

Submission

Closing the Gap Review by the
Productivity Commission
2022

ANTAR



About ANTAR

ANTAR is a national advocacy organisation working for Justice, Rights and Respect for Australia's First Nations Peoples. We do this primarily through campaigns, advocacy, and lobbying.

ANTAR is working to mobilise Australians to vote YES at the referendum for a First Nations Voice to Parliament enshrined in the Constitution, and for this to be complemented with a Makarrata Commission to drive agreement making and truth-telling processes across Australia.

We also engage in national advocacy across various policy and social justice issues affecting Aboriginal and Torres Strait Islander communities, including cultural heritage protection; justice reinvestment, over-incarceration and raising the age of criminal responsibility; anti-racism campaigns, native title and land rights, and closing the life equality gap.

ANTAR is a foundational member of both the Close the Gap Campaign and Change the Record Campaign Steering Committee, and an organisational and executive committee member of Just Reinvest NSW. ANTAR has been working with Aboriginal and Torres Strait Islander communities, organisations and leaders on rights and reconciliation issues since 1997. ANTAR is a non-government, not-for-profit, independently funded and community-based organisation.

Introduction

Thank you for the opportunity to provide comments to inform the Productivity Commission's proposed approach to assessing the progress of the National Agreement on Closing the Gap and how it is being implemented.

ANTAR welcomes the opportunity to provide a submission to the Productivity Commission on the Closing the Gap Review - Review paper 2: Proposed Approach and invitation to engage with the Review. ANTAR contributed to and fully endorses the submission of the Close the Gap Campaign and also endorses the submissions of the National Health Leadership Forum, Coalition of Peaks and our partners and fellow Campaign members to this Inquiry. The Close the Gap Campaign, of which ANTAR has been a foundational member, is the preeminent coalition of First Nations and mainstream health and advocacy bodies in Australia with expert knowledge of the issues and solutions for health equality.

The newly released Annual Report on Closing the Gap shows limited progress on the key targets for improving life outcomes for First Nations Peoples, and even some areas that are regressing. This comes after nearly two (2) decades of policies and frameworks to address the decades-wide gaps in life expectancy and other health indicators between Aboriginal and Torres Strait Islander peoples and non-Indigenous peoples.

We note that the 2022 Australian Reconciliation Barometer showed that closing the gap is a priority of the general community and they see responsibility of closing the gap being firmly with the Federal Government of the day, while First Nations people see it as a shared responsibility between the government and private sector. This disconnect in views reinforces the need for a strong First Nations Voice to influence policy and directions in closing the gaps, as well as consideration for embedding of cross-sector partnerships guided by First Nations voices.

Since the National Partnership Agreement came into effect, progressing the foundational work for delivering the Closing the Gap Strategy has been the primary focus. Of those targets where data is available, outcomes have declined across four critical targets: school readiness; adult incarceration; suicide; and children in

out-of-home care, and we know that a decline across any target area will only make the work to improving all outcomes more difficult.

The new Priority Reform Areas are central to Closing the Gap, as they set the pre-conditions to achieve socio-economic targets, and provide the potential to drive generational change for First Nations people across Australia.

We note from the Close the Gap Campaign submission and the Reconciliation Australian Barometer that the 'experiences of racial prejudice have continued to increase for Aboriginal and Torres Strait Islander people in 2022. In the past six months, 60% of Aboriginal and Torres Strait Islander people have experienced at least one form of racial prejudice. Racial discrimination and race-based policies have long been the foundation for inequality and disadvantage.'

The First Nations peak organisations, leaders and communities were clear that the four Priority Reforms areas of the National Agreement are essential to closing the gap. Coupled with the Indigenous Evaluation Strategy, the proposed National Anti- Racism Framework and the Aboriginal and Torres Strait Islander health plans - the National Agreement on Closing the Gap must be dynamic tools to hold each jurisdiction to account on making genuine progress on their commitment to this national priority.

The ANTAAR submission echoes, in brief, the points raised in the Close the Gap Campaign submission and we focus on the general questions relating to the Commission's proposed approach to the review and the focus on the case studies.

