

A submission to the Productivity Commission on the Review of the National Agreement on Closing the Gap 2026

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Introduction

In October 2023, three years ago, I made a submission on the draft report of the first review of the National Agreement on Closing the Gap (henceforth the National Agreement).² In 2019, before the latest National Agreement was signed, I had also questioned the value of an Indigenous Evaluation Strategy and its capacity to accurately assess the disadvantage experienced by Indigenous Australians. On both occasions my argument was the same: that a new policy framework, not a new evaluation framework, is what is most urgently needed. I make this submission because three further years of data have accumulated, because the Commission is once again being asked to review implementation rather than design, and because I am now of the view that the framework itself has become part of the problem it was established to address.

I will not rehearse the evidence that the targets are not being met. The Commission's own dashboard and its annual data compilation reports do that thoroughly. The July 2026 release shows one target met, seven improving, two unchanged, four worsening and three that cannot be assessed for want of data. Nor will I comment in detail on the Priority Reforms, where the 2024 review's findings were brutally frank and the Aboriginal and Torres Strait Islander-led review of 2025 reached similar conclusions of non-implementation.

Instead, I want to put to the Commission a prior question that neither this review's terms of reference nor those of the 2024 review ask: is the National Agreement a sound basis for policy, given the diversity of Aboriginal and Torres Strait Islander circumstances and aspirations, and given the quality of the statistics available to measure performance? My answer is that it is not, for reasons I set out below. I also want to put a second and blunter question. The objective of the National Agreement is that Aboriginal and Torres Strait Islander 'life outcomes are equal to all Australians'. That is a definition of sameness. If what is intended is convergence on mainstream norms—what in an earlier era was called assimilation—then the Australian government and the Coalition of Peaks should say so plainly, so that the proposition can be debated by those it most affects. If it is not what is

¹ This submission includes content generated with the assistance of Claude Anthropic. All outputs have been reviewed for accuracy, relevance and appropriateness prior to publication. The views expressed are mine alone.

² Submission 51, available on the Productivity Commission's website with the submissions to the *Review of the National Agreement on Closing the Gap*, 2023.

intended, the National Agreement needs an objective that says what else is intended, and outcomes that give that content.

I acknowledge at the outset that my critique is not shared by many Aboriginal and Torres Strait Islander organisations, including members of the Coalition of Peaks, who see the National Agreement and its evaluation as a means to gain access to resources, to hold governments accountable and to highlight the extent of need. I respect that perspective, having shared it in the past, and I recognise the significance of a co-designed agreement to which an alliance of Indigenous peak organisations is a signatory. But after forty years of commitments to statistical equality, each of which failed for reasons identified in advance, the case for examining the framework rather than only its implementation seems to me compelling.

Personal background, approach, and disclosures

I am an economist and an anthropologist and have spent much of my career since 1977 focusing on policy research looking to address Indigenous disadvantage. I was the foundation director of the now defunct Centre for Aboriginal Economic Policy Research (CAEPR) at the Australian National University from 1990 to 2010.

My work has combined two registers. I have used official statistics and the five-yearly census to document national and regional socioeconomic change; and I have undertaken long-term participant observation in remote Australia, principally with Kuninjku-speaking people in western Arnhem Land, where I first lived in 1979 and 1980 and to which I have returned more than sixty times since. From the first, in work with the late John Nieuwenhuysen using 1971 census data, I have held the view that national aggregates must be disaggregated if they are to mean anything: the national Indigenous population is now one million people with just 15 per cent living in remote and very remote Australia across 86 per cent of the continent. Most of the roughly 1,000 discrete Indigenous communities, so defined by the Australian Bureau of Statistics because each has an Indigenous population share above 50 per cent are in remote places. These are vastly different populations with quite different levels of disadvantage and need.

