

## Productivity Commission: Indigenous Evaluation Strategy Project

### Just Reinvest NSW Submission to Issues Paper (released June 2019)

#### Introduction

We thank the Productivity Commission for the opportunity to contribute to this important project. Just Reinvest NSW is a coalition of over 25 organisations and individuals that have come together to address the significant over-representation of Aboriginal people in custody through a Justice Reinvestment framework. Just Reinvest NSW is auspiced by the Aboriginal Legal Service (NSW/ACT) and our priority is working alongside Aboriginal communities. You can find more information about Just Reinvest NSW and our work here <http://www.justreinvest.org.au>

Just Reinvest NSW's key message to the government and the community is that there are solutions to the over-incarceration of Aboriginal people - smarter approaches that reduce crime and create safer, stronger communities.

In 2013, Just Reinvest NSW began a partnership with the Aboriginal community in Bourke to implement the first major justice reinvestment initiative in Australia, Maranguka Justice Reinvestment. You can find more information about the Maranguka Justice Reinvestment initiative here <http://www.justreinvest.org.au/justice-reinvestment-in-bourke/>. We are currently exploring data-driven, community-led and place-based justice reinvestment approaches with new communities in NSW, including Moree in remote NSW, Armidale in regional NSW and Mt Druitt in Sydney.

Our submission to the Issues Paper is based on our experience partnering with the Bourke Aboriginal community on Maranguka Justice Reinvestment and the new exploratory sites. The collection, collation, analysis and reporting of data, and continuous evaluation are key to the data-driven approach adopted by Maranguka in Bourke and Just Reinvest NSW. Our submission is also informed by our partnership with Clear Horizon who will also be making a submission to the Commission's Indigenous Evaluation Strategy project. We endorse Clear Horizon's submission.

#### Principles and Practices

We reinforce the views expressed in the submission by Clear Horizon. Particularly, we highlight the need to adopt the following principles and practices in the design and implementation of evaluations of programs or policies impacting Aboriginal and Torres Strait Islander people.

- ***Recognition of the right to self-determination*** – Aboriginal and Torres Strait Islander people have the right to full participation in the design, delivery and reporting of evaluations of programs or policies impacting their lives. This requires genuine, participatory, not tokenistic, co-design with Aboriginal and Torres Strait Islander people.
- ***Adoption of Indigenous Data Sovereignty and Indigenous Data Governance principles*** – The rights of Indigenous peoples to govern, create, collect, own and apply their data must be recognised as inferred in the United Nations Declaration on the Rights of Indigenous Peoples.<sup>1</sup> Evaluations should be accountable to

---

<sup>1</sup> See also *Data and the United Nations Declaration on the Rights of Indigenous Peoples* by Megan Davis who discusses how the implementation of UNDRIP should adopt more rigour in relation to data – at <http://press-files.anu.edu.au/downloads/press/n2140/pdf/ch02.pdf>

the Indigenous people impacted by the programs and policies being evaluated. Data sharing agreements should be developed to ensure participating communities store their data. Evaluation reports should be written and designed to be accessible to communities.

- ***Recognition of the diversity of Aboriginal and Torres Strait Islander people*** – Aboriginal and Torres Strait Islander people are not homogenous. Consultation must be broad, recognising the diversity across and within communities.
- ***Evaluations must reflect Aboriginal and Torres Strait Islander values*** – Measures of success and methodologies must reflect the values of Aboriginal and Torres Strait Islander people.

### Maranguka Justice Reinvestment in Bourke: A Community-Led Data Driven Approach

Maranguka's data driven approach is about Indigenous peoples determining what research/evaluation takes place, how it is done and the story that is told with the findings. The Bourke Tribal Council, the over-arching cultural and governance authority for Maranguka Justice Reinvestment, has asserted and applied its cultural authority to this approach.

This cultural authority has shaped Bourke's interpretation, ownership and implementation of justice reinvestment and shared measurement systems. Bourke's community-led and place-based way of doing business is leading an approach to self-determination that goes beyond government-lead approaches such as Closing the Gap, OCHRE and Local Decision-Making. Maranguka Justice Reinvestment and the Bourke Tribal Council's authority provides real definition and substance that has directly led to the successes in Bourke. See <http://www.justreinvest.org.au/justice-reinvestment-in-bourke/> to read about the impact and successes in Bourke.

The data journey has led to the development of a sophisticated and intricate community participatory research ecosystem in Bourke.

Various data systems and products have been created that include quantitative data from bureaucratic and NGO sources, qualitative data, change stories and community knowledge. These are used to inform various audiences of results and to provide continuous data to inform the work ongoing. Data activities and resources include:

- *A Snapshot of Life for Aboriginal Children & Young People in Bourke*
- Shared measurement system with 35 outcomes and associated indicators, including indicators defined by the Bourke Aboriginal community
- Two Community Report Cards which share results in a way that the community has iterated over time
- Online data dashboard
- Data Dictionary - hosts all data that is received
- Story of Change, a visual depiction of: Where we were – Where we are now – Where we want to be
- Maranguka Monitoring Evaluation and Learning Plan (for implementation in 2019) – it will generate findings on the short, intermediate and long-term outcomes around three key questions:
  1. To what extent are young people, families and men in Bourke being supported to be their best self through the Maranguka justice reinvestment model?
  2. What are the changes (outcomes and impact) resulting from the Maranguka justice reinvestment

model that are contributing to supporting young people, families and men?

3. What are we learning about the Maranguka justice reinvestment model and the critical conditions for systemic change and service delivery reform?

There are an integrated data group and local people have been trained in some data collection mechanisms including *Most Significant Change* and involved in survey collection. By upskilling and empowering the community in data work, the community uses their own data in local decision making, advocacy, communications and community engagement. Learnings from data are embedded into working group cycles, provided to Maranguka governance groups and external partners and an annual reflection workshop with stakeholders is proposed to enable shared sense-making of data collected and reflect on progress.

The benefits of this multi-faceted and embedded approach are that change is in the hands of community, service sector supply and demand are understood, there is consistent provision of transparent real time information, services can be responsive to community need and achievements can be identified. It also allows for testing the validity of the goals and strategies to ensure continuous improvement.

### **Exploring justice reinvestment alongside other communities**

Our work alongside new exploratory justice reinvestment sites in NSW is similarly placing high value on a culturally appropriate and safe use of data. It is again clear from this early work that data is both useful and powerful. Much of our work involves sharing bureaucratic data with communities that at times is difficult and sometimes challenging as it brings up historical and present traumas. Our experience is that communities have high data literacy and a keen interest in the power of data and would like data to be more accessible. Communities we work with interrogate data with an acute sense of the unconscious biases that inform the way bureaucratic and government data is collected and distributed. We also often hear that local and cultural strengths and assets are disappointingly absent from bureaucratic data. Our work with communities places high value on bringing strengths-based community data to the fore, alongside a healthy scepticism and analysis of bureaucratic data.

We also note that we need to pay special attention to data when the focus is on young Aboriginal people. We have often found that bureaucracies are very reticent to provide data to communities in relation to things like education and welfare, and that there is a sometimes a fine line around sharing and distributing data and concerns around the impact that data can be stigmatising and damaging in the wrong hands. While communities understand the sensitivity of this data, there is also a strong narrative from communities that they want the data about them to be given to them, for them to lead their own interpretation and narrative and to formulate and lead the data-driven changes they want to make.

### **Contacting Just Reinvest NSW**

We welcome the opportunity to provide further information to the Productivity Commission's project. Please contact Joanna Lunzer