

# Productivity Commission Indigenous Evaluation Strategy Project

## Oral Submission

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This is an oral submission to the Productivity Commission's Indigenous Evaluation Strategy project. The information contained here was provided by phone by the individual for Commission staff to assist in documenting in written form. The participant has agreed that this is a correct reflection of their views and has approved it for publication on the Productivity Commission website.

### Opening remarks

I have been involved with areas of the public service for a number of years, in both Indigenous policy and evaluation, and am aware of the sheer size of the job to get an evaluation culture happening across public service agencies. Even within well-functioning, well-meaning agencies there is a different paradigm at work, and changing that paradigm is not for the faint hearted. It is not achieved without shifting people's mindsets.

In Indigenous policy, especially in Australia, we have what Hirschman called a "complex of failure" or "fracasomania"<sup>1</sup>. It is a comfortable adjustment to policy failure in which there exists a desire for policies to succeed, but history has bred a mindset where failure is accepted and expected. Evaluation is an important tool to shift that mindset. Getting public servants, from the outset, to sign on to that evaluative mindset – to think about evaluation before you start thinking about policy formulation – requires a lot of work.

### Evaluation culture requires incentives

Behavioural change only comes when people have skin in the game through some measure of accountability or responsibility for the outcomes of their actions. There is no shortage of goodwill in departments but that is not enough. The public service needs a reason to move beyond what it is doing now, to consider and include evaluation in a more comprehensive sense, which will only come with greater incentivisation.

Ongoing funding, contingent on showing value through evaluation, will make agencies and departments take the Indigenous Evaluation Strategy seriously. Under the Strategy, it may not be possible for the Productivity Commission to compel agencies to toe the line, but a lot can be said for the "politics of embarrassment" – that is – naming and shaming agencies. However, if the Commission gave options to government on whether it should name and shame, or be given more power to compel agencies to deliver evaluation, I believe the government would choose the latter.

The Australian National Audit Office (ANAO) report for the Indigenous Advancement Strategy (IAS) *did* cut through with government<sup>2</sup>. No agency wants a report written about them that says they are not doing a good job. The Commission should determine the Indigenous Evaluation Strategy principles, work them into an evaluation strategy, and review agencies' conduct against the strategy.

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<sup>1</sup> Hirschman, A.O. 1975, *Policy Science*, vol. 6, no. 4, p. 385-402.

<sup>2</sup> Australian National Audit Office 2019, 'Evaluating Aboriginal and Torres Strait Islander Programs', ANAO, Canberra.

## **Indigenous leadership, evaluation capacity, and voice**

In many agencies there is a complete misunderstanding of what Indigenous leadership involves and what Indigenous voice means. Most non-Indigenous public servants do not have the ability to understand these concepts and for these messages to land, regardless of good intentions. Aboriginal and Torres Strait Islander people can say things and those listening cannot actually 'hear' what is being said. One ongoing problem in the public service is poor retention of Aboriginal and Torres Strait Islander staff. There is no cohort of senior Indigenous public servants to help change the prevailing mindset. The lack of this cohort is something that must be addressed.

Currently, evaluations only superficially reflect Aboriginal and Torres Strait Islander people's perspectives because input is only sought at the participant level. By that time, important decisions have already been made about the evaluation process — what to evaluate, how to evaluate, the evaluation logic, key outcomes and objectives. Indigenous voice is denied and the current policy mindset is perpetuated. We need Indigenous voice up-front and helping to make decisions from the outset.

## **Aboriginal and Torres Strait Islander evaluators in the public service**

One suggestion would be to recruit and rapidly develop Indigenous evaluation experts who understand evaluation as a central pillar of policy as well as a research method. Without this, the result is "evaluation-lite" — poor practice that *looks* like evaluation for Aboriginal and Torres Strait Islander people. There needs to be a good number of people with expertise that can be deployed across the public service to try and drive change. A cohort of 25 Aboriginal and Torres Strait Islander evaluation staff might be sufficient.