Questions relating to the Commission's proposed approach to the review

How could the Commission's proposed approach to the review (described in section 2 of this paper) be strengthened? Are there alternative ways of assessing progress?

ANTAAR agrees with the Productivity Commission review focusing on the four (4) Priority Reforms of the National Agreement. The outcomes, as reported in the Closing the Gap report, do not provide clarity to what is happening on the ground, in community - the good and bad.

Any review should include a systematic evaluation of the funding and services needed to meet the targets and to support the Reform Priorities.

As we discuss in more detail in the Close the Gap Campaign submission, the case study approach will likely be too limited to provide an adequate review of the Closing the Gap activities as they relate to the Priority Reforms.

The Productivity Commission should be resourced to complement a case study approach with a more systematic, data informed review that provides more detailed analysis.

As much of the work being undertaken by Federal, State and Territory governments may be new or not yet have consistent streams of data to draw from, the Productivity Commission Review should be taking steps to build the necessary reporting and working with the jurisdictions for consistent approaches. As this review will be the first of many, an iterative, building block approach is needed where the review is actively establishing the foundations for reporting that will grow with the work of the Closing the Gap Strategy. ANTAR understands that the first Review won't be comprehensive but can undertake the groundwork for more useful reporting and analysis over time and in future iterations.

How can the Commission's review be done in a way that will complement the Aboriginal and Torres Strait Islander-led review?

There has not been any publicly available information on the Aboriginal and Torres Strait Islander-led review which makes it hard to comment. ANTAR would advocate for a complementary approach between reviews and any information that can be released publicly on the First Nations-led review should be done as soon as possible.

It is important that the Aboriginal and Torres Strait Islander-led review is adequately resourced and it would be the logical road test for the progress of Priority Reform Four (4): **'Improve and share access to data and information to enable Aboriginal and Torres Strait Islander communities make informed decisions.'**

We suggest that the Productivity Commission's Indigenous Evaluation Strategy should be a guiding resource and that the First Nations-led review be able to engage with and be supported by the Office of Indigenous Policy Evaluation (or OIPE) and the Indigenous Evaluation Council. While the OIPE is primarily intended to guide

bureaucracies in their evaluation responsibilities, this support should be consistent and available for the Coalition of Peaks or any other First Nations body undertaking or participating in the review process.

The Commission published an engagement approach in July 2022. It included the principles of engagement being fair and inclusive, open and transparent, ongoing and reciprocal. Do you have any feedback on the engagement approach or how we can put those principles into practice throughout the review?

ANTAR was unable to engage with the Commission's consultation process in July 2022 but we, on face value, support the principles of engagement proposed. We also refer to the Commission's work on the Indigenous Advancement Strategy and the overarching principles in the strategy, namely that evaluation is **First Nations centred, Credible, Useful; and Transparent.**

And while the principle of 'accountability' wasn't included in the final Indigenous Evaluation Strategy, we think this should be explicit in guiding the engagement approach of the review.

In ANTAR's submission to the Productivity Commission's 2020 Indigenous Evaluation Strategy consultations, we said:

While accountability is a key aim of any effective evaluation process, the IES could more directly push for specific accountabilities, connected with the Ministers and senior bureaucrats responsible for the programs and services being assessed. A system of evaluation should not be a 'tick the box' exercise but rather a meaningful mechanism to glean lessons for improvement and where those responsible are answerable to those responsibilities.

Finally, the review is an opportunity to align with the significant national priority and agenda for Truth Telling as per the *Uluru Statement from the Heart*. This review should be seen as a major contribution to the Truth Telling process that is needed and with a particular focus on the Closing the Gap priority.

**What criteria should the Commission use to select case studies?
Are the Commission’s suggested criteria in section 2
appropriate? Are there other criteria the Commission should
use?**

We note that, given the size of the work intended by the parties (jurisdictions) of the National Agreement on Closing the Gap and the insufficiency of available data to measure these, the Productivity Commission is suggesting a case-study approach.

