



## Review of the National Agreement on Closing the Gap

### Final report post-release webinar transcript

**Commissioner Romlie Mokak:** Alright. Well thanks everyone for joining us here at the Productivity Commission today for this webinar on the review of the National Agreement on Closing the Gap.

I'd like to start today by acknowledging Aboriginal and Torres Strait Islander people, who are the first storytellers of this land and owners of Country on which we now live and work. We recognise their continuing connection to lands, waters, sky, indeed their communities and cultures.

And we pay our respects to Aboriginal and Torres Strait Islander cultures and to Elders, past and present. We extend that respect to Aboriginal and Torres Strait Islander people joining today.

I am Rom Mokak. I'm a Djugun man and a member of the Yawuru people and one of the Commissioners on this project. I acknowledge today that I'm on the lands of the Ngunnawal and Ngambri peoples here in Canberra and I honor their Elders and their ancestors. I'd like to ask my colleague, co-Commissioner Natalie Siegel-Brown (Nat), to introduce herself now.

**Commissioner Natalie Siegel-Brown:** Thank you, Rom. Hello colleagues. My name is Nat, Nat Siegel-Brown, and I had the pleasure of being Rom's co-Commissioner on this review, and I'm coming to you from the beautiful lands of the Jagera and Turrbal people in Meanjin, also known as Brisbane. Thanks for having us.

**Commissioner Romlie Mokak:** Thanks Nat. I'd also like to acknowledge the work of two Assistant Commissioners, the team leaders of the project team, Ana Markulev and Catherine Andersson, and the enormous work that they did in co-leading the team. So again, thanks for joining us today to hear about the Commission's final report on reviewing, this first review of progress against the National Agreement on Closing the Gap. And thank you, all of you, who have supported the work, provided input into the work, which made the review possible and able to be conducted in the way that we did.

Just in terms of some housekeeping today, we're aiming to speak for about 40 minutes and then allow about 20 minutes for questions at the end. The first part of the webinar is being recorded and will be put up on the Commission's website. The Q&A part of this session will not be recorded. We certainly don't want to constrain any discussion at the end of the presentation itself. We'll run the Q&A using the zoom functionality, where you



can type in questions at any time and we'll come back to those questions, toward the end of the webinar, in the Q&A session or section, I should say.

So, to the next slide, Max.

Today we're talking you through what we've found and what we're recommending. Our final report and supporting paper, released on the 7th of February, is the culmination of over a year and a half's worth of work. This has included hundreds of meetings held both virtually and physically in every state and territory.

This is the Commission's first review of the National Agreement on Closing the Gap, and we anticipate the Indigenous led review, that will be following. The timeline shown here focuses on the review, but we know much else has happened since we received our terms of reference and indeed since the agreement was signed back in 2020.

The Agreement is one of a range of efforts made by governments to improve the lives of Aboriginal and Torres Strait Islander people and some of these arrangements include a legislated Indigenous voice to parliament in South Australia, and legislated Treaty and Truth-telling processes in Victoria and Queensland. And of course, in October last year, there was the referendum on a constitutionally enshrined Voice to the Australian Parliament.

Regardless of the outcomes of those processes, specifically the referendum, but the efforts and the outcomes of work underway, the Agreement still stands and governments still have a responsibility to implement what they have indeed committed to themselves.

And governments did commit to a new approach in signing this Agreement, the National Agreement on Closing the Gap, as I've mentioned, was signed in 2020 and it adopted a different approach to its predecessors. So, for the first time Aboriginal and Torres Strait Islander organisations are parties to the Agreement, through the Coalition of Peak Aboriginal Torres Strait Islander Organisations as signatories.

The Agreement elevates the cultures and expertise of Aboriginal and Torres Strait Islander people and community-controlled organisations, and it commits governments to an unprecedented structural shift in the way that they work with Aboriginal and Torres Strait Islander people through the four Priority Reforms.

The Priority Reforms, and these being formal partnerships and shared decision-making, building the community-controlled sector, transforming government organisations, and sharing access to data, sets this Agreement apart from its predecessors. So, in this first of the Commission's review of the Agreement, we have focused on the implementation of the Priority Reforms.