As this submission is directed to the Productivity Commission, I should disclose previous engagements. In 2002, I provided advice on the development of the *Overcoming Indigenous Disadvantage* reporting undertaken from 2003 to 2020. In 2012 I was publicly critical of the *Indigenous Expenditure Report 2011*, mainly because of what I regarded as poor communication in the public sphere of what the estimates of expenditure mean, and the inaccurate media representations that followed and endure. In 2019 I made a submission on the Indigenous Evaluation Strategy and in 2023 I made the submission referred to above. (Less critically, I also assisted the Commission in 2021 and 2022 in its study and report on Aboriginal and Torres Strait Islander visual arts and crafts.)

The fourth attempt at statistical equality

The present framework is not new. It is the fourth explicit national commitment to closing statistical gaps in four decades, and the objections to each were made at the time rather than in hindsight.

In 1987 the Hawke government launched its Aboriginal Employment Development Policy, committing to statistical equality between Indigenous and other Australians in employment, income and education by the year 2000. Four years later Will Sanders published an assessment with the descriptive title 'Destined to fail'.³ In the same year Sanders and I argued that the policy conflated equity with equality, and that a combination of historical exclusion, dispossession, discrimination, demography, geographic distribution and cultural difference would make statistical equality unattainable in the medium term. The policy failed.

In 1998 the second Howard government committed to equality of outcomes in health, housing, education and employment under the banner of practical reconciliation. It set neither targets nor timeframes, which was clever politics; the Commission's *Overcoming Indigenous Disadvantage* reports of 2003, 2005 and 2007 documented the poor results.

In 2008 the Rudd government and the Council of Australian Governments adopted the National Indigenous Reform Agreement, with six and later seven targets, four of them seeking only half-closure of perceived statistical gaps, developed without Indigenous representation. Over its decade, two of the seven were met.

In 2020 the National Agreement replaced it, with four Priority Reforms, seventeen socioeconomic outcome areas and now nineteen targets, co-designed with the Coalition of Peaks. The co-design was unprecedented and should be acknowledged as such. The destination, however, was unchanged.

In April 2008, for the Australia 2020 Summit, Nicholas Biddle, Boyd Hunter and I published what I believe was the first long-run projection of when these gaps might close, using census data from 1971 to 2006. Where outcomes were converging at all, projected times to parity ran from decades to more than a century, and for median household income to more than two thousand years; several indicators were diverging. We concluded that a commitment to 'reducing disparities' would be a more realistic policy goal than 'closing the gaps', and that if the ambition was to be realised a fundamentally new policy framework would be required. That was eighteen years ago. The subsequent record is consistent with the projection rather than with the ambition.

The pattern, in other words, is not one of a sound framework repeatedly let down by implementation. It is a framework that has been re-adopted four times, each time attributing the previous failure to implementation. That reading is now difficult to sustain.

³ W. Sanders, 'Destined to fail: The Hawke government's pursuit of statistical equality in employment and income status between Aborigines and other Australians by the year 2000', *Australian Aboriginal Studies*, 1991/2: 13–18.

The question this review is not asked

The terms of reference direct the Commission to analyse progress against the Priority Reforms and the socioeconomic outcomes, to examine the factors contributing to progress, to identify successful approaches, and to recommend how to ‘improve, hasten and strengthen implementation of existing commitments’. Each of these is a second-order question. The first-order question—whether the National Agreement is the right instrument—is outside scope, as it was in 2024.

The consequence is an accumulation of evaluation without adaptation. Over two decades the Commission has produced seven *Overcoming Indigenous Disadvantage* reports, four Indigenous expenditure reports, ten annual reports on the National Indigenous Reform Agreement, a performance assessment of that agreement, annual data compilation reports, a continuously updated dashboard and a comprehensive review in 2024; the Aboriginal and Torres Strait Islander-led review followed in 2025. Each documents much the same thing.

In December 2015 a past chairman of the Commission, Peter Harris, warned in the preface to the *National Indigenous Reform Agreement Performance Assessment 2014–15* of the need for ‘rationalising the current extensive and overlapping reporting on Indigenous outcomes and disadvantage’. The parties to the National Agreement did not heed that advice. The Agreement instead extended evaluation from outcomes to the processes embedded in the four Priority Reforms, so that the Commission is now required to produce detailed and expensive report after report carefully documenting the nation’s failure to properly address Indigenous disadvantage, while not being asked whether the National Agreement is a sound basis for policy formation.

