

Closing the Gap 'Refresh' – WACOSS Submission

WACOSS is a long-term supporter of the community-based Close the Gap campaign, and endorses the recommendations of ***A Ten-Year Review: the Closing the Gap Strategy and Recommendations for Reset*** by the National Close the Gap Steering Committee. We reiterate its core message of the need for a more fundamental and comprehensive response to the underlying causes of disadvantage, based on the original *Close the Gap Statement of Intent* with a core focus on self-determination. We are convinced that it is only by transferring responsibility and control to Aboriginal community-based organizations and resourcing them appropriately that we will see any real change in addressing the underlying causes of health and life disadvantage. Furthermore, this governance needs to be democratic and culturally secure – communities need to be supported and enabled to identify their own representatives, not having them selected and imposed by Ministers, bureaucrats or wealthy philanthropists. WACOSS also contributed to and supports the ACOSS submission.

WACOSS supports the **Family Matters** campaign and endorses the recommendations of the CTG submission by **SNAICC**. We agree that the strategy must take a strengths-based approach, driven by Aboriginal communities with a key focus on the underlying drivers of disadvantage and exclusion. The early years of life, the rights of the child to family, culture and safety are critical – and the over-representation of Aboriginal children and young people in our child protection and juvenile justice systems must be a major priority. Western Australia has recently begun to address these issues, but we are a long way behind best practice initiatives in other states, and do not yet have a clear strategy to deliver meaningful outcomes in a way that is genuinely driven by Aboriginal families and communities.

WACOSS works with the **Noongar Child Protection Council (NCPC)** in southwest WA, welcomes the development and resourcing of representative Aboriginal child safety advocacy organizations in the other regions, and supports the formation of a well-resourced and effective state-wide body as a key step towards the delivery of an effective culturally-secure and trauma-informed child safety system in WA. We contributed to and endorse the recommendations of the NCPC CTG submission, particularly the setting of a child protection targets to address over-representation and the need to develop a ten year strategy to expand the role of ACCOs in child placement, case management and Aboriginal family led decision making. We welcome the language and principles and the high-level commitment to work in partnership with Aboriginal communities promised in the WA Government CTG Refresh discussion paper, but remain concerned that there is significant challenge to put this into practice in a genuine and practical way. We are keen to work with DPC to make this happen, and seek an opportunity to jointly discuss these issues with the WA Government.

WACOSS is also a member of **Social Reinvestment WA**. We contributed to its submission concerning the importance of justice targets, and endorse its recommendations. We support current state efforts to gain a better understanding of the circumstances of children and young people most at risk within our juvenile justice, child protection and education systems. We believe that more needs to be done to provide culturally safe, trauma-informed community-based services to provide opportunities and support to young people currently marginalized or excluded by our schools and communities. Such an approach aligns with WA Labor's values and election commitments and we believe that now is the perfect time to push forward with these reforms. We appreciate the Treasurer's concern with stabilizing the WA budget, but believe this can be accomplished by redirecting resources to where they will have the greatest impact for WA's first peoples and our community, to leave a lasting legacy.

Recommendations

- Commit to self-determination as the fundamental principle underlying efforts to close the gaps on Aboriginal and Torres Strait Islander disadvantage, in keeping with the *CTG Statement of Intent*.
- Prioritise investment in Aboriginal Community Controlled Organisations to develop and deliver health and community services that are funded proportionate to need.
- Increase investment in primary prevention and early intervention via ACCOs, setting progressive investment targets and developing and tracking evidence-based strategies to reduce the demand for tertiary services and high rates of chronic illness.
- Establish a Commissioner for Aboriginal Children and Young People in each state and territory (particularly WA) and at the national level.
- Develop transparent accountability mechanisms for Federal and State governments, agencies and institutions to report on investment and outcomes against CTG targets, including accountability for and to Aboriginal community governance processes.
- Co-design justice and child protection targets with Aboriginal peak bodies, organisations and communities.
- COAG agree to hold State and Territory Governments to account for delivering on their commitments to national principles and targets, including the ATSI Child Placement Principle.
- Retain existing CTG targets relating to health, education and employment and add targets relating to child protection, justice, family violence, housing and disability.
- Prioritise investment and support for the early years – extending the early childhood education target to encompass wider developmental outcomes from pre-birth to 3 years.
- Support the role of Aboriginal and Torres Strait Islander peak bodies in policy development and analysis, providing a key role in delivery against the close the gap targets.
- Accept the *Uluru Statement from the Heart* and begin a dialog on its implementation, including a voice to Parliament, Treaty processes and national truth-telling.
- Implement the recommendations of:
 - The Royal Commission into Aboriginal Deaths in Custody
 - Bringing the Home: The national inquiry into the separation of Aboriginal and Torres Strait Islander children from their families.
 - Other..

