



## Royal Commission into Aboriginal Deaths in Custody Recommendation

### 48. Aboriginal perspectives inform social indicators

*That when social indicators are to be used to monitor and/or evaluate policies and programs concerning Aboriginal people, the informed views of Aboriginal people should be incorporated into the development, interpretation and use of the indicators, to ensure that they adequately reflect Aboriginal perceptions and aspirations. In particular, it is recommended that authorities considering information gathering activities concerning Aboriginal people should consult with ATSIC and other Aboriginal organisations, such as the National Aboriginal Islander Health Organisation or the National Aboriginal and Islander Legal Services Secretariat, as to the project.<sup>1</sup>*

<b>Background<sup>2</sup></b>	The Royal Commission into Aboriginal Deaths in Custody (RCIADIC) highlighted issues with the production and use of social indicators related to Aboriginal communities. While recognising the value of social indicators for acquiring information on policy and program outcomes, they were often limiting when agendas focused too narrowly on specific social indicators rather than the overall improvement of the quality of life for Aboriginal people. The report gave an example of housing policies that prioritised the number of homes available to Aboriginal people, with little attention paid to the quality and suitability of the housing and ongoing outcomes. In addition, the RCIADIC highlighted that such measures often neglected the essential aspect of engaging in authentic consultation with stakeholders most affected by the policy or program, which was considered critical to achieving meaningful outcomes.
<b>Intent</b>	Ensure the views of Aboriginal stakeholders inform the development, interpretation and use of social indicators for policy and programs related to Aboriginal people.
<b>Responsibility</b>	The Commonwealth and all state and territory governments.
<b>Key contact</b>	Department of Premier and Cabinet; Department of Families, Fairness and Housing; Department of Justice and Community Safety; Department of Health; Department of Education; Department of Jobs, Skills, Industries and Regions; Department of Energy, Environment and Climate Action.
<b>Key Action Taken</b>	
<b>2005 Review<sup>3</sup></b>	The Department for Victorian Communities assessed Recommendation 48 as <b>partially implemented</b> . <b>Department for Victorian Communities</b>

<sup>1</sup> Royal Commission into Aboriginal Deaths in Custody (Final Report, 1991) vol 2, 53 ('RCIADIC').

<sup>2</sup> Ibid vol 2, 49-53.

<sup>3</sup> Aboriginal Justice Forum (Vic), Department of Justice (Vic), *Victorian Implementation Review of the Recommendations from the Royal Commission into Aboriginal Deaths in Custody* (Review Report, October 2005) vol 1, 680, 715-16 ('2005 Review').

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Aboriginal Affairs Victoria advised (AAV) that where they developed evaluation processes these were negotiated with Aboriginal stakeholders involved in policy development projects. Stakeholders included the Premier's Aboriginal Advisory Committee (PAAC) with members including Aboriginal and Torres Strait Islander Commission (ATSIC) representatives and relevant state-wide Aboriginal organisations. At the time of review, AAV had published an inaugural Annual Aboriginal Affairs Report, which included a detailed profile of Aboriginal indicators. The data set in the report was endorsed by the PAAC and based on the Council of Australian Governments (COAG) Overcoming Indigenous Disadvantage framework. Many of the indicators included in the framework were drawn from national portfolio reporting frameworks, which were developed with consultation from Aboriginal stakeholders.

AAV noted that the development of social indicators must involve Aboriginal people and be accepted by Aboriginal communities as appropriate measures of social and economic progress. Likewise, data should be comprised of strategically relevant information that is negotiated and provided to communities as a core component of the whole-of-government models of community development.

The Minister for Aboriginal Affairs consulted with Aboriginal people and communities across Victoria on the development of a Victorian Aboriginal Affairs framework. The framework's targets and indicators were developed with some Aboriginal input but originally reflective of the COAG framework and indicators which implied Aboriginal communities wanted statistical equality with non-Aboriginal outcomes rather than allowing for Aboriginal aspirations for change. This included priority action areas as identified in consultations with Victorian Aboriginal communities, including Aboriginal partnerships, economic development and participation, family and community wellbeing and improved justice outcomes.

### 2018 Review<sup>4</sup>

Deloitte concluded that Recommendation 48 was **fully implemented** by the Commonwealth Government and **partially implemented** by the Victorian Government.

#### **Commonwealth Government**

The Commonwealth Government introduced guidelines and data sets that encouraged collaboration between researchers and Aboriginal communities, including:

- The National Aboriginal and Torres Strait Islander Social Survey developed by the Australian Bureau of Statistics (ABS) in consultation with Aboriginal community, peak bodies, research groups, government and academia.
- Aboriginal reference groups, including the ABS-led Round Table on Aboriginal and Torres Strait Islander Statistics which consults at a grassroots level on operational and cultural aspects related to Aboriginal statistics and collections.
- The National Health and Medical Research Council (NHMRC) developed ethics guidelines for health research, which defined principles for meaningful collaboration between researchers and Aboriginal communities.

<sup>4</sup> Deloitte Access Economics, Department of Prime Minister and Cabinet, *Review of the Implementation of the Recommendations of the Royal Commission into Aboriginal Deaths in Custody* (Report, August 2018) vol 1, 680, 715-16 ('2018 Review').

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- The Australian Institute of Aboriginal and Torres Strait Islander Studies introduced Guidelines for Ethical Research in Australian Indigenous Studies, which emphasises the importance of consultation with Aboriginal people.
- Prime Minister and Cabinet developed a biennial Aboriginal and Torres Strait Islander Health Performance Framework Report series, which consulted with Aboriginal bodies on measures of health outcomes, determinants and health system performance.

