04 August 2019

Indigenous Evaluation Strategy
Productivity Commission
Locked Bag 2, Collins Street East
Melbourne VIC 8003

ONLINE ONLY: www.pc.gov.au/Indigenous-Evlaluation

Dear Commissioner,

AIATSIS Submission – Indigenous Evaluation Strategy

The Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) welcomes the opportunity to make a submission in response to the Indigenous Evaluation Strategy: Productivity Commission Issues Paper, June 2019.

In summary, we make the following observations:

- The development of a whole of government Indigenous evaluation strategy provides a unique opportunity to embed the principles of working in partnership with Aboriginal and Torres Strait Islander peoples into the assessment of performance of government policies and programs.
- All government policies and programs impacting on Aboriginal and Torres Strait Islander peoples should be assessed in terms of their impact on wellbeing and the enjoyment of rights as Indigenous peoples under international law.
- Current government programs and plans inadequately engage with Aboriginal and Torres Strait Islander peoples, their aspirations, knowledge and cultures.
- Evaluation is research and should be guided by principles and practices from the new AIATSIS Code of Ethics including strong Aboriginal and Torres Strait Islander engagement, co-design and governance.
- Evaluation methodologies should reflect Indigenous ways of knowing being and doing. Qualitative, participatory approaches tend to be the most appropriate evaluation methods. However, this does not preclude the importance of quantitative approaches.
- The use and analysis of data should not be assumed to be objective and unaffected by bias. Data analysis must be culturally informed and driven by Aboriginal and Torres Strait Islander priorities.

- The regimes governing the collection, storage, use and dissemination of Indigenous data during evaluation must be designed to empower and support Aboriginal and Torres Strait Islander data governance and decision making.
- Adequate funding and resourcing must be provided to Aboriginal and Torres Strait Islander communities, organisations and individuals who are expected to adopt self-evaluation techniques or participate in evaluations.
- Critical Investment in infrastructure to share evidence and lessons from evaluation, as well as capability building for communities in the conduct and use of evaluation, quality assurance and continuous improvement data, will significantly boost the impact of the strategy.

Yours sincerely,

Dr Lisa Strelein

Executive Director – Research

Introduction

About AIATSIS

For 55 years AIATSIS has acted as a custodian and repository of Aboriginal and Torres Strait Islander culture and knowledge. AIATSIS is one of Australia's publicly funded research agencies and is dedicated to Aboriginal and Torres Strait Islander research.

AIATSIS has statutory responsibility to provide leadership in Aboriginal and Torres Strait Islanders research and ethics and protocols related to research and collections. AIATSIS also has a legislative role in providing advice to government in relation to Aboriginal and Torres Strait Islander culture and heritage.

Our vision is a world in which Aboriginal and Torres Strait Islander knowledge and cultures are recognised, respected, celebrated and valued. Our mission is fourfold:

- Tell the story of Aboriginal and Torres Strait Islander Australia
- Create opportunities for people to encounter, engage with and be transformed by that story
- Support and facilitate Aboriginal and Torres Strat Islander cultural resurgence
- Shape our national narrative

Of relevance to this review, AIATSIS first published the Guidelines for Ethical Research in Australian Indigenous Studies (GERAIS) in 1999 to ensure that research with and about Aboriginal and Torres Strait Islander peoples follows a process of meaningful engagement and reciprocity between researchers and the individuals and/or communities involved in the research. AIATSIS is currently in the final stages of revising the GERAIS which will be released as the new AIATSIS Code of Ethics in late 2019.

AIATSIS hosts two significant conferences on a biennial schedule: the National Native title conference (which will be held in 2020 and the Australian National Indigenous Research Conference (ANIRC) which was held this year. These events, along with other symposia and workshops, provide opportunities for dialogue and exchange drawing together researchers, policymakers, cultural and collecting institutions, the corporate sector, and Indigenous organisations and communities.

Additionally, AIATSIS is undertaking an ongoing project, 'Sharing Success, Measuring Impact', which aims to understand how impact evaluation can be conducted in a way that is both culturally appropriate and respectful, and tailored to suit the kinds of research that AIATSIS conducts and supports.

Our approach to this submission

AIATSIS has provided an informed response to those questions in the Issues Paper that are relevant to our expertise and experiences. We have not addressed all of the questions posed. In some instances, our responses are relevant to multiple questions and in such cases, we list those questions together.

Our responses to the Issues Paper have been collated under the following headings:

Response to Issues Paper

Objectives

What objectives should a strategy evaluating policies and programs affecting Aboriginal and Torres Strait Islander people seek to achieve? (p.4)

The clear objective of all government action that impacts Aboriginal and Torres Strait Islander people should be to improve wellbeing, to ensure that Indigenous people have the capabilities and opportunities to live the life they value, in a society that values and affirms Indigenous peoples' identities, cultures and contributions to Australian nationhood. Indigenous policies and programs should provide critical investments and infrastructure that allow Indigenous individuals, communities and societies to thrive.

Any strategy evaluating policies and programs affecting Aboriginal and Torres Strait Islander peoples should measure success by the extent to which they improve or promote the enjoyment of rights and Australia's responsibilities under the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP). This Declaration provides clear, specific standards and expectations across the range of possible policies and programs. It should also inform how we design policies and conduct programs with Aboriginal and Torres Strait Islander people.

Underpinning more specific rights is the principle of self-determination, which affirms the distinct political status of Indigenous peoples and their rights to freely pursue their economic, social and cultural development.[1] The principle of self determination requires that Indigenous peoples be involved in decisions that affect them, including the design, delivery and evaluation of government policies and programs. The objectives of the strategy should therefore include a measure of the extent to which Aboriginal and Torres Strait Islander peoples are engaged in designing and delivering programs, and the extent to which ownership and access to data and information can inform their own decision-making and prioritisation.

Concomitantly, evaluations undertaken pursuant to the strategy must also be measured by the extent to which they are led by and carried out in partnership with Indigenous people. Participatory or co-design evaluation approaches to determine the objectives, aims and components of the evaluation programs are more able to provide realistic and culturally appropriate methods and more meaningful outcomes.

