Australian Government
Attorney-General's Department

Productivity Commission's Closing the Gap 2026 Review

Attorney-General's Department Submission

The Attorney-General's Department (the department) is committed to embedding the Closing the Gap Priority Reforms across all areas of its work in a culturally safe and meaningful way. In October 2026, the Secretary announced the establishment of a dedicated branch, led by an SES Band 1, to focus exclusively on the implementation of the National Agreement on Closing the Gap and the embedding of the Priority Reforms across the department. The creation of this branch demonstrates the department's strong commitment to advancing Closing the Gap outcomes and driving systemic change to improve outcomes for First Nations peoples and communities. It also reinforces the department's leadership role in ensuring the Priority Reforms are embedded into policy, programs, and ways of working across the organisation.

Below are some other recent examples of how the department is embedding and furthering the Priority Reforms.

Priority Reform One

Under **Priority Reform One**, the department co-chairs the **Justice Policy Partnership (JPP)**, a shared decision-making body comprising state and territory governments and First Nations experts. The JPP works to improve justice outcomes for First Nations peoples, with the department also sharing secretariat responsibilities as a practical demonstration of partnership and shared decision-making.

The department also co-chairs the Closing the Gap Engagement Forum with First Nations Advocates Against Family Violence (FNAAFV). The Forum brings together equal representation from the Commonwealth and state and territory governments and the Aboriginal and Torres Strait Islander community-controlled legal assistance sector including FNAAFV, NATSILS, ASTILS and FVPLS. The Forum is developing the Closing the Gap Schedule under the National Access to Justice Partnership

(NAJP) to prioritise and support progress towards the Priority Reforms and relevant targets and outcomes (10, 11, 12 and 13).

The department has also established the Commonwealth-FNAAFV Coordination Group, bringing together FNAAFV, DSS and NIAA to discuss shared strategic priorities for the FVPLS sector and support a coordinated approach to ensuring Aboriginal and Torres Strait Islander victim-survivors of family violence can access culturally safe legal and wrap-around support services across the prevention, early intervention, response, recovery and healing continuum.

The JPP will provide information separately to the Productivity Commission review.

Priority Reform Two

In support of **Priority Reform Two**, the department is partnering with the **National Aboriginal and Torres Strait Islander Legal Services (NATSILS)** to develop a sector strengthening plan for the Aboriginal and Torres Strait Islander Community-Controlled justice sector. It is also working to develop the **Closing the Gap Schedule under the National Access to Justice Partnership (see above), which will include work to embed Priority Reform 2.**

The department is also embedding Priority Reform 2 through the process underway to select an Aboriginal and Torres Strait Islander Community-Controlled Organisation (ACCO) to deliver a **National Justice Reinvestment Unit** to support communities funded under the Justice Reinvestment Programs.

The department prioritises delivering programs through ACCOs for key First Nations Programs. For example, 85% of the National and Central Australian Justice Reinvestment Programs are delivered by ACCOs, with ACCOs prioritised as part of the Grant Opportunity Guidelines that were developed in partnership with First Nations partners. Of the 26 active initiatives:

- 22 are delivered through ACCOs
- 2 are delivered by Aboriginal and Torres Strait Islander Operated and Controlled Organisations (one of which is currently in final stages of transitioning to an ACCO)
- 2 are delivered by non-Indigenous organisations but are actively working toward ACCO transition.

Earlier this year AGD extended funding for 24 eligible National Justice Reinvestment Program initiatives to 30 June 2029, providing funding certainty to communities to support continued delivery.

AGD has committed to commission scoping work on the implementation of clause 55(b) of the National Agreement on Closing the Gap in the NAJP legal assistance context. This scoping work will be foundational in building a shared understanding of what constitutes a meaningful proportion of funding in the legal assistance context to support consideration of allocation of any new Commonwealth funding in future legal assistance agreements beyond 2030. The scoping work will be progressed through the Closing the Gap Engagement Forum to ensure a partnership approach to this work. The department will procure expertise to carry out the scoping work in 2027.

Priority Reform Three

Since 2022, the department has invested dedicated resources to transform the way it works in alignment with **Priority Reform Three**. In late 2025, the department launched its **Priority Reforms Strategy**, developed in consultation with First Nations staff to strengthen shared decision-making, address racism, and build on existing initiatives, including the First Nations Workforce Strategy (launched 2024) and AGD Innovate Reconciliation Action Plan (launched 2025). The Strategy was informed by the Productivity Commission's 2024 Closing the Gap Review and the Independent Aboriginal and Torres Strait Islander-led Review released in June 2025. The Strategy is based on four key pillars:

- Pillar One – Accountability
- Pillar Two – Embedding and practising meaningful cultural safety
- Pillar Three – Shared decision-making
- Pillar Four – Genuine and formal partnerships

To support accountability, the department launched a **Monitoring, Evaluation and Learning Framework** in March 2026. Both were developed by Winanggaay (the Closing the Gap team) in consultation with First Nations staff.

The department also has a Cultural Safety Framework (launched in 2023) which contains several self-reflection guides designed to help staff see where they need to continue to learn.

