



18 October 2018

Dear Prime Minister, Premiers and Chief Ministers

NSW Reconciliation 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 your next meeting, as it does not have 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.

Reconciliation NSW is the peak body for advancing reconciliation in NSW. We have been supporting all people in NSW in the journey towards reconciliation since our establishment in 1997. We work with Aboriginal and Torres Strait Islander stakeholders to advocate and influence policy discussion to advance social justice, equity and self-determination.

Reconciliation NSW notes that the CAPO organisations collectively representing the key peak Aboriginal community controlled organisations across NSW are requesting similar. CAPO collectively have extensive memberships that are motivated by the principle and outcomes of self-determination by Aboriginal communities, for Aboriginal communities. These are assets that we strongly believe should be deployed in partnership with Government, not in opposition to it.

Reconciliation NSW understands that CAPO is advancing a positive vision for the future and they intend to strongly advocate on all issues affecting Aboriginal peoples in NSW including in relation to health, education, housing, employment, disability support, legal equality, social justice, culture and economic prosperity. Our organisation acknowledges and supports their knowledge and experience in Aboriginal and Torres Strait Islander affairs, and the support they have across their sectors, is not open to question and they engage with your Governments on a daily basis.

We are aware that CAPO, along with other Indigenous peak bodies and organisations, has 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 these organisations cannot provide their 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 this process.

We understand that the COAG meeting has now been postponed, and we support the recommendation of a pause and process of proper engagement with Indigenous Peoples through their representative organisations. We are aware that CAPO would prefer to be asked to support the Closing the Gap refresh and not oppose it once approved by COAG.

We support a partnership between Indigenous peoples, represented through their peaks, and governments to take ownership and drive positive outcomes in and for Indigenous communities in NSW and across Australia. This request from Reconciliation NSW, if granted, could result in a much needed resetting of relationships between Government, Indigenous Peoples and their peak bodies.

We note that CAPO and the National Aboriginal Community Controlled Health Organisation (NACCHO) has made the same representation regarding the Framework and we collectively echo their recommendations and suggestions to improve the process and framework before approved by COAG.

The current Closing the Gap framework has four expired targets and the mortality gap is widening 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 appears to have 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, those involved were appointed by governments rather than by Indigenous people through their peak organisations. We do 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 Indigenous peaks 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. Indigenous peaks 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 Indigenous peaks about the new framework to be put in place to achieve the targets.

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.

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. 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 going forward 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 believe that Indigenous peaks 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 Alison Faure-Brac, the Executive Director of NSW Reconciliation, will be our contact for the purpose of responding to this vital matter and we ask that you contact her on 02 8095 9600 or alison.faure-brac@reconciliationnsw.org.au.

Sincerely,



Professor Lindon Coombes
NSW Reconciliation Co-Chair



Cecilia Anthony
NSW Reconciliation Co-Chair