Finally an objective of the strategy should be to improve understanding of good policy design and program delivery and contribute to the development of theory and practice.

Current practices and lessons learned

What are the strengths and weaknesses of current evaluation systems and practices across Australian Government agencies? Can you provide examples of good and bad practice? (p.22)

What types of evaluation approaches and methods are currently used to evaluate Indigenous programs? How could evaluation methods be improved to ensure robust and reliable evidence is produced? (p. 35)

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[1] The Declaration, Article 3.

The program logic for the Indigenous Advancement Strategy (IAS) funding programs over the past five years have been disjointed and confusing. And while the IAS program logics appear to be outcome focused, grants issued under the program have often retreated back to measurement of outputs rather than outcomes. Until recently, evaluations were rarely contemplated at the outset of a program or grant and are rarely informed by Indigenous perspectives on what success might look like. There has been a significant change in approach of PM&C, now NIAA, over the last three years in the development of the internal evaluation program that may provide lessons across Commonwealth and State/Territory government agencies.

Evaluation of policies and programs and local outcomes have been undertaken in an ad hoc way, constrained by the parameters of a particular program or activity, such that there is no overarching logic that provides a picture of the impact that government is having in Aboriginal and Torres Strait Islander peoples' lives. The opportunity provided to the Aboriginal and Torres Strait Islander Productivity Commissioner through this proposed strategy to address such ad hoc approaches to Indigenous evaluation should not be missed.

Where evaluations were carried out, they were most often at arm's length and independent of the Indigenous organisations and communities themselves – a classic example of government 'doing to' rather than 'with'. They were often undertaken by consultants that did not have the cultural competency and ethical foundations for the work. In recent years, the maturing of the consulting sector in relation to Indigenous cultural competency and ethical research, together with the Indigenous procurement strategy have seen a shift in practice, although there is a significant way to go.

During 2017, Social Ventures Australia (SVA) consulted with AIATSIS on an evaluation of the PBC Capacity Development Tool. This was developed to evaluate the IAS PBC Capacity building program. Key considerations raised by AIATSIS at the time included:

- An evaluation tool that has not been co-designed may not be seen as relevant and empowering
- The objectives of the evaluation need to include Indigenous outcomes
- Self-evaluation is an additional burden placed on often poorly resourced Indigenous organisations
- Any self-evaluation should be funded as part of the grant funding
- Sovereignty of the data collected should be part of the evaluation process

Access to cultural information often held in large institutions is of significant importance to many Indigenous people. There is a growing interest from institutions in the GLAM (Galleries, Libraries, Archives and Museums) sector for impact evaluation of projects related to Indigenous collections, particularly its digitisation. Such methodologies have great relevance for cultural work with Indigenous people and communities.

- Quantitative data is often lacking and concerns relatively small volume. This means that when Indigenous peoples' use of cultural resources are evaluated quantitatively (e.g.,

the number of downloads), this can often appear negligible. In reality, having access to cultural material can be transformative.

- Marsh and colleagues argue that 'storytelling' is an appropriate methodology that is 'fitting for the unique, small-scale, and culturally sensitive nature of ethnographic digitization projects'.[2] This is consistent with some of the Indigenous methodologies highlighted in the Issues Paper (p. 15).
- Punzalan and colleagues suggest six domains of impact to be evaluated against that are culturally and contextually appropriate: knowledge, attitudes, professional discourse, institutional capacity, policy, and relationships.[3]

The role of culture in policy and program evaluation

There is a growing body of literature that demonstrates the positive relationship between connection to culture and wellbeing.[4] The evaluation framework must recognise Aboriginal and Torres Strait Islander cultures as both a determinant of outcomes, as well as an outcome itself. Current federal programs do not do this well. An Indigenous Evaluation Strategy assesses not only whether set targets are achieved, but whether those targets align with Indigenous aspirations in the first place.

Indigenous Australians consistently outline the centrality and significance of cultures to their lives and wellbeing. Governments know this (even if they do not always act on it). For instance, the Overcoming Indigenous Disadvantage Report (2016), following feedback, now recognises culture's 'significance as underpinning all other outcomes'.[5] Despite this, Australian government programs and plans do not engage seriously with Aboriginal and Torres Strait Islander cultures and aspirations. For example:

- **Closing the Gap (CTG):** The CTG Reports suggest that culture is treated seriously within the CTG framework. For example, Chapter 1 of the CTG Report (2018 and 2019) is titled 'Celebrating Indigenous Cultures',[6] and it highlights cultural programs supported by government. Yet, not one of the seven CTG targets (child mortality, early childhood education, school attendance, life expectancy, year 12 attainment, reading and numeracy, and employment) relates to culture. Instead, the framework assumes that overcoming Indigenous disadvantage resides solely in generating statistical equality on

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[2] Although Marsh et al. were referring to the stories told by institutional GLAM-sector workers, the point could easily be extended to the users of digital products, see D Marsh et al., "Stories of Impact: The Role of Narrative in Understanding the Value and Impact of Digital Collections," *Archival Science* 16, no. 4 (2016): 367.

[3] RL Punzalan, DE Marsh, and K Cools, "Beyond Clicks, Likes, and Downloads: Identifying Meaningful Impacts for Digitized Ethnographic Archives," *Archivaria* 84 (2017): 81–95.

[4] Sarah Bourke et al., "Evidence Review of Indigenous Culture for Health and Wellbeing," *The International Journal of Health, Wellness, and Society* 8, no. 4 (2018): 11–27; Minette Salmon et al., *Defining the Indefinable: Descriptors of Aboriginal and Torres Strait Islander Peoples' Culture and Their Links to Health and Wellbeing* (Canberra: Research School of Population Health, Australian National University, 2018); Alfred Dockery, "Do Traditional Culture and Identity Promote the Wellbeing of Indigenous Australians? Evidence from the 2008 NATSISS," in *Survey Analysis for Indigenous Policy in Australia*, ed. Boyd Hunter and Nicholas Biddle (Canberra: ANU E Press, 2012), 281–306.