I have described this elsewhere as evaluation fetishism. Michael Power’s account of audit as institutionalised ‘comfort production’ captures the function it has come to perform: the apparatus reassures the wider electorate that much is being done, while the reporting itself has become so voluminous, so repetitive and so relentlessly deficit-focused that it attracts almost no public engagement.⁴ I am not arguing against measurement, and still less against accountability; I am arguing that evaluation has been conflated with accountability, and that this review, like the last, is being asked to improve the efficiency of a machine whose design is the difficulty.

It is worth noting that the parties have already begun reconfiguring the National Agreement retrospectively without saying so. The 2024 review recommended a body to lead data development whose tasks included developing ‘a conceptual logic underpinning the performance monitoring approach’—that is, supplying after the fact the policy logic that the National Agreement lacked when drafted.

⁴ M. Power, *The Audit Society: Rituals of Verification*, Oxford University Press, 1997. I made this argument about the Closing the Gap reporting in ‘Closing down “Closing the Gap”’, *Tracker*, May 2013.

Diversity, and the problem with national aggregates

The most consequential defect of the framework, in my view, is that it sets national targets for a population whose circumstances vary enormously and then reports the national average as the measure of success or failure.

The self-identifying Indigenous population counted in the census has grown roughly ninefold since 1971, from about 116,000 to one million. Much of that growth, particularly in urban New South Wales and Victoria, reflects changing identification rather than natural increase or migration; the Northern Territory population has grown at roughly a third of the national rate. One consequence is that national statistics are computed over a changing population, so that improvement in an indicator may reflect the characteristics of new identifiers rather than any change in the circumstances of those counted a decade earlier. It is not possible to distinguish the two, and no report I am aware of attempts to do so.

The three populations I distinguished above—the national population, the remote and very remote population, and the residents of discrete communities—are not variations around a mean; they are different policy problems. In the Northern Territory, where Indigenous people are over 30 per cent of the population, roughly a third of adults aged 25 to 64 are employed, against a national Indigenous rate now reported at 55.7 per cent and a non-Indigenous rate in the Territory above 85 per cent.⁵

The poverty data are worse still, and they are not reported in the Closing the Gap framework because income poverty is not one of its targets. On 2021 census data, Indigenous cash poverty rates stood at 41.0 per cent in remote Australia and 57.1 per cent in very remote Australia, an increase of 10.8 percentage points over the decade to 2021.⁶ Earlier analysis of the 2016 census by Francis Markham and Nicholas Biddle had found regional Indigenous poverty rates as high as 69.3 per cent at Nhulunbuy and 67.7 per cent at Jabiru, and Indigenous income in very remote Australia averaging just 44 per cent of median non-Indigenous income; in the Northern Territory, 45 per cent of households defined as Indigenous were below the poverty line against less than 10 per cent of other households. Over the same period the Indigenous employment rate in remote Australia fell in absolute terms, from close to 50 per cent to a little over 30 per cent, while the non-Indigenous rate hovered around 80 per cent. Indigenous poverty in remote Australia has thus deepened across the entire life of the Closing the Gap framework, and the deepening is invisible within it.

The structural point for this review is that a national target can be met while conditions in discrete remote communities deteriorate, because the residents of those communities are a small and diminishing share of the denominator. This is not hypothetical; it is the most plausible reading of the present data, and I raised it in my 2023 submission without

⁵ Northern Territory figures are drawn from the Commission's dashboard as at 2023 and can be updated from the current release.

⁶ F. Markham, 'The poor pay more: why the Remote Area Allowance needs urgent reform', ANU Policy Brief, February 2024, <https://policybrief.anu.edu.au/the-poor-pay-more-why-the-remote-area-allowance-needs-urgent-reform/>.

response. A framework whose headline measures are national averages will systematically direct attention away from the places where deprivation is deepest. Target 9b, agreed in 2022, is the single target defined specifically for households in discrete communities and town camps, and it is one of the three targets for which the July 2026 dashboard reports no data at all.