One possibility could be for Aboriginal and Torres Strait Islander evaluators to be a resource attached to the National Indigenous Australians Agency (NIAA), who are deployed to each department. However, there is a risk that capacity would be spread too thinly and that these evaluators would quickly get "monstered" — they would be just one voice at the table. A better option may be to establish individual evaluation groups in large departments, such as the Department of Health and the NIAA. It all depends on where the Commission decides to concentrate the evaluations. The NIAA has limited funding streams for policy and program delivery, and it is hard to know at a whole-of-government level what programs and evaluations should proceed. Over the whole public service, determining evaluation priorities will be very hard work.

## **Evaluation priorities**

The first 1000 days of a child's life can be the most important. If funds are limited, this should be a priority for government policies and programs, as resilience is laid down by the age of four. The Closing the Gap preschool attendance target is very useful in this sense. But the rest of the targets are very fragmented for Aboriginal and Torres Strait Islander children and expecting mothers. If I had one vote, investment would go to early childhood as it has a ricochet effect throughout life.

## **Relationship between evaluation principles and methods**

Principles chosen under the Indigenous Evaluation Strategy should shape evaluation methods and processes. For example, realist evaluation has taken root within the public service, and with good reason, however, the realist approach is very prescriptive. It is not sufficient to simply lump a mainstream realist method on top of a conventional evaluation process. The

realist method needs to be adapted, according to clearly defined principles, to suit the context and considerations of interest to Aboriginal and Torres Strait Islander people. There is good work on research frameworks coming out of New Zealand<sup>3</sup>, but evaluation methods cannot be separated from core principles for evaluation with Aboriginal and Torres Strait Islander people.

### Principles in action

It is difficult to develop clear principles that are useable and not easily bypassed. In this respect, providing rewards to agencies is important — carrots are much better than sticks. There are many good sources of principles that the Indigenous Evaluation Strategy can draw from. Some examples are:

- the GIDA Global Indigenous Data Alliance CARE Principles for Indigenous Data Governance<sup>4</sup>
- the Lowitja Institute Indigenous Evaluation Framework principles developed by Kelaher et al.<sup>5</sup>

There are also some frameworks from New Zealand that focus on respectful, meaningful relationships with indigenous peoples — Human rights, gender equality, capacity building, and evidence based evaluations. The UN Declaration for the Rights of Indigenous Peoples (UNDRIP) is also an important framework. An issue with some sets of principles is that there are simply too many (19 in one case) — a set of 6 to 8 principles for the Indigenous Evaluation Strategy would be ideal.

There is also a propensity to use motherhood statements, which point to concepts but essentially do not mean anything on the ground. Be careful with words like co-design, which is flitting around more frequently with no solid definition. A principles based approach needs to conceptualise those principles along with examples of how they can be operationalised. They need to make clear the meaning of the principle and how can it be implemented. Once principles have a solid definition, then parties have ownership. For example, while founding the GIDA Global Indigenous Data Alliance, we defined indigenous data sovereignty and governance very early in the process to stop the terms being hijacked. Definition stops a term becoming a meaningless buzzword and works against grandiose claims and overpromising.

Real co-design in practice is an equal share in decision-making and equality of power. This is not embodied in many government advisory groups or consultations processes. Aboriginal and Torres Strait Islander experts must be at the table as decision makers, and these representatives must have expertise in evaluation and data practice. Currently, some departments and agencies have Aboriginal and Torres Strait Islander people on advisory panels with good links throughout the Indigenous community, but who possess no expertise in evaluation. This somewhat negates their impact, meaning they can be shut down easily when it comes to technical issues. And this comes back to importance of rapid capacity-building and data expertise of Aboriginal and Torres Strait Islander people, which is still relatively rare in the public service. To legitimately participate in co-design, Aboriginal and Torres Strait Islander people need to have those skillsets in place.

The implementation of principles would be supported by having Aboriginal and Torres Strait Islander staff working on program and policy evaluation in agencies. Without Indigenous staff

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<sup>3</sup> For example, work by Associate Professor Māui Hudson.

<sup>4</sup> GIDA Global Indigenous Data Alliance 2019 (online) available at: <https://www.gida-global.org/care> [accessed 20 November 2019].

<sup>5</sup> Kelaher, M., Luke, J., Ferdinand, A., Chamravi, D., Ewan, S. and Paradies, Y. 2018; An Evaluation Framework to Improve Aboriginal and Torres Strait Islander Health, Lowitja Institute, Melbourne.

or capacity to deliver on those principles, the framework is likely to stay “on the shelf”, and nothing will change on the ground.

