



Partnership Health Check Report 2023

National Agreement on Closing the Gap

Prepared by ABSTARR Consulting Pty Ltd

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Acknowledgement

ABSTARR Consulting acknowledges the Sovereign Owners of country throughout Australia and pays respect and recognises the contributions from Elders past and present. We proudly acknowledge the sovereignty, strength, and resilience of Aboriginal and Torres Strait Islander peoples as the world's oldest living culture and the contribution of generations of leaders who have fought tirelessly for the rights of First Nations people and communities.

We recognise the intergenerational consequences of colonisation, dispossession, child removal and other discriminatory government policies and acknowledge that the impacts and structures of colonisation still exist today.



Executive Summary

In March 2019, a formal Partnership Agreement on Closing the Gap (the Partnership Agreement) was established between the Commonwealth, State and Territories and the Australian Local Government Association (government parties) and the Coalition of Aboriginal and Torres Strait Islander Peak Organisations (the Peaks).

Under the terms of the Partnership Agreement, an annual Partnership Health Check (Health Check) is to be completed against Partnership Success Indicators set by the parties, which are broadly related to the principles of shared decision-making, equal participation and Aboriginal and Torres Strait Islander agency. The Partnership Agreement has since been superseded by the National Agreement on Closing the Gap (National Agreement). The National Agreement maintains the commitment to an Annual Partnership Health Check.

This report presents the evidence and findings of the Health Check for 2022–2023. This Health Check was prepared by ABSTARR Consulting Pty Ltd as an independent reviewer.

A three-phase methodology informed this Health Check of the Partnership, including data collection through multiple data collection tools, thematic analysis of key findings, and three key questions developed with the Secretariat for the Peaks which underscore the framing of this report. Data collection tools included:

1. A high-level desktop review
2. A survey open to all members of the Partnership
3. Sixteen hours of facilitated semi-structured interviews with Partnership members
4. Additional data was collected as part of project governance meetings.

Overall, data was collected in five stages, and highlighted that there is continued commitment from all Parties that the Partnership is important, valued and progressing. However, a number of opportunities were identified to further strengthen key aspects of the Partnership, particularly in enabling local actions, partnership power imbalances, and capacity in terms of time, resourcing, measures and place-based approaches.

Whilst it is broadly acknowledged that the Partnership has improved cohesion and networking, there are concerns raised that the practices of sharing, trust, transparency needs to be improved. The need to address power imbalances between the Parties - requiring open and respectful discussion, accountability and ongoing action – this was highlighted in both the 2020 and 2021 Health Check Reports, and again by the Partnership brokers in 2022. As formerly stated by ABSTARR Consulting, this will continue to remain a barrier to the success and full realisation of the Partnership and the progress towards the Closing the Gap targets.

The transition over the term of the National Agreement which was first negotiated in 2019 has seen the implementation of a new approach, and the joint development of jurisdictional Implementation Plans released in 2021, and the first Annual Reports released in 2022 represents significant progress. The jurisdictional Implementation Plans contain significant commitments from parties. However, there was an overwhelming acknowledgement throughout consultations of the Productivity Commission's *National Agreement on Closing the Gap Draft Report* (draft Report) (Australian Government, Productivity Commission 2023) on the lack of progress made in Closing the Gap. The Productivity Commission's draft Report found that: shared decision-making is rarely being achieved in practice, and that government parties are regularly going into Aboriginal communities with a preconceived 'solution' and no room for collaboration; funding is given to non-Government Organisations instead of Aboriginal and



Torres Strait Islander Community Controlled Organisations (ACCOs) despite evidence that community deliver better services to community; government parties are not enabling Aboriginal and Torres Strait Islander led data; and that much stronger accountability mechanisms need to be in place.¹

Participants highlighted that the Partnership's national agenda would be better achieved if it reflected, and was informed by state, territory and local needs, priorities and actions. In developing this report, ABSTARR Consulting considered all findings in relation to the Partnership. This report contains an analysis of these findings and discusses the overall health of the Partnership. ABSTARR has made seven recommendations which are presented in this report aimed at addressing areas requiring improvement in the partnership, and at building on the existing strengths of the partnership.

About ABSTARR

ABSTARR Consulting Pty Ltd (ABSTARR) is an exciting venture that specialises in the art and science of decolonisation.

This means we teach people, organisations and communities about cultural safety, self-determination and well-being, and how to implement and measure them in real-life situations.

ABSTARR stands for **A**Original **S**traight **T**alking **A**bout **R**esponsibility and **R**espect.

We lead change and deliver excellence in...

- strategic thought leadership
- transformational learning
- wellbeing in the workplace
- critical analysis and evaluation

...for those who want to deliver better outcomes for Aboriginal and Torres Strait Islander Peoples.

The ABSTARR Family is made up of highly trained and very experienced professionals. Our academic qualifications, unique skill set and extensive networks combine to place ABSTARR Consulting in a prime position to deliver quality strategic outcomes and interventions. Expertise in the team includes:

- strategy and policy development and planning
- implementation and change management
- social and emotional wellbeing
- workplace and workforce development and wellbeing
- teaching, learning and curriculum development
- evaluation, auditing and review
- group facilitation and consultation techniques

ABSTARR's team is able to develop training suited to the needs of each particular group and its needs, vision and aims.

¹ Australian Government, Productivity Commission 'Draft Report - Review of the National Agreement on Closing the Gap' Released 26 July 2023.



Background

In March 2019, the Partnership Agreement was established between the government parties and the Peaks. The Partnership Agreement has now been superseded by the National Agreement.

The Peaks are comprised of approximately eighty Aboriginal and Torres Strait Islander peak organisations and were established for the purpose of negotiating with governments to develop the National Agreement.

The objective of the National Agreement is to enable Aboriginal and Torres Strait Islander Peoples and government parties to work together to overcome the inequality and inequity experienced by Aboriginal and Torres Strait Islander Peoples and achieve life outcomes equal to all Australians.

Under the terms of the National Agreement, an annual Partnership Health Check (Health Check) is to be completed against Success Indicators set by the Parties. The purpose of the Health Check is to consider the direction of movement of the Partnership against the Success Indicators, which are broadly related to the principles of shared decision-making, equal participation, and Aboriginal and Torres Strait Islander agency.

Previous Health Check Findings

The first Health Check report was considered by the Joint Council in November 2020, performed by Shane Hoffman. The 2020 Health Check notes this seismic shift in Aboriginal and Torres Strait Islander-Government relations, and the ambitiousness of the Partnership. The 2020 Health Check report found that there is an imbalance of power between government parties and the Peaks; barriers to equal participation in the Partnership had not been adequately addressed by government parties, data sovereignty was not properly enabled and that a whole-of-government needed to be adopted.

The second Health Check report was considered by the Joint Council in December 2021, performed by ABSTARR. Key findings included that both Peaks and government parties felt that the Partnership was progressing steadily, the Partnership strengthened relationships between members of the Partnership. Key findings also related to a lack of consensus on the meaning of partnership, lack of enabling shared decision-making, and inequity between government parties and Peak members in relation to resourcing and capacity.

In 2022 an independent process with Partnership Brokers, was engaged by the Partnership drafting group in response to recommendations from the partnership health check conducted in 2021. A draft interim report was shared with the drafting group, and a decision made not to proceed with the process.

The key findings of the 2020 and 2021 Health Checks reflect many of the findings of the 2023 Health Check report. These include enabling data sovereignty, transference of power and resources to Aboriginal and Torres Strait Islander communities and barriers to equal participation at a national level. Alongside these similarities, key findings of the 2023 Health Check also include meanings of partnership and the importance of centring place-based perspectives.

In 2023, ABSTARR as an independent reviewer developed the Interim Health Check Report for 2021–2022 which considered the progress reported from Partnership Brokers. The Interim Report was presented to Joint Council in June 2023. The Interim Report findings are considered in the **Findings** section.



The 2022–2023 Partnership Health Check (this document) was prepared by, ABSTARR as the independent reviewer.

Methodology

ABSTARR’s methodology is predicated on the centrality of Aboriginal and Torres Strait Islander Peoples’ cultural safety, self-determination, knowledges, and needs. This does not mean that Aboriginal and Torres Strait Islander knowledges are more valuable than others, but simply that Aboriginal and Torres Strait Islander knowledges are good for everyone and require deliberate platforming in a dominant system that tends to exclude them.

