

King & Wood Mallesons' (KWM) Social Impact Strategy Launch

FRIDAY 8 APRIL 2022

KWM, Level 12, 1 Constitution Avenue, CANBERRA

Introduction:

- Good morning everyone, thank you for inviting me here today to speak with you at the launch of the King & Wood Mallesons' Social Impact Strategy.
- My name is Pat Turner, I am the CEO of the National Aboriginal Community Controlled Health Organisation, and the Lead Convener of the Coalition of Aboriginal and Torres Strait Islander Peak Organisations.
- Foremost, I am an Aboriginal woman, I am the daughter of an Arrente man and a Gurdanji woman.
- I acknowledge the traditional custodians of the lands where we are standing.
- Canberra is Ngunnawal country. The Ngunnawal are the Aboriginal people of this region and its first inhabitants.
- It is a harsh climate and difficult country for hunter-gatherer people. To live here required great knowledge of the environment, skillful custodianship of it and close cooperation.
- It is this knowledge and ways of working that continue to guide Aboriginal and Torres Strait Islander peoples across the country in today's Indigenous policy landscape.

- As we navigate the changing policy environment, Aboriginal people draw strength from our lands and our customs. And we continue the cooperation amongst our many nations for the betterment of all of us.
- This is the approach that we take to the Coalition of Aboriginal and Torres Strait Islander Peaks Bodies and our work on Closing the Gap.
- Before I go on to the story of the Coalition of Peaks and the new Closing the Gap arrangements which I am so pleased to see underpin many aspects of the King & Wood Mallesons' Social Impact Strategy, I want to acknowledge some others who are in the room with us.

Special acknowledgments:

- Firstly, I acknowledge Nathan Thomas of Waringarri Aboriginal Arts who designed the visual representation for Social Impact Strategy. Nathan, you are keeping our cultures and identities strong through your artwork and storytelling and providing leadership to young adults in the Kimberley region.
- Renae Lattey, the Australian Chief Executive Partner of King & Wood Mallesons, I acknowledge you for a refreshed social impact strategy that is centered on pillars of *'transformational partnerships and systems-change'* and support for Aboriginal and Torres Strait Islander young peoples.
- Donnella Mills, Chairperson of NACCHO with whom I have had a very productive professional working relationship with since 2018.
- The new Closing the Gap policy framework and its arrangements are also centered on transformational partnerships as a means to achieving systems-change and better life outcomes of our peoples.

- A whole of nation effort is required if we are to close the gap in life outcomes between our peoples and other Australians and I am really pleased to see King & Wood Mallesons stepping up to the task and making its contribution.

Struggle of Closing the Gap:

- As the refreshed social impact strategy is centred on partnerships and systems change and draws inspiration from the new National Agreement on Closing the Gap, I wanted to use this opportunity to talk about how the Agreement came to be; the partnership arrangements that underpin it; and the transformational change Aboriginal and Torres Strait Islander peoples are seeking.
- To begin with, it is important to understand two critical aspects of the new partnership arrangements on Closing the Gap.
- Firstly, the struggle around Closing the Gap is about more than our peoples achieving the same social and economic opportunities, choices and outcomes as other Australians.
- This is important of course, and, as a nation, we can not tolerate Aboriginal and Torres Strait Islander peoples dying early of preventable diseases, living in intolerable conditions and being locked out of economic and education opportunities.
- However, the struggle of Closing the Gap is also about retaining, rebuilding, protecting and strengthening Aboriginal and Torres Strait Islander distinct cultures and languages.
- We cannot and must not cede our identities as First Peoples of this nation.
- We need to find a way for policies and programs of Closing the Gap to achieve both, and we can.

- Secondly, for too long, our peoples struggle has been around ensuring that Aboriginal communities have the power and resources to make decisions that deliver on our aspirations.
- Aboriginal and Torres Strait Islander peoples have historically been excluded from decision-making on the policies and programs of governments that directly affect them and the communities in which they live.
- This is despite evidence which demonstrates that the only way to improve our people’s health and wellbeing, whilst retaining our cultural identities, is with our full participation. And despite our collective, repeated calls over many years for full participation in decisions that impact on our lives.

Coalition of Peaks:

- In late 2018, a group of fourteen Aboriginal and Torres Strait Islander community-controlled peak organisations came together to confront these challenges and re-imagine the approach to the Closing the Gap policy.
- The proposition from us was simple enough – a new partnership between Australian governments and Aboriginal and Torres Strait Islander community-controlled organisations where there would be shared decision making on policies and programs that had a significant impact on our peoples.
- And through this partnership, a systems change to the way governments work with our peoples across the country.
- As Australian governments were undertaking a refresh of the Closing the Gap approach, ten years on from its initial conception and where progress had not been as it had hoped, we saw an opportunity to put forward our proposition.

- Our fourteen organisations wrote to the Prime Minister, Premiers and Chief Ministers putting forward the notion of a partnership between governments and our peoples on Closing the Gap, and the new policy framework to be negotiated and agreed with our community-controlled representatives.
- Given where we are now, it might surprise you to know that at first we got no response. Not a no, but silence.
- We persisted and followed up with a further letter, individual advocacy efforts to governments and a media campaign.
- A breakthrough came when the Prime Minister met with us and agreed to take the proposal to other governments.
- On 12 December 2018, following the leadership of the Prime Minister, all Australian Governments publicly committed to developing a genuine, formal partnership with Aboriginal and Torres Strait Islander peoples on Closing the Gap.
- The fourteen Aboriginal organisations then got down to serious work.
- We reached out to every community-controlled Aboriginal peak organisation in the nation, covering the issues that are important to our peoples from health, land, education, early childhood and legal services, and formed what is now known as the Coalition of Peaks.
- We then set about drafting the Partnership Agreement on Closing the Gap that was subsequently negotiated and agreed with Australian governments in March 2019.