### **Voice and governance**

The difference between governance and consultation groups is that governance groups have decision making input — an authoritative base. Consultation groups have no power, can give advice only, and can be consulted only on those issues the government or the agency wants consultation on. If this is the case, consultation on only what the government wants becomes a function of the department’s business as usual. Any message provided by the consultation group gets washed out as it goes up the line because there is no accountability or reporting back. A consultation group does not know whether it made any impact at all. Nothing has changed in this respect since 1994. Having Aboriginal and Torres Strait Islander people at the table would be a different look.

### **The need for good Indigenous data governance**

A huge amount of data about Aboriginal and Torres Strait Islander people exists but nearly all of it is contained in administrative datasets built around programs of disadvantage. Two points are important:

1. ***We need good governance for existing data*** — Huge amounts of data exists but is not very available. For example, it is very difficult to access data from the ABS from National Aboriginal and Torres Strait Islander Social Survey (NATSISS). Aboriginal and Torres Strait Islander people are treated as objects of data, and we have no say in what is collected, where and how it is collected, who uses it, and for what purposes, under what circumstances and what comes from it. This is a huge potential resource that needs sound governance to ensure its use is not just reinforcing marginalisation (disparity, deprivation, disadvantage, dysfunction and difference) of Aboriginal and Torres Strait Islander people.
2. ***We need data for governance*** — Data is needed and should be made available for community governance, so that communities and groups can decide their own needs for programs. But just having data that highlights problems is not sufficient to deliver this. Currently, data is largely based on aggregated reporting on “what” is happening (e.g. incarceration rates for each community). There is an over-reliance on bare bones, aggregated data because this type of data is relatively easy to collect, and it reflects largely what governments think they need to know about Aboriginal and Torres Strait Islander people.

Good evaluation requires good data. If the right questions and evaluation logics are put in place, and Indigenous input is there from the start, then good data processes will ensue.

### **Improving Indigenous data**

Regarding data reporting, there exists an orthodoxy of the dichotomy – that is – simplified comparisons of Indigenous versus non-Indigenous, which is sometimes useful (for example in cancer rates), but other times just reinforces that “hopeless, helpless and hapless” narrative, which is the picture that a non-Indigenous Australia is presented of Aboriginal and Torres Strait Islander people. They know the “statistical Indigene” and the picture that paints, which is pretty awful.

There needs to be a more nuanced approach to data and reporting, and something other than treating Aboriginal and Torres Strait Islander people as an aggregated mob. For example, I was working on a project involving linking of Northern Territory data on children. Non-Indigenous colleagues implemented a really straightforward model comparing Aboriginal with

non-Aboriginal kids. A more useful question to ask is, “how are urban Indigenous kids doing in comparison to their regional or remote counterparts”? The remote area data needed to be put into context of these communities – grouping of communities according to things they have in common (e.g. presence of a primary or high school, quality of medical services). We got a much better picture than when just comparing Aboriginal with non-Aboriginal kids (e.g. mother’s smoking rates, alcohol consumption in the family, etc). It is hard to break people out of that trope — if all you have in the model are negative things, data can only tell a negative story.

The Longitudinal Study of Indigenous Children (LSIC) is another example. There is a standard parenting efficacy and esteem measure — how parents rate their own parenting across a number of measures. Results can be put into a model and the usual suspects appear to explain differences in parenting efficacy — age of parents, remoteness (remote parents do better than urban possibly because of the absence of judgement), the mother’s health also has an influence, etc. However, throw in time spent with community elders and leaders, and a statistically, highly significant positive outcome emerges. A normal dataset will not have these variables. That is what LSIC does well. It adds things to the model outside of “what’s wrong with Aboriginal people?”

### **Are Aboriginal and Torres Strait Islander people’s priorities and interests being captured under current data arrangements?**

This is not really being done, except with LSIC, which has an Aboriginal and Torres Strait Islander dominated steering committee and has been running successfully since 2008. However, the program is under constant threat from actions taken by the department that panic and unsettle parents, particularly streamlining and harmonising measures with the Longitudinal Study of Australian Children (LSAC). LSIC has been successful by persuading parents that it presents a more nuanced reality of Aboriginal perspectives and lived experience in the data gathered for government, and it has achieved a great retention rate over a number of years. But this resource is hard-built through trust, and trust can be easily destroyed, not by malignant intent, but by a lack of understanding.