The Commission has come to a view that governments are not adequately delivering on the commitments that they made under this Agreement. This is an overall assessment, of course there is variation within organisations, within jurisdictions and between or across jurisdictions. And our report points to a number of areas where progress indeed is being made. But it seems like in many cases where there is good practice, it's not necessarily being driven by structural change, it is often personality dependent.

The task facing governments and government organisations is to make the structural and cultural changes that embed partnership and shared decision-making, build the community-controlled sector, transform government organisations themselves and how governments undertake data activities. But governments, in our assessment, do not seem to have grasped both the nature and the magnitude of the changes that are required to do this. This finding won't necessarily be news to anyone who read our draft report, so we won't actually focus much further on the assessment. The focus of today's presentation is to talk through what we are recommending needs to be done to drive change.

The Commission is making four thematic recommendations, each supported by specific actions, and Nat and I will cover these recommendations. I'll do the first two and Nat will do the second two. The Commission is making the four recommendations, as I've mentioned. Firstly, power needs to be shared; Indigenous data sovereignty needs to be recognised and supported; Mainstream systems and culture need to be fundamentally rethought, and stronger accountability is needed to drive behaviour change.

These recommendations are discussed in the final report, where we bring together, in about 90 or so pages of content of what we've learned throughout the review, and there's additional detail in about 300, sorry 400, 450 or so pages, in the supporting paper.

Our recommendations, I should emphasise, are not new Priority Reforms. The guiding principle of our thinking has been advancing the implementation of the Priority Reforms and the objectives of the Agreement. We acknowledge that none of the actions that comprise the four recommendations can on its own, shift the trajectory of progress, but together as a package, we believe they will drive the necessary changes in government's efforts to implement the Agreement.

As with the Priority Reforms themselves, our recommendations are intertwined and mutually reinforcing. This is the message that the Commission wants to convey from this review. To make progress towards Closing the Gap, governments need to share power. Recognising the right of Aboriginal Torres Strait Islander people to have control over the decisions that affect their lives, is central to self-determination. The Agreement's Priority Reforms contain many principles of self-determination, but governments are not consistently acting in line with principles of self-determination. In practice, this means



governments are holding onto control over decisions and over the lives of Aboriginal and Torres Strait Islander people where handing over control to enable sharing power would improve outcomes.

And it's important to remember that Australia is a signatory to the United Nations Declaration on the Rights of Indigenous Peoples, which recognises the right to self-determination. It would be appropriate for the Agreement to explicitly recognise self-determination as an aim of Priority Reform 1. And related to this, that it be made clear that Priority Reform 1's scope is broader than the policy and place-based partnerships that the Agreement currently focuses on, as a vehicle for change.

Governments still often do not recognise that Aboriginal community-controlled organisations have the knowledges, expertise and connection to community that is needed for designing and delivering high quality services for Aboriginal and Torres Strait Islander people. The Commission is recommending some specific actions to address this, including reviewing and potentially updating contracting or commissioning rules (this will be discussed a bit later), embedding requirements in relation to cultural capability and relationships with ACCOs in public sector employment conditions or requirements and adequately resourcing Aboriginal and Torres Strait Islander organisations. An aspect of adequately resourcing is all aspects of the implementation of the Agreement itself. Public servants fulfil a crucial role engaging with Aboriginal and Torres Strait Islander people in the design and delivery of policies and programs. And they then have to ensure that ministers are briefed on those engagements, so that decision-making can be informed by Aboriginal and Torres Strait Islander perspectives. But in fulfilling that role, public servants have to interpret and filter what they hear, which means making decisions about what is and what is not relevant. That's inevitably done through whatever lens they may bring, and that comes with risks for miscommunication and poor decision-making. To address this, we're recommending that ministers meet regularly with Aboriginal and Torres Strait Islander peak bodies, without departmental officials present, to directly inform ministers' decision-making. This is already happening in some places and that is welcomed. It should be happening in every jurisdiction, in our view.

The Commission is not here to say exactly how much money and time is needed to deliver on the Agreement. And of course, we only have a partial picture of resourcing, with some jurisdictions having not completed the expenditure reviews committed to being completed in 2022 and some having been completed but not published.

