torres Strait Islander people have access to, and the capability to use, locally-relevant data and information to set and monitor the implementation of efforts to close the gap, their priorities and drive their own development.

3.34 The commission noted that while Priority Reform 4 requires governments to implement large-scale changes to data systems and practices, governments have made little progress on making these changes. It noted in this regard that:

- Aboriginal and Torres Strait Islander organisations continue to report difficulties accessing government-held data, and that
- data that is collected by government agencies does not reflect the realities of, or hold meaning for, Aboriginal and Torres Strait Islander people.⁴¹

3.35 Further, the commission found that there is not a shared understanding of what Priority Reform 4 is trying to achieve. Many Aboriginal and Torres Strait Islander people view Indigenous Data Sovereignty (IDS) as the purpose of Priority Reform 4. Indigenous Data Sovereignty is defined as the right of Indigenous peoples to govern the collection, ownership and application of data

³⁸ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 5.

³⁹ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 5-6.

⁴⁰ National Agreement on Closing the Gap, July 2020, p. 13.

⁴¹ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 6.

about Indigenous communities, peoples, lands, and resources.⁴² This is not currently reflected in either the text of the National Agreement or government statements in relation to this reform.⁴³

Socio-economic outcomes

- 3.36 In addition to the four priority reforms, Parties to the National Agreement committed to 17 socio-economic outcome (SEO) areas that reflect important aspects of the life experience of Aboriginal and Torres Strait Islander people. Progress towards these SEOs is measured against national-level targets aimed at overcoming the entrenched inequality faced by many Aboriginal and Torres Strait Islander people relative to all Australians.⁴⁴
- 3.37 In assessing Australia's progress against the SEOs, in its review, the commission identified significant challenges in the design and implementation of these arrangements, advising that progress towards these outcomes is measured against national-level targets, with no indication of how jurisdictions should be held to account for their contributions. Further, the commission argued that government policy should better acknowledge the interplay between different socio-economic outcomes. For example, the outcome regarding housing impacts other outcomes for Aboriginal and Torres Strait Islander people, with its potential effects on physical and mental wellbeing, education, employment, family violence and incarceration.⁴⁵
- 3.38 Additionally, the commission made clear that the scope of some of the SEOs is not fully captured by current targets and supporting indicators. For example, SEO 3 aims for children to be engaged in high quality, culturally appropriate early childhood education, however the corresponding target only measures the percentage of Aboriginal and Torres Strait Islander children enrolled in year-before-fulltime-schooling programs.⁴⁶

Productivity Commission recommendations

- 3.39 Throughout this review, the commission emphasised that fundamental structural change is required, with actions based on a clear logic about how

⁴² Australian Institute of Aboriginal and Torres Strait Islander Studies, *Delivering Indigenous Data Sovereignty*, July 2019, aiatsis.gov.au/publication/116530 (accessed 24 March 2025).

⁴³ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 6.

⁴⁴ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report: Supporting Paper, Volume 2*, January 2024, p. 297.

⁴⁵ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report: Supporting Paper, Volume 2*, January 2024, p. 299.

⁴⁶ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report: Supporting Paper, Volume 2*, January 2024, p. 209.

relevant changes will be achieved, in order for commitments under the National Agreement to be met.⁴⁷

3.40 The commission made the following four key recommendations in support of this goal, which are intended to strengthen the implementation of the priority reforms and to clarify their intent.

- Recommendation 1: Power needs to be shared.
- Recommendation 2: Indigenous Data Sovereignty needs to be recognised and supported.
- Recommendation 3: Mainstream systems and culture need to be fundamentally rethought.
- Recommendation 4: Stronger accountability is needed to drive behaviour.

3.41 The commission made clear that as these recommendations are interlinked and interact, it is not appropriate that they be acted upon in isolation of each other.⁴⁸

Power needs to be shared

3.42 The commission emphasised that for meaningful progress to be made towards Closing the Gap, governments must share power and recognise the right of Aboriginal and Torres Strait Islander people to have control over decisions that affect their lives which is central to self-determination.⁴⁹

3.43 The commission recommended the following actions to support self-determination in addition to an amendment to the National Agreement to clarify the purpose and broader scope of Priority Reform 1:

- (a) Governments need to treat ACCOs as essential partners in program and service design;
- (b) Government ministers need to meet regularly with Aboriginal and Torres Strait Islander peak bodies, without departmental officials present, at least twice per year;
- (c) Governments must adequately resource the implementation of the National Agreement, particularly for Aboriginal and Torres Strait Islander people and organisations to enable them to apply their knowledge and expertise to the implementation of the agreement; and

⁴⁷ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 3.

⁴⁸ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 7.

⁴⁹ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 7.

- (d) Governments need to write implementation plans more strategically and articulate how the agreed strategies and actions will contribute to the desired changes.⁵⁰

Indigenous Data Sovereignty needs to be recognised and supported

- 3.44 The commission's second recommendation proposes that the National Agreement be amended to support Indigenous Data Sovereignty (IDS) under Priority Reform 4.⁵¹
- 3.45 IDS refers to the right of Aboriginal and Torres Strait Islander people to exercise ownership over Indigenous data. Ownership can be expressed through the creation, collection, access, analysis, interpretation, management, dissemination and reuse of data.⁵²
- 3.46 This recommendation proposes the establishment of a Bureau of Indigenous Data to:
- support governments to embed Indigenous Data Governance (IDG) into their data systems and practices,
 - invest in enhancing the data capability of organisations and communities, and
 - consolidate and oversee data development work for the agreement.⁵³

Mainstream government systems and culture need to be fundamentally rethought

- 3.47 This recommendation follows the commission's finding that governments have not grasped the scale of change required let alone the shift they have committed to in the National Agreement. The five identified actions to address these structural challenges include:
- (a) departmental transformation strategies which set out a clear theory of change, underpinned by an Aboriginal and Torres Strait Islander-led assessment of the department's historic and current institutional racism, unconscious bias and engagement practices;
 - (b) central agencies' review and update of their funding and commissioning rules so that they explicitly incorporate accountability for funders to abide by the priority reforms when commissioning programs;

⁵⁰ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 11-14.

⁵¹ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 8.

⁵² Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 64.

⁵³ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 8.

