



4 October 2018

Dear Prime Minister, Premiers and Chief Ministers

We write concerning the Closing the Gap Refresh, a joint initiative of the Council of Australian Governments (COAG), to ask that you not endorse any revised approach at COAG without the necessary input and support from Indigenous communities; and that you put in place a mechanism for those representing Indigenous communities to be able to negotiate and reach agreement on the new Closing the Gap framework and for a continued role in its implementation.

The Indigenous organisations whose leaders have signed this letter are all national and state/territory peak bodies that have worked with Indigenous communities and represented them for decades. Our knowledge and experience in Indigenous Affairs, and the support we have across our sectors, is not open to question and we engage with all of your Governments on a daily basis.

We have not seen the refreshed Closing the Gap framework that we understand was to be put to COAG for your approval at the October meeting. Without proper consideration we cannot provide our endorsement or support for any revised approach or targets. Moreover, we do not believe that a genuine partnership with Indigenous people has been built into the process or outcomes of the Refresh.

Given COAG has now been postponed, we have an opportunity to work together to ensure that the undersigned Indigenous Peaks are able to support a refreshed Framework to be put for your agreement at a further meeting.

To date, the 2008 Closing the Gap framework, while a significant advance over what was in place before, has not delivered the progress in the lives and wellbeing of Indigenous peoples that we hoped it would. We believe that, in part, the unsatisfactory outcomes are due to Governments not committing to the National Indigenous Reform Agreement for the full ten years, and providing the much-needed funding to address the historical underfunding of our services. Overwhelmingly however, we believe that the lack of progress is because there has been no serious partnership between Indigenous peoples, represented through their peaks, and governments to take ownership and drive positive outcomes in our communities. This must change.

The current Refresh process commenced too late and we now have four expired targets and the mortality gap is widening compared with other Australians. That said, we believe there is a significant opportunity provided through the Refresh to establish a robust Closing the Gap framework founded on a genuine partnership between Indigenous people and governments.

We acknowledge the commitment that was made by COAG at the commencement of the Refresh to a genuine partnership with Indigenous leaders, organisations and communities. However, the consultation process to date has been more of the same and has only further entrenched the failed way that governments work with Indigenous peoples and their communities.

A genuine partnership envisages a process and outcome more than consultations and in particular that there are negotiations with a view to achieving agreement. Whilst we acknowledge the Special Gathering convened by COAG, it was a group of people appointed by governments rather than by Indigenous people through their peak organisations. Notwithstanding, we also note that the attendees of the Special Gathering also called for a partnership approach underpinned by the principles of self-determination and empowerment.

It is vital in our view that agreement is reached between Indigenous peaks and COAG for the next phase of Closing the Gap. While there were consultations with us before the original Closing the Gap framework was decided by COAG, it was never formally agreed by Indigenous interests. That left governments only to drive it without Indigenous leaders or organisations having any sense of ownership or responsibility for the framework. We were not asked to agree or to sign the National Indigenous Reform Agreement with Governments even if it was beneficial in facilitating a coordinated approach by Australian Governments based on evidence, included targets for the first time and had a comprehensive strategy.

The consultations to date have not engaged us about the new framework to be put in place to achieve the targets. We understand that there are twenty-three new targets proposed. More important than additional targets, any new agreement needs to outline the approach to how they are to be achieved, providing clarity around government and Indigenous Peaks roles and responsibilities.

We are very concerned that there has been no discussion about the National Indigenous Reform Agreement and consider that this should have been the starting point for the Refresh. If there is not to be a formal COAG agreement, supported by us, to form the basis for the next phase of Closing the Gap then we would be very concerned as without it the Australian Governments will not have made any formal commitments for which they can be held accountable.

As far as we know the National Indigenous Reform Agreement is still current and we are not aware that any Australian Government has withdrawn from it. Going forward, the task needs to be framed properly in a revised COAG agreement, preferably legislated, that includes a new strategy and clarity around roles and responsibilities. That is more important than what the targets are, as the experience of the last ten years has demonstrated.

Another gap in the consultations is whether there are any new funding commitments, including to remote housing. Australian Governments, mostly the Commonwealth, committed to over \$4.6 billion in National Partnership Agreements to implement new initiatives related to Closing the Gap. That funding made a difference to the lives of Indigenous peoples including to our health. Our concern is that no new initiatives are being considered in the Refresh and the progress that has been made in the past ten years including in remote housing will fall away quickly if COAG does not rectify this.

Bipartisanship should also be sought in the new approach to Closing the Gap to ensure any new framework is enduring and has time to work. We are not aware that the Federal or State /Territory Oppositions have been consulted. It is not in our interests if only Governments agree without the support of Oppositions who may otherwise ultimately overturn what COAG agrees, because of the lack of prior engagement.

The new framework must also include agreement on a governance mechanism that will allow joint monitoring, evaluation and reporting on progress. It must also include a commitment to funding the core operations of Indigenous organisations that deliver Close the Gap initiatives, through a new National Partnership Agreement that is agreed by Indigenous peak bodies.

We are available to provide advice on consultation mechanisms that will reflect a genuine partnership and provide the best chance of reaching agreement and of Indigenous ownership of the Closing the Gap policy going forward.

With your endorsement to the proposed approach, we stand ready to work with governments to agree a refreshed framework that could be jointly announced at the next Closing the Gap report to Federal Parliament in February 2019.

We have agreed that Ms Pat Turner AM, the CEO of the National Aboriginal Community Controlled Health Organisation, will be our contact for the purpose of responding to this vital matter and we ask that you contact her on 0421804718 or pat.turner@naccho.org.au.

Yours sincerely,

John Paterson, Chairperson, Aboriginal Peak Organisations Northern Territory



David Ross, Director, Central Land Council



Donna Murray, CEO, Indigenous Allied Health Australia



Karl Briscoe, CEO, National Aboriginal and Torres Strait Islander Health Worker Association



Antoinette Braybrook, CEO, National Family Violence Prevention Legal Services



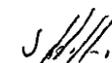
John Singer, Chairperson, National Aboriginal Community Controlled Health Organisation



Jamie Lowe, Chairperson, National Native Title Council



Samuel Bush-Blanasi, Chairperson, Northern Land Council



Professor Steve Larkin, Chairperson, The Healing Foundation



Pat Anderson, CEO, The Lowitja Institute



Cheryl Axleby, Chairperson, National Aboriginal and Torres Strait Islander Legal Services



Jackie Huggins, Chairperson, National Congress of Australia's First Peoples



Janine Mohamed, CEO, Congress of Aboriginal and Torres Strait Islander Nurses and Midwives