- The Partnership Agreement heralds an historic arrangement between our peoples and Australian governments. It commits to shared decision making on Closing the Gap and sets out the formal structures and representation to achieve this.
- For King & Wood Mallesons and as you implement your social impact strategy, I encourage you to ensure that the partnerships you foster are formalised. This has been very important to the work of the Coalition of Peaks and governments.
- To ensure any new partnership you establish under your strategy is genuine, the rules for how decisions will be made and who makes them need to be set out and agreed up front.
- Making the rules of the partnership plain, means that both the power between the parties and the decisions arising from the partnership are shared.

National Agreement:

- Through the partnership structures, the first intergovernmental agreement designed to improve the lives of our peoples was negotiated and agreed between all Australian governments and representatives of Aboriginal and Torres Strait Islander peoples, through the Coalition of Peaks.
- The National Agreement on Closing the Gap came into effect in July 2020 and sets out a range of socio-economic targets for the improvement of the lives of our peoples that governments and the Coalition of Peaks will work towards over the next ten years.
- Importantly though, the National Agreement sets the nation on a course of transforming the way governments and other organisations and institutions work with Aboriginal and Torres Strait Islander peoples.

- Like the pillar in the King & Wood Mallesons’ social impact strategy – we have committed ourselves to systems-change.
- The systems-change we are seeking is set out in the National Agreement as four priority reforms.

Priority Reforms:

- The Priority Reforms are based on what Aboriginal and Torres Strait Islander peoples have been saying for a long time is needed to improve the lives of our people.

Priority Reform One:

- Priority Reform One is about shared decision making to ensure the full involvement of Aboriginal and Torres Strait Islander peoples at the national, state, and regional or local level and embedding our ownership and expertise to close the gap.
- It is intended to take us beyond governments setting up their own structures to consult Aboriginal and Torres Strait Islander peoples, including using hand picked advisers.
- Instead, it is about formal partnership structures, particularly agreements, which are negotiated and agreed to by community-controlled representatives of our peoples.
- Priority Reform One sets out key elements that should form a partnership arrangement. These elements are relevant to governments, organisations and businesses alike.
- I encourage King & Wood Mallesons to apply these elements when it pursues partnerships as part of implementing its social impact strategy.

Priority Reform Two:

- Priority Reform Two is a commitment to build and strengthen and place our community-controlled services at the heart of delivering programs and services to our peoples.
- Community control is an act of self-determination for our peoples. No other way of delivering and governing provision of services to our people guarantees Aboriginal and Torres Strait Islander empowerment; respects our unique identity as First Peoples; and protects our cultures for the long term.
- We also know that community-controlled services are better for our peoples – they achieve better results, employ more of our peoples and are mostly preferred over mainstream services.
- Through their involvement in policy and political advocacy, our organisations also provide a voice for Aboriginal and Torres Strait Islander peoples. Without them, the accountability of governments would be far weaker.
- When King & Wood Mallesons considers all three pillars of its social impact strategy, I encourage you to consider how you will contribute to the strengthening of our community-controlled organisations and structures. This is part of the systems-change we are seeking.

Priority Reform Three:

- Priority Reform Three is about governments, organisations and institutions making a far greater contribution to Closing the Gap and being much more accountable to our peoples than before.

- For too long, some government departments, organisations and institutions have not considered Closing the Gap to be part of their business. The National Agreement says that it is.
- As I said at the start, if we are to close the gap, the whole nation needs to contribute.
- This is why I am so pleased to see the social impact strategy start to grapple with the role that King & Wood Mallesons can play in Closing the Gap.
- Priority Reform Three is intended to go beyond arrangements like Reconciliation Action Plans and is about confronting systems-change within organisations to ensure they are responsive to our peoples’ histories, cultures and identities and contributes to the improvement in our life outcomes.

Priority Reform Four:

- Priority Reform Four is a commitment to ensuring Aboriginal and Torres Strait Islander peoples have access to, and the capability to use, locally relevant data and information to monitor the implementation of the first three Priority Reforms, the socio-economic Closing the Gap targets, and drive our own development.
- Put simply, better access to data that is relevant to our lives means we can make better decisions for our futures.
- I would encourage King & Wood Mallesons to consider how it will not only monitor and track the implementation of its social impact strategy, but how it will share that data and information with the partnerships, the organisations and young peoples it is working with.

Conclusion:

- While the National Agreement was established to fundamentally change the way government works with our communities, organisations and peoples, the priority reforms equally apply to organisations and businesses across the country.

- And we all have a collective responsibility to act on the voices of Aboriginal and Torres Strait Islander peoples and contribute to Closing the Gap.

- The three pillars in the social impact strategy demonstrate King & Wood Mallesons have stepped up and is prepared to be at forefront of social change.

- I congratulate you on your efforts to date and wish you every success in implementing the social impact strategy.

- Thank you.