- (c) establishment of a senior leadership group to drive change throughout the public sector in each jurisdiction;
- (d) review and update Cabinet and Budget processes undertaken by central agencies to ensure that all submissions demonstrate the impacts of the policy proposal on Aboriginal and Torres Strait Islander people, and how the policy aligns with the priority reforms; and
- (e) imbed responsibility for improving cultural capability into the employment requirements, performance agreements and KPIs of public sector CEOs, executives and employees.⁵⁴

Stronger accountability is needed to drive behaviour change

3.48 This recommendation seeks to address the lack of effective accountability mechanisms in relation to the National Agreement as identified by the commission. This recommendation proposes four actions to address this critical gap as follows:

- (a) requiring an independent accountability mechanism to be established in each jurisdiction with robust powers to independently examine progress on all aspects of the National Agreement;
- (b) ensuring that all other government agreements that impact on the inequality faced by many Aboriginal and Torres Strait Islander people, reflect the government's commitments under the National Agreement;
- (c) ensuring greater transparency by requiring all documents developed under the agreement to be published, including stocktakes, partnership agreements and transformation strategies; and
- (d) requiring all government organisations to include a statement in its annual report on the substantive activities undertaken to implement the agreement's priority reforms.⁵⁵

Joint Council response to Productivity Commission review

3.49 Joint Council met in July 2024 and agreed to the commission's four key recommendations and to fifteen of the sixteen recommended actions. In relation to the outstanding action, the establishment of a Bureau of Indigenous Data, Joint Council agreed to undertake further work before deciding how to progress this action, including establishing a data policy partnership to report back to Joint Council on this recommendation.⁵⁶

⁵⁴ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 10.

⁵⁵ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 9.

⁵⁶ Closing the Gap, Twelfth meeting of the Joint Council on Closing the Gap, Communique https://www.closingthegap.gov.au/sites/default/files/2024-07/joint-council-ctg-communique-5-7-2024_0.pdf (accessed 21 January 2025).

Aboriginal and Torres Strait Islander led review

- 3.50 The National Agreement provides that an independent Aboriginal and Torres Strait Islander led review will be carried out within 12 months of the Productivity Commission's review.⁵⁷ This review should highlight areas of achievement and improvement as well as identify priority areas where greater effort of the parties is required.⁵⁸ The agreement explains that this is also an opportunity to capture the lived experience of Aboriginal and Torres Strait Islander people and communities in relation to the implementation of the agreement.⁵⁹
- 3.51 On the advice of the Coalition of Peaks, Joint Council is required to set the scope and conduct of this review, including mechanisms to ensure its independence.⁶⁰
- 3.52 The review should involve a Coalition of Peaks' facilitated Aboriginal and Torres Strait Islander Assembly on Closing the Gap, to provide for a wider group of people and organisations to participate formally and encourage broader ownership of the agreement.⁶¹ Once complete, the review's report will be provided to Joint Council before being made public.⁶²
- 3.53 At a public hearing on 6 March 2025, the committee was informed by Ms Pat Turner, Lead Convenor of the Coalition of Peaks, that the Jumbunna Institute from the University of Technology Sydney has been contracted to commence the independent Aboriginal and Torres Strait Islander led review.⁶³

⁵⁷ National Agreement on Closing the Gap, July 2020, p. 49.

⁵⁸ National Agreement on Closing the Gap, July 2020, p. 49-50.

⁵⁹ National Agreement on Closing the Gap, July 2020, p. 49.

⁶⁰ National Agreement on Closing the Gap, July 2020, p. 49.

⁶¹ National Agreement on Closing the Gap, July 2020, p. 50.

⁶² National Agreement on Closing the Gap, July 2020, p. 49.

⁶³ Ms Pat Turner, Lead Convenor, Coalition of Peaks, *Proof Committee Hansard*, 6 March 2025, p. 13.

Chapter 4

Emerging themes and future directions

- 4.1 The committee's inquiry is focused on the regression of the four socio-economic outcomes, as set out in its terms of reference. In considering the written and oral evidence received by the committee so far, several significant and inter-related themes and issues have become apparent to the committee which are impacting progress towards Closing the Gap.
- 4.2 These themes include the impact of a deficit versus strengths-based approach to Closing the Gap, measuring and reporting progress under the National Agreement, gaps in data both in terms of agreed definitions and collection, gaps in accountability necessary to drive change, and the importance of evidence-based investments from all governments to achieve the Closing the Gap targets.

Deficit versus strengths-based approach to Closing the Gap

- 4.3 Concerns were raised in evidence regarding a deficit approach to Closing the Gap measures and the harm this can cause Aboriginal and Torres Strait Islander people and communities.
- 4.4 A deficit approach is characterised by 'deficit discourse' which includes disempowering patterns of thought, language and practice that represent people in terms of deficiencies and failures.¹ In relation to Closing the Gap measures, the Victorian Aboriginal Child and Community Agency (VACCA) explained that a deficit approach perpetuates a deficit narrative by measuring Aboriginal outcomes against non-Aboriginal benchmarks, rather than recognising and measuring success on Aboriginal terms.²
- 4.5 Similarly, the Southern Aboriginal Corporation described current Closing the Gap targets as 'largely focused on Indigenous outcomes relative to the non-Indigenous population, which contributes to a deficit approach'.³ They gave the following examples of what this approach looks like:
 - 'Aboriginal children are better off with non-Aboriginal families' rather than 'Aboriginal children need to be raised with cultural permanency; wellbeing for Aboriginal children is correlated with cultural connection';⁴

¹ The Lowitja Institute, *Deficit Discourse and Aboriginal and Torres Strait Islander Health Policy*, May 2018, p. 1, lowitja.org.au/wp-content/uploads/2023/05/deficit-discourse.pdf (accessed 20 March 2025).

² Victorian Aboriginal Child and Community Agency (VACCA), *Submission 2*, p. 12.

³ Southern Aboriginal Corporation, *Submission 3*, p. 11.

⁴ Southern Aboriginal Corporation, *Submission 3*, p. 11.

- 'Being Aboriginal is a risk factor' rather than 'Protective abilities and strengths are embedded in Aboriginal culture; belonging to culture creates resilience leading to better social, emotional and physical health outcomes';⁵
- 'Educational outcomes for Aboriginal students are significantly lower than for their non-Aboriginal counterparts' rather than 'Australian past policies of excluding Aboriginal people from education has caused harm, which still impacts Aboriginal students today'; and⁶
- 'Aboriginal people are more likely to offend and end up in prison than non-Aboriginal people' rather than 'The over surveillance of Aboriginal people leads to a higher likelihood of involvement in the criminal justice system'.⁷

4.6 The committee heard that the deficit approach does not recognise or leverage the inherent strengths, knowledge, and capabilities of Indigenous communities⁸ which can have a demoralising effect on communities.⁹ Gayaa Dhuwi (Proud Spirit) Australia explained:

The current methods for measuring progress against Closing the Gap targets are overly focussed on deficits, presenting Aboriginal and Torres Strait Islander peoples and communities through a lens of failure rather than strength. This problem-focused perspective not only undermines the strength of communities, but also fails to acknowledge the resilience, cultural richness, and self-determination of Aboriginal and Torres Strait Islander peoples.¹⁰

4.7 The National Indigenous Health Leadership Alliance (NIHLA) also observed that the data collected under Closing the Gap emphasises the disparities between Indigenous and non-Indigenous Australians, which perpetuates negative stereotypes and overlooks the inherent strengths of Aboriginal and Torres Strait Islander communities. NIHLA commented that this deficit focus can lead to policies that address perceived shortcomings, rather than building on existing cultural, social, and community assets.¹¹ In contrast, a strengths-based approach can empower communities, promote self-determination, and foster more effective and culturally appropriate policies and programs.¹²

⁵ Southern Aboriginal Corporation, *Submission 3*, p. 11.