Policies that widened the gaps, and are not reported

A framework that reports outcomes without reporting the policies that produced them cannot support learning. The clearest illustration is the decade following the Northern Territory Emergency Response, during which several Commonwealth policies plausibly made the measured outcomes worse in precisely the places where they were worst, and none of them appears in the Closing the Gap reporting.

The Community Development Employment Projects scheme, which operated from 1977 to 2015, provided employment, additional income for additional hours, community enterprise, and a means for people to use their lands for livelihood. Its replacements—the Remote Jobs and Communities Program and then the Community Development Programme—required participants to work up to 25 hours a week for Newstart. By 2018 some 350,000 financial penalties had been applied to about 34,000 participants, of whom 84 per cent were Indigenous, and in the 60 CDP regions the Indigenous employment rate was below 30 per cent, falling as low as 13 per cent in the Alice Springs district. The transition from a scheme under which participants were counted as employed to one under which they are not accounts for a substantial part of the measured decline in remote employment, and for much of the escalation in remote poverty owing to extreme welfare dependence.

Income management, and then the Cashless Debit Card, provide a second illustration. Two studies published by the ARC Centre of Excellence for Children and Families over the Life Course in December 2017 found that income management did not improve child health outcomes and was associated with a reduction in average birthweights, and that its introduction caused school attendance to fall in the short run, with plausible mechanisms including income insecurity, barriers to day-to-day economic activity and loss of empowerment. Healthy birthweights and school attendance were, and remain, Closing the Gap concerns. Neither study nor instrument is mentioned in the annual reporting.

A third illustration is a mainstream instrument that the framework cannot see at all. The Remote Area Allowance, intended to recognise the higher costs of remote living, has been increased twice since 1984 and is worth \$9.10 a week to a single pensioner or jobseeker. Had it been indexed to the consumer price index it would be \$26.25 a week; indexed to pensions, \$39.25. Meanwhile prices for basic goods in remote Indigenous communities run about 39 per cent above capital city levels, with transport at 44 per cent and tobacco at 61 per cent above. Equalising purchasing power would require supplements in the order of \$120 to \$300 a week depending on the payment. Around two-thirds of the roughly 76,000 recipients are Indigenous, and in the Northern Territory one in five people over the age of 15 receives it. A single administrative decision, taken repeatedly by omission over forty years, has transferred a substantial and compounding cost onto the poorest households in

the country. It bears directly on several targets—healthy birthweights, children thriving, housing, social and emotional wellbeing—and it appears nowhere in the Agreement or its reporting.

I raise this not to re-prosecute those policies, which I have criticised at length elsewhere, but to make a point about the framework. Its reporting is organised around outcomes and, since 2020, around the Priority Reforms. It has no place in which to record that a Commonwealth policy has moved a target in the wrong direction, and no mechanism by which such a finding would alter the policy. That is what I mean when I say that evaluation has been conflated with accountability. The Commission could remedy part of this by reporting, for each target that is worsening, the major policy changes affecting the relevant population over the reporting period, and whether those changes sit within the Agreement. I put this as a recommendation below.

What the targets can and cannot measure

The Commission's dashboard illustrates the difficulty of the measurement task it has been set. The July 2026 release reports preschool enrolment at 101.7 per cent of the relevant population, an artefact of numerator and denominator being drawn from different sources on different assumptions; no data at all on households receiving essential services; 177 languages spoken or used; and 4,421,946 square kilometres of land subject to rights and interests under native title and land rights laws. These are not comparable quantities, and they are not measuring the same kind of thing. Five difficulties seem to me to warrant the Commission's attention.