General comments on the *National Closing the Gap Refresh* discussion paper

A refresh is not enough

Revisiting the original *Closing the Gap Statement of Intent* to reassess the adequacy of the *CTG Strategy* and the effectiveness of implementation efforts is both timely and critical to producing better outcomes. However simply ‘refreshing’ the strategy by rebranding it and tweaking its targets and priorities is insufficient, and a more fundamental approach to addressing the underlying causes of health and life disadvantage for Aboriginal and Torres Strait Islander peoples is needed.

Framing this process as the ‘next phase’ is unhelpful and misleading, as it implies there has been some progress that is being built on, whereas on the main indicators of disadvantage and the critical drivers of disadvantage little or no progress has been made at a national or State (WA) level.

It is no surprise to anyone that little progress has been made against the core *CTG Targets*, as the strategy to date has manifestly failed to address the fundamental structural causes and social determinants of health and life inequality. There has been little or no effort to address these underlying factors – the social determinants of health, institutionalized racism and its impacts in our justice and child protection systems, the legacy of dispossession, child removal and attempted cultural genocide, as well as the ongoing inadequacy of public housing, employment and community development programs for Aboriginal people, and the lack of access to community-based primary health and community services.

Ultimately at the heart of the remaining and growing gaps in outcomes is the failure to do anything to meaningfully support and enhance the control Aboriginal people can exert over the fundamental aspects of their lives – the failure to advance self-determination, to support community-controlled services and businesses, and the systemic undermining of efforts at community governance and political representation. The most effective way to close the gaps is to institutionalize the direct involvement of Aboriginal peoples and their representative organizations in all aspects of policy, service design, delivery and evaluation. We need more effective, culturally-appropriate democratic mechanisms to better capture the views and priorities of Aboriginal communities in the key decisions that govern their lives.

Australia stands out as an international pariah for our failure to make any meaningful progress on self-determination and governance. During a period where we have seen great strides made by other nations with similar histories and circumstances on righting the wrongs and empowering and resourcing disadvantaged and dispossessed indigenous communities to take their future into their own hands (Canada, New Zealand, and the United States, to name a few), Australia has gone backwards. Our approach has been increasingly ad-hoc and paternalistic – typified by the chaos of the Indigenous Advancement Strategy that saw a net reduction in the funding of Aboriginal community services and organisations, and the roll-out of income management measures and discriminatory work for the dole programs (CDP) in Aboriginal communities in spite of the strong weight of evidence against their appropriateness and effectiveness.

The *CTG Statement of Intent* was initially intended as a compact with Australia’s First Nations that linked to and delivered against our international commitments under the United Nations Declaration on the Rights of Indigenous Peoples – empowering Indigenous Australians to exercise their rights to self-

determination in improving their health. However there has not been any meaningful partnership let alone control in health planning, service design and program management.

To date the CTG Strategy has only partially implemented the CTG Statement of Intent. The strategy has lacked coherence and there has been a fundamental gap in relation to self-determination and in addressing the underlying structural causes of health inequality.

There remains a need for a comprehensive health equality plan to be resourced by COAG – *The National Aboriginal and Torres Strait Islander Health Implementation Plan (2015)* provides a starting point, but it needs to be properly resourced. The complementary mental health and social and emotional well-being strategy needs an implementation plan and adequate resourcing, and there is a need for linked strategies and plans addressing housing, health and community infrastructure.

A fundamental shift is needed in the provision of effective prevention and early intervention services through Aboriginal Community Controlled Organisations (ACCOs) – to increase access to primary prevention and care and reduce the impact of high levels of chronic disease and growing reliance on tertiary services.