### **Victorian Government**

Researchers involving Aboriginal people should consult with the relevant Aboriginal community and obtain their approval before submitting their research application for review by a Human Research Ethics Committee (HREC). HRECs follow national ethical guidelines and may refer Aboriginal-related concerns to specialist Aboriginal units.

However, this consultation process is often informal and inconsistent, and reviews have found that Aboriginal communities want greater control over how research affecting them is ethically assessed. There is also a recognised need to better integrate Aboriginal perspectives into ethics approval processes.

Some existing measures aim to address this:

- The Justice HREC requires a letter of support from the Koori Justice Unit and includes an Aboriginal representative to ensure cultural appropriateness and respect for key values.
- Corrections Victoria consults relevant Aboriginal program branches on research proposals involving Aboriginal people.
- The Victorian Government introduced strategies (e.g. under the Aboriginal Justice Agreement) to improve inclusion of Aboriginal perspectives in data collection and program evaluation.

Deloitte concluded that more efforts to integrate Aboriginal perspectives in ethics approval processes were needed.

### **Since then**

Several departments were asked about their implementation of this recommendation, their 2025 responses are below:

#### **Department of Premier and Cabinet<sup>5</sup>**

DPC agreed with Deloitte's 2018 assessment of this recommendation as partially implemented. Ongoing commitment to the National Agreement's strong partnership elements (Clause 32 and 33) will assist with implementation. The most recent Partnership Agreement Health Check found that more work is required across jurisdictions to move from a compliance relationship between parties to embedding a true partnership approach that enables self-determination of Aboriginal people.

DPC acknowledges that Aboriginal-led monitoring and accountability is critical to meet the intent of this recommendation.

<sup>5</sup> Department of Premier and Cabinet (Vic), 'Response to Aboriginal Justice Caucus' (Response to AJC Request) 3-5.

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### Victorian Aboriginal Affairs Framework

The VAAF was developed through broad and inclusive statewide engagement with over 600 Aboriginal people across Victoria. The VAAF includes 20 goals and 111 measures to hold government accountable for performance in Aboriginal affairs which reflect the aspirations of Aboriginal people as reported through the engagement process. DPC prepares an annual Victorian Government Aboriginal Affairs Report (VGAAR) which measures progress against the VAAF. DPC engages Aboriginal community stakeholders in VGAAR drafting.

### National Agreement on Closing the Gap

Priority Reform One of the National Agreement (formal partnerships and shared decision-making) requires that Aboriginal people are equal partners in the design of policies and programs. Victoria's Closing the Gap Partnership Forum is the formal body for shared decision-making between the Victorian Government and Aboriginal people on Closing the Gap implementation.

In partnership with Ngaweeyan Maar-oo (the Koorie Caucus of the Partnership Forum and Victorian Government's formal partner for National Agreement implementation), DPC is developing a new Victorian Closing the Gap Implementation Plan. The new Implementation Plan will set out Victoria's approach to achieving its commitments under the National Agreement, including actions to drive progress on the Priority Reforms and socio-economic targets in the National Agreement. The Implementation Plan is being developed in line with Clause 18 of the National Agreement which requires policy decisions that affect Aboriginal people be made through full and genuine partnership.

### Aboriginal Governance Forums

DPC's Aboriginal Governance Forum is the Partnership Forum. Most other departments have portfolio-based Aboriginal Governance Forums which develop and oversee relevant Victorian Government Aboriginal strategies. For example, the Aboriginal Justice Forum will develop the next phase of the Aboriginal Justice Agreement in 2025-26.

### **Department of Families, Fairness and Housing<sup>6</sup>**

Established in 2017, the Aboriginal Strategic Governance Forum (ASGF) is the department's overarching Aboriginal-led decision-making forum to support commitments under Closing the Gap. It sets and oversees the strategic direction for system transformation across DFFH portfolios, aligned with relevant strategies including Korin Korin Balit-Djak.

In November 2024, DFFH and the ASGF agreed to transition activity under Korin Korin Balit-Djak to a collective focus on Closing the Gap and the Self-determination Reform Framework priorities. The ASGF Koorie Caucus endorsed the establishment of five DFFH Closing the Gap Priority Reform Working Groups to further deliver on this work:

- Priority Reform Working Group One: Formal Partnerships and Shared Decision Making.
- Priority Reform Working Group Two: Building the Community Controlled Sector – Aboriginal Sector Workforce Working Group (Established)

<sup>6</sup> Department of Families Fairness and Housing, 'Review of Recommendations from the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) on Data, Research, Funding, Child Protection & Youth' (Response to AJC Request) 3-5.

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- Priority Reform Working Group Two: Building the Community Controlled Sector – Funding Reform (Established)
- Priority Reform Working Group Three: Transforming Government Organisations
- Priority Reform Working Group Four: Shared access to data and information at a regional level.

### **Department of Health<sup>7</sup>**

The Victorian Aboriginal Affairs Framework, developed in 2018, outlines key priorities and actions to address the social, economic, and cultural needs of Aboriginal communities in Victoria. The department provides health and wellbeing data to the Department of Premier and Cabinet for its annual Victorian Government Aboriginal Affairs Report (VGAAR), the key statewide mechanism for monitoring against broader social, economic and cultural influences.

The Aboriginal Health and Wellbeing Partnership (AHWP) Agreement 2023-2033 holds a vision for Victoria's Aboriginal people to have access to a health system that is holistic, culturally safe, accessible and empowering. Endorsed by Cabinet in 2023, the Agreement reflects the priority outcomes of the Victorian Aboriginal Community under the following five domains.