Every big department should have an Indigenous data governance mechanism to provide Indigenous input that dictates what data is collected and under what circumstances. This is the approach that we, the Maïam nayri Wingara Indigenous Data Sovereignty collective members, took with the data sharing legislation. This is necessary to prevent data being used to reinforce the same old tropes. LSIC has been a good example in the past but Indigenous decision making has been fading off — the information collected needs to reflect what Aboriginal and Torres Strait Islander people want the government to know. LSIC information is collected on the ground by Aboriginal and Torres Strait Islander people and maintains, through trust, a 75 percent retention rate from the beginning of the study, and a 90 percent retention rate from wave to wave. All of this is under threat as the LSIC project is out to tender.

### **Reciprocity in government data collection**

Significant barriers exist for local organisations trying to utilise data. For example, I am working on a project at the moment using linked health data containing 10,000 records. But we are struggling to get permission from my community to investigate that data. People are deeply suspicious of data about them being investigated and findings on them coming out. The main reason behind this is that they do not understand data at the community level and governments act like huge vacuum cleaners that just suck up information from organisations that have to supply data, but the community never get anything in return. Local organisations are being asked for expertise they do not have. We need to be careful not to overburden people who have not been provided with the skills, or give them the opportunity to develop the skills.

The Indigenous Evaluation Strategy should encourage or incentivise departments and agencies to provide information back to communities that they draw data from. If Aboriginal Controlled Health Organisations are providing all this data, then there should be a responsibility for government to actually provide some sort of feedback on the data periodically throughout the a year. This applies to both urban and remote populations.

The focus of the government's Indigenous Advancement Strategy and Indigenous policy is very much on remote people, which is understandable, given some of the issues of poor housing, health, education and outcomes. But this comes at the exclusion of the 80 percent of Aboriginal and Torres Strait Islander people who do not live in remote areas. And this is evident in the data available. Often they face the same problems and factors. For example – the elders question mentioned in the parenting study previously – this was equally important across urban, regional and remote Indigenous communities.

### **Indigenous data sovereignty**

We have recently formed the Global Indigenous data alliance. Countries such as New Zealand, the United States, Canada and Australia are the main players, but Columbia, Sweden, Mexico and the Basque region of Spain are involved as well. We have come together to work on a global level because the principles that we all work under are very similar. One thing we are constantly focussed on is capacity building in our organisations, our communities and government departments, getting people to improve their statistical capability and literacy. There is such a need out there for guidance and we are constantly being asked how to do things. As technology advances and government gets more and more complex – algorithms, big data – Indigenous people are getting further removed from the process, and these data processes end up defining the policies that govern indigenous peoples' lives. There is enormous potential and although we strongly critique data collection practices, this does not mean we want to close them down. We want the opposite. We want data management in a way that works for us.

### **How does Indigenous data governance apply to mainstream data (e.g. social security)?**

Data collection is necessary for making government payments, and there are some impressive techniques out there that show what you can do with it. Data collected for the general running of a department would not need Indigenous data governance, but some of elements would. One of my concerns is that we are moving towards algorithms and machine learning data to run social programs, but algorithms do not write themselves and still reflect certain biases and ways of thinking, so this still has the potential to need Indigenous data governance.

### **Commonwealth-state data**

In the field of education, state departments receive huge amounts of money for Indigenous education but in some cases only allocate about 11 percent to Indigenous-badged programs and the rest into mainstream services. There is no mechanism to check the impact of this funding. Looking at NAPLAN data, nothing has improved in 10 years in some states. In Tasmania, 50 percent of kids coming out at grade 9 are at a very low standard. This needs improvement and it needs for state governments to be asked for the data, to be asked to show where the funding is going, and to show how it is making a difference. This is about asking for outcomes information, not just spending. If the Commonwealth asks state departments for outcome data, there is very little transparency of where it is going. I suspect that state governments themselves do not know where funding is going, but asking them for data means that they would have to quickly find out. Making further funding contingent on providing that data would help also.

