



Indigenous Evaluation Strategy – Productivity Commission Submission

August 2019



Aboriginal Child, Family and Community Care State Secretariat (AbSec)

AbSec - NSW Child, Family and Community Peak Aboriginal Corporation

About AbSec

AbSec - NSW Child, Family and Community Peak Aboriginal Corporation is the peak Aboriginal child and family organisation in NSW. AbSec is committed to advocating on behalf of Aboriginal children, families, carers and communities, and to ensure they have access to the services and supports they need to keep Aboriginal children safe and provide them the best possible opportunities to fulfil their potential through Aboriginal community controlled organisations

Central to this vision is the need to develop a tailored approach to Aboriginal child and family supports delivering universal, targeted and tertiary services within communities that cover the entire continuum of support and reflect the broader familial and community context of clients. Such services and supports would operate to mitigate risk factors or vulnerabilities thereby reducing the need for more intensive or invasive interventions.

Our vision is that Aboriginal children and young people are looked after in safe, thriving Aboriginal families and communities, and are raised strong in spirit and identity, with every opportunity for lifelong wellbeing and connection to culture surrounded by holistic supports. In working towards this vision, we are guided by these principles:

- acknowledging and respecting the diversity and knowledge of Aboriginal communities;
- acting with professionalism and integrity in striving for quality, culturally responsive services and supports for Aboriginal families;
- underpinning the rights of Aboriginal people to develop our own processes and systems for our communities, particularly in meeting the needs of our children and families;
- being holistic, integrated and solutions-focused through Aboriginal control in delivering for Aboriginal children, families and communities; and
- committing to a future that empowers Aboriginal families and communities, representing our communities, and the agencies there to serve them, with transparency and drive

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Contents

| | |
|--------------------------------|----|
| Introduction | 4 |
| Principles of Evaluation | 5 |
| Evaluation Methodologies..... | 7 |
| Enabling Framework..... | 8 |
| Conclusion | 10 |

Introduction

AbSec, the NSW Child, Family and Community Peak Aboriginal Corporation welcomes the opportunity to make a submission to the Productivity Commissions' Indigenous Evaluation Strategy Issues Paper.

AbSec's vision is that all Aboriginal children and young people are looked after in safe, thriving Aboriginal families and communities and are raised strong in spirit and identity, with every opportunity for lifelong wellbeing and connection to culture, surrounded by holistic supports. To achieve this, the policies and programs that directly impact Aboriginal communities must be designed and administered by Aboriginal peoples. As part of this approach, AbSec have outlined a key role for ongoing evaluation and review, driven by Aboriginal communities themselves and aligned to their aspirations and priorities, as part of ongoing accountability and continuous improvement.

This approach differs markedly from existing approaches from state and federal government agencies. In our experience, government agencies focus on external evidence and impose external solutions on Aboriginal communities, without sufficient regard for their appropriateness and limited evaluation of their effectiveness for local Aboriginal communities. Where evaluations have occurred, they have focused on the priorities and perspectives of government agencies, rather than those of Aboriginal communities and service users. In short, the intended beneficiaries of Aboriginal policy and programs tend to be marginalised in the design, delivery and evaluation of those programs.

In this submission, AbSec will outline our view of a principle-based approach to Aboriginal evaluation, as part of a responsive, Aboriginal-led service system by and for Aboriginal communities. In doing so, we will outline key enablers for achieving such an approach in practice, including investment in the technical capacity and data infrastructure of Aboriginal communities to enable Aboriginal community-led evaluation and continuous improvement activities to improve outcomes for Aboriginal people, families and communities.

Principles of Evaluation

In AbSec's view, any approach to evaluation must implement a human rights based framework grounded in the United Nations Declaration on the Rights of Indigenous Peoples. This includes the right to self-determination; the right to freely pursue our economic, social and cultural development.