- Prevention and early intervention.
- Culturally safe healthcare.
- A self-determined health system.
- Working from a shared evidence base.
- Building a sustainable health sector.

The department acknowledges the impact of social determinants as key risk factors for the health and wellbeing Aboriginal people and their communities. However, the emerging recognition of cultural determinants as protective factors in Aboriginal health and wellbeing is of greater importance to Community. In addition to broad social factors of poverty, unemployment housing and other negative social influences, the destruction of cultural traditions through past and current government policies and practices are known to have contributed to disparities in health and wellbeing outcomes between Aboriginal and non-Aboriginal people.

The biggest ongoing challenge for the department is the inequitable health outcomes for Aboriginal people in Victoria. This is an ongoing colonial legacy. The social, cultural and historical determinants of health mean broader health system underperformance has a disproportionate impact on Community. For example, Aboriginal people are 2.7 times more likely than non-Aboriginal people in Victoria to present to an emergency department, and experience more than double the rate of preventable chronic conditions.

<sup>7</sup> Department of Health (Vic), 'Review of Recommendations from the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) ' (Response to AJC Request) 4-6.

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### National Agreement on Closing the Gap<sup>8</sup>

The objective of the National Agreement on Closing the Gap is to enable Aboriginal and Torres Strait Islander people and governments to work together to overcome inequality and achieve life outcomes equal to all Australians.

For the first time, the National Agreement was developed in genuine partnership between Australian governments and the Coalition of Aboriginal and Torres Strait Islander Peak Organisations. The expertise and experience of the Coalition of Peaks and its membership were central to the commitments in this National Agreement. So too was feedback from extensive engagements in 2019 with Aboriginal and Torres Strait Islander peoples across Australia.

The views and expertise of Elders, Traditional Owners and Native Title holders, communities and organisations continue to provide central guidance to the Coalition of Peaks and Australian governments as the National Agreement is implemented.

The Australian Institute of Health and Welfare (AIHW) and the Australian Bureau of Statistics (ABS) assisted in developing the National Agreement. The AIHW led several workshops to assist the Partnership Working Group to consider and develop the target framework, developed trajectories to inform decisions about the level of ambition for different target areas, and provided technical advice on the targets, indicators and data availability. The ABS provided data and technical advice for targets and indicators.

#### Priority Reforms

There are four Priority Reforms that focus on changing the way governments work with Aboriginal and Torres Strait Islander peoples. Priority Reform 4 relates to data:

*Aboriginal and Torres Strait Islander people have access to, and the capability to use, locally relevant data and information to set and monitor the implementation of efforts to close the gap, their priorities and drive their own development.*

It was agreed that data and information sharing practice elements between governments and Aboriginal and Torres Strait Islander communities and organisations contain the following features:

- a) There are partnerships in place between Aboriginal and Torres Strait Islander representatives and government organisations to guide the improved collections, access, management and use of data to inform shared decision-making for the benefit of Aboriginal and Torres Strait Islander people.
- b) Governments agree to provide Aboriginal and Torres Strait Islander communities and organisations access to the same data and information on which any decisions are made, subject to meeting privacy requirements, and ensuring data security and integrity.

<sup>8</sup> Joint Council on Closing the Gap, *National Agreement on Closing the Gap* (Agreement, July 2020) 13-16 ('Closing the Gap'); Joint Council on Closing the Gap, 'National Agreement on Closing the Gap: At a Glance', *Closing the Gap* (Web Page) <<https://www.closingthegap.gov.au/national-agreement>> ('National Agreement on Closing the Gap: At a Glance'); Joint Council on Closing the Gap, 'Closing the Gap Targets and Outcomes', *Closing the Gap* (Web Page) <<https://www.closingthegap.gov.au/national-agreement/targets>> ('Closing the Gap Targets and Outcomes').

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- c) Governments collect, handle and report data at sufficient levels of disaggregation, and in an accessible and timely way, to empower local Aboriginal and Torres Strait Islander communities to access, use and interpret data for local decision-making
- d) Aboriginal and Torres Strait Islander communities and organisations are supported by governments to build capability and expertise in collecting, using and interpreting data in a meaningful way.

### Targets

The National Agreement has 19 national socio-economic targets across areas that have an impact on life outcomes for Aboriginal and Torres Strait Islander peoples. Relevant to this recommendation is Target 17, which calls for Aboriginal and Torres Strait Islander people to have access to information and services enabling participation in informed decision-making regarding their own lives.

### **Victorian Closing the Gap Implementation Plan 2021-2023<sup>9</sup>**

Under Priority Reform Four, the Victorian Government had a target to increase the number of regional data projects to support Aboriginal communities to make decisions about Closing the Gap and their development.

The Plan expands on how these commitments were to be fulfilled, confirming that government departments will:

- Develop sector-wide data access and data sharing agreements with and for Aboriginal Controlled Community Organisations (ACCOS) and Traditional Owners in their sector (local, state-wide and peak) with advice and input from the appropriate Aboriginal governance mechanism.
- Prioritise additional investment in ACCO data management and analytics as a core function
- Collaboratively develop options to properly resource this function through allocations from departmental funding programs and through the annual budget process.