There needs to be national structures and agreements to deliver against the *CTG Statement of Intent*. The *Close the Gap 10 Year Review (2018)* highlights the manner in which the original ‘architecture’ to support the CTG Strategy fell apart by 2014-15, and how subsequent efforts have been reduced to short-term political targets rather than fundamental approaches to achieving meaningful and lasting change. There has been a lack of national leadership and a lack of mechanisms for collaboration, evaluation and the sharing of learnings and best practice - resulting in fragmented jurisdictional efforts.

There needs to be a focus on achieving equality of opportunity as well as equality of outcomes – so that we are ensuring all Australian citizens have an equal right to access health infrastructure and a capable and culturally safe workforce, clean water, good food and housing.

Health resources should be provided on the basis of need. There is a need for more spending on Aboriginal health, given their unequal access to primary care and burden of disease (on average 2.3 times the non-Indigenous population). The increasing focus on and investment of public monies into private health insurance has disadvantaged Aboriginal Australians, as there is significant ‘market failure’ for them under the current health funding model.

Increasing gaps should be met with commensurate investment. There is clearly a systemic failure when Australian Governments have agreed shared targets on reducing mortality and life expectancy, and yet outcomes in these areas continue to go backwards without investment being increased or strategies re-evaluated.

Closing the gaps on health outcomes is unlikely to be achievable in isolation from the gaps in life outcomes and the opportunities afforded to participate in our economy and community. An effective closing the gap strategy needs to include Justice, child protection, poverty and economic participation targets.

General comments on the WA DPC *Close the Gap Refresh* discussion paper

The six implementation principles proposed in the discussion paper are all necessary, but not sufficient. If the CTG refresh is truly to shift to a strengths-based approach as suggested, then the first most fundamental principle needs to be **self-determination**. Aboriginal peoples need to be supported and empowered to make informed decisions about the issues that affect them, in keeping with the principle of free prior informed consent.

There are also already a series of principles concerning human rights and self-determination of direct relevance that we have committed to, but not put meaningfully into practice in the development of Indigenous policy and programs. These are contained in the UN Declaration of the Rights of Indigenous Peoples (DRIP), the Convention on the Rights of the Child (CROC), and the Convention of the Elimination of all forms of Racial Discrimination (CERD).

We note with interest the discussion on pages 2 and 3 of the discussion paper regarding the place-based consultation process in priority locations that has led to the policy commitments and CTG recommendations within the paper. We are a little concerned that, despite our strong interest and engagement in these matters, we were not aware these consultations were taking place and have been unable to alert our members and supporters to the opportunity to contribute to the identification of strategic priorities in this critical area. We have been unable to locate any public information on the WA Government website about this process, and are thus unsure whether there has been an open or selective approach to community consultation.

However, despite these reservations we welcome the list of identified ‘success measures’. We suggest some clarification and refinement of the first point – closing the gaps should be something that everyone has a responsibility to contribute to, but we need to be more specific in identifying and allocating specific responsibilities for targets, initiatives and outcomes to particular departments and agencies – otherwise the risk is that if everyone is responsible, no-one is ultimately accountable. This clarity around roles and commitments has been a critical gap in the first decade of CTG.

We welcome and support the in principle commitments to place-based service standards, Aboriginal led and delivered outcomes, and a shared commitment to co-design and collaboration. We also strongly support the recommendations concerning self-determination and nation building, regional governance and engagement structures and accelerated economic development. Within this wider context, the recognition of intergenerational trauma and a focus on culturally-secure holistic healing is welcomed together with a clear priority for investment in early childhood development and care, place-based family support services and diversion of youth from the justice system.

We these outcomes are best achieved through commitment to a 10 year strategy to build the role, responsibility and capability of local ACCOs for the delivery of place-based service systems. There has been significant progress in such initiative in NSW and Victoria and an excellent policy framework developed in Queensland. We suggest development of an exchange program to enable Aboriginal community advocates and service leaders to learn from their counterparts in other jurisdictions to achieve the vision of WA having the most effective, efficient and trusted community-controlled services in the world in ten years’ time.