Self-determination has been described as a key policy setting for governments in delivering optimal outcomes for Aboriginal people¹. This is informed by the Harvard Project for American Indian Economic Development, which reported that the exercise of decision making by Indigenous communities outperformed external decision makers for Indigenous community development. *"A decade of Harvard Project research had been unable to uncover a single case of sustained development that did not involve the recognition and effective exercise of tribal sovereignty: the practical assertion by tribes of their right and capacity to govern themselves. There is a major policy lesson here. The lesson is that sovereignty is one of the primary development resources any tribe can have. The reinforcement of tribal sovereignty should be the central thrust of public policy."*²

If Aboriginal communities are to 'freely pursue their economic, social and cultural development', they must be empowered to design and administer local Aboriginal community-controlled solutions, aligned to the aspirations and priorities of Aboriginal communities. Evaluation must be a critical element of this administration of Aboriginal community controlled policies and programs, seamlessly integrated as a system of continuous improvement against Aboriginal community-led outcomes. This should be a key objective of an Indigenous Evaluation Strategy – to empower and inform Aboriginal communities in the continuous improvement of policies and programs for their economic, social and cultural development.

An Indigenous Evaluation Strategy that is grounded in the principle of self-determination must also extend to the use, ownership and application of Indigenous data. The principles of Indigenous Data Sovereignty (and the associated concept of Indigenous Data Governance) provide a useful framework to this end and are a response to the historic and ongoing misuse of data about Indigenous peoples, including the need for Indigenous peoples to exercise authority and control over relevant data about ourselves. In a 2018 Communique by the Maimay Nayri Wingara Indigenous Data Sovereignty Collective and the Australian Indigenous Governance

¹ Cornell and Kalt (1998), *Sovereignty and Nation-Building: The Development Challenge in Indian Country Today*, Harvard Project on American Indian Economic Development

² Cornell and Kalt (1998), *Sovereignty and Nation-Building: The Development Challenge in Indian Country Today*, Harvard Project on American Indian Economic Development

Institute³, it was identified that data is a key cultural, strategic and economic asset for Indigenous peoples, just as it is for non-Indigenous peoples.

The Communique concluded by outlining key rights of Indigenous peoples with respect to data, and how to achieve these in practice, including:

“Indigenous peoples have the right to:

- *Exercise control of the data ecosystem including creation, development, stewardship, analysis, dissemination and infrastructure.*
- *Data that is contextual and disaggregated (available and accessible at individual, community and First Nations levels).*
- *Data that is relevant and empowers sustainable self-determination and effective self-governance.*
- *Data structures that are accountable to Indigenous peoples and First Nations.*
- *Data that is protective and respects our individual and collective interests.*

Enacting Indigenous Data Governance requires Indigenous leaders, practitioners and community members with the skills and infrastructure to advocate and participate across all sectors and jurisdictions. Indigenous communities retain the right to decide which sets of data require active governance and maintain the right to not participate in data processes inconsistent with the principles asserted in this Communique.”⁴

In practice, achieving data sovereignty for Indigenous peoples has been said to include at least three key features – respecting Indigenous peoples’ authority to determine who should be included or excluded for the purposes of data collection, that data should reflect the “interests, values and priorities” of Indigenous peoples, and that access and use of such data should be determined by Indigenous peoples themselves.⁵

In AbSec’s view, these principles, grounded in the rights of Aboriginal and Torres Strait Islander peoples, should provide the foundation for any Indigenous Evaluation Strategy. By focusing on the creation, stewardship and analysis of data, this strategy would apply to all data, covering both “mainstream” and Indigenous-specific programs.

Central to this approach is empowering local Aboriginal community controlled bodies, and relevant representative bodies such as Aboriginal peak organisations, to engage with relevant mainstream and Indigenous-specific program data to examine outcomes

³ See <https://www.maiamnayriwingara.org/s/Communique-IndigenousDataSovereigntySummit.pdf>

⁴ See <https://www.maiamnayriwingara.org/s/Communique-IndigenousDataSovereigntySummit.pdf>

⁵ Snipp, C. M. (2016) *What does data sovereignty imply: what does it look like?* In Indigenous Data Sovereignty, Toward an Agenda

achieved for Aboriginal peoples and communities, aligned to Aboriginal community aspirations and priorities.