## **Aboriginal and Torres Strait representation in evaluation governance**

Data governance would be just part of the larger Indigenous governance of an evaluation process. The Indigenous Evaluation Strategy should require informed, expert Indigenous input right from the start. So earlier capacity building will play a part in that, but also using academics and peak organisations. It requires identifying key sources of Aboriginal and Torres Strait Islander expertise. The Indigenous Evaluation Strategy could help bring together a “Coalition of the Academy”, or something similar, which provides places for agencies to ask for input, rather than trying to find individuals for each project.

However, an Indigenous data governance function is too limited in the context of policy and program evaluation. The governance function under the Indigenous Evaluation Strategy needs to look more broadly at evaluation practice. Data organisations (such as the Australian Institute of Health and Welfare) should have an Indigenous data group because they deal in data. The Indigenous Evaluation strategy needs an Indigenous governance body to help make decisions and to be there at the start when evaluations are first being considered. The Indigenous Evaluation Committee model operating within the NIAA, which I chair, works okay but there is a limit to what we can do. There are only a few of us on the committee and we all have 60-70 hour a week day jobs. But despite this, we are changing things slowly.

In lieu of all departments having their own Indigenous expertise (which would be ideal) an Indigenous governance committee is needed with authority and power to make decisions and guide good practice.

### **Is there a role for Indigenous organisations in the Indigenous Evaluation Strategy?**

The Coalition of Peaks (who are party to the COAG *Partnership Agreement on Closing the Gap 2019-2029*) is an extremely important group. Pat Turner has done a wonderful job of bringing together a lot of very important groups such as NACCHO, land councils, the Tasmanian Aboriginal Centre and SNAICC. All of these organisations are now involved. They can have meetings, work out disagreements and then come with one voice. Data has just been added as a discussion item for all interactions with COAG in meeting the Closing the Gap targets. Since the abolition of the Aboriginal and Torres Strait Islander Commission (ATSIC), there has been a deliberate policy of keeping Aboriginal and Torres Strait Islander organisations separate, but there needs to be a capacity to talk with each other to come to a communal review.

Departments need to be pushed into developing Indigenous evaluation expertise — they have had many years to do such things, but it has not happened. Having not developed that expertise, departments still need to access it externally. The Coalition of Peaks is an organisation with good access to this expertise and will would a good place to start but we must be careful not to overload it. A conversation needs to be had with the Coalition of Peaks to decide on the best model for engagement. Currently, government agencies head toward individuals (such as academics), but seeking input from individuals is not sufficient.

### **What should the Productivity Commission consider in developing the Indigenous Evaluation Strategy?**

The Commission needs to make sure it does not spread itself too thin, too quickly. It must define and operationalise the Indigenous Evaluation Strategy principles. It should consult widely as to what the principles should be and then use academics to pare down the list to a manageable number. The Commission is a small agency so it will need to get the scope right. It cannot compel agencies to toe the line and so can only play an influencing role, but a helpful step will be for the Commission to model what it wants departments to do in its own practices.

The Commission needs to work out a way to introduce “skin in the game” for agencies, and Commonwealth and State governments around doing evaluation, with the Productivity Commission checking whether these measures are producing the desired outcome. Evaluations should be delivering value for money for Aboriginal and Torres Strait Islander people. The Commission should decide how to measure value and benefit and identify ways to carry that out.

### **How should the success of the Indigenous Evaluation Strategy be measured?**

The Indigenous Evaluation Strategy should incorporate tangible measures on improving the wellbeing of Aboriginal and Torres Strait Islander people, using Indigenous definitions of what wellbeing means. At the moment, there is a lot of emphasis on education and jobs, which is good, but to most Aboriginal and Torres Strait Islander communities, focusing on employment means we are not focusing on community wellbeing — for example, what supports are in place, and how kids are being supported to develop resilience? All these things are important. It shouldn't be either/or. As far as the aggregation of data on wellbeing, this probably needs to move a little wider than single communities. The ABS Indigenous Regions, which are set out around the old ATSI regions, are not a bad way to go, although they do clump together fairly large areas with similar populations under similar circumstances.