A three-phase methodology informed this Health Check of the Partnership, including data collection through multiple data collection tools, thematic analysis of key findings, and three key questions developed with the Secretariat for the Peaks which underscore the framing of this report. Data collection tools included:

Data collection was completed in five stages:

Baseline Data:

1. A high-level desktop review of seven documents – this included an evaluation of documents supplied by the Partnership, including internal and external Partnership documents relating to strategy, governance, performance agreements and operations. This provided ABSTARR with a clear perspective on the relevant policy and systems of the Partnership.
2. The Productivity Commission’s draft Report released 26 July 2023.
3. Stages One and Two above informed the development of the 2023 Health Check Interim Report. Along with the Joint Council’s response to the Interim Report, this provided a baseline from which to consider the Partnership over the last twelve months. The Interim Report was produced through building on data from the Partnership Brokers for the 2022 Health Check.

Health Check Data:

4. Survey distributed to all participants (n=10) – The voluntary structured online survey was sent to Partnership members (nominated senior officials from government parties, and the Peaks).
5. Facilitated 16 hours of semi-structured interview consultations with Partnership members (n=16) – The facilitated interviews with members, held virtually between September–October 2023, provided a forum to discuss the current state of the Partnership and what could be improved. See **Appendix E – Consultation Communication** for email details and response rate.

Through this process, data was collected using a combination of clustered and convenience sampling. The evidence from the baseline data, survey, and interviews has been thematically analysed and summarised into key findings detailed in this report.



Limitations

The limitations of this health check centre on sample size, largely due to low engagement with the Health Check process.

There was a low response rate to the survey, and difficulty in achieving a representative selection of interviewees. There were no participants from Victoria, and Western Australian from either government parties or the Peaks. There were no participants from the Australian Local Government Association (ALGA). From ABSTARR's understanding, Government Ministers were not invited to participate in the Health Check. ABSTARR did not have control over who invitations were sent to, or by whom they were sent.

This response rate may be attributed to the voluntary nature of engaging with the Health Check, the current political environment in Australia, and/or how initial engagement communication with all Partnership members was distributed and by whom. It is noted that initial communications were not made by ABSTARR.

This low sample size has meant that we are not able to make statistically representative observations, however this does not discredit the validity of the qualitative material outlined in this report.

The low uptake of the survey and engagement opportunities in itself may be emblematic of the findings and issues raised in this report.

Data Snapshot

80 per cent of survey participants were from the Peaks, and 20 per cent were from government parties (n=10).

Of the 16 interview participants, the representation was as follows:

- Tasmania (n=2)
- New South Wales (n=3)
- Queensland (n=4)
- Northern Territory (n=2)
- South Australia (n=2)
- Commonwealth Government (n=2)
- Coalition of Peaks (n=1)

Findings

There were three key questions influencing the development of this report, these were developed in conjunction with the Secretariat for the Peaks:

1. How should the notion of 'partnership' be defined?
2. What are the best structures and governance arrangements to best enable outcomes?
3. How is the Partnership currently working?



The Success Indicators were decided by the Partnership and are broadly related to the principles of shared decision-making, equal participation and Aboriginal and Torres Strait Islander agency. The recommendations made in this Health Check Report were informed by and are responsive to these Indicators.

The three key questions were designed to draw out information regarding the Success Indicators whilst also ensuring that elicited responses were embedded and holistic, not separated artificially.

Interim Report Findings

The Interim Report considered the findings of the Partnership Brokers report and formed the first of phases in this 2023 Health Check. The Partnership Brokers approach to the Health Check was to gather data through a survey; six individual government partner semi-structured interviews; and seven focus groups with the Peaks members. The number of responses from the survey was unclear, this was due to incomplete consultations, as clear issues were identified.

The Interim Report included the review of the 2021-2022 Annual Report, which described commendable growth in membership, policies and systems, despite the challenges posed by the COVID-19 pandemic.

The Interim Report did not represent a completed 2022 Health Check, but rather, provided a summary of findings from the progress reports and information gathered by the Partnership Brokers in 2022. The Interim Report was presented to the Joint Council for noting, no formal recommendations were made. The Interim Report was intended to initiate discussion and preparation for the 2022–23 Health Check. Key points from the Interim Report included:

- There was a critical need to clarify practices and expectations of the relationship and role between the Peaks and government parties. This is primarily highlighted in the progress reports and supported by other key documents, and is reflected in consultation findings.
- That the Partnership has moved towards compliance over genuine partnership, it was noted that this contributed to a lack of trust and transparency in the Partnership. However, it was also important to highlight that Partnership was working well in some States.
- There were many achievements that had been accomplished, such as the:
 - development of eleven separate Implementation Plans
 - the finalisation of Sector Strengthening Plans for the Health and Early Childhood Care and Development community-controlled sectors
 - establishment of the Justice Policy Partnership
 - new target on access to information and a revised family violence target; and
 - Joint Communications Strategy to support engagement with Aboriginal and Torres Strait Islander People to build awareness of the National Agreement and to assist them to talk to government parties.

General Observations

The majority of data collected from both the Peaks and government parties indicated that the Partnership has made positive progress in areas of networking and cohesion, however it was highlighted that there are significant opportunities for the continuous strengthening of the



Partnership and improving overall outcomes. This section summarises general observations from what we heard, and are primarily concerned with the centrality of clarifying the terms and definition of 'partnership'. For example:

- There was a clear understanding of the importance of the Partnership among respondents, evidenced by comments like 'its demonstrating collaboration, not just talking about collaboration' and '...building that trust in an honest environment and respectful environment'. However, when questioned about how the Partnership is put into practice, several issues were identified by respondents concerned with shifting practices beyond those of a Western government. 'For me, partnership is not necessarily an equal playing field, but it's an equitable playing field. I think something that I think we all struggle with, whether it's government or whether it's ACCO is that we do exist within our Western system where we do have a government. There's not ever going to be an equal playing field.'
- It's clear that although there has been significant commitments and progress made to understand notions of 'the Partnership', it seems more difficult for this to be translated into actions or practices. Respondents noted that despite the pockets of success, the enabling environment of the Partnership is still not conducive to Aboriginal and Torres Strait Islander ways of working together.
- What we have consistently heard from both government and the Peaks respondents, is that government systems, policies, culture and expectations are reactive and relentless for all involved, and is the major cause for disruption to outcomes, relationships, and capacity. It's important to highlight this is derisive for both government and the Peaks Partnership members. Discussion with one government respondent highlighted that 'due to the power imbalance, Aboriginal and Torres Strait Islander People suffer disproportionately from what is essentially the dysfunctionality of governments'.

To overcome this challenge, government parties need a paradigmatic shift away from a compliance/risk/blame version of 'Partnership' to Aboriginal and Torres Strait Islander cultural versions of Partnership. These include enabling relationality, trust, Continuous Quality Improvement (CQI), and the Reflective Motive.² These concepts describe collective clarity on motivations and actions and their consequences in the world, and can be said to describe Aboriginal paradigms of governance, or Aboriginal Terms of Reference see Watson, 1990.

- Respondents indicated that approaches which value local needs, outcomes and successes have proven to be the best structures to achieve tangible outcomes with Aboriginal and Torres Strait Islander Peoples, communities and organisations. This has been proven through the development of state and territory implementation plans; for example, the establishment of New South Wales (NSW) has established an Aboriginal Coalition of Aboriginal Peaks (CAPO) and the South Australian (SA) Aboriginal Community Controlled Organisation Network (SAACCON). The Partnership is most likely to be more effective when these structures have the ability to fully inform the national agenda, i.e. a place-based approach instead of a top-down approach.
- Further, respondents identified that the national agenda has not been fully informed by state and territories Peaks and government members, and does not fully acknowledge that each state and territory has different issues, strengths, needs and opportunities. Another strength of place-based approaches is that each area is accountable to their community controlled organisations or Peaks bodies. This may mean in basic terms, that just because a state or territory government or Peaks member is not meeting the requirements on the terms of the

² Graham, M. (1999). Some thoughts about the philosophical underpinnings of Aboriginal worldviews. *Worldviews: Global Religions, Culture, and Ecology*, 3(2), 105-118.



National Agreement does not actually mean they are not successful to being responsive to local needs. This is articulated in the following comment from a participant ‘under the National Agreement for Closing the Gap and our... we seem to be behind all the time with our expenditure review and with where we're at on the independent mechanism or our implementation plans are always behind, our annual reports behind. In terms of local priorities and what's important to our Coalition of Peaks partner, we are getting real traction on changed ways of doing business. So we are getting real traction on the policy reform, the priority reforms in an area that's really important to our Coalition of Peaks partner’. This would seem to indicate that measuring process (like relationality) is as critical as content measures (like KPIs or the success indicators).

- Place-based approaches also mean that Partners/community can move at a pace that is suitable and appropriate for them and their relationships with community in general. “One of the strengths that I've seen over these 12 months that, it means that both [...] and government feel quite confident when we come together at joint council around that the work we've done together.”