[5] Steering Committee for the Review of Government Service Provision, "Overcoming Indigenous Disadvantage: Key Indicators 2016" (Productivity Commission, 2016), 2.12.

[6] Department of the Prime Minister and Cabinet, "Closing the Gap Report: Prime Minister's Report 2018," 2018, https://www.pmc.gov.au/sites/default/files/publications/ctg-report-2018.pdf; Department of the Prime Minister and Cabinet, "Closing the Gap Report 2019," 2019, https://ctgreport.pmc.gov.au/sites/default/files/ctg-report-2019.pdf?a=1.

specified socioeconomic outcomes, without recognition or protection of cultural difference and diversity.[7]

- **National Aboriginal and Torres Strait Islander Health Plan (2013-2023):** The National Health Plan diagrammatically represents culture as central to Indigenous people. It states: 'Aboriginal and Torres Strait Islander peoples have the right to live a healthy, safe and empowered life with a healthy strong connection to culture and country'.[8] Yet, only one priority area out of the eleven listed deals with the area of culture, and its central goal is the elimination of racism. However, preventing racism is not the same as cultural strengthening and support. Thus, none of the indicators engage seriously with Indigenous culture.

    The National Health Plan also acknowledges that Indigenous understandings of health are 'holistic' which includes the 'social, emotional and cultural wellbeing of the whole community in which each individual is able to achieve their full potential'.[9] If this definition of health as holistic was translated completely into the Plan, then there would be specific indicators relating to culture, not simply targets related to the culturally competent delivery of health services.

The Mayi Kuwayu study, in which AIATSIS is a partner, is seeking to address some of the measurement issues that have plagued previous reporting frameworks. Mayi Kuwayu is a large scale longitudinal study that seeks a greater understanding of the value of culture for Aboriginal and Torres Strait Islander people. It looks at how Aboriginal and Torres Strait Islander wellbeing is linked to things like connection to country, cultural practices, spirituality and language use. The study is an Aboriginal and Torres Strait Islander controlled research resource and will provide an evidence base to allow for the creation of better policies and programs.

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[7] A point which Altman makes, see J. C. Altman, "Beyond Closing the Gap: Valuing Diversity in Indigenous Australia," *CAEPR Working Paper* 54 (2009): 1.

[8] Australian Government, "National Aboriginal and Torres Strait Islander Health Plan 2013-2023," 2013, 7, https://www.health.gov.au/internet/main/publishing.nsf/content/B92E980680486C3BCA257BF0001BAF01/$File/health-plan.pdf.

[9] Ibid., 9.

Ethical conduct, cultural capability and respect

How do Australian Government agencies currently deal with ethical issues associated with evaluation? (p.33)

AIATSIS publishes the Guidelines for Ethical Research in Australian Indigenous Studies (GERAIS) and its independent Human Research Ethics Committee (HREC) to provide guidance and advice on ethical issues in evaluation research. GERAIS represents the highest standards of ethical research and human rights for Aboriginal and Torres Strait Islander research and are informed by the recognition and respect for the rights of Indigenous peoples as articulated in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). GERAIS is a well-recognised text that has been adopted nation-wide by many institutions including other ethics committees, research organisations and professional bodies as well as government departments and private companies. The Australian Research Council (ARC) funding rules for Australian Competitive Grants have mandated compliance with AIATSIS Guidelines for grant recipients. (NHMRC mandates their own ethics guidelines.) The National Indigenous Australians Agency applies GERAIS in their current evaluation program.

The AIATSIS HREC is registered with the National Health and Medical Research Council (NHMRC) registration scheme for HREC's. The AIATSIS HREC is governed and meets the requirements of the National Statement on Ethical Conduct in Research which was developed by the NHMRC, the Australian Research Council and Universities Australia.

Do existing ethical guidelines for evaluation and research provide sufficient guidance for evaluation commissioners, evaluators and participants in evaluations of programs affecting Aboriginal and Torres Strait Islander people? To what extent should the Indigenous Evaluation Strategy build in these guidelines? (p.33)

AIATSIS is in the final stages of revising the GERAIS, which will become the Code for Ethical Conduct in Aboriginal and Torres Strait Islander Research (the Code) and provides additional information for people participating in evaluation research. AIATSIS advises that the principles and practices outlined in the Code should be built into the Indigenous Evaluation Strategy. The Code has been informed by a range of Aboriginal and Torres Strait Islander experts, academics and community leader views and authorship.

AIATSIS has also been engaged in the Better Evaluation project undertaken in partnership with the Australian New Zealand School of Government (ANZSOG) and PM&C. This project provides practice guidance for Indigenous evaluation.

In what circumstances should evaluation projects be subject to formal ethics review? (p.33)

All evaluation projects (other than some examples of self-evaluation) are a form of research; therefore, they require adherence to the Code and ethical approval by a competent Human Research Ethics Committee. This is a minimum standard of best practice for research with Aboriginal and Torres Strait Islander communities and individuals.

In what circumstances should evaluation projects be exempt from formal ethics review? (p.33)

Some self-evaluation research may be exempt from ethics review particularly if it resides at an individual level. Commissioners of evaluations are responsible to develop and implement processes and policies to set internal expectations about the level of ethical oversight for their

research projects. If an evaluation does not trigger formal ethics review it must still comply with the code and be ethically acceptable.

Currently under the National Statement all research with Aboriginal and Torres Strait Islander people must be subject to ethical review by a qualified Human Research Ethics Committee. The National Statement specifically exempts from review research involving the use of existing collections of data or records that contain only non-identifiable data. It is also often considered that desktop or archival research does not require ethical review. However, in applying GERAIS or the new AIATSIS Code, care should be taken as relevant ethical issues can arise in this kind of research. A precautionary approach should be applied and guidance from an ethics review committee with experience in Aboriginal and Torres Strait Islander research may be of significant benefit and should be sought.