⁶ Southern Aboriginal Corporation, *Submission 3*, p. 11.

⁷ Southern Aboriginal Corporation, *Submission 3*, p. 8.

⁸ National Indigenous Health Leadership Alliance (NIHLA), *Submission 32*, p. 4.

⁹ First Nations Advocates Against Family Violence, *Submission 7*, p. 11.

¹⁰ Gayaa Dhuwi (Proud Spirit) Australia, *Submission 17*, p. 4.

¹¹ National Indigenous Health Leadership Alliance (NIHLA), *Submission 32*, p. 4.

¹² National Indigenous Health Leadership Alliance (NIHLA), *Submission 32*, p. 4.

4.8 The Australian Indigenous Governance Institute (AIGI) agreed that current Closing the Gap targets 'emphasise a deficit mindset [and] the ways in which they are written and evaluated undermine the successes and work of communities and organisations'.¹³

Importance of social and emotional wellbeing in a strengths-based approach

4.9 To support a strengths-based approach to Closing the Gap, the committee received evidence about the importance of imbedding social and emotional¹⁴ concepts and targets that are meaningful to Aboriginal and Torres Strait Islander people throughout the National Agreement.

4.10 In explaining the concept of social and emotional wellbeing, Dr Clinton Schultz contended that:

Social and emotional wellbeing is a holistic concept that encompasses the physical, mental, spiritual and cultural dimensions of health. From a First Nations perspective, social and emotional wellbeing emphasises connections to law, culture, spirituality, ancestry, family and community. It is inseparable from our ability to live—strong connection to law, culture, language, country and kinship.¹⁵

4.11 Social and emotional wellbeing measures can include:

- cultural determinants of health: Connection to land, community, identity, language, and self-determination;
- spiritual well-being: Sense of belonging, continuity of cultural practices, connection to ancestors; and
- the impact of governance structures on well-being: Self-determined policy, access to culturally safe services, Indigenous-controlled decision-making.¹⁶

4.12 Victorian Aboriginal Community Controlled Health Organisation made the point that 'maintaining or restoring SEWB is about supporting Aboriginal peoples to maintain a secure sense of cultural identity and cultural values, and to participate in cultural practices that allow them to exercise their cultural rights and responsibilities'.¹⁷

4.13 Numerous submitters strongly supported the incorporation of social and emotional wellbeing measures into the current framework.

¹³ Australian Indigenous Governance Institute Limited (AIGI), *Submission 43*, p. 9.

¹⁴ Social and emotional wellbeing is sometimes referred to as SEWB.

¹⁵ Dr Clinton Schultz, Director, First Nations Strategy and Partnerships, Black Dog Institute and Board Member, Gayaa Dhuwi (Proud Spirit) Australia, *Committee Hansard*, 19 February 2025, p. 23.

¹⁶ Australian Indigenous Governance Institute Limited (AIGI), *Submission 43*, p. 10.

¹⁷ Victorian Aboriginal Community Controlled Health Organisation (VACCHO), *Submission 11*, p. 26.

- 4.14 For example, AIGI submitted that incorporating concepts of wellness in Closing the Gap measurements could provide a clearer picture of where systems can be strengthened and highlight the strengths of First Nations Peoples.¹⁸
- 4.15 Gayaa Dhuwi (Proud Spirit) Australia explained that incorporating social and emotional wellbeing measures, alongside traditional indicators in the National Agreement is critical to the success of the agreement.¹⁹ the Victorian Aboriginal Community Controlled Health Organisation (VACCHO) agreed with this approach, submitting that 'any work towards the Agreement's outcomes needs to take a deeply holistic approach that considers political, historical and social determinants of health and wellbeing, which strives to strengthen the protective factors'.²⁰ As such, VACCHO urged that a national Aboriginal wellbeing measurement framework, to be led by the National Aboriginal Community Controlled Health Organisation (NACCHO), be implemented, to operate alongside existing measures.²¹
- 4.16 The National Aboriginal and Torres Strait Islander Women's Alliance (NATSIWA) went further to recommend the introduction of new indicators that specifically measure cultural safety, connection to Country, language revitalisation, and community cohesion.²² This view was shared other submitters, including the Australian Indigenous Doctors' Association, which observed that:
- Disconnection from culture, kinship, language and Country impact the health and wellbeing of Aboriginal and Torres Strait Islander people throughout the life span. Inclusion of measurements reflecting these cultural determinants underpins a holistic and integrated approach.²³
- 4.17 Based on this evidence, it is clear to the committee that a focus on Indigenous concepts of social and emotional wellbeing is necessary to promote a strengths-based approach to Closing the Gap and to address the continued regression of certain socio-economic targets.

Measuring and reporting progress on Closing the Gap

- 4.18 Submitters from various sectors raised concerns about difficulties in measuring and reporting on Closing the Gap priorities and targets, including gaps in the data.

¹⁸ Australian Indigenous Governance Institute Limited (AIGI), *Submission 43*, p. 9.

¹⁹ Gayaa Dhuwi (Proud Spirit) Australia, *Submission 17*, p 5.

²⁰ Victorian Aboriginal Child and Community Agency (VACCA), *Submission 2*, p. 10.

²¹ Victorian Aboriginal Child and Community Agency (VACCA), *Submission 2*, p. 5.

²² National Aboriginal and Torres Strait Islander Women's Alliance (NATSIWA), *Submission 1*, p. 4.

²³ Australian Indigenous Doctors' Association, *Submission 6*, p. 4.