### **Productivity Commission, Closing the Gap Review<sup>10</sup>**

In the 2024 review, the Commission found that there has not yet been significant change relating to Priority Reform 4, noting:

- Most government actions have been about sharing data they already hold.
- Governments often do not value what Aboriginal people say about how data should be used and have not changed how data is used in policy making to reflect this.
- Governments are not doing enough to support Aboriginal people's data capability.
- The six community data projects are progressing slowly, but it is not clear how they will be used to advance Priority Reform 4 more broadly.

<sup>9</sup> Victorian State Government, *Victorian Closing the Gap Implementation Plan 2021-2023* (Strategy, 2 August 2021) 46 ('Victorian Closing the Gap Implementation Plan 2021-2023'); Joint Council on Closing the Gap, 'Priority Reforms', *Closing the Gap* (Web Page, July 2020) <<https://www.closingthegap.gov.au/national-agreement/priority-reforms>> ('Priority Reforms').

<sup>10</sup> Productivity Commission, Australian Government, *Review of the National Agreement on Closing the Gap* (Study Report Volume 1, January 2024) ('Review of the National Agreement on Closing the Gap'); Productivity Commission, Australian Government, *Closing the Gap Review: Fact Sheet* (Study Report, 7 February 2024) ('Closing the Gap Review: Fact Sheet').

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- Some jurisdictions are taking steps to embed Indigenous Data Governance (IDG) to support Indigenous Data Sovereignty (IDS).

The Commission recommends amending the Agreement to explicitly include IDS as part of the outcome statement for Priority Reform 4. This should be accompanied by commitments to:

- partnering with Aboriginal organisations and communities to embed IDG, including through incorporating IDG into existing data systems
- strengthening the capabilities of government and ACCOs.

### Evidence of impact

#### Authorising Document

##### Department of Premier and Cabinet<sup>11</sup>

- The National Agreement on Closing the Gap
- The Victorian Aboriginal Affairs Framework
- Productivity Commission Closing the Gap review

##### Department of Health<sup>12</sup>

- Aboriginal Health and Wellbeing Partnership (AHWP) Agreement 2023-33 and Action Plan, cosigned by the Victorian Minister for Health and Chair of VACCHO.

##### Department of Families, Fairness and Housing<sup>13</sup>

- Dhelk Dja: Safe Our Way - Strong Culture, Strong Peoples, Strong Families: Established in 2005 to address issues of Aboriginal family violence. The forum meets three times a year.
- Wungurilwil Gagapduir: Aboriginal Children and Families Agreement- Established in 2015 to drive the safety and wellbeing of Aboriginal children and young people in, or at risk of entering, out-of-home care. The Aboriginal Children's Forum meets quarterly.
- *Mana-na woorn-tyeen maar-takoort: Every Aboriginal Person Has a Home- The Victorian Aboriginal Housing and Homelessness Framework*: Established in 2020 to support actions that ensure a resourced and capable housing and homelessness system within Victoria. The Aboriginal Housing and Homelessness Forum meet quarterly.
- Korin Korin Balit-Djak: Aboriginal Health, Wellbeing and Safety Strategic Plan 2017-2027: The Aboriginal Strategic Governance has oversight and was established in 2017 as an advisory and decision-making forum used to set DFFH's strategic direction on relevant portfolios.
- Aboriginal Governance and Accountability Framework: The Aboriginal Strategic Governance Forum has oversight of this framework.

The governance forums inform the direction and priorities of the DFFH sectors. All the priority reform working groups are being established (currently two are operating). These groups are all chaired by the Koori Caucus members of the Aboriginal Strategic Governance Forum and

<sup>11</sup> Department of Premier and Cabinet (Vic), 'Response to Aboriginal Justice Caucus' 3-5.

<sup>12</sup> Department of Health (Vic), 'Review of Recommendations from the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) '.

<sup>13</sup> Department of Families Fairness and Housing, 'Review of Recommendations from the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) on Data, Research, Funding, Child Protection & Youth' 3-5.

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have a DFFH Deputy Secretary as an executive sponsor. DFFH actively participates in the development of socio-economic targets and priority reforms for the Closing the Gap Victorian Implementation Plan currently under review.

### **Victorian Aboriginal Affairs Framework<sup>14</sup>**

The Victorian Aboriginal Affairs Framework 2018-2023 (VAFF) has two key purposes:

- It is the Victorian Government's overarching framework for working with Aboriginal Victorians, organisations and the wider community to drive action and improve outcomes.
- It sets out whole of government self-determination enablers and principles and commits government to significant structural and systemic transformation.

There are 6 domains with 20 associated goals, which were developed through extensive community engagement across the state. This was to ensure the Victorian Government understood community perspectives on the previous national Closing the Gap agenda and the VAAF to ensure that Victoria's approach reflects Aboriginal voices.

More than 600 Aboriginal Victorians were involved, with community forums and workshops held throughout 2018 in 20 metro and regional communities across six regions. Elders, community members, Aboriginal organisations, mainstream services and government representatives were involved in these consultations.

The Victorian Government committed to:

- commencing work immediately on the development of an Aboriginal-led evaluation and review mechanism
- publishing disaggregated VAAF data via a public data platform
- tabling an annual whole-of-government progress report on the VAAF in Parliament
- exploring potential legislative and policy options to ensure system-wide, whole-of-government adoption and application of the Aboriginal self-determination guiding principles.

### **Burra Lotjpa Dunguludja<sup>15</sup>**

#### AJA4 Outcomes Framework

The AJA4 Outcomes Framework was developed with the Aboriginal Justice Caucus' (AJC) input to determine the domains, goals and outcomes that the AJA4 seeks to achieve. Each domain in the AJA4 includes strategies, existing initiatives, new opportunities and future possibilities to achieve the outcomes.