What are the time and cost implications of embedding an ethics review process into Australian Government evaluations? (p.33)

The cost of seeking ethical review is quite insignificant in contrast with overall budgets for evaluations. The AIATSIS service fee for an ethics application is $770, this is reasonably low in comparison to other HREC's who provide a service in reviewing external applications particularly in the clinical health sector. Significant additional costs can be triggered by conditions of the ethics approval resulting in methodologies changing. For example, a HREC might set a condition that the project team must visit a community to undertake consultations face-to-face and return to the community to deliver the results of the research. This would require additional budget.

The timeframe for seeking formal ethical review can be considerably shorter if ethics is addressed in the development of policies and programs. Typically a minimum of 3 months is required. Greater access to training and advice from ethics committee secretariats prior to application can significantly improve the quality of applications prior to submitting to the HREC for review and reduce the timeframe.

Ethical review is a substantial process and it can take time. Seeking ethics approval by a qualified HREC in assessing Indigenous research is considered as best practice, although there may be additional levels of ethical oversight built in to a project. Achieving ethics approval can also assist with relationship building and trust with Aboriginal and Torres Strait Islander people and increase confidence in the evaluation. Sufficient time and budget should be built into projects during the design phase, although it is not always possible. Indigenous research ethics has evolved considerably over the past 10 years and is beginning to take new approaches. Ethical review is often seen as a barrier and there is resistance to seeking formal ethical review due to the perceived burdensome nature and extended time periods it can take to achieve ethics approval. Commissioners of research must allow for sufficient costs and time to be built into contracts.

In some instances Aboriginal and Torres Strait Islander communities will have their own set of protocols including the provision of ethics approval prior to an evaluation taking place. Ethical review is not a 'tick box' activity, it is intended to prompt practitioners to improve the quality of their projects.

Practitioners may find that ethical review is required from multiple committees, depending on the nature, location and ownership of the data required to undertake the research. This can further extend the timeframe and incur additional costs. The National Statement recognises the

risk of duplication of ethical review and requires institutions and HRECs to actively minimise duplication and increase information sharing and mutual acceptance of clearances from other registered HRECs.

Ethics approval granted by AIATSIS applies nationally and to cross-jurisdictional research. In most cases, clearance from the AIATSIS Ethics Committee is adequate. However, depending on the nature of the project, Aboriginal and Torres Strait Islander communities may request additional approval from their local or preferred HREC.

In projects relating to education, ethics approval may be required from relevant education departments for each jurisdiction. Research involving prisoners may similarly require local ethics review.

The mutual acceptance agreement in health research (Australian Governments)

The National Mutual Acceptance (NMA) scheme was introduced to allow mutual acceptance of ethical and scientific review of multi-centre human research projects undertaken within public health organisations. The NMA is recognised across multiple participating sites and jurisdictionally in New South Wales, Queensland, South Australia, Victoria, Australian Capital Territory and Western Australia.

The scheme allows researchers to submit ethics applications to one HREC as opposed to multiple HRECs. The scheme includes any form of human research as defined by the National Statement. However, the scheme excludes any projects involving Aboriginal and Torres Strait Islander research. It may be timely to review whether this exclusion is appropriate.

How can the cultural capability of evaluation commissioners and practitioners and their respect for Aboriginal and Torres Strait Islander culture, knowledge's, history and values be demonstrated and improved? (p.34)

A key consideration in ethical review is the cultural capability of the evaluation commissioners and practitioners. One way to improve cultural capability of evaluation commissioners, practitioners and other staff is to ensure all staff undertake cultural learning.

One example of cultural learning that can be utilised is AIATSIS's Core Cultural Learning: Aboriginal and Torres Strait Islander Australia (Core) Foundation Course. Core is an innovative online course developed to strengthen the cultural capability of the staff in your organisation. It is designed to be informative, interactive and to create a greater awareness of the vast history and cultural heritage of Aboriginal and Torres Strait Islander peoples.

Core provides a detailed exploration of Aboriginal and Torres Strait Islander peoples and issues, as a means of enhancing cultural understanding; a deeper sense of self-awareness and critical reflection; and personal and professional capacity to engage respectfully and effectively in an intercultural context.

AIATSIS also provides specialised ethics training and group workshops with the aim that participants will acquire:

- An awareness of the ethical framework for research in Australia

- An understanding of the ethical principles underpinning the AIATSIS Guidelines

- An understanding of key issues in designing and undertaking ethical engagement practices

- Knowledge on how to apply the principals in practice

- An overview of the process and expectations for ethical clearance

The training is facilitated face to face by qualified research facilitators including AIATSIS Research Ethics Committee members and can be customised to meet the needs of individual participants.

Over the next 6 months AIATSIS will undertake a scoping project on the development of an online training package to provide easily accessible learning resources in the foundations of ethical Aboriginal and Torres Strait Islander research.

Evaluation commissioners and practitioners need to be prepared to accept criticism and adapt their approaches in responses to feedback received from both ethical review processes and also the Aboriginal and Torres Strait Islander people involved in the project. Too often, ethics committee's receive push back from independent evaluators when given advice and recommendations on best practice from experts in Indigenous research ethics. Equally, we observe independent evaluators modifying their projects in order to meet the ethical conditions set by the HREC without consulting the commissioner of the evaluation in regards to implications for the time and budget. Commissioners should build in explicit expectations on the ethical requirements of the project into tender documents and contracts, to ensure accountability of the practitioners at various points throughout the project.

Seeking approval from an experienced HREC can contribute to increasing cultural capability of not just the practitioners but may also lead to structural improvements of the organisation in terms of the quality and standards of future evaluations.

Evaluation approaches and methods

Which evaluation approaches and methods are particularly suited to policies and programs affecting Aboriginal and Torres Strait Islander people? (p. 16)

What factors (for example, circumstances or program characteristics) should be considered when choosing the most appropriate evaluation approach or method, and why? (p. 16)

There is no single evaluation approach or method that is appropriate for research with all Aboriginal and Torres Strait Islander people and organisations. As a guide AIATSIS strongly recommends that evaluators are familiar with the principles of decolonising methodologies, ethics principles (outlined above) and participatory public policy approaches such as 'co-design'. In general, AIATSIS recommends approaches that are qualitative and participatory as they more easily avoid the problems of top-down imposed analysis that fail to represent culturally-different experiences.