As mentioned above and in the Close the Gap Campaign’s submission to this review proposal, we think closer reference and adherence to the Commission’s own Indigenous Evaluation Strategy should guide the review. In respect of our views on the proposed case study approach as laid out below, we draw the Commission’s attention to its own Indigenous Evaluation Strategy. The Campaign also noted that ‘using a combination of evaluation types, approaches and methods — including both qualitative and quantitative, and Western and Indigenous methods — can maximise the strengths and compensate for limitations of any single evaluation type, approach or method’. This should be a guiding principle for effective evaluation and review.

ANTAR appreciates (as noted by the Campaign submission) ‘that there are strengths and limitations to such an approach. Key strengths are that case studies can provide a richness of context, detailed insights into causality, and for new areas of focus to emerge. However, while very useful for developing and/or showcasing practice, without clear evaluation criteria and supporting data on impacts, the case studies approach does not lend itself well to assessing performance.’

We think case studies should be used to example and highlight the progress, or otherwise, of the transformation of governments’ ways of work across the board. Questions remain such as, how will selection bias be avoided in case study selection and narrative building?

We note the Campaign is of the view that if this approach is to proceed it must be as a starting point only. That is to say, the approach has value but only insofar as the evaluation framework must evolve as areas for focus emerge and data becomes more available. The Commission will need to be adequately resourced by governments to develop a robust framework that is subject to constant improvement. Coupled with

this, the onus is clearly on jurisdictions to resource and create data sets which will allow meaningful evaluation of the actions in their implementation plans.

We endorse the Close the Gap Campaign's view that, if the approach is to go ahead, there is a clear need to review the selection criteria, including:

1. The extent to which Aboriginal and Torres Strait Islander people's knowledge and perspectives can inform the case study;
2. How strongly the relevant government actions link to the Priority Reforms or relevant socioeconomic outcomes;
3. Prioritising actions relating to the five policy areas identified in the Agreement (justice, social and emotional wellbeing, housing, early childhood care and development, Aboriginal and Torres Strait Islander languages) or the sectors targeted for strengthening (early childhood care and development, housing and health and disability);
4. The potential learning benefits of the policy, where policies or actions that are being implemented in individual communities or jurisdictions could be scaled up; and
5. The resources allocated to the policy action (if more money is allocated to something it is in general more important to understand whether it is achieving positive outcomes).

We also endorse (without repeating) the Campaign's additional comments on the other criteria proposed in the review, including the calls for greater clarity and clearer articulation of the use of case studies and recognition of the gaps that a reliance on case study will leave.

Conclusion

Thanks again for this opportunity to provide a submission to the Productivity Commission's consideration of the approach to reviewing the Closing the Gap Strategy. This is a critical policy area for First Nations peoples' wellbeing and a national priority.

The input of core stakeholders like the National Health Leadership Forum and the First Nations leaders of the Close the Gap Campaign should be prioritised in the

development of any review is informed by the Aboriginal and Torres Strait Islander expertise.

The four (4) Priority Reform areas are the right focus for this review as the key building blocks to a system that can close the gap. While case studies can be informative and highlight key areas of success, barriers to success or failures, they will, on their own, fall short of providing an adequate review of this critical policy program.

ANTAR strongly recommends that the Productivity Commission is adequately resourced to work with First Nations communities and stakeholders and other key stakeholders to provide a more comprehensive, data informed review that honours the guiding principles proposed by the Review and the Indigenous Evaluation Strategy. Data Sovereignty is an essential consideration and this Review should take the long-term aim to be an iterative evaluation that builds in the elements that can, over time, provide a comprehensive guide to the strengths and weaknesses of the Closing the Gap Strategy implementation.

ANTAR is available to discuss anything in this submission with the Commission and we offer our support going forward.

Regards,

Paul Wright,

National Director, ANTAR

Paul Wright
ANTAR National Director

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Email: hello@antar.org.au

Phone: 02 9280 0060

PO Box 77
Strawberry Hills NSW 2012

With thanks:

This submission was authored by
Mr Paul Wright, ANTAR National Director

**ANTAR is proud to acknowledge and pay our respects
to First Nations Peoples as the traditional owners
of the lands on which we work across the continent.**