First, the Priority Reforms are principles, not outcomes. Clause 17 of the National Agreement labels them as outcomes, which implies they are amenable to measurement. They are not, or at least not in any form that all parties would accept. The proposed indicators illustrate the problem: the same key outcome indicator—the proportion of people reporting they are able to have a say in their community on issues important to them—has been proposed for both Priority Reform 1 and Priority Reform 2, while Priority Reform 4 has an output measure only. Six years on, measurement development for the Priority Reforms remains incomplete. They are better understood as agreed principles for how governments should work; treating them as measurable outcomes has absorbed an enormous amount of effort for very little return.

Second, the targets lack a policy logic. It is unclear why there are nineteen targets rather than seven or thirty, why the thresholds sit where they do, why school attendance and early educational outcomes disappeared from the earlier framework, or what causal account connects any Priority Reform to any socioeconomic outcome. Most targets are expressed in absolute terms at the national level even though the objective of the National Agreement is expressed in relative terms. The thresholds appear to have been set at levels regarded as achievable, which is prudent politics and poor policy.

Third, some targets are in conflict. Targets 15a and 15b seek increases in land and sea subject to Aboriginal and Torres Strait Islander rights and interests. Targets 7 and 8 seek

increases in youth engagement in employment, education or training and in adult employment. In remote Australia these pull in opposite directions, since the land base is furthest from labour markets and people exercising rights on it are unlikely to register as employed in mainstream terms. The framework reports each target as though the others did not exist. At minimum the Commission should document the trade-offs; better, the Joint Council should resolve them.

Fourth, the statistical subject is unstable. Beyond the identification dynamics noted above, the census enumerates remote Indigenous households through a different instrument from the standard form; post-enumeration surveys consistently indicate undercount; and the Bureau classifies a household as Indigenous if a single usual resident identifies, with the result that a substantial number of non-Indigenous people live in ‘Indigenous households’. Programs target individuals while many indicators measure households. None of this is fatal to the use of statistics, but it is reason for humility about small movements in national aggregates, and reason to prefer direct measurement of conditions in places over inference from population averages.

Fifth, and most seriously, the data needed to assess need and effort no longer exist. Two collections that would permit an objective assessment have been discontinued. The Community Housing and Infrastructure Needs Survey, which documented conditions community by community and informed the Community Housing and Infrastructure Program, was last conducted in 2006 and the program was dismantled in the same year. The Indigenous Expenditure Report series, begun in 2011, ended just as the National Agreement was being negotiated, so that national debate about expenditure still relies on estimates for 2015–16. Under clause 113 governments were to review and publish their expenditure by July 2022; at the time of the 2024 review only two jurisdictions had done so. Without a needs assessment and without expenditure data, no one—including this Commission—can say whether the resources directed at any target are remotely commensurate with the task. It seems self-evident that to gain any understanding of outcomes it is necessary to quantify inputs.

Wellbeing as First Nations people define it

The social indicators used in the framework are drawn from census and survey questions that encode the social norms of the dominant society. They measure sameness well. They are poor instruments for describing lives organised around different priorities, and they are silent on activity that is economically and socially significant but unwaged.

In western Arnhem Land, Kuninjku people sustain livelihoods by combining harvesting for consumption, the production of art for national and international markets, and paid and unpaid environmental work on their own country—what I have described as a hybrid economy of customary, market and state sectors. Survey data indicate that this is general rather than exceptional in remote Australia: most people in remote Indigenous communities hunt or fish, and about one in five produce art. Almost none of these registers in the employment target except where it happens to be waged. A person (other than a waged ranger) may be productively occupied, feeding relatives, managing country in an Indigenous

Protected Area and reducing carbon emissions and still appear in the statistics as not employed, and therefore as a policy failure.

This is not an argument for tolerating neglect. My position for twenty years has been that a defensible framework requires three separate and separately funded components: the equitable delivery of citizenship entitlements on a transparent needs basis, where equality of inputs is essential even though differences in outcome are inevitable; Indigenous-specific measures negotiated on rights and social justice principles, which must include the option of living differently; and measures addressing historical legacy, the compensatory element currently gaining some traction in the courts. Less attention to equity produces less statistical equality, not more, as the escalation of remote poverty since the dismantling of the Community Development Employment Projects scheme demonstrates.