Decolonising methodologies and Indigenist research methodologies

The Issues Paper draws attention to important developments in research with Indigenous Australians such as 'co-design' (p. 14), but does not reference critiques of research methodology, most particularly 'decolonising methodologies' and Indigenist methodologies. Declonisation is not a word that is used in policy making in Australia, but is a common foundational principle for research in Indigenous studies.[10] Implicit in this is both an understanding of the standpoint from which a researcher comes to a project or problem and the conscious and unconscious biases each of us hold, as well as the systemic and historical biases of the disciplines we apply and the institutions in which we work.[11]

Eminent scholar of decolonisation, Linda Tuhiwai Smith, states: 'from the vantage point of the colonised, a position from which I write … the term "research" is inextricably linked to European imperialism and colonialism. The word itself, "research", is probably one of the dirtiest words in the indigenous world's vocabulary.'[12]

In Australia, it is often remarked that Indigenous peoples are 'one of the most researched groups of people on earth'—a claim whose subtext captures the sense of frustration that Indigenous peoples have towards research, often which 'has neither been asked for, nor has it had any relevance for the communities being studied'.[13]

Decolonising research or evaluation methodologies requires that we recognise the ways in which research has been implicated in colonialism and create new ways of researching that

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[10] Lester-Irabinna Rigney, "A First Perspective of Indigenous Australian Participation in Science: Framing Indigenous Research Towards Indigenous Australian Intellectual Sovereignty" (National Centre for Indigenous Studies, Australian National University, 2001), 1, 7, https://ncis.anu.edu.au/_lib/doc/LI_Rigney_First_perspective.pdf; for a periodisation, see also Shawn Wilson, *Research Is Ceremony: Indigenous Research Methods* (Halifax and Winnipeg: Fernwood Publishing, 2008), 45–52.

[11] Martin Nakata *Disciplining the Savages: Savaging the Disciplines*. Canberra: Aboriginal Studies Press, 2007.

[12] Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples*, Second Edition (London and New York: Zed Books, 2012), 30.

[13] Karen (Booran Mirraboopa) Martin, "Ways of Knowing, Being and Doing: A Theoretical Framework and Methods for Indigenous and Indigenist Re-Search," *Journal of Australian Studies* 27, no. 76 (2003): 203; Wilson, *Research Is Ceremony*, 15.

give respect and space to Indigenous worldviews. Decolonised methodologies regard the values, beliefs, practices and customs of Indigenous communities not as barriers but as "factors" to be built into research explicitly.[14] Indigenist methodologies more concretely place Indigenous knowledge and worldviews at the centre.

- Irabinna Rigney offers three core, inter-related principles for his Indigenist research methodology: Resistance (as the emancipatory imperative); political integrity; and privileging Aboriginal and Torres Strait Islander voices.[15]
- Karen Martin's framework for Indigenist research is framed around Indigenous ways of *knowing*, *being* and *doing*.[16] Other scholars represent a similar formulation as epistemology (knowing), ontology (being) and axiology (values).[17]
- Errol West has presented his 'Japanangka model', which provides a framework for capturing Indigenous approaches to knowledge. There are eight sub-paradigms: cultural, spiritual, secular, intellectual, political, practical, personal and public.[18]
- The references contained in the footnotes of this section provide a good, general guide to beginning the theoretical work in uncovering various models and key aspects of decolonising methodologies.[19]

Qualitative and participatory approaches

As part of our 'Sharing Success Measuring Impact' project, AIATSIS has been working to develop a framework for culturally appropriate evaluation that is suitable for research contexts with Aboriginal and Torres Strait Islander people and communities. We concluded in a 2017 literature review, that *qualitative and participatory approaches* are often most appropriate for work in Indigenous research, as it is most consistent with the demands of decolonisation, including recognising and foregrounding Indigenous epistemologies and perspectives.[20]

Participatory approaches assist in avoiding some of the problems of other evaluative models which require the imposition of top-down, pre-determined categories that typically, and historically, have failed to capture reality for many Aboriginal and Torres Strait Islander people. Participatory approaches also recognise that Indigenous voices are critical, as Torres Strait Islander scholar, Martin Nakata, has articulated: 'Islander' accounts and understandings would better enable those involved in transforming Islander lives … to develop, implement and

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[14] Ibid., 52.
[15] Rigney, "A First Perspective of Indigenous Australian Participation in Science," 8.
[16] Martin, "Ways of Knowing, Being and Doing"; see also, Karen Martin, *Please Knock Before You Enter: Aboriginal Regulation of Outsiders and the Implications for Researchers* (Teneriffe, Queensland: Post Pressed, 2008).
[17] Bagele Chilisa, *Indigenous Research Methodologies* (Thousand Oaks, California: Sage Publications, 2012), 20–23.
[18] Errol George West, "An Alternative to Existing Australian Research and Teaching Models: The Japanangka Teaching and Research Paradigm; an Australian Aboriginal Model" (Southern Cross University, 2000), 106-114 (for explanation of sub-paradigms); 115-132 (for 'operating frameworks').
[19] For an additional resource, see, for example, Chilisa, *Indigenous Research Methodologies*.
[20] J Battin and A Mills, "Sharing Success, Measuring Impact: Annotated Bibliography" (Canberra: Australian Institute of Aboriginal and Torres Strait Islander Studies, 2017), https://aiatsis.gov.au/sites/default/files/products/research_outputs_web_publication/sharing_success_measuring_impact_annotated_bibliography.pdf.

evaluate policies and programs that reflect, act in, serve and uphold the interests of Islanders as determined by Islanders.[21]

We are not suggesting that simply adopting a qualitative, participatory approach is sufficient to conduct appropriate research with Indigenous Australian communities. Nor, we stress, is it impossible to conduct *quantitative* methodologies in a decolonised framework, an area of work that remains undertheorized but for which valuable scholarship has been undertaken (see discussion of Maggie Walter's work on data paradox below).[22]

Culturally appropriate models are also culturally specific

What might it mean to incorporate Indigenous ways of knowing, being and doing into research? Aside from the general guiding principles articulated below, the specific research methods are, much like Indigenous cultures themselves, diverse.