#### AJA4 Monitoring Evaluation and Learning Framework

The AJA4 will be monitored and evaluated to ensure transparency, accountability and continuous improvement. A monitoring and evaluation strategy will be developed that aligns with the outcomes framework, and will focus on:

- monitoring and measuring outcomes that reflect Aboriginal values and measures of success

<sup>14</sup> Victorian State Government, *Victorian Aboriginal Affairs Framework 2018-2023* (Framework, 2018) 1-22, 59 ('VAFF 2018-2023').

<sup>15</sup> Department of Justice (Vic), *Burra Lotjpa Dunguludja: Victorian Aboriginal Justice Agreement Phase 4* (Agreement, 2018) 10, 32-35 ('AJA4').

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- improving Aboriginal justice data collection, which is essential for establishing an evidence base and securing funding for AJA initiatives
- producing useful findings to inform future program design and policy.

The monitoring and evaluation strategy will support the ongoing implementation of initiatives and programs, inform future investments in justice responses, and enable better outcomes and decisions based on a strong evidence base.

Monitoring activities will include:

- a data improvement plan to improve the quality of Aboriginal justice data sets and improve the utilisation of data and existing evidence
- establishing a minimum program data set for all AJA programs and services
- developing surveys and/or other tools to monitor the ‘health’ of the AJA partnership and the degree to which self-determination has been enabled over time.

Evaluation under this Agreement will include:

- using a program theory approach to explore how and why interventions generate outcomes
- outlining a minimum set of key evaluation questions for any evaluations of AJA initiatives
- building evaluation capacity among community stakeholders as well as the capacity of government to commission and manage culturally responsive evaluations
- ensuring evaluation findings are communicated and made accessible to relevant stakeholders including prisoners, offenders and community members who are evaluation participants.

### The AJA4 Evaluation Standards

Monitoring and evaluation activities should be consistent with the following standards to ensure they are respectful of Aboriginal values as well as accepted guidelines for conducting ethical research.

- Recognise the rights of Aboriginal people to self-determination and to control, protect, maintain, and develop their cultural heritage, including traditional knowledge and intellectual property.
- Respect the right of Aboriginal people to full participation in the evaluation, in line with their relevant skills and experiences. The specialist knowledge of community members and their potential contributions should be recognised and involved wherever possible and appropriate. There should be Aboriginal input into all aspects of the evaluation, including the design, ownership of data, data interpretation and publication of findings.
- Accessible and culturally appropriate informed consent processes which make clear when, how and who will be involved in the evaluation process, what information will be collected, how the information will be recorded and used, the likely risks and benefits arising from participation and the overall potential benefits of an evaluation.
- Acknowledge the diversity and uniqueness of Aboriginal communities, groups and individuals, including different cultures, experiences, perspectives and languages.

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Evaluation activities should reflect the different perspectives and experiences and not generalise from one community to others or to all Aboriginal people.

- Agree on plans for the communication and use of evaluation results. The ownership of evaluation results, and how they will be used, should be agreed at the start of the evaluation with relevant Aboriginal community members and/or appropriate community organisations.
- Adhere to all ethics and privacy policies of the DJCS Safety.

### **Productivity Commission, Overcoming Indigenous Disadvantage Framework<sup>16</sup>**

The Overcoming Indigenous Disadvantage report measures the wellbeing of Aboriginal people. It provides comprehensive data on key indicators across areas such as governance and culture, early childhood, education, health, economic participation, housing and safe and supportive communities.

The 2020 edition of the report seeks to identify the significant strengths of, and sources of wellbeing for, Aboriginal people – and to illustrate the nature of the disadvantage they experience, focusing on the key structural and systemic barriers that contribute to this disadvantage. The framework of indicators focuses on some of the factors that contributed to their wellbeing or that cause the disadvantage they experience.

The framework also focuses on outcomes relating to the lived experiences of Aboriginal people. While there are many reports on Aboriginal people, reports about the performance of governments often focus on specific programs or policies. They may take a ‘silo’ approach and tend to focus on service inputs and outputs, rather than on the outcomes achieved. Information on outcomes is crucial to measure whether progress is being made in improving the wellbeing of Aboriginal people.

For this edition, the case studies focused on identifying arrangements that support shared decision-making between Aboriginal people and governments in areas that affect Aboriginal people and contribute to their overall wellbeing. This focus recognises that shared decision-making critically underpins improved outcomes for Aboriginal people.

### **Outputs**

#### **Department of Premier and Cabinet<sup>17</sup>**

- Victorian Government Aboriginal Affairs Report
- Victorian Closing the Gap Implementation Plan

#### **Department of Health<sup>18</sup>**

The department recognises Indigenous Data Sovereignty (IDS) as a key enabler of Aboriginal self-determination, a priority commitment of the Victorian government. In terms of data ownership, a key principle of IDS, community understands legislative and regulatory requirements can limit the transfer of ownership of public health data into Aboriginal hands, However, data governance, in terms of Aboriginal community led data control and use

<sup>16</sup>Productivity Commission, *Overcoming Indigenous Disadvantage: Key Indicators 2020*, 3 December 2020) ('*Overcoming Indigenous Disadvantage 2020*').

<sup>17</sup> Department of Premier and Cabinet (Vic), 'Response to Aboriginal Justice Caucus' 3-5.

<sup>18</sup> Department of Health (Vic), 'Review of Recommendations from the Royal Commission into Aboriginal Deaths in Custody (RCIADIC)' 4-6.

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remains a priority for the department. It continues to work with community to translate IDS principles into practice.