The National Agreement gestures at difference. Targets 15 and 16, on land, waters and languages, recognise it rather than sameness, and Priority Reform 4 anticipates locally relevant data. But these sit alongside fifteen other outcome areas premised on convergence, and the framework offers no means of weighing them against one another. I note that the Commission has grounded this review in Indigenous research methodology principles of relationality, reciprocity, relevance, responsibility and respect. Those principles sit uneasily with a measurement framework that defines success in terms the people concerned did not choose. If relevance means that research focuses on what matters to Aboriginal and Torres Strait Islander people, the obvious implication is that the measures of success should be theirs.

Is this neo-assimilation?

In 1961 Commonwealth and state ministers defined the policy of assimilation as the expectation that ‘all aborigines and part-aborigines [sic] are expected to attain the same manner of living as other Australians and to live as members of a single Australian community enjoying the same rights and privileges, accepting the same responsibilities, observing the same customs and influenced by the same beliefs, hopes and loyalties as other Australians’. In 2020 the objective of the National Agreement was defined as overcoming the entrenched inequality faced by Aboriginal and Torres Strait Islander people ‘so that their life outcomes are equal to all Australians’.

I first drew this comparison in 2009 and I draw it again because seventeen years of subsequent practice have not weakened it. With the partial exceptions of land, waters and languages, the seventeen outcome areas define success as convergence on the outcomes of the non-Indigenous population. The instruments are statistical rather than administrative, and the framework was co-designed rather than imposed. Both are real differences and the second is a significant one. But the destination described is the same destination.

The question is not new, and it has been put more directly by Aboriginal people than by me. In August 2007, appearing before a Senate committee examining the Intervention legislation, the then Chairman of the Northern Land Council, John Daly, asked: ‘Does every Aboriginal person necessarily want to be like you guys?’ In the same month, at

Hermannsburg, Prime Minister John Howard put the alternative with equal directness: 'Become part of mainstream society or face a bleak future'. Nearly twenty years later, the National Agreement answers Mr Daly's question in the affirmative by implication.

This may well be intended, and it is a defensible position. Many Aboriginal and Torres Strait Islander people hold it, particularly where the immediate reality is exclusion from services and opportunities that other Australians take for granted; and the elimination of disparity in infant mortality, in life expectancy, in incarceration and in housing adequacy is not assimilationist in any objectionable sense. But if convergence on mainstream norms is what the parties intend across the board, they should say so plainly rather than describe the framework in the language of self-determination. Naming it would not settle the argument; it would start one, and it is an argument that those most affected are entitled to have. If convergence is not what is intended, then the National Agreement requires an objective that says what else is intended, and outcome areas that give it content.

I put this to the Commission because it is, in the end, an empirical question about what the National Agreement says and what its measures reward, and the Commission is well placed to answer it.

Concluding observations and recommendations

The National Agreement was a genuine advance in process. An alliance of Indigenous peak organisations sits as a signatory to an intergovernmental agreement and holds majority membership of the body that oversees it. That should be acknowledged. But process advances have not been matched by design. The framework retains an objective defined as sameness, targets without a stated policy logic, some of which conflict, indicators that cannot bear the weight placed on them, and no current data on either need or expenditure. Meanwhile the evaluation apparatus grows.

If the framework is to be refreshed rather than merely relabelled, some principles that might inform the task include: local control; responding to Aboriginal and Torres Strait Islander aspirations and circumstances in all their diversity; adherence to international non-discriminatory human rights standards; consideration of all production possibilities, inclusive of the customary and cognisant of the extent of Indigenous land title; new or enhanced institutions for empowerment; recognition of the intercultural mix of western and customary norms and values by which remote Aboriginal people live; support for cross-cultural forms of hybrid governance; and engagement with development thinking in those settler societies that have handled devolved governance for sustainable Indigenous development better than Australia. I note in passing that the last refresh, in 2018, produced a shift in vocabulary—from wellbeing to prosperity, to 'flourishing and thriving'—rather than a shift in approach. Murray Edelman's formulation, 'words that succeed and policies that fail', remains apt.⁷

I end with nine recommendations, directed at what the Commission can do within its terms of reference or can recommend to the Joint Council. My aim, as in 2023, is to suggest

⁷ M. Edelman, *Political Language: Words That Succeed and Policies That Fail*, Academic Press, New York, 1977.

practical steps to address Indigenous disadvantage where it is most egregious, rather than to improve the reporting of the National Agreement's targets.