> 'But the diversity of our histories, our contemporary and historical experiences of colonization, our traditional and contemporary cultural lives, and our current social, political, and economic positioning mean that often we are more different than we are similar. As such, our methodological frames will also be widely diverse.'[23]

One example of a culturally specific mode of research, as articulated by Sadie Heckenberg, is the use of the Wiradjuri philosophy of Yindyamarra. Yindyamarra involves 'doing things slowly and carefully' and 'is about cultural safety, and respect, not just collecting data'.[24] Using this concept and the values it emphasises to guide research ensures that it is conducted ethically and with cultural safety.

We note that the Productivity Commission references some examples of Indigenous methodologies—yarning, for instance (p. 15). We encourage investment into culturally appropriate ways of engaging with Aboriginal and Torres Strait Islander Australians for the purpose of evaluation. Greater understanding of Indigenous methodologies and how they inform policy and program design can also provide insights beyond Indigenous policy as we learn to appreciate the contribution of Indigenous knowledge, insight and wisdom to the history of ideas.

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[21] Martin Nakata, *Disciplining the Savages: Savaging the Disciplines* (Canberra: Aboriginal Studies Press, 2007), 209.

[22] See Maggie Walter and Chris Andersen, *Indigenous Statistics: A Quantitative Research Methodology* (Walnut Creek, CA: Left Coast Press, 2013), esp., 64-81.

[23] Ibid., 62.

[24] Sadie Heckenberg, "Nothing About Us Without Us: Protecting Indigenous Knowledges through Oral Histories and Culturally Safe Research Practices" (Swinburne University of Technology, 2018), 26, see also Chapter 2, https://researchbank.swinburne.edu.au/file/1ffb3004-a81b-4605-8452-d95c563a6d46/1/sadie_heckenberg_thesis.pdf.
Former AIATSIS Council Chairperson, Professor Michael McDaniel has also highlighted the philosophy of yindyamarra in relation to ethical research, see "'Respect and Honour' Will Underpin Ethical Research Guidelines Review" (AIATSIS Media Release, 2018), https://aiatsis.gov.au/sites/default/files/docs/news-and-events/news/Media%20Release-GERAIS%20Review.pdf.

Evaluation concepts and principles

What principles should be included in an Indigenous evaluation framework to be used by Australian Government agencies? (p.16)

There are common concepts between many of the principles articulated in the section above that can inform evaluation research:

- Situated knowledge and standpoint theory: there is no single, objective view; all research activities (the questions asked, the methods used, the interpretations applied) reflect the experiences of the researchers and the communities they engage with.[25]
- Relatedness: Indigenous ontologies are underpinned by relationships, a point that needs to inform research practices and aims. For instance, Martin describes her ontology thus: 'Throughout this account of Quandamookah worldview, the essential feature of relatedness is constant'.[26] This, in turn, informs the practices of researchers, including the relationship between researcher and 'researched'.[27]
- Respecting Indigenous priorities: a recognition that Indigenous perspectives are not only different and valuable, but deserve to be foregrounded in research with them, particularly given a history of research in which such perspectives have been overridden. Respecting priorities can sometimes mean that research takes a backseat during times of community activity.[28]
- Community benefit: Indigenous peoples express their own research aspirations and interests, as evident in their own research projects. Outsider's research must give back to the community by meeting these aspirations, rather than producing yet more information that is either useless to Indigenous communities or actively harmful. This means information must be disseminated back to people in culturally appropriate ways and in a language that can be understood.[29]
- Self-reflexivity: this requires individuals to reflect upon the way that their standpoints influence their work, and acknowledge the impact of cultural differences involved.

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[25] See, in addition, Aileen Moreton-Robinson, "Towards an Australian Indigenous Women's Standpoint Theory," *Australian Feminist Studies* 28, no. 78 (2013): 331–47; Nakata, *Disciplining the Savages: Savaging the Disciplines*, Chapter 11 (213-217).

[26] Martin, *Please Knock Before You Enter*, 69. On the broader point of relationality, see Chilisa, *Indigenous Research Methodologies*, 20.

[27] Chilisa, *Indigenous Research Methodologies*, e.g., 118-122; Wilson, *Research Is Ceremony*, 58, see also Chapter 5.

[28] Martin, "Ways of Knowing, Being and Doing," 212.

[29] Tuhiwai Smith, *Decolonizing Methodologies*, 52, 203–6; see also Chapter 8.

Support for evaluation

How do we better enable Aboriginal and Torres Strait Islander organisations to lead evaluation and strengthen their evaluation capability? (p.22)

Indigenous organisations need to be properly resourced to conduct self-evaluation research for continuous improvement, quality assurance and review as well as broader government program evaluation, otherwise, individuals and organisations, who are often already under resourced become further overburdened.

There is little sharing of practice and outcomes from the large amount of evaluation and quality assurance work that does take place, including within an organisation over time, let alone across organisations and sectors.

Independence and Indigenous input

What degree of independence between evaluators and policy makers/program delivery areas is necessary and/or desirable? (p.32)

What are the advantages and disadvantages of existing Australian Government contracting and procurement arrangements for managing relationships between agencies and external evaluators and ensuring high quality and objective evaluation? (p.32)

Strong qualitative research involves balancing the tension between objective analyses and valuing relationships to ensure trust and transparency. While there needs to be a degree of independence for evaluators to ensure the results of the research are not biased, valuing and incorporating relationality is also important as outlined earlier in the submission.

One way this can be achieved is to draw on a team of Indigenous experts, academics and evaluators as well as repeated research with community members. Additionally, having a consistent evaluation team that forges good community relationships will allow more depth in the evaluation research.