But it seems clear that what's allocated to date is inadequate. We've heard from Aboriginal and Torres Strait Islander people and organisations, and people working within government, that existing resources are inadequate to do what is needed. ACCOs in



particular find themselves in the position of being called on to provide input on policy or service delivery, and having to make the decision between providing that input or in fact providing essential services. The lesson here is not that governments are engaging enough or in the right way, it is that resourcing to date is not sufficient to the task.

Resourcing means dollars, but it also means time. Particularly for government, this means taking time to build the foundations for effective and trusting relationships with Aboriginal and Torres Strait Islander partners and respecting the time that it takes for partners to engage with their communities.

Reading governments first implementation plans, read a lot like a laundry list of things happening in relation to Aboriginal and Torres Strait Islander policy. Lots of existing actions, not clear how those listed actions were going to improve outcomes. And speaking with Aboriginal and Torres Strait Islander people, it was clear, they were for the most part not developed in partnership. Subsequent implementation plans were a bit better, but there's still a lot of room for significant improvement. It's crucial that government treat these plans as strategic documents developed in close collaboration with Aboriginal and Torres Strait Islander people. Together, they need to develop a theory of change or a program logic that demonstrates how agreed strategies and actions will lead to the change that governments have committed to. Now that covers off on the actions we're recommending in relation to sharing power.

We can now move on to recommendation two, *Indigenous data sovereignty needs to be recognised and supported*.

So to recommendation two, Indigenous data sovereignty and Indigenous data governance are not named in the Agreement, though there are some overlap between the concepts in Priority Reform 4.

These two concepts came up repeatedly in our engagements. So, in our draft report, we posed a number of questions around what was the substantive differences between Indigenous data sovereignty and what's in the Agreement already, and what governments would have to do differently with a commitment to Indigenous data sovereignty. We also held a roundtable on Indigenous data sovereignty where we spoke to Aboriginal and Torres Strait Islander people about these concepts in the context of the Agreement and its implementation.

The Commission has come to the view that a commitment to Indigenous data sovereignty should be a part of the Agreement.



The Commission has heard very clearly from Aboriginal Torres Strait Islander people that they see Priority Reform 4 as being about Indigenous data sovereignty. But that is not on its own, why we're recommending this change, and I should emphasize that.

Support for Indigenous data sovereignty has the potential to facilitate more genuine partnerships by reducing the information imbalances between governments and Aboriginal and Torres Strait Islander people. It could also help disrupt the dominance of deficit data and deficit narratives or negative narratives. And it could build trust that will help governments maintain their social license to collect and use data about Aboriginal and Torres Strait Islander people, which is necessary for shared decision-making.

We can't put a dollar figure on what these potential benefits are, but they are real; so too, are the costs that a commitment to Indigenous data sovereignty would entail. Governments would need to fundamentally reconsider and reconfigure their data systems and approaches, invest in their own capability and the capability of Aboriginal Torres Strait Islander organisations and communities. Our assessment is that these costs will be outweighed by the benefits.

And without trying to minimise what a commitment to Indigenous data sovereignty would mean, it would be more of an evolution than a revolution. In many respects, Indigenous data governance is simply the practical application of Priority Reform across the data lifecycle.

And a number of governments are already advancing work to recognise and support the implementation of Indigenous data sovereignty. The Victorian Government, for example, submitted to our review that the Agreement would be improved with an explicit statement about Indigenous data sovereignty as an outcome or an objective for Priority Reform 4. And another government, New South Wales, is working on a road map to get a shared understanding of what the Indigenous data sovereignty and Indigenous data governance means in New South Wales, and developing a model to put that into practice. The Australian Government is working on a framework of governance of Indigenous data that will provide guidance to Australian public service agencies on how to practically implement and embed those areas of data governance where the objectives of the Indigenous data sovereignty movement and the Australian Government align.

So as much as the word sovereignty might at times frighten people, there is work happening within government already recognising Indigenous data sovereignty and then the practical application through Indigenous data governance.

The second part of this recommendation is the creation of a Bureau of Indigenous Data. And the creation of this Bureau would be an important way of giving practical effect to a



commitment to Indigenous data sovereignty. There are very likely efficiencies to be gained through centralising the capability and guidance on how Indigenous data sovereignty can be realised through Indigenous data governments. The Bureau would also have a crucial role in advancing the data development required under the Agreement, which is progressing too slowly. Responsibility and capability for data development is currently fragmented. A dedicated entity, first auspiced by an existing agency, but later established under its own legislation, is needed to progress this work. Now that's it for recommendation two on Indigenous data sovereignty and I'll now pass over to Nat to take us through the next couple of recommendations.