- 4.19 The National Indigenous Australians Agency (NIAA) acknowledged there are 'gaps and deficiencies with the quality and availability of data on First Nations people' and that the 'data sources for the Closing the Gap targets do not provide a complete picture for First Nations peoples' experience, use of services or outcomes'.²⁴
- 4.20 In its review of the National Agreement, the Productivity Commission (commission) identified concerning data gaps. The most critical gap identified is the lack of any systematic data on the priority reforms.²⁵ Commissioner Selwyn Button informed the committee that currently there is no consistent way of collecting data to show progress against these key reforms.²⁶ As the priority reforms are considered 'pillars' of the National Agreement and designed to impact all other outcomes under the agreement, this lack of data is a significant concern.
- 4.21 The second significant data gap identified by the commission relates to the culturally appropriate indicators in the agreement. The agreement introduced two new socio-economic outcomes and made a commitment to identify contextual information on the cultural determinants of wellbeing to aid reporting.²⁷ However, citing the Australian Council of TESOL Associations, the commission stated that the current approach is 'inconsistent, sporadic, tokenistic and inadequate' because it fails to recognise the centrality of cultural determinants like language across the priority reforms and socio-economic outcomes.²⁸ As a result of these data gaps, the commission concluded that significant data development work is needed.²⁹
- 4.22 In addition to data gaps, the commission raised concerns with the inconsistent collection of data across jurisdictions, and the use of inconsistent definitions of key terms. As a case in point, Commissioner Button advised there is no consistent way that jurisdictions define or collect information on family violence

²⁴ National Indigenous Australians Agency, *Submission 45*, p. 14.

²⁵ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 75.

²⁶ Mr Selwyn Button, Indigenous Commissioner, Productivity Commission, *Committee Hansard*, 19 February 2025, p. 3.

²⁷ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 76.

²⁸ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 76.

²⁹ Productivity Commission, *Submission 20*, p. 4.

across Australia.³⁰ Without consistent definitions and collection methods, there is no way of looking at national reporting.³¹

- 4.23 Ms Pat Turner, CEO of NACCHO and Lead Convenor of the Coalition of Peaks, also described challenges with inconsistent data collection across jurisdictions:

We collect the data from whatever sources we can, but the trouble with the data is that it is not consistently collected within each jurisdiction. Therefore, it is noncomparable on a national basis. I think that's been a deliberate strategy of the states and territories for a long time. Until we get a willingness to have a consistent, coherent national database for First Nations peoples, we are going to be struggling with this.³²

- 4.24 In relation to data about First Nations people with disability, the committee heard the current data is 'limited and often inaccurate' due to under-reporting and fragmentation across multiple datasets. Additionally, the committee was told that Western ideas of disability and methodologies do not account for First Nations' cultural understandings of disability.³³ Further, the existing data lacks the detail needed to understand the experiences of First Nations people with disability in different contexts, such as where they live, their age and gender.³⁴
- 4.25 In relation to data about family violence, First Nations Advocates Against Family Violence advised that as the current data available regarding Target 13 of the National Agreement³⁵ is 'outdated and unreliable', and it obscures the full impact of such violence and undermines effective policy responses.³⁶
- 4.26 In response to these issues, the Aboriginal Health Council of Western Australia (AHCWA) suggested that governments need to commit to improving the consistency and compatibility of data on Closing the Gap measures across jurisdictions to enable meaningful analysis of progress.³⁷

³⁰ Mr Selwyn Button, Indigenous Commissioner, Productivity Commission, *Proof Committee Hansard*, 19 February 2025, p. 2.

³¹ Mr Selwyn Button, Indigenous Commissioner, Productivity Commission, *Proof Committee Hansard*, 19 February 2025, p. 3.

³² Ms Pat Turner, Lead Convenor, Coalition of Aboriginal and Torres Strait Islander Peak Organisations, *Committee Hansard*, 6 March 2025, p.14.

³³ First Peoples Disability Network, *Submission 4*, p. 4.

³⁴ First Peoples Disability Network, *Submission 4*, p. 5.

³⁵ Target 13 of the National Agreement: By 2031, the rate of all forms of family violence and abuse against Aboriginal and Torres Strait Islander women and children is reduced at least by 50 per cent, as progress towards zero).

³⁶ First Nations Advocates Against Family Violence, *Submission 7*, p. 6.

³⁷ Aboriginal Health Council of Western Australia (AHCWA), *Submission 49*, p. 5.

Indigenous Data Sovereignty

- 4.27 In addition to the gaps and inconsistencies in the available data, the committee heard considerable evidence about the importance of Indigenous Data Sovereignty (IDS).
- 4.28 IDS refers to 'the right of Indigenous peoples to exercise ownership over Indigenous Data. Ownership of data can be expressed through the creation, collection, access, analysis, interpretation, management, dissemination and reuse of Indigenous Data'.³⁸
- 4.29 The principles set out in relation to IDS, as agreed at the 2018 National Indigenous Data Sovereignty Summit, are that Aboriginal and Torres Strait Islander people have the right to:
- exercise control of the data ecosystem including creation, development, stewardship, analysis, dissemination and infrastructure;
 - data that is contextual and disaggregated (available and accessible at individual, community and First Nations levels);
 - data that is relevant and empowers sustainable self-determination and effective self-governance;
 - data structures that are accountable to Indigenous peoples and First Nations; and
 - data that is protective and respects our individual and collective interests.³⁹
- 4.30 AbSec, the NSW Child, Family and Community Peak Aboriginal Corporation, explained that IDS is critical, as exercising ownership of data about Aboriginal peoples supports Aboriginal communities to make informed decisions about priorities and actions to support the social, cultural and economic development of communities.⁴⁰ Additionally, IDS could enable data to be collected in ways that reflect the values and cultural practices of communities and ultimately provide a more holistic picture of the lived realities and experiences of First Nations people.⁴¹

³⁸ Australian Indigenous Governance Institute and Maïam nayri Wingara Indigenous Data Sovereignty Collective, *Indigenous Data Sovereignty Communique*, 20 June 2018, aigi.org.au/wp-content/uploads/2022/01/Communique-Indigenous-Data-Sovereignty-Summit-1.pdf (accessed 19 March 2025).

³⁹ Australian Indigenous Governance Institute and Maïam nayri Wingara Indigenous Data Sovereignty Collective, *Indigenous Data Sovereignty Communique*, 20 June 2018, aigi.org.au/wp-content/uploads/2022/01/Communique-Indigenous-Data-Sovereignty-Summit-1.pdf (accessed 19 March 2025).

⁴⁰ AbSec, *Indigenous Data Sovereignty*, 2019, absec.org.au/wp-content/uploads/2024/11/AbSec_2019_Indigenous-Data-Sovereignty-Policy-Brief.pdf (accessed 4 March 2025).

⁴¹ Wiyi Yani U Thangani Institute for First Nations Gender Justice, *Submission 9*, p. 3.