Such an approach is entirely consistent with the identified goals of relationship reform, policy and practice reform, funding and service system reform outlined in the discussion paper. We agree that it is critical Aboriginal people play a meaningful role in monitoring, decision-making and accountability for both the place-based and state-wide strategies and targets to Close the Gap, and in broader terms in the context of their relationship with the State Government and the WA community. Further, we recommend that the concerns relating to shared data ownership and monitoring in relation to local, state and national data should be a key consideration of the proposed Privacy and Data Sharing legislation currently under development, with the Data Sharing Advisory Group directed to consider international best practice in relation to Indigenous Data Sovereignty. A senior independent statutory role for an Aboriginal person providing independent oversight of state performance and reform implementation, such as an Aboriginal Ombudsman, an Aboriginal Commissioner of Self-Determination, or an extended role for an Aboriginal Commissioner for Children and Young People might play a role in assessing, investigating and reporting to Parliament on these issues.

A call to action on **child-centred resilience**. WACOSS welcomes in principle the commitment to a child-centred approach to building child, family and community resilience, but requests more information on how it is to be implemented in public policy to deliver a whole of system approach, and what the proposed single entry point might look like at a community level. While we are aware of some of the sources of the diagrams included in the discussion paper, we are unsure of their implied connection in a particular framework.

Responses to WA Questions

1. What do you see as the current critical issues facing Aboriginal people in Western Australia?

Western Australian Aboriginal people continue to be the most disadvantaged group of people across all life domains.

- **Over-representation in our child protection system.** WA has the highest rate of over-representation of First Nations children in our child protection system in the world, with Aboriginal children 17.5 times more likely to be placed in out-of-home-care than their non-Aboriginal counterparts, compared to a national rate of 9.2 to 1. Recent child protection reform in WA seem to have had some limited success in reducing the non-Aboriginal removal rate, while the Aboriginal rate has continued to rise so that now 55.1% of children in care are Aboriginal, despite representing 4.5% of the child population of WA.
- **Cultural healing.** There is a pressing need for culturally-secure trauma-informed local healing services to be developed and delivered by local Aboriginal community-controlled organisations across our state. Survey of the Aboriginal population and research by Telethon Kids Institute have shown that WA has a much higher rate of parents and primary carers who were themselves removed as children, with double the rates of mental health and AOD problems associated with this inter-generational trauma, but we have yet to have a systematic approach to dealing with the current legacy of past government policies.
- **Alcohol and Other Drugs** continue to have a devastating impact on families and communities, but there is a lack of access to holistic and culturally secure programs for Aboriginal families. FASD has a significant impact on the poor education, employment, justice and child protection outcomes of communities, but there is little in the way of diagnosis, support, outreach and education to deal with its effects and reduce the future burden of disease.
- **Justice.** Over-representation in juvenile and adult criminal justice systems remains a huge problem. WACOSS endorses the analysis and recommendations of the SRWA submission in relation to justice reinvestment trials, sustainable funding for community controlled legal services, prioritizing reducing imprisonment for non-violent offences (particularly fines), reducing numbers and time held on remand without conviction, increased use of diversion and community-based sentencing options and increased investment in AOD services. We note with concern the rapidly rising rate of Aboriginal women and mothers in prison, particularly the high rates of those imprisoned for fines and minor offences that could be better dealt with by other means without impacting so negatively on their families. We also note the inadequacy of prison release support, training and employment programs. We support national and state justice targets with annual reporting requirements.
- **Family Violence and Sexual Assault.** Aboriginal women face significantly higher risk of intimate partner violence and murder than any other group within our population. We welcome the commitment of the WA Government to a WA Family and Domestic Violence Prevention Strategy to 2022 and creation of the leadership role played by the Minister for the Prevention of Family and Domestic Violence and urge the creation and resourcing of a community-based Aboriginal family violence strategy. Further, we note with concern the links between family violence and child removal, with analysis in Victoria for example indicating 80% of children in state care had experienced family violence. Noting that keeping children safe is the first priority of our child protection system, we urge the WA Government to ensure there are measures and supports in place so that mothers who have been the victims of partner abuse are not further harmed by the

removal of their children as a consequence of exposure to this trauma unless absolutely necessary. We support adequate and sustainable funding for community controlled support services proportionate to the level of need, and increased access to legal support services for victims of family violence subject to a child protection notification.