Good Practices Snapshot

Overall, there has been substantial progress made by many of the state and local government parties and Peaks members. Some of these progresses may not be acknowledged from a national perspective as they are bespoke, place-based, and non-scalable solutions, however, they are representative of a more culturally safe approach to policy and system design, rather than business as usual approaches to ‘top-down’ government.

A respondent from South Australia reported seeing an increase in knowledge-sharing between government parties and Peaks as a result of the Partnership. This respondent also reported that despite disagreements between state and territory and Commonwealth governments, there remained a culture of safety and openness in all discussions. In addition, SAACCON is a representative body made up of over twenty South Australian ACCOs and peak bodies and is an effective and culturally responsive service which increases opportunities and accountability for the people in South Australia.

One respondent from the Northern Territory described the positive role the National Agreement has played in providing a mandate for engagement where there has not been any before. This respondent also cited the Partnership review processes as impetus for aligning efforts in pockets where stakeholders were strategising and operating largely in isolation of each other, leading to inefficiencies.

On the back of their Closing of the Gap Implementation Plan, NSW CAPO using systems and structures adapted from the national approach to suit the particular needs of NSW. This system has reported benefits at a state and interstate level including enabling lateral community partnerships, building workforce capacity, and enhancing progress against the Closing the Gap Targets.

While there were no interview participants from Lutriwita/Tasmania, there are promising indications that the Closing the Gap Tasmanian Implementation Plan 2021–2023 is seeing some early local success. The Closing the Gap Tasmanian Implementation Plan is co-authored by the Tasmanian Aboriginal Corporation and the Tasmanian Government and focusses on the early years of life, yielding success against two Closing the Gap targets: increase the proportion of children enrolled in early childhood education to 95 per cent, and increase the proportion of people living in appropriately sized (not overcrowded) housing to 88 per cent. This information



must be balanced against the reality that other metrics are worsening, with many structural issues remaining.

It was reported in Queensland that the Partnership has yielded greater visibility of national efforts, which in turn, has informed more aligned State Government work. Further, it appears that the collective national impetus for partnership has led to more consistent relationships between community and government in Queensland. The Queensland Implementation Plan 2022, has been a driver to reframe the relationship, truth telling and healing with Aboriginal and Torres Strait Islander Queenslanders and has demonstrated meaningful deliverables such as place-based partnerships, legislated cultural safety, and the establishment of the Interim Truth and Treaty Body.

Although no participants from Western Australia (WA) engaged in the consultation of developing this report, the annual reports indicate that the WA Government and the Aboriginal Health Council of WA (AHCWA) are investing in integrated policy architecture that aims to produce more effective and efficient decision-making and delivery against key priority reform areas and targets. WA recorded better outcomes in seven of the nine target areas relating to health, early childhood development and education, justice, and Aboriginal claims to lands and water.

The Australian Capital Territory (ACT) was also not represented in the interview process; however, reporting indicates that progress against some targets is showing progress. This is purported to be due to the ACT Government's sustained investment in a range of community controlled partnerships geared towards health, justice, youth, and Country.

Victoria, while not having any participants in the interview process, has made clear gains in the establishment of prominent forums with tangible deliverables such as the Yoo-rook Justice Commission, the State-Wide Caring for Country Forum and the First People's Assembly of Victoria.

What is clear from these examples is that they are all great initiatives that are driven from a state and territory level. This highlights the need to report at all government levels. Only reporting at the national level may run the risk of driving formulaic top-down national approaches, and devalue state, territory and local approaches that are contextualised and showing promise to transformation change through outcomes.

Key Themes

Overall, from the baseline data, survey and consultation, five key themes emerged:

1. Place-Based Perspectives – Enabling Aboriginal and Torres Strait Islander paradigms
2. Equity – Time, space and governance: 'Hasten, slowly'
3. Self-determination – Time for accountability and action
4. Power and Control – Leveling the playing field
5. Strengthening the Partnership – Data sovereignty and trust

A consistent concern was the continuous deterioration of trust and different expectations of time in Partnership practices. Participants reported that the Partnership was primarily conducted through a compliance-based relationship which lacked trust, transparency, and mutual respect. This was true of most relationships in the Partnership where there was a power gradient (between government parties and the Peaks, and often between government agencies themselves). This may be attributable to the various ways government parties manage



reporting, and relationship in their respective states and territories. These key themes are further described in the analysis section below.

Other observations include:

- State and territory respondents from government and the Peaks expressing dismay at not being heard at a national level.
- The importance of the relationship between Peak bodies, and the Peak Secretariat, as essential to networking, amplifying voices, and enable local led approaches.
- Local communities not seeing their needs reflected in national agendas; and
- A real lack of understanding of how national approaches are informed and how they are responsive to Aboriginal and Torres Strait Islander communities.

Importantly, it was reported that although the Partnership does not yet resemble a genuine partnership, there is a clear commitment from the Parties to develop it. This includes enabling opportunities for strengthening the relationship through:

- paradigm-shift to place-based practices
- reframing Partnership practices
- capacity building and sharing of power – note, this is broadly about equitable access to power and money; resourcing commensurate with merit (on Aboriginal and Torres Strait Islander terms) and Partnership expectations.

These are reflective in the recommendations in this report.

This section describes in detail the key themes that have emerged from all the data collected in the various consultation phases.

1. Place-Based Perspectives – Enabling Aboriginal and Torres Strait Islander Paradigms

While there is general agreement that the structures and processes in place are supporting a more productive Partnership, many Peaks and government participants reported working in states and territories where it is often difficult to be heard and respected at the national level. Place-based approaches are, by contrast, void of power gradients and therefore enable local authority. This approach also fosters multiplicity of strategy, instead of conformity. What makes the meshing of different approaches possible is relationships, and what hinders it is power gradients.

A Peak member stated that '*we don't have any input into what happens at a national level*'. A nuanced understanding of local experience at the national level is lacking, and it has resulted in difficulty where the National Agreement and Partnership strategy is not reflective of the reality of place.

Participants asked for more reciprocity of understanding from those working at the national level. This is an echo of the call for the authority, value and role of the states and territories to be better recognised in the Partnership. As one participant indicated '*I don't think that our national counterparts have a really good understanding of how jurisdictions operate... we're having to operate across both. They're really only having to operate at that national level*'.

Participants agreed that to strengthen and build the Partnership, state, territory and local Peaks and government members need to be in focus, and have equal value to local ways of knowing



being and doing. Centering local experiences will enable the richness of community to come into view. One participant suggested that this could be '[remedied through scheduling time for state, territory and local governments, and appropriate Peak members, to present their work at national dialogues](#)'. Sharing at a national level will contribute to a shared understanding, as well as providing critical opportunities to learn from one another'. This is an example of how interpersonal engagement void of power gradients is known to community as the solution.

Importantly, prioritising local experiences will ensure that the Partnership is inclusive of, and reflects the diversity of Aboriginal and Torres Strait Islander communities. As one participant explained '[what we experience in that sort of top half of Australia is very different to what's experienced in that South East Coast area](#)'. The rich diversity of community is at risk of being misrepresented when conversations only exist at a national level. It is wise to consider that 'Aboriginal and Torres Strait Islander' is a concept that was created at invasion, and that over 250 individual nations exist on this continent. Centring local experiences will ensure that communities are truthfully and genuinely represented in national dialogue and will make more difference to tangible outcomes which has more impact of the lives of people and place. Enforcing homogeneity for the convenience of governmentality is synonymous with assimilation.

Of a particular note is that a local understanding at the national level is critical to ensuring that intent is transformed into delivery. As one participant explained '[it's very hard at times to get them \[national Peaks and government members\] to understand the impact of what they're proposing, and whether jurisdictions can in good faith agree to what is being proposed](#)'. Without insight into the current state of each Peaks member and government party at a state and territory level, proposals can hinder progress. Focusing on priority reforms at the state and local level will also clarify the responsibilities of government at national, state, and local levels. It's important to acknowledge the implementation plan has made substantial differences, however there is still a disconnect to the power and control of national reforms which does not reflect state and territory needs or success.

Participants noted that there continues to be some confusion surrounding the delineation of roles and responsibilities. As one participant stated, '[one of the things that still is a bit muddy ... is just the clarity of the roles of each of the members](#)'. By localising the National Agreement and implementation of priority reforms, the delineation of roles between levels of government and Peaks members will become clearer.

A recurring concern was the lack of information flowing to and from community. Participants were focused on taking a more inclusive approach to working with community. As one participant warned '[the untold harsh reality is if we don't listen to community and empower them, then nothing's going to change, right?](#)'. Another participant notes that '[Decision making ... should come from community itself](#)'. Centring community in the Partnership will enable meaningful transformation to occur and is the only way individuals can have a voice in their lives.