**Commissioner Natalie Siegel-Brown:**

Thank you Rom and thank you everybody for listening and I just want to reiterate for anybody who's furiously writing down what's on these slides, we will make the slides available as I think was already mentioned possibly in the Q&A.

The third recommendation may look a lot like Priority Reform 3, but it's actually much broader than that. The kind of transformation required by that third Priority Reform, which is the commitments by government to transform the way they work, actually sees a range of issues around partnership and power addressed right across the Priority Reforms. So it's quite pivotal, but it requires a fundamental rethink and change to the core system, culture, operations and ways of working in government. And we do not see this transformation as one on a list of Priority Reforms, or one more change to be made, it's really a critical enabler to achieving all of the Priority Reforms. Without that change, the objective of the Agreement, which is overcoming entrenched inequality, that's simply not going to be achieved. It requires a change in the way governments and public service systems work. So, a lot of our recommendations encapsulate what we think are the essential actions for fundamentally rethinking mainstream government systems and culture.

So, the first action that you can see here, comes from the fact that, across our review, we saw the vast majority of government organisations simply have not put the work into understanding how their current ways of working measure up against the change that they promised they would undertake under the Agreement. And this could be why, as Rom flagged earlier, that a lot of the implementation plans just look like laundry lists. In fact, you will have seen in our first review report, that something like up to 70% of action in some of these implementation plans were just existing actions rebadged. They don't encapsulate the major change management strategy called for. There's not been any thinking about - what have we committed to? How do we actually achieve that outcome? What do we need to start doing, stop doing, keep doing to get there? So, we actually could not identify a



single government agency that had articulated a clear vision for what transformation looked like or adopted a strategy to achieve that vision, let alone tracking the impact of actions within the agency towards that vision.

So really, for the most part, there's just no strategic approach by any government or government agency that explains how the fundamental transformation they promised they would undertake in the way they do business under the Agreement will be reached. And that then makes it almost impossible for Aboriginal and Torres Strait people, communities, organisations, let alone the broader Australian community, to use these plans to hold governments to account, which is what they were intended to do.

So, this recommendation specifically calls on every government department to develop and execute a clear, documented strategy, like a road map, to undertake the transformation required. If you read the report, what you'll see, and not that I'm into cheat sheets because of course I want you to read both volumes of the report, but if you want to go to a really tight encapsulation of the recommendations, the actions and why we, the rationale for each of them, head to page 11 to 24 of volume one, and you'll find this. And what you'll also see there is that against the strategy that we've recommended here, there are specific criteria, so that we don't end up with a strategy that leaves us in effectively the same position.

So, for example, each department's portfolio wide transformation strategy should have a very clear theory of change. What's your road map to get where you're getting to? How can we evaluate that the actions you've said you're going to undertake, actually will for example, embed Indigenous data sovereignty or engage in a way that shares power.

All of those transformation strategies would need to contain an evidence base as to how the actions they're purporting to enact, will give effect to the committed change.

How will they be underpinned by an Aboriginal and Torres Strait Islander led assessment of transformation, and that includes how Aboriginal and Torres Strait Islander voices and perspectives have been used in assessing racism, within the agency and its service delivery and unconscious bias.

So in the report, we talk a lot about that Aboriginal and Torres Strait Islander led assessment, but a key feature, is addressing unconscious bias. We actually, despite the fact that Priority Reform 3 sees governments signing up to identifying and eliminating racism and unconscious bias, we could not find a single government agency that had engaged in any whole scale examination of unconscious bias or racism with a plan to address the results. Some governments are starting to embark on what we would designate or perceive to be self-assessment exercises, to understand the kind of



transformation they need to undertake, but that's not going to elicit any blind spots relating to institutional racism. So, we have got to remember, we're seeking institutional, structural, cultural change. That's what governments have promised here, and these sorts of things are vital to achieving that. In particular, external Aboriginal and Torres Strait Islander perspectives will be vital to implementing that recommendation.