The First Nations Workforce Strategy sets the department's direction and focus to achieve improved experiences and outcomes for First Nations employees. It does this by identifying ambitious but achievable targets for the department to work towards and was developed in collaboration with First

Nations employees and other stakeholders. The strategy is split into 4 pillars, based on themes from consultation with First Nations employees.

These are:

- Pillar one: advertising, recruitment and onboarding
- Pillar two: workplace culture
- Pillar three: wellbeing and community
- Pillar four: professional development, progression and retention

Each pillar has several areas for action with specific targets and measurements against them. Tracking these targets allows us to set direction and measure the work we are doing to support inclusion of First Nations employees. This is also connected to our commitment to Reconciliation and Closing the Gap Priority Reform 3: Transforming Government Organisations, as it sets targets for changing how we work and how we support First Nations colleagues.

The Reconciliation Action Plan (RAP) for the department is our third under Reconciliation Australia's Innovate framework. This RAP was developed in partnership with First Nations staff and the Indigenous Employee Network. It reflects the department's collective ambition for a workplace where Reconciliation is embedded into every aspect of our work and strong, respectful relationships between First Nations and non-Indigenous people strengthen our workplace culture and decisions. This also includes the addition of Reconciliation Champions who work together to promote, support and raise awareness of Reconciliation in the department.

The department’s Narragunnawali Indigenous Employee Network (NIEN) is a longstanding employee network and has recently restructured as a space exclusively for First Nations staff to connect, share and be part of a culturally safe and supportive community.

Priority Reform Four

To advance **Priority Reform Four**, the department is implementing the **Framework for Governance of Indigenous Data** through its 2025-27 Data Strategy. This includes embedding Indigenous Data Sovereignty principles, working with states and territories to improve data-sharing arrangements for Justice Reinvestment initiatives, and establishing data-sharing agreements with national peak bodies, including NATSILS and First Nations Advocates Against Family Violence, to support legal assistance workforce data collection and analysis.

The department has also finalised the National Legal Assistance Data Strategy 2026-2030 including commitments to work toward embedding Indigenous Data Sovereignty and Governance principles in the context of the National Access to Justice Partnership. The Australian Government has provided funding to NATSILS and FNAAFV to support targeted data capability uplift across ATSILS and FVPLS, which will also support the implementation of the National Legal Assistance Data Strategy.

The department has also established a data sharing agreement with national legal assistance sector peak bodies, including NATSILS and FNAAFV, to share raw workforce data about the Aboriginal and Torres Strait Islander legal assistance sector workforce to inform sector led policy development, service design and delivery, evaluation, research and workforce planning.

The department is committed to **ensuring First Nations people and communities have shared access to data and information at a regional level** and is providing improved access to data and capability-building supports to communities delivering justice reinvestment.

In 2026, the department partnered with the Australian Bureau of Statistics' (ABS) Life Course Data Initiative (LCDI) to provide justice reinvestment initiatives with a range of locally tailored data products, including data on economic security, housing, education, and health, and Commonwealth investment. Developed in response to community feedback and recommendations from the Justice Reinvestment Measurement and Evaluation Framework, these products provide justice reinvestment initiatives with access to place-based data that can be used to identify local priorities, inform service design, monitor progress and strengthen community-led decision-making. The department is building on these products to include administrative data held by state and territory governments and is exploring options to enable a more user-friendly interface for accessing the data.

Through this partnership, the ABS' LCDI is delivering voluntary data literacy and capability-building sessions to justice reinvestment initiatives. These sessions ensure communities are equipped with the skills and confidence to access, interpret and use data to inform local planning, advocacy and decision-making. The department will continue to work with initiatives to ensure the data remains relevant, accurate and responsive to community needs through regular updates and ongoing engagement.

These efforts advance the broader intent of Priority Reform 4 by building data capability and supporting Indigenous Data Sovereignty and Governance principles. Collectively, this work strengthens community control over data and contributes to a more equitable and collaborative data ecosystem consistent with the objectives of Closing the Gap.

Implementation

The department has adopted a phased approach to embedding the Priority Reforms, initially focusing on education, awareness and relationship-building and now progressing to broader changes in governance and organisational architecture. This includes implementing an **Internal First Nations Impact Assessment** process, aligned with the Budget Process Operational Rules and the National Indigenous Australians Agency's First Nations Impact Framework. This department-specific approach strengthens analysis of policies and programs that affect First Nations peoples and supports more informed decision-making.

Alongside these governance reforms, the department continues to build capability through tailored workshops for departmental work units, regular Senior Executive Service Closing the Gap forums, advice on partnership opportunities, yarning sessions with First Nations organisations, and the development of practical tools such as a **First Nations Engagement Framework** and the **Priority Reforms e-Learning Module**, both of which will be launched in early 2027.

Replacing the former Priority Reform 101 workshops, an e-Learning module is due to be launched in early 2027 that provides foundational knowledge for departmental staff, enabling workshops to focus on Priority Reforms Placemat development and practical discussions on embedding the Priority Reforms within specific line areas.

While the module will be a prerequisite for workshop participation, in alignment with Priority Reform three, it is recommended that it be mandated department-wide to ensure all staff build their capability and understanding of the Priority Reforms and the *National Agreement on Closing the Gap*.

The Department welcomes the opportunity to expand on any of the initiatives outlined in this submission.