Participants were eager for the Partnership to create communication channels to enable community and Aboriginal and Torres Strait Islander community-controlled organisations who are not represented through the Peaks to be heard. A participant reflected that, '[unless we bring our community along with us ... We can tick all the right boxes, but we've not made a difference to that family sitting out there](#)'.



Examining the flow of information is revealing of who holds power and who is disempowered. It is clear on whose terms information is being shared, and a critical examination of this arrangement shows us how, in a deep systemic sense, communities are still subject to a form of domination. By contrast, we suggest an alternative to government business as usual in the terms of partnership.

Transformational Opportunities

- Develop an approach which is consistent with co-designing, shared decision-making and is informed by place-based local leadership, voice, and experience.
- Enable and embed an approach where state, territory and local government and Peaks members are informing national agendas and are not just passive drivers but decision makers to transformational change.
- There needs to be a clear accountability to the ongoing application and actions of 'Partnership' and its principles.
- Government parties must accept and prioritise the ongoing internal actions necessary to establish enabling environment capable of devolving power and control of decision-making and ownership to joint mechanism that negotiate the shared partnership intent, vision and purposes; and
- The development and clarify roles, responsibilities, and accountabilities between the Partnership.
- Establish a community level communication and engagement approach that genuinely enables and embed Aboriginal and Torres Strait Islander communities' role in accountability, particularly remote communities.

2. Equity – Time, Space and Governance 'Hasten, Slowly'

While there was broad understanding that the Partnership facilitates shared and local community led decision-making, most participants acknowledged that this principle is not always supported comprehensively due to timing pressures of previously agreed deadlines, report and/or a desire from Parties to capitalise on and maintain momentum. *'We see every day with communities why it's urgent, but also there's gotta be this kind of, one of the uncles used to tell me, ... hasten slowly [laughter] And what he meant by that is that, yeah, move quickly and keep the momentum, but you've gotta move slowly'*.

Accepting a Slower Pace

Participants understand the urgency of Closing the Gap to overcome the entrenched inequalities faced by Aboriginal and Torres Strait Islander communities since colonisation. However, there is a shared sentiment that the tightness of timeframes has hindered the ability of members of the Partnership to complete this work. That is, substantive progress must be made effectively, and this means often slowly, rather than progress and effectiveness being dictated by the fastness of reporting timeframes.

Participants across most consultations reported that the biggest difficulty they faced in the Partnership was timeline expectations. Participants were supportive and passionate about how ambitiousness of the National Agreement is. However, it was firmly agreed that the timelines to implement the National Agreement have created additional barriers to enabling the National Agreement. It was discussed that tight timeframes are reminiscent of *'business as usual, let's tick a box'*.

Participants established that slowing down does not reflect a lack of commitment to the National Agreement, but that instead it reflects the vast transformation that the National Agreement is striving towards. As a participant stated *'I don't know that we've given ourselves the time or the generosity in the partnership. To actually understand, that's hard. It's relational and it does take*



time ... acknowledging we are in the system we're in, we're moving towards what is right. But that's hard and it takes time'. It was agreed that the Partnership needs to challenge the idea that doing work quickly equates to doing work properly. Particularly given that many of the structures and systems arising out of the National Agreement are being put into place for the first time, and that it is important this is done with care, pertinence and patience.

Understanding Equity in Resources and Capacity

Participants focused at length on the desire to reconfigure the expectations surrounding time to complete work, particularly given the difference in capability, resources and funding between states and territories, for both government parties and Peaks members. Timeframes are causing some state and territory government parties and Peaks members to appear as though they are falling short, because change in social determinants can be difficult to capture at a national level. As one participant explained *'whilst we tend to be, look like we're behind ... [there are] examples of things that aren't really visible in the National Agreement architecture, but where we are getting really, really deep, driven change*'.

Through consultations it became clear that the Partnership requires a more nuanced, contextual, and generous approach which acknowledges that states and territories are at different stages of development and needs. For example, a few participants noted that NSW is well resourced and has a mandate from their government to enact significant change in line with the National Agreement. This has enabled NSW to lead in several areas, whilst other states and territories are not in as fortunate a position. Whether that be due to a lack of resources, capability of the workforce or unwillingness from their state or territory government. Upon contributing to this discussion, a participant reasoned that *'The time that is needed to do shared decision-making genuine partnership, consultation, time to consult with community is a big issue... We're not honouring those principles and values. And that's starting to, there's a tension there*'. A Peaks participant reflected on the difficulty of having a single colleague to complete the same amount of work as another state which has twenty staff dedicated to the work.

There was a clear frustration that despite these differences, states and territories are all being treated as though they have comparable ability and are being asked to perform equal amounts of work. A participant shared the difficulty of when *'the government flicks us a piece of work... so we need this back by next week. They have thousands of people sitting behind them to give that secretary support to them*'.

Consultations also disclosed that for some state and territory Peaks members and government parties with more limited capacity, *'governance and reporting has impact on capacity and resourcing, then it moves, shifts away from the ability to actually deliver outcomes*'. Timelines are leaving little room for exploration of what is and is not working, and what needs to change. A participant revealed that *'some of these timelines aren't allowing us to find out what that is, that's missing*'.

There was a clear connection throughout the consultations between the lack of time, resources and funding for some state and territory government and Peaks members and their inability to meet the requirements demanded by the Partnership. There is a clear requirement for extra funding to build the capability and capacity of less affluent states and territories to be able to participate in the Partnership more meaningfully.

State and territory Peaks and government party members must also be treated equitably, with the appreciation that each state and territory has unique challenges and responsibilities. As



another participant explained, the Partnership needs to better understand *‘where each state and territory are at ...we are at different levels of development ... And they all play into our abilities to actually do this in the way that it needs to be done’*.

Participants reflected that they need the Partnership to ask, *‘what capability and capacity building do we need to do to support our partners to be able to work with us in partnership?’*. Building capability and capacity is enabled directly by increasing funding and resources to facilitate self-determined growth. It was also shared that building capability and capacity is key to enabling equal participation. Participants felt that being able to discuss this within the Partnership will ensure that there is a shared understanding of the current state of each area of focus for each member.

Participants expressed that building more equitable participation which is cognisant of each state and territories’ starting point and resources for government parties and Peaks members, would create a more open and honest dialogue, based on generosity of spirit and support. Whereas current expectations which have not accounted for difference have left some state and territory Peaks members and government parties unable to move at a pace that is suitable and appropriate to their relationships with community. As one participant shared *‘sometimes when we aren’t able to move at the speed that’s been required or asked of us because of those processes, it can sometimes be seen as that we’re being obstructionist or not committed or those things’*. A shared understanding will prevent misinterpretations of the meaning of each other’s actions whilst also creating more realistic expectations that align with the varying capacity and capabilities of the Partnership.

Transformational Opportunities

- Review government parties approach to measuring, monitoring, and reporting then jointly decide a method which is reflective and responsive to the needs of all parties and communities.
- Reporting and expectations need to be place-based and account for difference between state and territory Peaks and government party members in capability and capacity.
- Support for a positive strengths-based narrative to further develop what is working, rather than further developing a deficit or ‘capacity building’ narrative.
- Focus on Aboriginal and Torres Strait Islander definitions of success and measurement approach
- Flexible timelines and funding structures, to enable monitoring and evaluation

3. Self-Determination – Time for Accountability and Action

Whole of Government Action

There was lengthy discussion throughout consultations of the importance of a whole of government approach. We heard from participants that the Commonwealth Departments were embracing Closing the Gap. As one participant shared, Closing the Gap is now discussed at every Commonwealth Secretary’s board meeting. Commonwealth Government participants reported that there has been progress in the uptake of Closing the Gap across Commonwealth Departments. This includes a more centralised coordination of Closing the Gap, with departments taking more leadership to give strategic shape to the commitments, and not doing it in isolated silos. Participants shared government parties have been focused on how government departments are embedding the priority reforms, and what is required of the public service to work in a way that is *‘consistent with that notion of supporting self-determination, truth-telling, shared decision-making voice into decision-making’*. However, participants also



shared frustration with a lack of consistent commitment and accountability from across all government parties. One participant expressed that *'we find ourselves often coming up against conversations where you almost have to try and renegotiate, those principles that are set down ... 'cause there's no doubt at the commitment at the Peak, no doubt at all ... But for [jurisdictional] governments, sometimes it waivers'*.