Publication and dissemination

Should all evaluation reports be published? In what circumstances might it be appropriate to not publish evaluation reports? (p.36)

Publicly available evaluation reports are important for transparency and accountability of government spending, but also to build the knowledge and evidence base upon which Indigenous peoples and organisations can make decisions. Evaluation reports on government programs and performance should be made publicly available. Evaluation reports related to individual organisations or grant outcomes should normally be published after they have been discussed with the participating groups unless the risks of publishing outweigh the public benefit. There may be information contained in the report that is culturally sensitive, commercially sensitive or have legal ramifications. In such circumstances it may be appropriate to redact or publish a summary of the report. This means that consent protocols in the evaluation framework need to include potential publication of materials. It should recognised that organisations may disagree with the outcomes of an evaluation and should be provided an opportunity to publish a rejoinder or response to the report.

Copies of the report and the data should be made available to Aboriginal and Torres Strait Islander peoples in accordance with data sovereignty principles, discussed below.

Data sovereignty and governance

What can be done to ensure that knowledge generated through evaluation is identified and translated in such a way that it can be used to usefully and meaningfully inform policy design and implementation? (p. 41)

To what extent does a lack of high-quality, accessible data, including data gaps, act as a barrier to undertaking effective evaluation of policies and programs affecting Aboriginal and Torres Strait Islander people? (p. 35)

In order to ensure data are high-quality and are accessible, it is vital that they capture the kinds of information that is valued by Aboriginal and Torres Strait Islander people and communities.

Currently, data too often capture the 'failings' of Indigenous Australians, constructing and reinforcing a deficit discourse, and processes for gathering data do not give space for Indigenous people to determine what information is useful for them, provide their own interpretations or construct their own narratives. Moreover, the data often fail to adequately capture reality for Indigenous Australians, as the questions asked are often culturally loaded.

The 'Indigenous Data Paradox'

Maggie Walter has referred to an Indigenous data paradox: 'we have both too much and too little data'.[30]

Too much data exist that reinforces deficit models about Indigenous failure. These data define Indigeneity on the basis of being lesser than the non-Indigenous because they primarily record information that reinforces this point. This information is 'BADDR: Blaming, Aggregate, Decontextualised, Deficit and Restricted'.[31]

At the same time, these data fail to offer useful information that can support communities to act in ways that meet their own aspirations. Indigenous Australians need data that:[32]

- Recognise cultural and geographical diversity (rather than data that is aggregated at a national level and subsumes this diversity);[33]
- Can provide evidence for community-level planning and service delivery;
- Can be contextualised to include the wider social structural complexities in which Indigenous disadvantage occurs (rather than presenting this data as simply reality);
- Measures priorities and agendas, not just problems;
- Is accessible and useable

In addition, AIATSIS urges the Productivity Commission to consider the important nexus between culture and policymaking that is too often dismissed with superficial acknowledgements of how culture 'forms the foundation for social, economic, and individual

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[30] Maggie Walter, "The Voice of Indigenous Data: Beyond the Markers of Disadvantage," *Griffith Review* 60 (2018), https://www.griffithreview.com/articles/voice-indigenous-data-beyond-disadvantage/.
[31] Ibid.
[32] Ibid.
[33] Tim Rowse, "Re-Figuring 'Indigenous Culture,'" in *Culture Crisis: Anthropology and Politics in Aboriginal Australia*, ed. Jon Altman and Melinda Hinkson (Sydney: University of New South Wales Press, 2010), 156.

wellbeing'.[34] Engaging closely with culture can serve as an important way to ensure that the data gathered is more meaningful.[35]

Data must be culturally sensitive to be worth collecting

As Walter further notes, the statistics that are collected at a national level reflect the social, cultural and economic phenomena that reflect political priorities. These priorities not only fail to align with Indigenous aspirations in many instances, but they also have embedded cultural assumptions which render them inapplicable in many Indigenous contexts. The National Aboriginal and Torres Strait Islander Social Survey (NATSISS) is a case in point.

In an edited monograph produced by the Centre for Aboriginal Economic Policy Research, a number of scholars have critiqued the NATSISS for being too broad in scope to be useful.[36] For example, in economics, Altman, Biddle and Buchanan argue that the hybrid economies of many remote Indigenous communities are insufficiently captured by NATSISS because questions relating to economic activity are asked under the heading of 'culture'. Such a classification, they argue, obscures engagement in customary activities—hunting and fishing, for example— as real and valuable economic activities.[37]

In housing, Memmott et al., argue that the definition of 'overcrowding' in the NATSISS is misleading in relation to Indigenous experiences of housing. Using the standard of the Canadian National Occupancy for Housing Appropriateness, the NATSISS assumes that crowding can be calculated based on density—the number of people per room—which ignores cultural dimensions of inhabiting space.[38] In one instance, Musharbarsh's anthropological work in Yuendumu, for example, shows that Indigenous people in that region highly value mobility and intimacy.[39] As a result, the number of people staying in a particular house varies considerably over time (making a calculation of density very difficult). Moreover, 'at night, if a woman left the sleeping group for some unexpected reason, the remaining people would close-up the space to be close together'.[40] The aim, therefore, is not necessarily to maximise space, implying that density is not inherently harmful.

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[34] Department of the Prime Minister and Cabinet, "Closing the Gap Report 2019," 18.
[35] AIATSIS hosted a symposium exploring this issue. For recordings, see AIATSIS, "AIATSIS Culture and Policy Symposium," 2019, https://aiatsis.gov.au/news-and-events/news/aiatsis-culture-and-policy-symposium.
[36] For a summary, see Matthew Gray, "A Mile Wide, Inch Deep: The Future of Indigenous Social Surveys?," in *Survey Analysis for Indigenous Policy in Australia*, ed. Boyd Hunter and Nicholas Biddle (Canberra: ANU E Press, 2012), 307–20.
[37] Jon Altman, Nicholas Biddle, and Geoff Buchanan, "The Indigenous Hybrid Economy: Can the NATSISS Adequately Recognise Difference?," in *Survey Analysis for Indigenous Policy in Australia*, ed. Boyd Hunter and Nicholas Biddle (Canberra: ANU E Press, 2012), 168, 170.
[38] Paul Memmott et al., "NATSISS Crowding Data: What Does It Assume and How Can We Challenge the Orthodoxy?," in *Survey Analysis for Indigenous Policy in Australia*, ed. Boyd Hunter and Nicholas Biddle (Canberra: ANU E Press, 2012), 255. Although the article makes reference to the 2008 NATSISS, the Canadian National Occupancy for Housing Appropriateness is still used in the most recent NATSISS, see the ABS Glossary, https://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4714.0Glossary12014-15, 'Housing Utilisation'.
[39] Yasmine Musharbash, *Yuendumu Evyerday*, as parsed by Ibid., 259, 261.
[40] Musharbash in Ibid., 261.