4.31 In its review of the National Agreement, the Productivity Commission revealed that it received overwhelming support for IDS:

The Commission receiving overwhelming support in engagements and submissions from Aboriginal and Torres Strait Islander organisations, and a number of non-government organisations, for the agreement to be amended to support Indigenous Data Sovereignty.⁴²

4.32 Priority Reform 4 of agreement requires governments to implement large-scale changes to data systems and practices to enable Aboriginal and Torres Strait Islander people to participate in decision-making about data, and to use data for their own purposes.⁴³ However, as discussed in Chapter 3 of this report, the commission found that the agreement does not explicitly acknowledge the need for IDS and, regardless, governments have made little progress on the reform as it is worded.⁴⁴

4.33 This led the commission to recommend that the National Agreement be amended to include IDS under Priority Reform 4 and that a Bureau of Indigenous Data be established.⁴⁵

Bureau of Indigenous Data

4.34 The Bureau of Indigenous Data would be an Aboriginal and Torres Strait Islander-led independent statutory authority that would have 'clear accountability and dedicated resourcing to meet the data development commitments made by jurisdictions'.⁴⁶ The Bureau would also:

- support governments to embed Indigenous Data Governance into their data systems and practices;
- invest in enhancing the data capability of organisations and communities; and
- consolidate and oversee data development work for the agreement.⁴⁷

⁴² Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 8.

⁴³ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 6.

⁴⁴ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 6.

⁴⁵ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 15.

⁴⁶ Productivity Commission, *Submission 20*, p. 5.

⁴⁷ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 8.

- 4.35 The Coalition of Peaks provided their support for such a bureau, noting that it could be governed by an Indigenous Data Board, comprised of Aboriginal and Torres Strait Islander people appointed by Joint Council.⁴⁸
- 4.36 In response to the recommendation, NIAA advised that Joint Council has sought more information before determining whether to support a Bureau of Indigenous Data.⁴⁹ As a first step, Joint Council agreed to establish a Data Policy Partnership (DPP) in July 2024. The DPP is tasked with considering options for a Bureau of Indigenous Data, as well as the scope, roles, responsibilities and resourcing needed to support Indigenous Data Governance and Closing the Gap data development more generally.⁵⁰

Accountability for Closing the Gap

- 4.37 In its independent review, the Productivity Commission found that there is a lack of accountability for delivering on the commitments in the agreement. The commission concluded that existing accountability mechanisms are 'not sufficiently independent, do not contain timely and appropriate consequences for failure, obscure the individual responsibilities of each party and are not informed by high-quality evaluation'. Further, there are no consequences for failing to meet commitments, for example, by way of an independent evaluation or monitoring process.⁵¹
- 4.38 Additionally, the Australian Indigenous Governance Institute argued that the current system allows governments to assess themselves against the Closing the Gap targets without sufficient transparency or accountability to First Nations communities.⁵²
- 4.39 The importance of effective accountability mechanisms in relation to Closing the Gap targets was raised by other submitters, including NACCHO and National Legal Aid. NACCHO asserted there is a need for increased accountability for governments, including through Closing the Gap statements in the annual reports of government departments and agencies, as well as greater accountability to Joint Council and other relevant forums.⁵³ National Legal Aid went further to emphasise the importance of enforcement of Closing the Gap

⁴⁸ Coalition of Aboriginal and Torres Strait Islander Peak Organisations, *Submission 35*, p. 19.

⁴⁹ Dr Simon Gordon, Group Manager, Strategy Group, National Indigenous Australians Agency, *Proof Committee Hansard*, 6 March 2025, p. 44.

⁵⁰ National Indigenous Australians Agency, *Submission 45*, p. 14.

⁵¹ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 82.

⁵² Australian Indigenous Governance Institute - P 5

⁵³ National Aboriginal Community Controlled Health Organisation (NACCHO), *Submission 44*, p. 13.

targets, stating that this would 'shift the focus from rhetoric to measurable action'.⁵⁴

4.40 Additionally, NACCHO also called for the urgent development of independent accountability mechanisms in all jurisdictions, as required by the National Agreement.⁵⁵ The National Agreement states that by 2023, Government Parties agree to each identify, develop or strengthen an independent mechanism, or mechanisms, that will support, monitor, and report on the transformation of mainstream agencies and institutions.⁵⁶ The mechanism should:

- support mainstream agencies and institutions to embed transformation elements, and monitoring their progress;
- be recognisable for Aboriginal and Torres Strait Islander people and be culturally safe;
- engage with Aboriginal and Torres Strait Islander people to listen and to respond to concerns about mainstream institutions and agencies; and
- report publicly on the transformation of mainstream agencies and institutions, including progress, barriers and solutions.⁵⁷

4.41 According to the Productivity Commission, the independent mechanism should drive accountability by supporting, monitoring and reporting on governments' transformations. Further, while the mechanism may have been envisaged as overseeing the implementation of Priority Reform 3, 'each Priority Reform supports, and is supported by, the other Priority Reforms, with the ultimate aim of securing and accelerating improvements in the lives of Aboriginal and Torres Strait Islander people'.⁵⁸

4.42 To date, no independent mechanisms have been established in any state or territory or at the Commonwealth level.⁵⁹ Some progress towards an independent mechanism has been made in NSW, with the NSW Coalition of Aboriginal Peak Organisations (NSW CAPO) designing and presenting a model for the NSW government's consideration.⁶⁰ However, the committee was told

⁵⁴ National Legal Aid, *Submission 21*, p. 20.

⁵⁵ National Aboriginal Community Controlled Health Organisation (NACCHO), *Submission 44*, p. 13.

⁵⁶ National Aboriginal Community Controlled Health Organisation (NACCHO), *Submission 44*, p. 13.

⁵⁷ National Agreement on Closing the Gap, July 2020, p. 13.

⁵⁸ Productivity Commission, *Closing the Gap Review*, [pc.gov.au/inquiries/completed/closing-the-gap-review](https://www.pc.gov.au/inquiries/completed/closing-the-gap-review) (accessed 14 April 2025).

⁵⁹ Noting that in some jurisdictions, there are existing mechanisms that can and are reviewing elements of Closing the Gap such as the Australian National Audit Office and the Australian Human Rights Commission.

⁶⁰ NSW Coalition of Aboriginal Peak Organisations, *NSW Independent Aboriginal-led Government Accountability Mechanism*, 2024, p. 5.

that the NSW government has not yet made a decision on whether to implement this model.⁶¹

- 4.43 The Coalition of Peaks emphasised the importance of strong accountability mechanisms to support, monitor and report on governments' progress in delivering on their commitments under the National Agreement.⁶² They recommended that all governments establish an appropriately resourced independent mechanism to support and monitor governments' progress towards implementing the National Agreement.
- 4.44 Ms Turner indicated that independent mechanisms have been 'a sticking point between the peaks and the governments'.⁶³ However, as a next step, the Coalition of Peaks will be considering a final report commissioned about this issue that will be provided to the Minister for consideration.⁶⁴
- 4.45 Given the importance of independent accountability mechanisms in monitoring and reporting on governments' progress in delivering on their commitments under the National Agreement, and the lack of progress to establish any mechanisms to date, the committee will endeavour to pursue this matter in the 48th Parliament.