Implementation of the AHWP Action Plan (2023-2025) is progressing via 38 actions, seven are complete, 20 are on track, three are delayed and another 8 have not yet commenced.

### **Wirkara Kulpa Outcomes Framework<sup>19</sup>**

This Strategy has been developed under the umbrella of Burra Lotjpa Dunguludja (AJA4), the Victorian Aboriginal Justice Agreement. Its success relies on the maintenance of strong relationships with Aboriginal Justice Caucus, Aboriginal people, community and organisations and young people, as well as other departments. All parties are critical to implementing the actions in this Strategy. The Aboriginal Justice Agreement governance groups will oversee the implementation of this Strategy.

Monitoring and evaluation of Wirkara Kulpa will progress in line with its performance framework. These activities will be consistent with the standards listed in the AJA4 Monitoring, Evaluation and Learning Framework to ensure they are respectful of Aboriginal values as well as accepted guidelines for conducting ethical research.

### **Outcomes**

#### **Yoorrook for Justice<sup>20</sup>**

Yoorrook reported that:

*Without evaluation and review, the risks of fragmented accountability rise dramatically. . . if everyone is responsible but no one is held to account, then it is likely that no agency or department will be accountable.*

Some major policy frameworks relating to Aboriginal people were not subject to any monitoring or evaluation, despite stated commitments to do so. Government representatives admitted that despite some of these strategies being more than half-way through delivery, the evaluation process had not yet been designed, let alone implemented.

- For example, five years into the 10-year strategy, Balit Murrup: Aboriginal social emotional wellbeing framework 2017–2027, there had only been ‘ad hoc monitoring of parts of it’.
- In other examples, outcomes have been set at a high level, without specific measures to gauge progress. For example, the Aboriginal Youth Justice Strategy, Wirkara Kulpa (2022–2032), commits to monitoring under the AJA4 Monitoring and Evaluation Framework, but there were no specific, data-based KPIs set in the strategy, and a governance structure was only approved in June 2023. This meant that no monitoring or evaluation of this strategy had been implemented at the time the Yoorrook report was written.

<sup>19</sup> Koorie Youth Council and Department of Justice and Community Safety (Vic), *Wirkara Kulpa: Aboriginal Youth Justice Strategy 2022–2032* (Strategy, February 2022) 40, 50, 53, 55 ('Wirkara Kulpa').

<sup>20</sup> Yoorrook Justice Commission, *Yoorrook for Justice: Report into Victoria's Child Protection and Criminal Justice Systems* (Report, August 2023) 93 ('Yoorrook for Justice').

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### Community Views

#### Maiam nayri Wingara, Indigenous Data Sovereignty Collective<sup>21</sup>

*Data is a cultural, strategic, and economic asset for Indigenous peoples. Indigenous Australians have always been active in what is now known as 'data'. Yet in modern times we have been isolated from the language, control and production of data at community, state and national levels. This has resulted in data that are overly focused on Indigenous peoples as the problem. Existing data and data infrastructure does not recognise or privilege our knowledges and worldviews nor meet our current and future needs.*

#### Closing the Gap Independent Aboriginal and Torres Strait Islander Review<sup>22</sup>

*Data is (still) being used as a tool of control, not empowerment. (Survey response)*

*Right now, most data serves governments - not mob. It measures what systems value, not what our communities define as success. (Survey response)*

*Much of the national data currently available to communities is drawn from census collections, making it infrequent, outdated, and insufficiently localised. Key employment, health, and education datasets are often unavailable at the community level and lack the nuance needed to inform effective program design. (Jumbunna)*

### Related recommendations

#### Productivity Commission, Closing the Gap Review<sup>23</sup>

#### Recommendation 1

*Power needs to be shared*

Essential actions for sharing power are:

- Governments treating ACCOs as essential partners in program and service design and delivery, not simply as funding recipients
- Regular meetings between Ministers and Aboriginal peak bodies
- Governments writing implementation plans more strategically, in collaboration with Aboriginal people

#### Yoorrook for Justice<sup>24</sup>

#### Recommendation 3

To ensure State accountability for Aboriginal related programs and policies by those responsible for their development and delivery:

- a) government bodies must ensure that Aboriginal related programs and policies are rigorously monitored and evaluated
- b) monitoring and evaluation must be designed alongside the development of the program or policy so that it is built into the program or policy (and commences at the same time as implementation) with measurement focused on real outcomes

<sup>21</sup> Maiam nayri Wingara Indigenous Data Sovereignty Collective and Australian Indigenous Governance Institute, *Indigenous Data Sovereignty* (Communique, 20 June 2018) ('Indigenous Data Sovereignty').

<sup>22</sup> Jumbunna Institute for Indigenous Education and Research, *Closing the Gap Independent Aboriginal and Torres Strait Islander Led Review* (June 2025) 135-137 ('Closing the Gap Independent Aboriginal and Torres Strait Islander Led Review').

<sup>23</sup> *Review of the National Agreement on Closing the Gap*, 11.

<sup>24</sup> *Yoorrook for Justice* 27.

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- c) where programs or policies have existing commitments to monitoring and evaluation, but little or no progress has been made, these must be actioned within six months
- d) where programs or policies do not have monitoring or evaluation included, the inclusion of these must be actioned urgently, and
- e) these monitoring and evaluation processes must be in accordance with the Burra Lotjpa Dunguludja (AJA4) Monitoring and Evaluation Framework including:
  - i) being consistent with Aboriginal values,
  - ii) reflecting Aboriginal priorities for what is measured and how it is measured,
  - iii) having an approved regular reporting cycle, and
  - iv) having a commitment to the open reporting of results.