A participant shared that a lack of commitment from one or more government parties results in difficulties in delivering consensus on outcomes that are sought under the National Agreement. A participant offered the following example, *'a Minister at Joint Council acknowledged that there was a commitment in a particular instance but was very frank that a decision had been made that that commitment wasn't going to progress. And so that then makes it difficult for everybody to progress'*.

There also appeared to be the perception that some local and state governments view Closing the Gap as a Commonwealth initiative not requiring their investment. One participant offered *'I want them to be doing more on the partnerships at the local level as well. Not just seeing it as something that happens in Canberra'*. Participants agreed that Closing the Gap requires baseline commitments across government departments at all levels – federal, state and local. Regarding implementation of the priority areas, another participant added *'That's for governments to transform and governments plural, not just individual'*. There was discussion from several participants suggesting that they wanted to see more implementation of the priority reforms from different government departments such as the Department of Education and the Treasury. It was offered that this could be supported through better relationships between portfolio departments, policy departments and the equivalent Peak members.

Participants also expressed that the National Agreement has enabled government parties to start new relationships with areas of government that have not previously worked together before. An Aboriginal territory government representative expressed that the National Agreement has *'led to some really positive kind of new partnerships forming. And starting to establish and collaborating on actions ... in a really genuine, meaningful way'*.

Relationship

Several participants expressed discontent at the relationship between the Commonwealth and local, state and territory governments. Many felt that there was tension in the relationships between the Commonwealth and the states and territories, and that this tension was hindering Closing the Gap progress. One participant stated that *'if you're looking at strengthening the partnership to build over the next 12 months, there needs to be a government to government partnership between Commonwealth and jurisdictions to actually, to have a solid foundation in partnership'*. We heard that for government parties to deliver on their commitments, there needs to be a working relationship between the Commonwealth and the state, territory and local governments.

A strong example of inter-government relations impeding on Closing the Gap was provided by a participant who explained that there are two commitments in the National Agreement, which included the Productivity Commission and an Aboriginal and Torres Strait Islander led review. The Commonwealth committed funding to support the Productivity Commission review, yet there was no funding commitment to the Aboriginal and Torres Strait Islander led review, despite this also being a commitment under the National Agreement. The Commonwealth and the state government parties could not agree on where the funding would come from. A participant shared that it was *'frustrating in the way that the conversation around Aboriginal-led review is*



about them, the Commonwealth and jurisdictions having their disagreement of funding ... rather than us having a conversation about the actual Aboriginal and Torres Strait Islander led review'.

It was clear from discussions that the fraught relationship between the Commonwealth and state and territory governments is preventing the Partnership from meeting commitments under the National Agreement and ultimately preventing work that will progress Closing the Gap targets.

Transformational Opportunities

- Policies and processes concerned with impact reporting should be reviewed to embed the enablers and principles of Aboriginal and Torres Strait Islander Self-Determination
- Review funding and resourcing allocation to better improve capacity, and expectation - this is inclusive of fair distribution for Peaks to engage in the Partnership and build relationship and Partnership within states and territories.
- the Partnership jointly discuss and develop an approach which activates whole-of-government accountability and responsiveness to the Closing the Gap targets

4. Power and Control – Leveling the Playing Field

Participants across most sessions raised concerns about government parties being unwilling to cede or share power and control to Aboriginal and Torres Strait Islander communities, and to the Peaks. It was expressed that the current power imbalances are a result of the culture of government. On this topic, a participant conveyed that *'It's just the practice, and the individuals that are a bit risk averse or lack trust that hold those things up'.*

It was reported that often the difficulties in negotiating a proposed law, or developing a proposal in the Partnership, are not about laws or even procedures and convention. Difficulties are due to the lack of trust of Aboriginal and Torres Strait Islander Peoples generally, and the Peak specifically, from government parties. One respondent highlighted that often there are no laws or policies that prevent sharing power but instead an unwillingness on behalf of individuals in decision-making roles to cede power. One participant described this through the following example *'previous health checks, previous reports, joint council have all said that progress on priority reform four, it is unsatisfactory... So often, people are very unwilling to share their data as governments. But it's actually not about privacy laws ... It's just about trust and willingness'.*

It was well understood by participants the historical factors which may contribute to a community's unwillingness to share data with government parties. Participants recognised that this hesitance on the part of community was not a valid reason for the government parties to also deny sharing data with community. Participants agreed with the Productivity Commission's draft Report which found that the government parties are *'just continuing business as usual'* and not ceding control. Many participants identified that Aboriginal and Torres Strait Islander communities have not had control over their communities since colonisation, and that it is impossible to sustain wellbeing or any lasting transformation without it. One participant explained that in relation to health *'80% of the health funding goes into hospitals. But if they put 80% of the funding into preventative space in primary health care, then 80% of the population might not be going into the hospitals because we'll fix them in the primary health care space'.*

Another participant expressed exasperation at never having enough control to create meaningful change, and how they are then still being blamed for poor health outcomes *'type of thing that gets thrown at us all the time is that you can't make a difference because every time*



we give responsibility over [to Aboriginal and Torres Strait Islander Peoples] they make a mess of it and we'll step in and do it ourselves'. Overall, it became clear that Aboriginal and Torres Strait Islander participants were in agreement that government parties have not ceded power or control in any meaningful way to enable self-determination, and most Aboriginal and Torres Strait Islander government employees are made to conform with the dominate culture of working.

For government parties to cede power it was suggested that there needs to be a *'genuine testing of what is actually possible'*. Another participant explained that this would *'require government to change the way it works'* as well as the *'baseline of government investment knowledge to help inform the transfer of financial resources and control'*. Participants expressed that the National Agreement is trying to achieve systems and structural reforms that shifts power dynamics. It was agreed by participants that government parties need to transfer more control to Aboriginal and Torres Strait Islander communities to fulfil their commitments.

Some participants also expressed that the Partnership is unequal due to the funding structure. Given the Peaks are funded by government parties, members shared that this creates a power imbalance. Particularly, there is a fear that the Peaks will lose funding where decisions are made that do not align with the government agenda. As one participant expressed *'I feel like sometimes our funding can be used against us'*.

It was agreed that true partnerships are based on *'equality, shared decision making, working together and a power balance'*. Participants supported the notion that government parties needed to relinquish power to allow Aboriginal and Torres Strait Islander community controlled organisations to make decisions, and that an independent pool of funding be allocated for Peaks to participate independently and equally in the Partnership.

Transformational Opportunities

- Aboriginal and Torres Strait Islander People must co-produce the policy agenda and have controlled over the resources as opposed to participating only in program design and compliant base relationship.
- A power sharing mechanism should be agreed upon where negotiation on cross cutting principles and state and territory Peaks leadership can occur and make explicit where power and resources will be devolved.
- Improve when non-Indigenous people in government and government systems create environments that level the playing field and provide culturally safe enabling environments for the Aboriginal and Torres Strait Islander People to get on with Aboriginal and Torres Strait Islander business.³
- Establish a cultural safety education and training curriculum for all participants This should include cultural safety principles and decolonisation training, along with baseline learning of both capability and knowledge of Aboriginal and Torres Strait Islander Peoples, history, and cultures.

5. Strengthening the Partnership – Data Sovereignty and Trust

Participants reported that government parties can be beholden to cynical politics, meaning some reforms can feel like romantic whims for popularity that lack real commitment to reframe governance approaches and actions which can better enable community voices. One participant commented *'State government, they came back to us with a closed governance structure that had Close the Gap, bedded in with local state initiatives around thriving communities and pathways to treaty and the voice and a whole range of other things.'* It was felt that government parties has an ability to hide behind political 'noise' and make decisions in

³ Phillips (2015).



isolation about the lives and issues of community, this sentiment was expressed by a participant who stated *'we don't have any input into what happens at a national level. But even when we sit down at the Peaks teleconferences... It's like everything's already been decided and we just get pulled around what's happened and what's been done, and you got to then be part of the working groups to actually then have a say at that national level we don't have.'* This highlights that Aboriginal community leadership and governance are still limited or absent from the core processes and actions at the national level.

Participants reported that state and territory Peaks members need to be valued and enabled to better inform national reforms, which will need to start with establishing stronger and respected relationships with the Peak Secretariat and Peak bodies. As a participant commented *'I think at a national level, we probably could do a bit better with creating a better relationship with the National Coalition of Peaks Secretariat'*.

Trust and Honesty

The shared partnership approach is predicated on working together to ensure that community expectations and aspirations of the National Agreement are met. Overwhelming, there was considerable concern regarding government parties' efforts to not share information and data with Peaks members. This is emblematic of a Western survivalist ethos⁴ mindset which positions the 'Other' as an adversary to be neither known nor trusted. This results in all relationships being viewed through a risk/blame lens and offers only a pathway to political domination. For informed decisions to be made together, it is critical that data is shared. Participants shared that government parties are intentionally disadvantaging Aboriginal and Torres Strait Islander bodies by refusing to share data more readily.