Funding models

- 4.46 The committee heard that funding for Closing the Gap targets should be 'flexible, sustained, and outcomes-driven, prioritising initiatives led by Aboriginal and Torres Strait Islander organisations'.⁶⁵ Additionally, funding should be 'needs-based and community-led, ensuring that resources are directed towards culturally appropriate services designed by and for First Nations communities'.⁶⁶
- 4.47 Some submitters gave evidence that funding for ACCOs was insufficient. They argued that this undermines Priority Reform 2 of the National Agreement which seeks to build up the Aboriginal and Torres Strait Islander community-controlled sector. For example, Mr John Leha, CEO of AbSec, told

⁶¹ Mr John Leha, Chief Executive Officer, AbSec NSW Child, Family and Community Peak Aboriginal Corporation, *Committee Hansard*, 19 February 2025, p. 17.

⁶² Coalition of Aboriginal and Torres Strait Islander Peak Organisations, *Submission 35*, p. 10.

⁶³ Ms Pat Turner, Lead Convenor, Coalition of Aboriginal and Torres Strait Islander Peak Organisations, *Proof Committee Hansard*, 6 March 2025, p. 7.

⁶⁴ Mr John Leha, Chief Executive Officer, AbSec NSW Child, Family and Community Peak Aboriginal Corporation, *Committee Hansard*, 19 February 2025, p. 20.

⁶⁵ National Aboriginal and Torres Strait Islander Women's Alliance (NATSIWA), *Submission 1*, p. 3.

⁶⁶ NPY Women's Council, *Submission 5*, p. 3.

the committee that in relation to funding for ACCOs providing out-of-home care:

I think Aboriginal service providers are receiving less than about 10 per cent of investment to provide care. What we know is that their Aboriginal children make up nearly 50 per cent of out-of-home care in the state of New South Wales. So there is a lack of investment, and it's very clear that there is a lack of investment into ACCOs to continue to provide wraparound supports for not only kids in out-of-home care but also the full continuum of care, to the point of prenatal supports and family and domestic violence wraparound services.⁶⁷

4.48 The committee's attention was also drawn to a significant funding gap in relation to community-led initiatives to address targets at a local level. Ms Pat Turner explained that:

... right now there is no significant dedicated, cohesive pool of funding available for community led initiatives in relation to Closing the Gap. As a result, our people are constrained to funding rounds of government to develop and implement their local solutions they know will work for their communities.⁶⁸

4.49 The committee also heard from numerous submitters that the current funding models for Closing the Gap, particularly in relation to funding for ACCOs, have a short-term focus which is detrimental. Further, 'short, insecure and inflexible funding contracts limit operational planning and flexibility'.⁶⁹ As a case in point, the Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council (NPYWC) described difficulties in securing long-term funding to deliver essential services in the NPY Lands:

Despite Government Parties agreeing to implement measures to increase the proportion of services delivered by Aboriginal and Torres Strait Islander organisations, particularly community-controlled organisations, not enough long-term funding is allocated to organisations such as NPYWC to meaningfully contribute to change and transformation in our communities.⁷⁰

4.50 First Nations Advocates Against Family Violence also described the impact of short-term and fragmented funding for initiatives addressing domestic, family and sexual violence. They explained this type of funding hinders long-term planning and the development of sustainable, community-led responses.

⁶⁷ Mr John Leha, Chief Executive Officer, AbSec NSW Child, Family and Community Peak Aboriginal Corporation, *Proof Committee Hansard*, 19 February 2025, p. 20.

⁶⁸ Ms Pat Turner, Lead Convenor, Coalition of Aboriginal and Torres Strait Islander Peak Organisations, *Proof Committee Hansard*, 6 March 2025, p. 12.

⁶⁹ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 52.

⁷⁰ NPY Women's Council, *Submission 5*, p. 3.

Further, it prevents the building of trusted, culturally relevant programs that can address the root causes of violence.⁷¹

4.51 Similarly, NIHLA told the committee that short-term funding and uncertainty in funding, combined with the pressure to produce early deliverables, makes it difficult for ACCOs to deliver services in a way that achieves long-term sustainable change.⁷²

4.52 While the Closing the Gap framework is not a funding mechanism, nor does it provide for a funding pool or dedicated funding source, all jurisdictions are responsible for funding the activities to achieve the targets in line with the priority reforms.

Recommendation

4.53 In considering the significant issues emerging from the evidence received to date, it is clear to the committee that these matters should be investigated further, particularly as they relate to the regressing socio-economic targets.

Recommendation 1

4.54 The committee recommends that the Senate reappoint the Select Committee on Measuring Outcomes for First Nations Communities in the 48th Parliament. This would enable further consideration and inquiry into these important issues that are critical to the well-being of First Nations people and communities around the country.

Senator Dorinda Cox
Chair

⁷¹ First Nations Advocates Against Family Violence, *Submission 7*, p. 9.

⁷² National Indigenous Health Leadership Alliance (NIHLA), *Submission 32*, p. 4.

Coalition Senators' Dissenting Report

- 1.1 The Coalition Senators acknowledge the submissions and evidence provided to the committee so far and the issues raised within.
- 1.2 The Coalition Senators decline to support Recommendation 1 of the interim report. Whether the inquiry is reappointed is quite rightly a matter for the next parliament to consider.

