



Review of the National Agreement on Closing the Gap
Productivity Commission
By email: ctg.review@pc.gov.au

Dear Commissioners

Submission in relation to the Productivity Commission Review of the National Agreement on Closing the Gap- Draft report

Thank you for the opportunity to provide a submission in relation to your draft Report of the Review of the National Agreement on Closing the Gap. You are due to provide a final report by December 2023 and we thank you for accepting a late submission following the referendum on Constitutional Recognition through Voice held on 14 October.

We have lost a once-in-a-generation opportunity to set to right in this country the founding relationship between first custodians and the settler state. As Aboriginal leaders, we have no choice but to continue to drive reforms to end the disparity faced in our communities, just as recognition and the structural partnership with government we need to succeed continues to evade us.

The Commission's Final Report will make an important contribution as we regroup to chart a way forward from profound disappointment.

Binarri-binyja yarrowoo Aboriginal Corporation (BBY) is a backbone organisation that supports the implementation of the Empowered Communities model in the East Kimberley.

Empowered Communities East Kimberley (ECEK) is a collaboration between 28 Aboriginal Community Controlled Organisations (ACCO). ECEK has articulated a shared vision of Aboriginal-led empowerment, development and productivity in our [Regional Development Agenda](#).

Further information about ECEK and our ACCO members is available on the BBY [website](#).

As the backbone organisation, BBY works with the Aboriginal leadership, member organisations and the wider community to:

- provide strategic guidance to develop a common agenda
- support aligned activities under that common agenda
- establish shared measurement and action learning/research practices
- build public will, consensus and commitment.

As a participating region in the national Empowered Communities initiative, BBY adopts the submission made by Empowered Communities to the Productivity Commission in response to the draft Report of the Review of the National Agreement on Closing the Gap.

We provide additional commentary to pay particular focus to the development of the place-based partnership in the East Kimberley. In relation to this, we note:

- Following the defeat of the referendum to enshrine an Indigenous Voice to Parliament and Executive Government in the constitution and with no current commitment to the development of local and regional voices, a Closing the Gap place-based partnership is currently the only formal option available for structured, enduring partnership between Aboriginal leadership at a regional level and three levels of government.
- We confirm observations made by the Productivity Commission in the Draft Report that selection of the site for place-based partnership in Western Australia was done in consultation with our communities. However, our experience of developing the place-based partnership is that it has been incredibly slow, with the pace in no way matching the sense of urgency we feel to act now to drive up outcomes for our children and families in the early years, to improve the life course of the current generation and the East Kimberley communities they live in. By way of background:
 - National Agreement on Closing the Gap was signed in July 2020. We wrote to the WA Minister of Aboriginal Affairs on 29 July 2020, requesting that the East Kimberley be nominated as the Western Australian location for place-based partnership;
 - On 26 August 2022, Joint Council on Closing the Gap ratified the WA Government's nomination of the East Kimberley as the location for a place-based partnership in Western Australia;
 - Consultations conducted in the East Kimberley by the WA Government Department of Premier and Cabinet in September 2022 confirmed the focus of the place-based partnership on early years;
 - A draft Framework Agreement was circulated by the WA Government on 25 July 2023 and we expect the first meeting of the Partnership Table to be convened in November 2023.
- Given the slow pace of development, we submit there is need for oversight arrangements established in the National Agreement on Closing the Gap to play a key role in monitoring timeframes and commitments made under place-based partnership partnerships as they emerge to ensure timely progress and downward accountability of government parties to our communities for results.
- Place-based partnerships will provide an opportunity for government to demonstrate how they are working differently to achieve the CTG priority reforms and to closing the gap on the ground. Success will require the commitment to shared decision making which is extant in the National Agreement and currently being practiced at the jurisdictional and national levels, to be practiced at the local and regional level.
- In the East Kimberley alone, Empowered Communities has brought community voice into the assessment and reprioritisation of \$50m Commonwealth investment through joint decision-making with the National Indigenous Australians Agency. This experience and track record of ECEK in joint-decision making must be leveraged by



state and national governments to make the emerging place-based partnership a success.

We look forward to ongoing discussions with the Productivity Commission as the place-based partnership develops.

To arrange a further discussion in relation to this submission, please contact BBY CEO Christy Hawker by email on ceo@bby.org.au or by phone on (08) 9169 2272.

Yours sincerely

A handwritten signature in blue ink, appearing to read "D. Hill", is placed over a light blue rectangular background.

Desmond Hill
Chairman
31 October 2023