In order to improve arrangements for data governance, evaluators must engage seriously with the call of Indigenous peoples and people asserting their data sovereignty. Data sovereignty means 'managing information in a way that is consistent with the laws, practices and customs of the nation-state in which it is located'.[41]

Indigenous nations, as sovereign peoples, have rights to the data that they provide and that are gathered about them. Data can be extremely powerful for positive change, including in evaluations that support Indigenous aspirations. But its misuse can also be highly damaging to Indigenous people and communities. Given the nature of evaluation—the compilation of data and its subsequent assessment—respect for Indigenous data sovereignty is crucial.

Indeed, Indigenous data sovereignty is pertinent to a number of the rights outlined in United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), including:[42]

- Article 18: 'Indigenous peoples have the right to *participate in decision-making* in matters which would affect their rights…';
- Article 19: 'States shall consult and cooperate in good faith with the indigenous peoples concerned … in order to obtain their *free, prior and informed consent* before adopting and implementing legislative or administrative measures…';
- Article 23: 'Indigenous peoples have the right to *determine and develop priorities and strategies* for exercising their right to development.'
- Article 31: [1] 'Indigenous peoples have the right to *maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions* … They also have the right to maintain, control, protect and develop their *intellectual property* over such cultural heritage, traditional knowledge, and traditional cultural expressions.'

What are the implications of data sovereignty?

Embedding Indigenous data sovereignty into practices that involve the collection, storage, use and dissemination of data has implications in multiple areas, from 'legal and ethical dimensions around data storage, ownership, access and consent, to intellectual property rights and practical considerations about how data are used in the context of research, policy and practice.'[43]

Ensuring that Aboriginal and Torres Strait Islander people have data sovereignty can mean that they:

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[41] C Matthew Snipp, "What Does Data Sovereignty Imply: What Does It Look Like?," in *Indigenous Data Sovereignty: Toward an Agenda*, ed. Tahu Kukutai and John Taylor (Acton, ACT: ANU Press, 2016), 39, https://press-files.anu.edu.au/downloads/press/n2140/pdf/book.pdf.

[42] Tahu Kukutai and John Taylor, "Data Sovereignty for Indigenous Peoples: Current Practice and Future Needs," in *Indigenous Data Sovereignty: Toward an Agenda*, ed. Tahu Kukutai and John Taylor (Acton, ACT: ANU Press, 2016), 5, https://press-files.anu.edu.au/downloads/press/n2140/pdf/book.pdf; United Nations, "United Nations Declaration on the Rights of Indigenous Peoples," 2007, https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf, emphasis added.

[43] Kukutai and Taylor, "What Does Data Sovereignty Imply," 2.

- Determine who counts as Aboriginal or Torres Strait Islander in their own data collection;
- Determine the framing of data surveys and the questions being asked, which can avoid the 'Indigenous Data Paradox' (see above);
- Ensure that data reflect Indigenous interests, values, priorities and indicators;
- Control access to data, allowing them to place:
  - More restrictions—in terms of those restrictions placed for cultural reasons (e.g. gender-specific information, or information based on seniority);[44]
  - Less restrictions—in terms of overcoming standards of confidentiality that can prevent the collection of data that Indigenous people themselves want;[45] and
- Gain protection of data in ways that the current legal regimes, such as copyright, do not afford.[46]

Snipp suggests that two mechanisms are important for achieving data sovereignty:[47]

- Indigenous expertise in the production and management of data of all types; and
- Institutional oversight of research and data collection in Indigenous communities.

AIATSIS urges the Productivity Commission to consider how the evaluation strategy can strengthen Indigenous governance of data sovereignty. As a start, we encourage the Productivity Commission to consult:

- Tahu Kukutai and John Taylor, eds., *Indigenous Data Sovereignty: Toward an Agenda* (Acton, ACT: ANU Press, 2016), https://press-files.anu.edu.au/downloads/press/n2140/pdf/book.pdf.
- The Maiam nayri Wingara Aboriginal and Torres Strait Islander Data Sovereignty Collective, https://www.maiamnayriwingara.org/about-us
- The OCAP Principles, https://www.afn.ca/uploads/files/nihbforum/info_and_privacy_doc-ocap.pdf
- Information from the Indigenous Data Network (University of Melbourne), https://mspgh.unimelb.edu.au/centres-institutes/centre-for-health-equity/research-group/indigenous-data-network#resources

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[44] On different cultural perspectives on the appropriate sharing f information, see K Christen, "Does Information Really Want to Be Free? Indigenous Knowledge Systems and the Question of Openness," *International Journal of Communications* 6 (2012): 2870–93.

[45] Snipp makes this point about the 'deductive disclosure' policies in the US, which often mean that data on small communities cannot be reported, even if that community consents, see: Snipp, "What Does Data Sovereignty Imply," 49–50. A similar point was raised at ANIRC 2019.

[46] For a more detailed discussion of issues surrounding intellectual property, see Lisa Strelein and Clare Barcham, "AIATSIS Submission - Protection of Indigenous Knowledge in the Intellectual Property System" (AIATSIS Submission, 2019), https://aiatsis.gov.au/publications/products/aiatsis-submission-protection-indigenous-knowledge-intellectual-property-system. See also, Tran Tran and Clare Barcham, "(Re)Defining Indigenous Intangible Cultural Heritage," *AIATSIS Discussion Paper* 37 (2018): 1–24.

[47] Snipp, "What Does Data Sovereignty Imply," 53.

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