First, the Commission should state in its report whether, on the evidence, the objective of the National Agreement and its seventeen (now 19) socioeconomic outcome areas entail convergence on mainstream norms and should invite the parties to confirm or disclaim that this is what they intend. If it is intended it should be said openly; if it is not, the objective should be amended and the outcome areas revised accordingly.

Second, every target should be reported by remoteness and separately for the populations of discrete communities and town camps, with divergence between national and remote trajectories reported as a headline finding rather than as supporting detail. Where a national target is on track while the remote measure is worsening, the dashboard should say so on transparently.

Third, for each target that is worsening the Commission should report the major policy changes affecting the relevant population over the reporting period, whether or not those changes sit within the Agreement. The replacement of the Community Development Employment Projects scheme by the Community Development Programme is the obvious example: it plausibly accounts for a substantial part of the measured decline in remote employment, and it appears nowhere in the reporting of that decline. Without such reporting the framework records outcomes while remaining silent on their causes, and cannot support learning.

Fourth, a national needs survey on the model of the Community Housing and Infrastructure Needs Survey should be reinstated and extended beyond housing and infrastructure, to quantify backlogs community by community and to cost the task of meeting them against a stated timetable, bearing in mind that delay perpetuates disadvantage inter-generationally. The 2018 report of the United States Commission on Civil Rights, *Broken Promises: Continuing Federal Funding Shortfalls for Native Americans*, is one available model.⁸

Fifth, the Indigenous Expenditure Report should be reinstated, distinguishing Commonwealth from state and territory expenditure, mainstream from Indigenous-specific programs, preventative from palliative expenditure, and invited from imposed measures. Governments' expenditure reviews under clause 113 of the National Agreement, due in July 2022, should be published, and the Commission should report on which jurisdictions have not complied.

Sixth, the Priority Reforms should be reclassified as principles rather than as measurable outcomes, and the measurement development effort now directed at them should be redirected to measures that communities have asked for.

Seventh, the Commission should document the conflicts between targets—most obviously between targets 15a and 15b on the one hand and targets 7 and 8 on the other—and

⁸ Available at <https://www.usccr.gov/files/pubs/2018/12-20-Broken-Promises.pdf>.

recommend that the Joint Council resolve them, together with publishing a stated policy logic for each target or removing targets for which none can be stated.

Eighth, community and regional measures of wellbeing, defined in collaboration with Aboriginal and Torres Strait Islander organisations, should be encouraged and reported alongside the national indicators, beginning in a small number of regions, with the explicit purpose of testing whether locally defined measures produce a different picture from the national ones. I say 'in collaboration with' advisedly. The language of Indigenous data sovereignty risks promising more than it can deliver while the questions of which data, and what form of sovereignty over it, remain unanswered; the practical need is for measures that communities recognise as theirs.

Ninth, and as a specific and costed example of what a needs-based approach would require, the Remote Area Allowance should be increased substantially and indexed, as a matter of urgency and independently of the Agreement's architecture. On the evidence cited above, an increase in the order of \$120 to \$300 a week, depending on the payment type, would be needed simply to equalise purchasing power with that of recipients in the capital cities.

The second, third, fourth and fifth of these are in my view the minimum conditions for an honest assessment in 2027. The first, sixth, seventh and eighth go to whether the framework can be made fit for purpose at all, and the ninth is one concrete measure that would reduce deep poverty in remote Australia whatever happens to the framework. The alternative, on the record of the past forty years, is a fifth iteration of the same commitment, a further decade of carefully documenting its failure, and a further review asked once again to examine implementation.