The ongoing process to refresh the Closing the Gap targets represents an opportunity to align this program to the aspirations of Aboriginal people, defining outcomes within an Aboriginal-led outcomes framework. A similar framework should direct investment through the Indigenous Advancement Strategy, aligning this significant investment to Indigenous-led priorities, rather than limited government-led objectives. Again, AbSec is mindful of the outcomes of the Harvard Project on American Indian Economic Development that noted self-determination (understood as Indigenous communities exercising decision making through their own governance processes) was a core element of achieving outcomes, including economic outcomes. Unfortunately, existing approaches are too often aligned to government priorities and outcomes. Rather, a broader change to Aboriginal policy and program development, grounded in the rights of Indigenous peoples and in particular the principle of self-determination, would likely see more positive outcomes achieved for Aboriginal peoples. Evaluation based on the principles of Indigenous Data Sovereignty is a key part of exercising self-determination in policy and program development. By empowering Aboriginal communities with relevant data, and the opportunity to define, collect and analyse such data in accordance with our own perspective, priorities and aspirations, Aboriginal communities will be better placed to make informed decisions about policies and programs, and to determine and administer systems for our social, cultural and economic development.

For this reason, AbSec advocates for a renewed approach to Aboriginal policy and program development; one that prioritises the voice of Aboriginal communities, and enables local Aboriginal communities to determine local approaches, for local solutions, accountable to local Aboriginal people.

Evaluation Methodologies

Within this framework, AbSec is relatively agnostic with respect to the specific approaches to evaluation undertaken. There are a wide variety of methodologies with specific advantages and limitations, with the approach dependent on the specific circumstances and the questions to be answered through the evaluation. By embedding this process within an Aboriginal commissioning framework, with Aboriginal communities empowered to determine local policies and programs, evaluation activities can be regularly undertaken as part of continuous improvement, establishing a more responsive service system. This means that evaluation processes should be established at the start, with investment proportionate to the scale of the policy or program, as well as the priorities of Aboriginal communities. This further supports policy and program design by promoting robust policy and program

development at the outset, as well as improving the opportunity to assess impact and build a localised evidence base about what works, by and for Aboriginal communities themselves.

Establishing Aboriginal community-led evaluation processes consistent with the principles of Indigenous Data Sovereignty and Indigenous Data Governance similarly addresses challenges commonly associated with existing evaluation of the impact of programs and policies on Aboriginal and Torres Strait Islander populations. The Discussion paper notes challenges in terms of the cultural alignment of evaluation activities, the need to effectively engage with Aboriginal people and communities in meaningful evaluation, and ensure Aboriginal voices are included in evaluation processes. AbSec would argue that including Aboriginal voices, while important, is not sufficient for a rights-based Indigenous Evaluation Strategy that upholds Indigenous peoples right to self-determination. Rather, a genuine Aboriginal-led approach is needed, responding to the values, interests and priorities of Aboriginal communities. In doing so, evaluation processes, as well as those of policies and program design, will also be consistent with the cultural perspectives of Aboriginal people, including and valuing these elements consistent with the interests of Aboriginal communities. Such an approach is also able to be iterative and more timely with respect to informing Aboriginal communities to further refine policies and programs to achieve improved outcomes for their communities and the people within them.

Applying such an approach, reflecting the principles of Indigenous Data Sovereignty and Indigenous Data Governance, requires the development of specific Aboriginal data frameworks and infrastructure to enable Aboriginal communities to evaluate the impact of both mainstream and Indigenous-specific policies and programs, and to make informed decisions about future policy settings and program design to achieve improved outcomes into the future. Similarly, it is critical to build the technical capabilities of Aboriginal communities to lead evaluations of relevant policies and programs, and strengthening existing ethical research guidelines to enable the empowered oversight of Aboriginal communities with respect to the collection, access and use of Aboriginal data⁶. This investment is critical to achieving a rights-based Indigenous Evaluation Strategy, delivering on the necessity maximise the return on investment in terms of outcomes achieved for Aboriginal children and young people, their families and communities.