It was broadly agreed that a key barrier to enabling the operation of the Partnership is the lack of trust and honesty. Lack of trust and honesty is displayed by blatant control and power flexing in service agreements *'When you look at our service agreements, it's all one-sided. It's just what we can do for the department. It's not what the department or the government can do for us into in true partnership'*. This is a kind of government paranoia which results in a risk adverse approach and negates the potential for trust in the Partnership. Government parties need to trust that the Peaks and community are best placed to serve the needs of community, and transfer power to enable this work to occur. Trust is thus key to transforming the Partnership and meeting Closing the Gap targets. As one participant shared, *'I think no matter what the form or extent of partnership, it essentially does boil down a better relationship of trust.'*

Although participants agreed that regular meetings at the national level are working well, there is concern regarding the lack of discussion of how the National Agreement progress can be discussed openly and safely. Participants reported:

- *'we need to allow for more discussion on where we have issues or can't reach an agreement' 'one of our members was saying to me a couple of weeks ago, "Look, you can tell we're not fully working in partnership 'cause we haven't had a giant barney [argument] about it yet.'*
- *'Well, there's certainly been a lot of changes, which has been quite positive from government. But it's always hard for me because ... being Aboriginal... I'm very conscious that things haven't progressed. And so it's hard to say things have worked well if we haven't improved'*.

⁴ Graham, M. (1999). Some thoughts about the philosophical underpinnings of Aboriginal worldviews. *Worldviews: Global Religions, Culture, and Ecology*, 3(2), 105-118.



Some participants also expressed that a major challenge is that the Partnership only operates within government priorities as defined by Cabinet *‘That means that at times we can't have as open a conversation we would have with a genuine partner if they were on that journey. So going through cabinet processes or those sort of decision-making... the challenge, we've got to navigate that space about when can we have those open conversations about our intentions and our plans without ministerial approval, without Premier's approval, without cabinet approval, but still wanting to bring them on the journey.’*

Aboriginal and Torres Strait Islander People's lives, and the Partnership are impacted by government ways of working, which has proven not to work for anyone inside or outside of this system. One participant reported *‘those systemic government processes like the cabinet process, which has fairly strict requirements on secrecy and confidentiality, which really restrict working in partnership or sharing. Building that trust in an honest environment and respectful environment. So I think you can't have the trust unless you're honest with each other and unless you respect each other.’* Government systems limit a balance of information sharing and input to decision making, but mutual respect and expectation is not shared with non-government partners *‘the real reason this is moving slowly is because, yeah, the minister doesn't... Well, whatever it is, the minister doesn't like it. It goes against an election commitment, whatever it might be.’* And then similarly from the Peaks side, they can be, well, *“Hey, this is why we're really driving this particular commitment.’*

Transformational Opportunities

- Data sovereignty definition, implications, arrangements, and accountabilities (these matters should reflect Aboriginal and Torres Strait Islander perspectives regarding appropriate ownership, measurement, collection, analysis and reporting of data).
- Enable transformation and improved outcomes the education need to enable Aboriginal Terms of References, focus on relationality, and self-determination.

An Alternative to Business as Usual

This section presents an approach to fundamental transformation, based on delivering on Aboriginal Terms of Reference,⁵ and the work of Dr Mary Graham and Morgan Brigg. Aboriginal and Torres Strait Islander cultures separate power and authority.⁶ This means every individual is considered to have power and agency to sustain themselves socially and economically, with regard to the collective good. Elders and other respected peoples are recognised as having authority in particular areas like medicine, law and engineering. These knowledgeable people in community exercise no power ‘over’ other people, yet wield a kind of moral authority that ensures the collective good. Balancing power and authority in this way then resolves western political and socio-economic tensions between individual autonomy and collective good.

Western ideas of democracy conflate power and authority; and reinscribes the colloquial golden rule, ‘whoever has the gold makes the rules.’ In this Partnership, the entity with the most power, the Commonwealth Government, acts as the supreme authority, even if its representatives don't claim to be. This results in the reinscription of supremacy of government policy, process and procurement, and apparent of government knowledge about what works and what doesn't. In

⁵ Watson, L (1990), Aboriginal Terms of Reference, Brisbane

⁶ Graham & Briggs 2020, The relevance of Aboriginal political concepts: How “proportionality” can help close the gap.



this reinscription of government supremacy, all the while masquerading as 'equal partnership', lie the fundamental tensions in moving from 'equal partnership' to 'genuine partnership'.

The Western Survivalist Ethos leads government parties to prioritise self-preservation and positions all entities in adversarial relationships to each other. The Survivalist Ethos is a natural human instinct that Aboriginal and Torres Strait Islander worldviews can help people to overcome, however the transformational learning process to achieve this can be challenging and difficult, often being barred by fragility and racism.

In Australia, these philosophical approaches are often framed by Aboriginal and Torres Strait Islander Peoples as 'self-determination' or 'community control' or 'genuine partnership'. Ideas of self-determination in government have fallen out of favour with various government parties, and instead have been replaced by vague notions of 'partnership', 'co-design', and 'having a say'. Yet self-determination remains the only policy approach for Indigenous Peoples enshrined in international law, and the only one capable of sustaining effective health and social outcomes see Cornell 2006, Phillips 2015 and Behrendt 2017.

Regardless of whether law makers or policy makers are open to this internationally validated evidence base, what is clear in this Partnership report is that considerations of what 'genuine partnership' means is a critical component of progress.



Conclusion

ABSTARR Consulting identified a range of issues raised in the development of this Health Check Report that tend to re-state and again highlight the nature of partnerships between the Australian state and Aboriginal and Torres Strait Islander Peoples and our cultures and policy – that of power imbalance, government business as usual, and unwillingness or incapacity on the part of governments to move from government supremacy masquerading as ‘equal partnership’ to ‘genuine partnership’.

The key finding of this report are emblematic of the contrast between Aboriginal and Torres Strait Islander notions of governance and Aboriginal Terms of Reference, which are predicated on self-determination, autonomous regard and a relationalist ethos, and the western survivalist ethos, often predicated on white fragility and racism in thought and paradigm, whether intended or unintended.

Brave and bold transformation of government process, language, timeframes, policy, funding mechanisms and evaluation frameworks are required. If they do not change, but instead remain the ‘norm’, then the ‘Partnership’ may eventually become an unachievable dream.

There was serious commitment from those who participated in this process to question and reframe the Partnership to align with the values and knowledges of the Aboriginal and Torres Strait Islander Peoples, not because it is politically correct, but because it is more likely to be effective. The next twelve months of the National Agreement present a unique opportunity to move beyond service delivery and into a paradigm of genuine partnership. This includes:

- Reframe Partnership in practices, which applies a practice of cultural safety, self-determination, truth, respect, and genuine sharing
- Develop and enable place-based approaches, where state and territory Peaks members and government parties are supported to inform the national agenda, and vice-versa
- Clarify roles, responsibility and accountabilities using a jointly decided approach.

It is clear from this report that the changes that need to occur for the Partnership to thrive, and for outcomes to improve, are not political or even strategic, they are cultural and paradigmatic. The philosophy and architecture of the Australian state fails Aboriginal and Torres Strait Islander People on the ground and in the Partnership, not for want of trying, or at least appearing to try, but for the assumption that business as usual in government power imbalance is the only option.

These are manifestations of the same problem: that Aboriginal and Torres Strait Islander Peoples and worldviews are dominated by government systems whose philosophy conflates power and authority, sees relationality and trust as a risk, and seeks to control and self-preserve at every turn.

Closing the Gap should never be about about ‘fixing’ or ‘capacity building’ Aboriginal and Torres Strait Islander Peoples, so much as fixing the society, government parties and paradigms that dominate Aboriginal and Torres Strait Islander Peoples.

Strategy and policy based on ‘genuine partnership’ that gives full effect to Aboriginal Terms of Reference are more likely to transform outcomes.



Recommendations

ABSTARR proposes a strategic approach to transformational unlearning of government approaches to business as usual, and full consideration and implementation of Aboriginal Terms of Reference, including Aboriginal and Torres Strait Islander principles of relationality, take place across the Partnership. This will make possible transitions away from risk/blame to CQI, from compliance to resource-sharing, and from the terms of the Partnership being dictated by government parties to each other and to community to terms being negotiated on shared understandings, free from unconscious bias and racism. This would pave the way to more consistent and enduring success.

Based on the findings and informed by the three key questions, this report makes seven recommendations about improving the overall health of the Partnership.