The second action really requires the governments treat ACCOs quite differently. So transformation is not just about the plan you make for yourself, but it's also about how you learn from Aboriginal and Torres Strait Islander communities and organisations. And we see governments not actually using the opportunity to learn from ACCOs, and really rather treating ACCOs as passive funding recipients, almost as if they should be grateful for the funding they receive, as opposed to being experts in their own communities and the repository of knowledge on solutions, effectively, equality at the negotiating table, where government would see ACCOs as an indispensable partner to business, which carries a great weight of expertise for government that simply does not have.

But unfortunately, we saw a lot of that passive, 'you are the passive funding recipient', 'you will take the money and do it according to the parameters we set' as opposed to the huge, missed opportunity for the governments to transform and iteratively learn from ACCOs and the way ACCOs can educate governments about the best way to deliver policies and programs. It's also clear that there's significant denature in government commissioning processes and that a lot of the practices around commissioning ACCOs that were in place before this Agreement, are still in place in most areas of government. And a lot of the time, we saw ACCOs in that position of being treated as if they were just lucky to get the money they got, as opposed to being that source of expertise.

We did hear instances where motivated public servants found ways to engage with Aboriginal and Torres Strait Islander people in program design and delivery and development, and that resulted in some incredible outcomes. But in those instances, the system didn't facilitate them getting that done. We saw a lot of instances, where public service servants had to kind of fight against the system to reach that, when in fact, what governments have signed up to, is creating a system that facilitates that.

There's still a lot of uncertainty about whether it's rules or rules of thumbs, that are the barriers to commissioning, barriers to the ways in which ACCOs can be commissioned to fully value their knowledge and expertise.

So, this is why we're recommending that central agencies review and update commissioning and contracting rules, so that the funders themselves, within each agency, are accountable for their delivery of the Priority Reforms. And that should include, ensuring that community commissioning processes recognise that community control is an act of



self-determination and that ACCOs are essential partners that bring knowledge and expertise to the table, knowledge and expertise the government simply doesn't have, and we also set out a raft of action that require governments to work in a way that further strengthens the ACCOs sector.

The third action relates to obviously cabinet decision-making processes, and most of you will know that cabinet decision-making represents whole of government decision-making at the highest level. And it therefore forms a really key component of the system for change. It also influences public servant behaviour in progressing decisions, operationalising decisions, public servants won't put a decision up to cabinet unless they know it's going to get approved by cabinet or at least meet as much as the criteria as it possibly can.

In our draft report, we recommended reviewing and updating cabinet and budget processes to embed the Priority Reforms. After the draft report, we heard really strong support for that recommendation, and we know that a number of jurisdictions are already doing this or pursuing that sort of approach. We're recommending that all governments enforce requirements for the cabinet and cabinet budget submissions, to demonstrate the impact of the policy proposal on Aboriginal Torres Strait Islander people (and I know that's been in place in some jurisdictions for a while), but additionally on top of that, it would need to demonstrate how the policy proposal meets the Priority Reforms and how it's been developed in accordance with the Priority Reforms.

We know that even if cabinet has access to that information, it doesn't guarantee that government decisions will align with the Agreement or that they won't have disproportionately negative effects upon Aboriginal and Torres Strait Islander people. But putting that information in front of decision makers is still one of the prerequisites for change.

So, there are a couple more actions under this recommendation. This one about senior leadership group is an important one. We know in some jurisdictions there is no senior leader, there is no senior leadership group tasked with driving the Priority Reforms or embedding them in systems and culture throughout the public sector. And then in other jurisdictions, there's multiple people and multiple organisations and groups that have been given that task. And that second idea, where multiple people are involved, in theory sounds really great, sounds like a positive step on the face of it, but there's a really real risk that if everybody's responsible nobody's responsible, for driving whole of government change and system wide change. And that means that no one's responsible then for lack of progress, there's no accountability point. So, we've recommended designating a senior leader or leadership group to fill that vacuum, and after the draft report, we sought people's views on what personal group should specifically fill that role and as you can see



here, based on that analysis, we've recommended the secretaries board or equivalent. We did consider alternatives like jurisdictions, respective public service commissioners, but we came to the view that those entities didn't lend themselves to that task. But critically, we've got some criteria around how that senior leadership group needs to embed change, importantly, that it needs to meet with Aboriginal and Torres Strait Islander peak bodies at least twice a year and embed Aboriginal and Torres Strait Island perspectives in that work.