### **Recommendation 4**

The Victorian Government must as an urgent priority, having regard to the right of Aboriginal people to self-determination, negotiate in good faith with the First Peoples' Assembly of Victoria:

- a) the establishment of an independent and authoritative oversight and accountability commission for the monitoring and evaluation of Aboriginal related policies and programs
- b) the detailed functions and membership of the commission, and
- c) to give the commission the necessary resources and authority to hold responsible government ministers, departments and entities to account for the success or failure of the programs they develop and deliver.

### **2005 Review<sup>25</sup>**

### **Recommendation 155**

That performance indicators being developed around priority action areas as part of the evolving whole-of government Indigenous framework be reviewed through consultation and negotiation with the partnership forums between the Victorian Government and the Aboriginal community.

## **Assessment Summary<sup>26</sup>**

The intent of Recommendation 48 was to ensure the views of Aboriginal stakeholders inform the development, interpretation and use of social indicators for policy and programs related to Aboriginal people.

Actions taken are of some relevance to the intent of the recommendation, including Commonwealth Government initiatives to promote Aboriginal involvement in the collection of national statistics and the introduction of ethical guidelines for research and evaluation involving Aboriginal and Torres Strait Islander people, communities and organisations.

<sup>25</sup> 2005 Review, vol 1, 73.

<sup>26</sup> Meeting with Aboriginal Justice Caucus Working Group (Project Team, Online, 17 June 2025) ('Working Group Meeting (17 June 2025)'); Meeting with Aboriginal Justice Caucus (Project Team, In person, 6 August 2025) ('6 August 2025').

## 48. Aboriginal perspectives inform social indicators

There are many examples of Aboriginal involvement in policy, but significant gaps in the evidence of outcomes relating to commitments made, usually as monitoring and evaluation was not undertaken. Therefore, there is more evidence of actions taken rather than their outcomes:

- The AJC were involved in the development of the Aboriginal Justice Agreement 4 (AJA4) Outcomes Framework, AJA4 Monitoring Evaluation & Learning Framework, Key Performance Indicators (KPI) Matrix, Wirkara Kulpa Outcomes Framework and Performance Framework.
- The Victorian Aboriginal Affairs Framework targets and indicators were developed with some Aboriginal input. Earlier version reflected the Council of Australian Governments Overcoming Indigenous Disadvantage framework and indicators which implied Aboriginal communities wanted statistical equality with non-Aboriginal outcomes rather than allowing for Aboriginal aspirations for change.
- There was Aboriginal involvement in development of the Victorian Family Violence Outcomes Framework, Aboriginal Family Violence Primary Prevention Framework 2023, Dhelk Dja Monitoring and Evaluation Framework and Dhelk Dja Outcomes Framework.
- Some Closing the Gap targets and indicators were developed with Aboriginal perspectives. The Dhelk Dja Data Sub Working Group was instrumental in developing defined data, indicators and measures to track progress against the Closing the Gap Target 13.
- Aboriginal perspectives are incorporated (usually through partnership forums, or sub-working groups) into other outcome and monitoring and evaluation frameworks, or strategies include commitments to do this i.e. Korin Korin Balit-Djak.

There are many initiatives across Victorian Government departments, with each strategy or program including frameworks, indicators and evaluation mechanisms. Yet the Yoorrook Justice Commission found that many policies are not monitored or evaluated as suggested.

*Other major policy frameworks relating to Aboriginal people have also not been subject to any monitoring or evaluation, despite stated commitments to do so... Government representatives admitted that despite some of these strategies being more than half-way through delivery, the evaluation process had not yet been designed, let alone implemented.<sup>27</sup>*

Ultimately, the AJC endorses Yoorrook's calls for greater accountability from government to implement these strategies, and greater accountability to Aboriginal communities to follow through on commitments.

*Without evaluation and review, the risks of fragmented accountability rise dramatically... if everyone is responsible but no one is held to account, then it is likely that no agency or department will be accountable.<sup>28</sup>*

Monitoring and evaluation frameworks must be designed alongside the development of policies, so they are incorporated from the beginning, and the measurements focus on tangible outcomes. This must be in accordance with the AJA4 Monitoring, Evaluation and Learning Framework with Aboriginal-led oversight and accountability through an Aboriginal Social Justice Commissioner.

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<sup>27</sup> Yoorrook for Justice 93.

<sup>28</sup> Ibid.

## Assessment of RCIADIC Recommendation 48

**Is the intent of the recommendation accurately described?**

Yes  No

**Does the action taken align with the intent of the recommendation?**

0 – No action taken

1 – Action taken is of little relevance to the intent of the recommendation

2 – Action taken partially aligns with the intent of the recommendation

3 – Action taken fully aligns with the intent of the recommendation

**1.5**

(Score out of 3)

**Is there evidence of the desired impact or outcome/s?**

0 – No evidence

1 – Evidence of output rather than outcome

2 – Some evidence action contributed to outcome/s

3 – Clear link between action and impact or outcome/s

**1.5**

(Score out of 3)

**How relevant is the recommendation in the current context?**

0 – No relevance – refers to practices, agencies or laws that no longer exist

1 – Low – some relevance, but most aspects of the recommendation no longer apply

2 – Moderate – remains relevant, but some aspects of recommendation no longer apply

3 – High – entirely relevant to current context

**3**

(Score out of 3)

**Does full implementation have the potential to reduce incarceration, increase safety in custody and/or progress Aboriginal self-determination?**