Recommendation 1 – Cultural Safety Education

The Partnership members should establish a cultural safety education and training curriculum for all participants – from Ministers and CEOs to policy officer level. This should include cultural safety principles and decolonisation training, along with baseline learning of both capability and knowledge of Aboriginal and Torres Strait Islander Peoples, history, and cultures. To enable transformation and improved outcomes the education need to enable Aboriginal Terms of References, focus on relationality, and self-determination.

While it is acknowledged the National Agreement has defined cultural safety, this approach seems to focus on the cultures of Aboriginal and Torres Strait Islander Peoples, rather than the cultures of non-Aboriginal peoples and systems and their impacts on Aboriginal and Torres Strait Islander outcomes. This includes the capability for reflexivity; *vis-a-vis* the ability to take one's blinkers off and deal with the potential for unconscious bias, racism, or discrimination.

Recommendation 2 – Equity, and best practices

Equity is concerned with fairness and acknowledges that people have different histories, experiences, and opportunities. Equitable treatment ensures that the different needs of people are met to ensure fair and just outcomes.⁷ There needs to be a transformational change to the partnership, where the definition of partnership is based on Aboriginal forms of governance like relationality.⁸ It is recommended that the Parties:

- a. Develop an approach which is consistent with co-designing, shared decision-making and is informed by place-based local leadership, voice, and experience.
- b. Review government parties approach to measuring, monitoring, and reporting then jointly decide a method which is reflective and responsive to the needs of all parties and communities.
- c. Reporting and expectations need to be place-based and account for difference between states and territories in capability and capacity.
- d. Support for a positive strengths-based narrative to further develop what is working, rather than further developing a deficit or 'capacity building' narrative.

⁷ West, R., Bargallie, D., & Phillips, G. (2022). Safer healthcare for Australia's First Peoples: Equity and equality aren't the same. Future Learn. Retrieved from <https://www.futurelearn.com/info/courses/first-peoples-safer-healthcare/0/steps/50685>

⁸ See for example: Patricia Dudgeon and Abigail Bray, 'Indigenous Relationality: Women, Kinship and the Law' (2019) *Genealogy* 23(3); Lauren Tynan, 'What is relationality? Indigenous knowledges, practices and responsibilities with kin' (2021) *Cultural Geographies* 28(4).



- e. Enable and embed an approach where state and territory Peaks and government parties members are informing national agendas and are not just passive drivers but decision makers to transformational change.

Review funding and resourcing allocation to better improve capacity, and expectation this is inclusive of fair distribution for Peaks to engage in the Partnership and build relationship and partnership within states and territories.

Recommendation 3 – Reframing the Terms of Partnership

The partners must redefine 'Partnership' to enable a move from 'equal partnership' (reinscribing government business as usual) to 'genuine partnership'. This means moving from western survivalist governance paradigms that reinscribe power imbalances, and cultures of compliance and risk, to Aboriginal relationalist paradigms that empower local contexts, self-determination CQI and shared accountabilities.

It is recommended, that:

- a. There needs to be a clear accountability to the ongoing application and actions of 'Partnership' and its principles.
- b. Government parties must accept and prioritise the ongoing internal actions necessary to establish enabling environment capable of devolving power and control of decision-making and ownership to joint mechanism that negotiate the shared partnership intent, vision and purposes; and
- c. The development and clarify roles, responsibilities, and accountabilities between the Partnership.

Recommendation 4 – Communication, Engagement and Accountability

The Partnerships should establish a community level communication and engagement approach that genuinely enables and embed Aboriginal and Torres Strait Islander communities' role in accountability, particularly remote communities. Government Ministers, advisors, and leaders of Peaks must attend to the human aspect of relationship building in an effort to establish meaningful rapport, trust, transparency, and respectful negotiation and decision-making.

Recommendation 5 – Activating whole-of-government accountability

It is recommended that the Partnership jointly discuss and develop an approach which activates whole-of-government accountability and responsiveness to the Closing the Gap targets. This should be inclusive of ensuring two-way communication, leadership and reporting between government parties and Peaks.



Recommendation 6: Develop a Strategic Approach to Self-Determination

Self-determination reflects the aspirations of Indigenous Peoples worldwide to be *'in control of their own destinies under conditions of equality, and to participate effectively in decision-making that affects them'*⁹

- Aboriginal and Torres Strait Islander People must co-produce the policy agenda and have controlled over the resources as opposed to participating only in program design and compliant base relationship.
- A power sharing mechanism should be agreed upon where negotiation on cross cutting principles and state, territory and local Peaks leadership can occur and make explicit where power and resources will be devolved.

Policies and processes concerned with impact reporting should be reviewed to embed the enablers and principles of Aboriginal and Torres Strait Islander Self-Determination. It was highlighted that there is importance of developing measures to identify:

- procurement terms of Aboriginal and Torres Strait Islander specific outcomes,
- current policies and practices which act as barriers to enabling the National Agreement and
- issues in progressing sustainable actions and outcomes.

Recommendation 7 – Data sharing, data sovereignty, evaluation, and accountability

Data produced by Aboriginal and Torres Strait Islander Peoples is an outcome of the National Agreement, with work underway to establish an evidence base and shared access to data and information. There are also Productivity Commission reviews and Aboriginal and Torres Strait Islander led reviews of Closing the Gap scheduled to occur every three years. Therefore, it is recommended that in developing and conducting these monitoring and evaluation exercises, the Parties ensure there is clarity and focus on:

- a. Aboriginal and Torres Strait Islander definitions of success and measurement approach
- b. Flexible timelines and funding structures, to enable monitoring and evaluation
- c. Data sovereignty definition, implications, arrangements, and accountabilities (these matters should reflect Aboriginal and Torres Strait Islander perspectives regarding appropriate ownership, measurement, collection, analysis and reporting of data).

⁹ Anaya, J. (2009). Report on the Special Rapporteur on the situation of human rights and fundamental freedoms of Indigenous People, UN Human Rights Council. Retrieved from <https://www.refworld.org/docid/4a9d1befd.html>



Appendices

Appendix A – ABSTARR Consultants

Professor Gregory Phillips is from the Waanyi and Jaru peoples and comes from Cloncurry and Mount Isa in North-West Queensland. He is a medical anthropologist, has a PhD ('Dancing With Power: Aboriginal Health, Cultural Safety and Medical Education') from Monash University, a research master's degree in medical science ('Addictions and Healing in Aboriginal Country' - published as a book in 2003), and an arts degree (Aboriginal Studies and Government); both from The University of Queensland. Gregory has worked for over thirty years in healing, addictions, youth empowerment, medical education, health workforce and Aboriginal affairs. He developed an accredited Indigenous health curriculum for all medical schools in Australia and New Zealand, founded the Leaders in Indigenous Medical Education (LIME) Network, and co-wrote a national Indigenous health workforce strategy. He established the Aboriginal and Torres Strait Islander Healing Foundation Ltd in the wake of the federal apology to Indigenous Australians, has advised federal and state ministers on Indigenous health and education, and was honoured in 2011 with an ADC Australian Leadership Forum Award.

Gregory is currently Chief Executive Officer of ABSTARR Consulting, and a Professor in the School of Medicine at Griffith University (Adjunct). He Chairs the Ebony Aboriginal and Torres Strait Islander Institute.

Temira Dewis is a Kaantju, Uthalganu and Ayapathu women from central and east coast of Cape York in Queensland. Temira holds a degree in commerce majoring in management, accounting and human resource management. Temira is currently undertaking a Masters in Business Administration, and Masters in Public Health. Temira is the Director of Strategy at ABSTARR Consulting and has extensive experiences in Aboriginal and Torres Strait Islander community-controlled organisations, and the Queensland and Victorian public sectors enabling change reforms, and embedding Aboriginal and Torres Strait Islander peoples, perspectives and cultural safety in policy and practices.

Oliver Tye is a Wardandi Noongar man from Ngunnawal Country, Canberra with connection to the south-west of Western Australia. Ollie holds a Bachelor of Science majoring in Anthropology and has worked in policy and strategy across government, community control and the NGO sector. He has worked with grassroots programs and practice right through to high level policy and strategy to make enduring change. Ollie is heavily influenced by strong community mentors and is motivated by a keen interest in philosophy, politics and history as they apply to the place of First Nations in Australia and the world. Ollie takes a relational approach to problem solving and strategy aimed at producing cultural shifts in both people and structures.