The last action here, is really critical because public servants agencies are not entities that operate without the behaviour and attitudes of the individuals within them. The individuals themselves are the critical component for the attitude and the approach to work. So we know that to transform government agencies, there has to be entrenched mechanisms, that change the behaviours of individuals. So that means, if power is to be shared, as we've discussed in our recommendation 1, if we're going to see that attitudinal change of public servants, that Priority Reform 3 speak to, then we have to incentivise and hold public servants also accountable to particular behaviours. And we know that standards of performance and behaviour provide one mechanism for changing incentives and motivations of public sector CEO's and employees, this is why we're recommending embedding responsibility for capability and relationships with Aboriginal and Torres Strait Islander people in the specific employment requirement of individual public servants throughout the public sector. So, specifically, we're recommending that the employment requirements of every single public servant, requires them to continually demonstrate, not just one off at recruitment, ongoing, demonstrate how they've sought to improve their cultural capability; understand Aboriginal Torres Strait Islander history and context and truth telling comes into that; how they've acted to eliminate institutional racism; what they've done to continuously develop relationships with Aboriginal Torres Strait Islander people and support the principles outlined in the National Agreement. So, we then believe like those requirements, they need to flow through into performance agreements and KPI's of all employees, with the strongest requirements put on the CEO's and executives, and some of you might be aware this is already underway in New Zealand and Queensland has legislated it and we'll be interested to see how that rolls out in practice, not just theory.

So recommendation 4 is about accountability.

And accountability is absolutely key because when we dig beneath the lack of progress, we found many of the obstacles to change, like in a weakness or complete absence of accountability. And this is because of a few things, one is that the Priority Reforms need to progress together. There's not one that's more important than the other. They are all important and you can't pick and choose them, and at the moment there's absolutely no consequence for failing to progress them together. The Priority Reforms are designed to each support each other, so a lack of accountability means that governments or



government agencies can just break off the pieces that are the low hanging fruit, at the expense of the really hard stuff, to make change. And something I know people have heard me say, over and over again, is that none of this is a low hanging fruit task, this is actually seismic change. The other problem is that the existing accountability mechanisms under the Agreement lack bite. There is no independent oversight. There are no timely and appropriate consequences for failure to meet obligations under the Agreement. The accountability mechanisms obscure the responsibility of each party, and there's no ongoing learning evaluations. And this weakness or absence of accountability means that the implementation of the Agreement relies heavily, and sometimes exclusively, on individuals being motivated to do the right thing.

So the first action, talks about the independent mechanism. This is the most important accountability mechanism that was written into the Agreement. And notwithstanding the ACT's intention to use the Aboriginal and Torres Strait Islander Elected Body as its independent mechanism, or the work to develop, all the work across the country is behind. No one has set up the independent mechanism, three and a bit odd years after the Agreement was signed. New South Wales does appear to be the most advanced, but we're still not there yet.

We know that there are some good reasons for the delay in establishing the independent mechanism, for example, we know that in South Australia their work setting up and electing the First Nations voice in South Australia will precede what they do with the independent mechanism.

But the fact is, without that independent mechanism, there are really urgent major consequences for the achievement of the Agreement's commitments. We in the report, and again, if you want your quick reference guide, you can head to those pages I mentioned, pages 11 to 24 of volume one, where we outlined some of the key features the independent mechanism needs to be effective, and you'll certainly find those in volume 2.

So just bear in mind, volume one is almost like our overall summary report (albeit over 90 pages is the summary) and volume 2, is the deep dive report, where we really go into great examination and detail about each of the Priority Reforms and we also look at three key socio-economic outcome areas.

So, three of the targets under the Agreement, and we examine how governments have actually performed against the Priority Reforms, with respect to each of those socioeconomic outcome areas.

So that's, family violence, youth detention and child protection. So that's where we really look at how governments have undertaken the change in behaviour that they committed



to, with respect to those three particular areas. So, if you want to have a look at that, I'd encourage you to have a look at volume 2.

So going back to some of the key features of the mechanism, the independent mechanism, there's a detailed list there in the report and you'll of course find those in relation, in the chapter about accountability.