0 – No potential to improve Aboriginal justice outcomes

1 – Low – potential to improve Aboriginal justice outcomes, but none of the three identified

2 – Moderate – potential to progress one or two of the outcomes identified

3 – High – potential to reduce incarceration AND increase safety in custody AND self-determination

**1.5**

(Score out of 3)

### Potential actions for further work

**Open monitoring and evaluation underpinning accountability** (Yoorrook for Justice, recommendations 3 & 4)

To ensure State accountability for Aboriginal peoples related programs and policies by those responsible for their development and delivery:

- a) government bodies must ensure that Aboriginal peoples related programs and policies are rigorously monitored and evaluated
- b) monitoring and evaluation must be designed alongside the development of the program or policy so that it is built into the program or policy (and commences at the same time as implementation) with measurement focused on real outcomes
- c) where programs or policies have existing commitments to monitoring and evaluation, but little or no progress has been made, these must be actioned within six months
- d) where programs or policies do not have monitoring or evaluation included, the inclusion of these must be actioned urgently, and
- e) these monitoring and evaluation processes must be in accordance with the Burra Lotjpa Dunguludja (AJA4) Monitoring and Evaluation Framework including:
  - i) being consistent with Aboriginal peoples' values,
  - ii) reflecting Aboriginal peoples' priorities for what is measured and how it is measured,
  - iii) having an approved regular reporting cycle, and
  - iv) having a commitment to the open reporting of results.

The Victorian Government must as an urgent priority, having regard to the right of Aboriginal peoples to self-determination, negotiate in good faith with the First Peoples' Assembly of Victoria:

- a) the establishment of an independent and authoritative oversight and accountability commission for the monitoring and evaluation of Aboriginal peoples related policies and programs
- b) the detailed functions and membership of the commission, and
- c) to give the commission the necessary resources and authority to hold responsible government ministers, departments and entities to account for the success or failure of the programs they develop and deliver.

## Moderate priority for further work

### Relevance and potential impact

		Low (0-2)	Moderate (3-4)	High (5-6)
Extent of action taken and evidence of outcomes	High (5-6)			
	Moderate (3-4)		Rec 48	
	Low (0-2)			

## Bibliography

- Productivity Commission, 2020, *Overcoming Indigenous Disadvantage: Key Indicators*, 3 December 2020)
- Meeting with Aboriginal Justice Caucus Working Group (Project Team, Online, 17 June 2025)
- Aboriginal Justice Forum (Vic), Department of Justice (Vic), *Victorian Implementation Review of the Recommendations from the Royal Commission into Aboriginal Deaths in Custody* (Review Report, October 2005)
- Meeting with Caucus, Aboriginal Justice (Project Team, In person, 6 August 2025)
- Deloitte Access Economics, Department of Prime Minister and Cabinet, *Review of the Implementation of the Recommendations of the Royal Commission into Aboriginal Deaths in Custody* (Report, August 2018)
- Department of Families Fairness and Housing, 'Review of Recommendations from the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) on Data, Research, Funding, Child Protection & Youth' (Response to AJC Request, 17 July 2025)
- Department of Health (Vic), 'Review of Recommendations from the Royal Commission into Aboriginal Deaths in Custody (RCIADIC)' (Response to AJC Request, July 2025)
- Department of Justice (Vic), *Burra Lotjpa Dunguludja: Victorian Aboriginal Justice Agreement Phase 4* (Agreement, 2018)
- Department of Premier and Cabinet (Vic), 'Response to Aboriginal Justice Caucus' (Response to AJC Request, 24 July 2025)
- Joint Council on Closing the Gap, 'Closing the Gap Targets and Outcomes', *Closing the Gap* (Web Page) <<https://www.closingthegap.gov.au/national-agreement/targets>>
- Joint Council on Closing the Gap, *National Agreement on Closing the Gap* (Agreement, July 2020)
- Joint Council on Closing the Gap, 'National Agreement on Closing the Gap: At a Glance', *Closing the Gap* (Web Page) <<https://www.closingthegap.gov.au/national-agreement>>
- Joint Council on Closing the Gap, 'Priority Reforms', *Closing the Gap* (Web Page, July 2020) <<https://www.closingthegap.gov.au/national-agreement/priority-reforms>>
- Koorie Youth Council and Department of Justice and Community Safety (Vic), *Wirkara Kulpa: Aboriginal Youth Justice Strategy 2022–2032* (Strategy, February 2022)
- Maiaim nayri Wingara Indigenous Data Sovereignty Collective and Australian Indigenous Governance Institute, *Indigenous Data Sovereignty* (Communique, 20 June 2018)
- Productivity Commission, Australian Government, *Closing the Gap Review: Fact Sheet* (Study Report, 7 February 2024)
- Productivity Commission, Australian Government, *Review of the National Agreement on Closing the Gap* (Study Report Volume 1, January 2024)
- Research, Jumbunna Institute for Indigenous Education and, *Closing the Gap Independent Aboriginal and Torres Strait Islander Led Review*, June 2025)
- Royal Commission into Aboriginal Deaths in Custody* (Final Report, 1991)
- Victorian State Government, *Victorian Aboriginal Affairs Framework 2018–2023* (Framework, 2018)
- Victorian State Government, *Victorian Closing the Gap Implementation Plan 2021–2023* (Strategy, 2 August 2021)
- Yoorrook Justice Commission, *Yoorrook for Justice: Report into Victoria's Child Protection and Criminal Justice Systems* (Report, August 2023)