Senator Jacinta Nampijinpa Price
Senator for Northern Territory

Senator Ross Cadell
Senator for New South Wales

Appendix 1

Submissions and additional information

- 1 National Aboriginal and Torres Strait Islander Women's Alliance (NATSIWA)
- 2 Victorian Aboriginal Child and Community Agency (VACCA)
- 3 Southern Aboriginal Corporation
- 4 First Peoples Disability Network
- 5 NPY Women's Council
- 6 Australian Indigenous Doctors' Association (AIDA)
- 7 First Nations Advocates Against Family Violence (FNAAFV)
- 8 2Spirits & LGBTIQ+ Health Australia
- 9 Wiyi Yani U Thangani Institute for First Nations Gender Justice
- 10 Tasmanian Aboriginal Legal Service (TALS)
- 11 Victorian Aboriginal Community Controlled Health Organisation (VACCHO)
- 12 First Nations Digital Inclusion Advisory Group (FNDIAG)
- 13 SNAICC - National Voice for Our Children
- 14 Thirrili
- 15 Queensland Aboriginal and Islander Health Council (QAIHC)
- 16 Indigenous Law and Justice Hub
- 17 Gayaa Dhuwi (Proud Spirit) Australia and Centre of Best Practice in Aboriginal and Torres Strait Islander Suicide Prevention
- 18 Sisters Inside Inc
- 19 KWY Aboriginal Corporation
- 20 Productivity Commission
- 21 National Legal Aid
- 22 National Suicide Prevention Office
- 23 Australian Bureau of Statistics
- 24 Human Rights Watch
- 25 Australian National Audit Office (ANAO)
- 26 CREATE Foundation
- 27 PeakCare
- 28 Save the Children and 54 reasons
- 29 Sentencing Advisory Council
- 30 UNICEF Australia
- 31 Australian Medical Association
- 32 National Indigenous Health Leadership Alliance (NIHLA)
- 33 Law Council of Australia
- 34 Queensland Indigenous Family Violence Legal Service (QIFVLS)
- 35 Coalition of Aboriginal and Torres Strait Islander Peak Organisations
- 36 Tasmanian Government
- 37 National Justice Project and Jumbunna Institute for Indigenous Education and Research

- 38 Community Restorative Centre (CRC)
- 39 Aboriginal Peak Organisations Northern Territory (APO NT)
- 40 Indigenous Business Australia (IBA)
- 41 Aboriginal Health and Medical Research Council of NSW
- 42 Suicide Prevention Australia
- 43 Australian Indigenous Governance Institute Limited (AIGI)
- 44 National Aboriginal Community Controlled Health Organisation (NACCHO)
- 45 National Indigenous Australians Agency (NIAA)
- 46 AbSec – NSW Child, Family and Community Peak Aboriginal Corporation
- 47 Department of Social Services (DSS)
- 48 Royal Australian College of General Practitioners (RACGP)
- 49 Aboriginal Health Council of Western Australia (AHCWA)
- 50 Ngaweeyan Maar-oo
- 51 Aboriginal Women’s Advisory Network (AWAN)
- 52 National Community Legal Sector First Nations Justice Network
- 53 Ms Tekan Cochrane
- 54 Mr Mervyn Eades
- 55 Mr Peter Murchland
- 56 Mr Gerry Georgatos
- 57 Ms Gwenda Stanley
- 58 The Healing Foundation

Answer to Question on Notice

- 1 AbSec NSW Child, Family and Community Peak Aboriginal Corporation - Answers to questions taken on notice at a public hearing on 19 February 2025, Sydney (received 3 March 2025)
- 2 National Aboriginal and Torres Strait Islander Health Organisation (NACCHO) - Answers to questions taken on notice at a public hearing on 6 March, Canberra (received 13 March 2025)
- 3 National Aboriginal and Torres Strait Islander Women's Association (NATSIWA) - Answers to questions taken on notice at a public hearing on 6 March, Canberra (received 20 March 2025)
- 4 SNAICC - Answers to questions taken on notice at a public hearing on 6 March, Canberra (received 21 March 2025)
- 5 Australian Institute of Health and Welfare (AIHW) - Answers to questions taken on notice at a public hearing on 6 March, Canberra (received 21 March 2025)
- 6 National Aboriginal and Torres Strait Islander Legal Services (NATSILS) - Answers to questions taken on notice at a public hearing on 6 March, Canberra (received 2 April 2025)

Appendix 2

Public Hearings

Wednesday 19 February 2025

Mercure Hotel
818-820 George St
Sydney

Productivity Commission

- Mr Selwyn Button, Commissioner
- Ms Sarah Leary, Assistant Commissioner, Indigenous Policy and Reporting

NSW Child, Family and Community Peak Aboriginal Corporation (AbSec)

- Mr John Leha, Chief Executive Officer

Black Dog Institute

- Dr Clinton Schultz, Director, First Nations Strategy and Partnerships

Aboriginal Women's Advisory Network (AWAN)

- Ms Shaquille Robinson, Program Coordinator
- Ms Yusra Metwally, Policy and Advocacy Officer

CREATE Foundation

- Ms Imogen Edeson, Chief Executive Officer

Thursday 6 March 2025

Senate Committee Room 2S3
Parliament House, Canberra

SNAICC - National Voice for our Children

- Ms Muriel Bamblett, Chairperson

National Aboriginal and Torres Strait Islander Women's Alliance (NATSIWA)

- Ms Wendy Anders, Chief Executive Officer

Coalition of Aboriginal and Torres Strait Islander Peak Organisations

- Ms Pat Turner, Lead Convener
- Ms Lisa Charles, Executive Director, Secretariat

National Aboriginal Community Controlled Health Organisation (NACCHO)

- Ms Pat Turner, Chief Executive Officer
- Ms Nadine Blair, Director Policy

National Indigenous Health Leadership Alliance

- Mr Karl Briscoe, Chair, NIHLA, and CEO, National Association of Aboriginal and Torres Strait Islander Health Workers and Practitioners
- Mr Tony Kiessler, CEO, Australian Indigenous Psychologists Association
- Ms Tanja Hirvonen, Interim CEO, Thirrili – Indigenous Suicide and Postvention Service

National Aboriginal and Torres Strait Islander Legal Service (NATSILS)

- Ms Melissa Clarke, General Manager

National Close the Gap Campaign

- Mr Karl Briscoe, Co-Chair

National Indigenous Australians Agency (NIAA)

- Ms Julie-Ann Guivara, Deputy Chief Executive Officer, Program and Policy
- Dr Simon Gordon, Group Manager, Strategy Group
- Ms Erin Selmes, Branch Manager, Closing the Gap Branch
- Ms Ali Jenkins, Group Manager, Social Policy Group
- Ms Nattlie Smith, Branch Manager, Strategic Insight Branch

Australian Bureau of Statistics

- Ms Linda Fardell, Program Manager, Health, Disability and Vital Statistics Branch
- Ms Sybille McKeown, Program Manager, Community, Wellbeing and Aboriginal and Torres Strait Islander Statistics Branch

Australian Institute of Health and Welfare

- Dr Fadwa Al-Yaman, Group Head, First Nations Health and Welfare
- Dr Gabrielle Phillips, Group Head, Housing and Specialised Services