But just to give you taster, some of the things we've said must be a key feature of an independent mechanism to hold governments accountable under the Agreement, is that it must be governed and led by Aboriginal and Torres Strait Islander people, chosen with input from Aboriginal and Torres Strait Island People and communities. It has to be legislated to guarantee its ongoing existence and the power behind its functions. It must be able to require governments to provide information to mandate that, so in other words, would almost have powers akin to an Auditor General. It has to be able to intervene in real time to support Aboriginal Torres Strait Islander organisations that have concerns about the way governments are behaving contra to the Agreement, it can't just wait for a self-reported annual report at the end of year. And one of the other aspects we say, is that it can't engage in its own program delivery or administer funding, because that way it would potentially be put in a position where it has to pass judgement on its own actions.

The second action that you can see here, looks like a very simple one, but quick bit of rationale there, we know that the changes needed to improve outcomes for Aboriginal and Torres Strait Islander people cannot be siloed into Aboriginal and Torres Strait Islander policy or portfolios or departments. As many of you know here, it takes every level of government and every area of government. So, in light of that, that's why we're recommending the commitments under the Agreement are embedded in all other inter-governmental agreements that are either currently in place or when a new agreement is developed, that they're embedded. So some of you may be aware of the national agreements, like the National Affordable Housing Agreement, the National School Reform Agreement, some of those agreements don't yet have all of the Priority Reforms embedded.

The third and fourth actions which are the last two actions under this recommendation, are very much about being transparent with the public about what governments are doing. The visibility the Australian public have on what governments are doing to deliver on their commitments under the Agreement is poor. A lot of the information doesn't show up on websites and it's not in jurisdictional level annual reports, and that creates big problems for transparency and accountability. So, we're recommending that the relevant legislation governing what goes into a government annual report be amended so that all agencies have to include a statement on the substantive actions they're taking to meet the



Agreement and the outcomes of those actions. So that may create some administrative load, but it's absolutely vital for transparency and it also enlivens government organisations who don't think they have any responsibility under the Agreement to the fact that they do. That way, ignorance can't be used as a defense to inaction.

The fourth and last action under recommendation four, is about the publication of partnership stocktakes, agreements, expenditure reviews, evaluations and the transformation strategies that I spoke about under recommendation three. There's very little transparency at the moment with any of these particular documents or commitments. They are not publicly available for the most part, and again, this makes it really hard for Aboriginal and Torres Strait people, as well as the broader Australian community, to understand where the governments are moving beyond the business-as-usual approach and to hold them accountable for meeting their commitments. And as you heard at the beginning of the presentation from Rom, we are still very much stuck in a business-as-usual approach right across the Agreement.

So in closing, I hope what you can see here, is that we have deliberately not gone down the road of crafting scores of disparate recommendations, what we've instead tried to do is to just distill the big changes that would bring these Priority Reforms to life. We've really tried to analyse what are the causes of inaction here.

And in closing, very quickly, if you ask whether the Agreement shows promise, the answer is absolutely yes. We saw evidence of this in the scattered places where the Priority Reforms were in action, we saw incredible results.

Have governments implemented it right? No. We saw that governments either haven't acted on a number of the Priority Reforms or they've picked and chosen what they want to act on, but, in the main, there's no deep change to the way they've done business. There's no movement away from business-as-usual, which is what's required to get us to what governments have committed. And so, we found that to move forward, governments and their agencies need to deeply review and change what they're doing, and that means getting into their DNA, as opposed to just adding a bunch of extra actions or rebadged actions to implementation plans.

Thank you so much for listening to myself and Rom today. We can move on to the Q&A, which will do so in just a moment. But before I do, I did want to draw your attention to the survey that we're running, to try and understand people's experience with the review process. And I can see from the list of participants, that a number of you attending today very kindly and very generously gave of your time and your organisations' time to give us your insights, so we'd really love to hear from you. You will have received a link to the survey in the email we sent out inviting you to today's webinar, and we've also posted



that link in the chat. So hopefully it shouldn't take more than a couple of minutes of your time to fill out, and the more responses we get, the better informed we will be when we come to do this review again in a couple of years' time. And when we're doing any work as a Commission with Aboriginal and Torres Strait people, at the Productivity Commission. So, thank you for your time, I'm now going to head to the Q&A function.