Appendix B – Terminology

Cultural Safety

Cultural Safety refers to addressing racism and unconscious bias in individuals and the enabling environment. It involves reflecting on one's own views and biases and how these could affect decision-making and outcomes. Cultural safety can be described as an environment where: "There is no assault, challenge, or denial of their [Aboriginal and Torres Strait Islander Peoples'] identity, of who they are and what they need. It is about shared respect, shared meaning, shared



knowledge, and experience, of learning, living, and working together with dignity and truly listening.”¹⁰ Cultural safety is critical in ensuring the wellbeing of Aboriginal and Torres Strait Islander staff, reducing attrition rates, and improving the quality and safety of workplace practices, policies, and programs for Aboriginal and Torres Strait Islander People. To ensure the cultural safety of workplaces, it is integral that these principles are embedded throughout organisations.

Self-Determination

Self-determination has particular significance for Indigenous Peoples around the world, given their historic and contemporary exclusion from decision-making through colonisation, dispossession, and paternalism. The right to self-determination has a particular application to Aboriginal and Torres Strait Islander peoples as Australia’s First People.¹¹ Self-determination recognises that Aboriginal and Torres Strait Islander peoples are best placed to design and implement policies and practices for their communities, furthermore it implies that Aboriginal and Torres Strait Islander cultures and knowledges are best for this land. This is also consistent with Article three of the UNDRIP, which provides a right to self-determination.¹² Self-determination should not be constrained by any one definition or understanding. Self-determination means different things to different communities.¹³

Racism

Racism has dual meaning in contemporary Australia. Racism means more than just discrimination or hatred based on race; it also means to subscribe to a racial view of humanity altogether. They are the same source of harm for Aboriginal and Torres Strait Islander People. It is in this way that the statement “I treat all races equally” is still racist and harmful. Racial theory was design to be the vehicle for white supremacy. Culturally safe organisations recognise that racism is a significant public health and public policy issue. Paradies and Cunningham¹⁴ emphasise that organisations must actively work to eliminate all forms of racism, white privilege and cultural bias that Aboriginal and Torres Strait Islander People continue to experience in all aspects of health and community service delivery. It should also be noted that racism has a significant impact on recruitment, retention, and the development of the Aboriginal and Torres Strait Islander workforce.

Relationality, Reflective Motive, the Survivalist Ethos

The literature on the ‘Aboriginal Worldview’¹⁵ as such is emerging, with authors steadily working through a 65,000-year backlog of thought that was never written down in English. Dr. Mary Graham, a Kombumerri and Wakka Wakka woman, is at this frontier, describing the ‘underpinnings of the Aboriginal Worldview’. Relationality, in contrast to the Survivalist Ethos, is one idea in an interdependent collection of ideas that Dr. Graham uses to describe the difference between European thought and Aboriginal and Torres Strait Islander thought. Dr. Graham describes Aboriginal thought as non-zero-sum, open-system thought which sees all relationships categorised as either human-human relationships or human-Country relationships, the later being predicated on the former. This logic enables win-win diplomacy,

¹⁰ Williams, R. (1999). Cultural Safety – what does it mean for our work practice? *Australian and New Zealand Journal of Public Health*, 23(2), p. 213

¹¹ *Mabo v Queensland (No2)* (“Mabo case”) [1992] HCA 23; (1992) 175 CLR 1 (3 June 1992), (High Court of Australia 1992).

¹² UN General Assembly, (2017). United Nations Declaration on the Rights of Indigenous Peoples: adopted by the General Assembly, 2 October 2007, A/RES/61/295.

¹³ The Lancet. (2020). Self-determination and Indigenous health. *Lancet*, 396(10248), 361

¹⁴ Cunningham, J., & Paradies, Y. C. (2013). Patterns and correlates of self-reported racial discrimination among Australian Aboriginal and Torres Strait Islander adults, 2008–09: analysis of national survey data. *International Journal for Equity in Health*, 12(1), 47. <https://doi.org/10.1186/1475-9276-12-47>

¹⁵ Graham, M. (1999). Some thoughts about the philosophical underpinnings of Aboriginal worldviews. *Worldviews: Global Religions, Culture, and Ecology*, 3(2), 105-118.



the de-escalation of violence and conflict, and ultimately harmony and freedom that doesn't require assimilation, power, or control. Dr. Graham describes several other such ideas that depend on each to form a profoundly coherent picture of Aboriginal and Torres Strait Islander thought which have the potential to re-shape the Australian nation-state.

Place-based approach

Place-based approaches (sometimes called 'community-led' approaches) are ways of working to address social, economic and ecological disadvantage. They are community-led, strengths-based responses that empower local people to respond to complex, interrelated issues in a local place. Place-based approaches target the specific circumstances of a place and engage local people as active participants in development and implementation, requiring government to share decision-making.¹⁶ This approach bring stakeholders from different communities and sectors together to strengthen collaboration and knowledge sharing. They value First Nations and local expertise and ownership. Local people usually lead design and implementation, and hold decision-making power and accountability.¹⁷

Capability Approach

To underpin this strength-based approach, this framework suggests evaluation is also undertaken keeping a capability approach in mind. This approach shifts the focus away from achievement by privileging opportunity and moves the focus to acknowledging that things may or may not be realised due to constraints which are external and/or which are placed upon others. This approach asks not only 'was something achieved?' but also asks 'did the person / organisation have the capability to achieve things?'. This approach leads to an examination of processes, as well as content, and of the relationship between the program or project being evaluated and the broader enabling environment.¹⁸

Appendix C – Interview Guide

Agenda

1. Acknowledgement and Intro
2. Summary of project
3. Ask if you can record the interview, only for quality assurance and accuracy of notes. (*Individual responses will remain confidential and reported only in a de-identified and stratified way*).
4. Questions
5. Close

Summary

In March 2019, a formal Partnership Agreement on Closing the Gap (the Partnership Agreement) was established between the Commonwealth Government, State and Territory governments, the Coalition of Aboriginal and Torres Strait Islander Peak Organisations (the Peaks) and the Australian Local Government Association.

¹⁶ DPC-PolicyFrameworkDoc-V11 - Copy.indd (content.vic.gov.au)

¹⁷ What are place-based approaches? - Jesuit Social Services (jss.org.au)

¹⁸ As outlined in Yap, M. and Yu, E., 2016. Operationalising the capability approach: developing culturally relevant indicators of indigenous wellbeing-an Australian example.



The Peaks is comprised of approximately 80 Aboriginal and Torres Strait Islander peak organisations, formed for the purpose of negotiating with governments to develop a new National Agreement on Closing the Gap (the National Agreement).

The objective of the National Agreement is to enable Aboriginal and Torres Strait Islander Peoples and Governments to work together to overcome the inequality and inequity experienced by Aboriginal and Torres Strait Islander Peoples and achieve life outcomes equal to all Australians.

Under the terms of the Partnership Agreement, an annual Partnership Health Check is to be completed against partnership success indicators set by the parties. The purpose of the Health Check is to consider the direction of movement of the Partnership against the agreed Success Indicators, which are broadly related to the principles of shared decision-making, equal participation and Aboriginal and Torres Strait Islander agency.

Questions

1. What has worked well in the last 12 months?
2. What are the biggest risks or barriers to strengthen and build the partnership? and how might these be mitigated?
3. What are the opportunities to strengthen and build the partnership over the next 12 months?
4. What does your organisation need to get out of the partnership?
5. What does your organisation bring to the partnership?
6. What would it take for you to cede more control within the partnership? What prevents you from giving up more control?
7. How do you view, perceive or define “partnership”?

Appendix D – Online Survey Questions

1. What has worked well in the last 12 months?
2. What are the biggest risks or barriers to strengthen and build the partnership? and how might these be mitigated?
3. What are the opportunities to strengthen and build the partnership over the next 12 months?
4. What does your organisation need to get out of the partnership?
5. What does your organisation bring to the partnership?
6. What would it take for you to cede more control within the partnership? What prevents you from giving up more control?
7. How do you view, perceive or define “partnership”?

Appendix E – Consultation Communication

- Messaging to Parties were initially distributed by the project governance workgroup collaboration between National Indigenous Australians Agency (NIAA) and Peaks representatives.
- The NIAA member then, provided a list to ABSTARR of 26 self-nominated participants.



- ABSTARR CEO Prof. Greg Phillips then sent an email to all 26 self-nominated participants, which introduced ABSTARR; the Lead and Supporting Consultants; and a table with 19 available interview sessions for each participant to nominate up to three available time slots, and included:
 - online survey (will be available from 12 to 29 September)
 - one-on-one interviews (will be available from 12 to 22 September).
- For those who did not reply, ABSTARR's Director of Strategy sent a follow up email as a reminder.
- It is noted that ABSTARR Consulting increased the number of agreed interview sessions from 12 to 19, with three of these sessions having no participants attending. The survey was also extended for a further two weeks period to give the Parties extra time to participate in consultations.



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