Enabling Framework

Achieving an Indigenous Evaluation Strategy in practice requires establishing appropriate data infrastructure for Aboriginal communities as well as access to

⁶ Snipp, C. M. (2016) *What does data sovereignty imply: what does it look like?* In Indigenous Data Sovereignty, Toward an Agenda

technical expertise, and the opportunity to exercise authority with respect to access and use of their data, in accordance with Indigenous governance processes. In AbSec's view, these are critical elements of an effective Aboriginal policy framework, based on the core principle of self-determination, empowering Aboriginal communities to design and administer systems for cultural, social and economic development, consistent with our rights.

The Discussion paper outlines a number of approaches undertaken in other jurisdictions to implement Indigenous-led policies and programs, including commissioning approaches with centralised evaluation resources. AbSec has previously advocated the establishment of an Aboriginal commissioning approach in child and family services in NSW, directing investment proportionate to the identified need to local Aboriginal-led initiatives⁷. This approach has been informed by the Whānau Ora, Te Puni Kokiri commissioning approach, with empowered Indigenous commissioning agencies evaluating the impact and return on investment of community-led approaches.

In AbSec's view, a properly implemented Aboriginal commissioning framework, including a suitably empowered Aboriginal commissioning entity, would address a number of the considerations identified through the Discussion paper and support the realisation of Indigenous Data Sovereignty principles in practice. This includes providing a centralised resource to provide Aboriginal communities access with the relevant technical expertise and supports to drive local evaluation and continuous improvement activities. Currently, evaluation processes tend to be undertaken by government agencies, and may not be aligned to the priorities and aspirations of Aboriginal communities, are not undertaken in genuine partnership with Aboriginal communities, and may not be transparent in their intent, methodology or outcomes. As such, they limit the opportunity for Aboriginal communities to make fully informed decisions about their own development, when promoting the exercise of Aboriginal self-determination is critical to achieving the best possible outcomes for Aboriginal people.

Aboriginal Commissioning of a Guardianship Support Model in NSW

AbSec has advocated for the establishment of an Aboriginal commissioning approach to child and family service design and delivery in NSW. Recently, the NSW Government has commenced a trial of such an approach, agreeing to the trial of an Aboriginal commissioning approach in a narrow area of program design. A robust evaluation will be undertaken alongside program design and implementation. This

⁷ See AbSec's paper An Aboriginal Commissioning Approach to Aboriginal Child and Family Services in NSW (2018)

will include establishing clearly defined program outcomes in partnership with local Aboriginal communities, and building such measures into delivery. In the absence of an Aboriginal commissioning entity, or investment in the establishment of Aboriginal evaluation and evidence resources, AbSec will be leading this approach in partnership with the NSW government. However, this approach nevertheless offers Aboriginal communities the opportunity to actively lead local evaluation, and utilise insights from this evaluation to continually refine the program in order to achieve better outcomes for Aboriginal children and families.

Conclusion

A principle-based Indigenous Evaluation Strategy is critical to achieving better outcomes for Aboriginal people. Such a strategy should be grounded in the rights of Aboriginal people, as articulated in the UN Declaration on the Rights of Indigenous Peoples. The principles of Indigenous Data Sovereignty and Indigenous Data Governance provide such a framework that could be the basis of a future Indigenous Evaluation Strategy, articulating in particular that data processes should reflect the interests, values and priorities of Indigenous peoples, and that Indigenous peoples should exercise authority with respect to the content, collection, use and access of Indigenous data, including evaluation of the impact of mainstream and Indigenous-specific policies and programs.

By positioning evaluation, aligned to these principles, within a broader Aboriginal-led service system, an embedded process of continuous improvement can be realised. This will have a number of key benefits, including alignment of outcomes with the aspirations of Aboriginal peoples, embedding cultural considerations into the heart of policy and program design and evaluation, and the prioritisation of Aboriginal voices in evaluation, achieving a broader service system that is more aligned with, and responsive to, the interests, values and priorities of Aboriginal communities.

Achieving this in practice will require key structural changes, investing in the development of Aboriginal-owned data infrastructure and access to key technical expertise to support evaluation in practice. This could be achieved through a number of approaches, which should be explored in partnership with Aboriginal communities and relevant national and state representative peak bodies. Ultimately, structural change based on the principle of self-determination is needed to ensure policies and programs promote the social, cultural and economic development of Aboriginal communities, consistent with our perspectives, priorities and aspirations.