- **Education** continues to remain a significant gap. We note that the current Close the Gap targets focus predominantly on outputs such as attendance and school performance, rather than on measures of the effectiveness of the education system for Aboriginal children. Poor individual student outcomes on these measures are symptomatic of the failure of our education system to engage Aboriginal children and young people, to be relevant to their lives and to help them develop and attain their life goals and aspirations.

The Council is concerned that recent State funding decisions have significantly undermined current efforts to close the gap on education outcomes in WA. In particular, the loss of over 100 higher level Aboriginal staff in the Education Department WA who played a key role in planning and curriculum development activities; the cessation of Aboriginal Student Support and Parent Awareness (ASSPA) programs; the loss of the Aboriginal Education Resource Unit (AERU); and the changing role of Australian and Islander Education Officers (AIEOs) are all likely to result in ongoing poor outcomes for Aboriginal children in education.

In addition, the following issues are of concern:

- lack of cultural awareness and understanding within schools
 - the lack of family engagement (supported previously by ASSPAs and AIEOs),
 - inappropriate curriculum including lack of accurate or any Aboriginal history inclusion
 - lack of allied and other school supports such as psychologists and school-based healing
 - lack of a place-based approach.
- **Health** we support the recommendations of the 10 Year Review by the Close the Gap committee to maintain existing health targets and complement them with additional targets and measures designed to capture the inputs to them, including expenditure, primary care via ACCHOs, health workforce and enabling infrastructure such as housing. We support full funding of the *National Aboriginal and Torres Strait Islander Health Implementation Plan*, together with implementation and funding of a plan to deliver the *National Strategic Framework for Aboriginal and Torres Strait Islander Peoples Mental Health Social and Emotional Wellbeing 2017-2023*. We remain concerned by the lack of awareness of GPs in WA of the incentives and support provided through the *Closing the Gap PBS Copayment Program* and recommend it be promoted more widely within WA.

Q2. What are the key priorities Government should focus on to close the gap?

In addition to addressing the issues listed above through place-based community-controlled services and other systemic reform strategies, the key priorities for the WA Government should be:

- Self-determination and representation processes and targets
- A Human Rights Framework and Act
- A cultural framework of healing through local healing centres
- Over-representation targets for justice, child protection and family violence
- An Aboriginal education strategy
- ACCO development and delivery targets

- Aboriginal employment targets and programs in public and human services
- Aboriginal data sovereignty

Q3. Where can we achieve positive change in the next ten years?

- Development of Aboriginal representative regional structures within WA that are democratic and culturally secure
- A WA Justice Reinvestment strategy that diverts young offenders, fine defaulters and others charged with less severe non-violent crimes away from our prisons and into contributing roles within our community.
- A child protection system where ACCO services are funded proportionate to need and where responsibility for placement, family led decision-making and case management is delegated to and effectively managed by local ACCO services.
- Ending homelessness in WA.

Q4. What developments on the horizon could affect future opportunities to improve outcomes for Aboriginal people?

- All of the above.

Q5 Which innovative targets and indicators might best measure improved outcomes for Aboriginal people in WA?

- Developing meaningful measure of Aboriginal wellbeing, cultural security and self-determination.
- Reporting against self-determination outcomes and key Close the Gap measures in the biennial *Our Communities Report*
- Including mechanisms to capture the voices, stories and lived experience of Aboriginal Western Australians in the biennial *Our Communities Report* – taking the pulse of community sentiment, aspirations and well-being using a combination of qualitative and quantitative techniques.
- Report the proportion of expenditure on ACCO services within the child protection budget.
- Report the proportion of expenditure for early intervention, family support and intensive family support within the child protection budget.

Concluding comments

In summary, we welcome and support the community priorities and policy recommendations listed in the discussion paper and strongly endorse that they become the basis for a flagship strategy commitment by the WA Government to transform services and outcomes for Aboriginal Western Australians over the next decade.

We welcome the opportunity to discuss these issues further with Department of Premier and Cabinet and would be keen to provide support for wider community engagement processes as appropriate.