Maiam Nayri Wingara Indigenous Data Sovereignty Collective

- Professor Ray Lovett, Executive Member

Appendix 3

Socio-economic targets and indicators

C. The Agreement's outcomes and targets

	Outcome statement	Targets
Priority Reform 1 <i>Formal partnerships and shared decision-making</i>	Aboriginal and Torres Strait Islander people are empowered to share decision-making authority with governments to accelerate policy and place-based progress on Closing the Gap through formal partnership arrangements.	There will be formal partnership arrangements to support Closing the Gap in place between Aboriginal and Torres Strait Islander people and governments in place in each state and territory enshrining agreed joint decision-making roles and responsibilities and where Aboriginal and Torres Strait Islander people have chosen their own representatives.
Priority Reform 2 <i>Building the community-controlled sector</i>	There is a strong and sustainable Aboriginal and Torres Strait Islander community-controlled sector delivering high-quality services to meet the needs of Aboriginal and Torres Strait Islander people across the country.	Increase the amount of government funding for Aboriginal and Torres Strait Islander programs and services going through Aboriginal and Torres Strait Islander community-controlled organisations.
Priority Reform 3 <i>Transforming government organisations</i>	Governments, their organisations and their institutions are accountable for Closing the Gap and are culturally safe and responsive to the needs of Aboriginal and Torres Strait Islander people, including through the services they fund.	Decrease in the proportion of Aboriginal and Torres Strait Islander people who have experiences of racism.
Priority Reform 4 <i>Shared access to data and information at a regional level</i>	Aboriginal and Torres Strait Islander people have access to, and the capability to use, locally relevant data and information to set and monitor the implementation of efforts to close the gap, their priorities and drive their own development.	Increase the number of regional data projects to support Aboriginal and Torres Strait Islander communities to make decisions about Closing the Gap and their development.
SEO 1 <i>Long and healthy lives</i>	Aboriginal and Torres Strait Islander people enjoy long and healthy lives.	Close the gap in life expectancy within a generation, by 2031.

	Outcome statement	Targets
SEO 2 <i>Born healthy and strong</i>	Aboriginal and Torres Strait Islander children are born healthy and strong.	By 2031, increase the proportion of Aboriginal and Torres Strait Islander babies with a healthy birthweight to 91%.
SEO 3 <i>Early childhood education</i>	Aboriginal and Torres Strait Islander children are engaged in high-quality, culturally appropriate early childhood education in their early years.	By 2025, increase the proportion of Aboriginal and Torres Strait Islander children enrolled in year-before-fulltime-schooling early childhood education to 95%.
SEO 4 <i>Children thriving</i>	Aboriginal and Torres Strait Islander children thrive in their early years.	By 2031, increase the proportion of Aboriginal and Torres Strait Islander children assessed as developmentally on track in all five domains of the Australian Early Development Census (AEDC) to 55%.
SEO 5 <i>Student learning potential</i>	Aboriginal and Torres Strait Islander students achieve their full learning potential.	By 2031, increase the proportion of Aboriginal and Torres Strait Islander people (age 20-24) attaining year 12 or equivalent qualification to 96%.
SEO 6 <i>Further education pathways</i>	Aboriginal and Torres Strait Islander students reach their full potential through further education pathways.	By 2031, increase the proportion of Aboriginal and Torres Strait Islander people aged 25-34 years who have completed a tertiary qualification (Certificate III and above) to 70%.
SEO 7 <i>Youth engagement</i>	Aboriginal and Torres Strait Islander youth are engaged in employment or education.	By 2031, increase the proportion of Aboriginal and Torres Strait Islander youth (15-24 years) who are in employment, education or training to 67%.
SEO 8 <i>Economic participation and development</i>	Strong economic participation and development of Aboriginal and Torres Strait Islander people and communities.	By 2031, increase the proportion of Aboriginal and Torres Strait Islander people aged 25-64 who are employed to 62%.
SEO 9 <i>Housing</i>	Aboriginal and Torres Strait Islander people secure appropriate, affordable housing that is aligned with their priorities and need.	<ul style="list-style-type: none"> a. By 2031, increase the proportion of Aboriginal and Torres Strait Islander people living in appropriately sized (not overcrowded) housing to 88%. b. By 2031, all Aboriginal and Torres Strait Islander households: <ul style="list-style-type: none"> i. within discrete Aboriginal and Torres Strait Islander communities receive essential services that meet or exceed the relevant jurisdictional standard ii. in or near to a town receive essential services that meet or exceed the same standard as applies generally within the town (including if the

	Outcome statement	Targets
		household might be classified for other purposes as a part of a discrete settlement such as a 'town camp' or 'town based reserve').
SEO 10 <i>Criminal justice</i>	Aboriginal and Torres Strait Islander people are not overrepresented in the criminal justice system.	By 2031, reduce the rate of Aboriginal and Torres Strait Islander adults held in incarceration by at least 15%.
SEO 11 <i>Youth justice</i>	Aboriginal and Torres Strait Islander young people are not overrepresented in the criminal justice system.	By 2031, reduce the rate of Aboriginal and Torres Strait Islander young people (10-17 years) in detention by at least 30%.
SEO 12 <i>Child protection</i>	Aboriginal and Torres Strait Islander children are not overrepresented in the child protection system.	By 2031, reduce the rate of over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 45%.
SEO 13 <i>Family safety</i>	Aboriginal and Torres Strait Islander families and households are safe.	By 2031, the rate of all forms of family violence and abuse against Aboriginal and Torres Strait Islander women and children is reduced at least by 50%, as progress towards zero.
SEO 14 <i>Social and emotional wellbeing</i>	Aboriginal and Torres Strait Islander people enjoy high levels of social and emotional wellbeing.	Significant and sustained reduction in suicide of Aboriginal and Torres Strait Islander people towards zero.
SEO 15 <i>Land and waters</i>	Aboriginal and Torres Strait Islander people maintain a distinctive cultural, spiritual, physical and economic relationship with their land and waters.	a. By 2030, a 15% increase in Australia's landmass subject to Aboriginal and Torres Strait Islander people's legal rights or interests. b. By 2030, a 15% increase in areas covered by Aboriginal and Torres Strait Islander people's legal rights or interests in the sea.
SEO 16 <i>Cultures and languages</i>	Aboriginal and Torres Strait Islander cultures and languages are strong, supported and flourishing.	By 2031, there is a sustained increase in number and strength of Aboriginal and Torres Strait Islander languages being spoken.
SEO 17 <i>Access to information</i>	Aboriginal and Torres Strait Islander people have access to information and services enabling participation in informed decision-making regarding their own lives.	By 2026, Aboriginal and Torres Strait Islander people have equal levels of digital inclusion.

Source: Closing the Gap information repository.

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¹ Productivity Commission, *Review of the National Agreement on Closing the Gap, Study Report, Volume 1*, January 2024, p. 411 – 413.