



Inquiry into Annual and Financial Reports 2023–2024

Answer to question on notice

Asked by: Mr Thomas Emerson MLA

Addressed to: Suzanne Orr MLA

Reference: National Agreement on Closing the Gap/Community Services Directorate

Hearing: 12 February 2025

In relation to: Aboriginal and Torres Strait Islander Affairs - resource allocations 2024

Question received: 26 February 2025

Answer Due: 5 March 2025

1. Which of the four recommendations and 16 essential actions from the Productivity Commission's three-year review of the National Agreement on Closing the Gap have been implemented by the ACT Government?
2. Which have not been implemented?

Suzanne Orr MLA: The answer to the Member's question is as follows:

Essential Action	ACT progress
1.1 Amend the Agreement to clarify the purpose and broaden the scope of Priority Reform 1	The Commonwealth Government has not progressed this yet.
1.2 Governments treating ACCOs as essential partners in program and service design and delivery, not simply as funding recipients	This is being implemented in the ACT through the Aboriginal Service Development branch in the Community Services Directorate (CSD). ACT Government directorates are responding to strengthen the partnership elements in the way that they work. CSD is undertaking extensive work in partnering with ACCO's to develop capacity and capability in the provision of services in

	varied fields including housing, children youth and families, health and education.
1.3 Regular meetings between Ministers and Aboriginal and Torres Strait Islander peak bodies	This is being implemented. The ACT Government already has this in place. The Minister for Aboriginal and Torres Strait Islander Affairs meets bi-monthly with the Aboriginal and Torres Strait Islander Elected Body as the ACT representatives on the Coalition of Indigenous Peaks.
1.4 Governments adequately resourcing the implementation of the Agreement	This is being partially implemented but requires regular review through the budget process. The ACT Government has already committed additional funding and resources to the Aboriginal and Torres Strait Islander Elected Body and will be conducting a review in partnership with community, to strengthen the model in accordance with Clause 67 of the National Agreement. Funding has also been committed to support the development of the ACCO sector.
1.5 Governments writing implementation plans more strategically, in collaboration with Aboriginal and Torres Strait Islander people	This is being implemented. The ACT Government is working with the Aboriginal and Torres Strait Islander Elected Body to negotiate Phase Three Directorate Implementation Plans under the ACT Aboriginal and Torres Strait Islander Agreement 2019-28. The development of the strategy through Phase Three will be undertaken to comply with the requirements agreed by Joint Council. In December 2024, the ACT Aboriginal and Torres Strait Islander Elected Body agreed to delay the implementation of Phase Three until 1 July 2025. This has allowed the new Elected Body (voted in July 2024) to settle in and work as partners with Government on the approach above.
2.1 Amend the Agreement to include Indigenous Data Sovereignty under Priority Reform 4	The Commonwealth Government has not progressed this yet. The ACT Government supports this but notes that action cannot be progressed on this by individual jurisdictions and is

	dependent on the workplan of the Joint Council on Closing the Gap.
2.2 Establish a Bureau of Indigenous Data	Joint Council did not agree to this essential action, but instead agreed to set up a National Data Policy Partnership with ACT Government represented by the EBM, Wellbeing Branch, CMTEDD. Preparatory work has commenced on this with CMTEDD being supported by OATSIA.
3.1 Government departments develop and execute a transformation strategy for the portfolio	This is being implemented. The ACT Government is developing an overarching whole-of-ACT Public Service Transformation Strategy in line with the Productivity Commission actions as agreed by Joint Council. The Transformation Strategy will: • have a clear theory of change; • contain the evidence base as to how actions (both individually and collectively) will give effect to the committed change; and • be underpinned by an Aboriginal- and Torres Strait Islander-led assessment of its history with Aboriginal and Torres Strait Islander people, and truth-telling to enable reconciliation and active, ongoing healing.
3.2 Review and update funding and contracting rules so that they explicitly incorporate accountability for funders to abide by the Priority Reforms in commissioning processes	This has not been implemented across all programs yet. Further work is required to amend funding and contracting rules to ensure that all funded service providers are accountable to abide by the Priority Reforms in commissioning. CSD has implemented new clauses in contracts to define expectations as it relates to embedding the Aboriginal and Torres Strait Islander Principle and undertaking joint work with ACCO's to develop policy and practice guides to support achieving the CTG targets through system and service change requirements.
3.3 Review and update Cabinet and Budget processes so that they explicitly promote,	Work has been done to embed questions around the Priority Reforms in the Wellbeing Assessment that accompanies all matters to be considered by Cabinet, however further work is

support and encourage the Priority Reforms	required to enhance this approach, including engagement with the Elected Body.
3.4 Designate a senior leadership group to drive public sector change in each jurisdiction	This has been implemented. The ACT Public Service (ACTPS) Strategic Board refers to Aboriginal and Torres Strait Islander matters in its terms of reference. This includes the establishment of a sub-committee of Strategic Board focused on Closing the Gap. This sub-committee includes Directors-General from across the ACTPS and is supported by an inter-directorate committee of senior officers.
3.5 Embed responsibility for improving cultural capability and relationships with Aboriginal and Torres Strait Islander people into public sector employment requirements	This has not been implemented yet. The ACT Government has agreed to this essential action, consistent with the details identified by the Productivity Commission.
4.1 Establish the independent mechanism in each jurisdiction without further delay	This has been implemented. The ACT is the only jurisdiction to have this structure operating. The ACT Government has an established Independent Mechanism in the Aboriginal and Torres Strait Islander Elected Body. This operates under the <i>Aboriginal and Torres Strait Islander Elected Body Act 2008</i>. The ACT Government announced an additional \$1.19 million over 2024 and 2025 to further enhance the independence and capacity of the Aboriginal and Torres Strait Islander Elected Body. An Aboriginal and/or Torres Strait Islander consultant has been commissioned to work with the community to identify options to strengthen the current model. The consultation is complete and findings of this will be considered as part of legislative review and a long-term resourcing model.
4.2 Embed the commitments of the National Agreement on	This is being implemented. OATSIA continues to work across the ACTPS to ensure the inclusion and alignment of all inter-governmental agreements

Closing the Gap in other inter-governmental agreements	with the National Agreement on Closing the Gap. The ACT Government and the Commonwealth committed to ensuring that the implementation of the Bilateral Agreement under the Better and Fairer Schools Agreement is undertaken in a way that will enliven the priority reforms of the National Agreement on Closing the Gap (Closing the Gap Agreement).
4.3 Include a statement on Closing the Gap in every government organisation's annual report	This has not been implemented yet in accordance with the Joint Council agreed position. Some work has progressed in terms of requiring each directorate to include a statement but further work to meet stated requirements is needed. This requires that the purpose of the Closing the Gap Statement would be to provide transparency about the substantive activities that each government organisation is undertaking to implement the Agreement's Priority Reforms and the demonstrated outcomes of those activities. The exact criteria that the Closing the Gap statements must meet should be designed by Aboriginal and Torres Strait Islander organisations and peak bodies and included in the relevant legislation or rules.
4.4 Publish all the documents developed under the Agreement	This will be met. The ACT Government will publish all documents developed under the Agreement. In accordance with the agreed position, this will include: • partnership stocktakes • partnership agreements • expenditure reviews • evaluations • transformation strategies

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Approved for circulation to the Standing Committee on Social Policy

Signature:

Date:

05/03/25

Minister for Aboriginal and Torres Strait Islander Affairs, Suzanne Orr MLA