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Social Policy Research Centre

Submission to the Productivity Commission on the Draft Indigenous Evaluation Strategy

August 2020

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Acknowledgements

Acknowledgements: Thanks for the Social Policy Research Centre Indigenous Research Strategy group for their guidance, advice and experience.

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Suggested citation:

Blaxland, M., Newton, BJ, Jopson, W. (2020). *Submission to the Productivity Commission on the Draft Indigenous Evaluation Strategy*. Sydney: UNSW Social Policy Research Centre.

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1 Social Policy Research Centre

Founded in 1980 as Australia's first national research centre dedicated to shaping awareness of social welfare issues, SPRC is recognised as one of the leading centres for research in social policy in Australia, generating real change for individuals and communities.

We are dedicated to making a positive impact through independent and leading research that explores the key social issues of poverty, inequality, wellbeing and justice. We have unique expertise in evaluating government and industry programs to guide better practice and improved outcomes for individuals and communities.

In early 2000s, in recognition that all our work has implications for Aboriginal and Torres Strait Islander peoples, the Centre started to document how it might better undertake our work. This process which led to the 2008 SPRC Indigenous Research Strategy and a group of staff who actively oversee its implementation. Over the years, the Strategy has been revised to better reflect the imperatives of Indigenous Research Methodologies, the research and evaluation needs of the Aboriginal and Torres Strait Islander communities with whom we work, changes to ethics guidelines and our continuing learning at the Centre about how to improve research and evaluation. The process of learning and reflection is ongoing.

The SPRC welcomes the Productivity Commission's Indigenous Evaluation Strategy and its objective to provide a framework to guide Australian Government Agencies regarding evaluations of policies and programs affecting Aboriginal and Torres Strait Islander People. We agree that Aboriginal and Torres Strait Islander people must be at the centre of this Framework and that "governments need to draw on the perspectives, priorities and knowledges of Aboriginal and Torres Strait Islander people if outcomes are to improve" (Productivity Commission, 2020: 1)

2 Guiding Principles

The Guiding Principles of the Indigenous Evaluation Strategy are in keeping with Indigenous research methods and Australian ethics guidelines for research with Aboriginal and Torres Strait Islander peoples. The Guiding Principles, particularly in recognising Indigenous knowledges and placing communities' perspectives on their needs at the centre of evaluation research, should be strongly evident in each stage of evaluation as outlined in *A Guide to Evaluation under the Indigenous Evaluation Strategy*.



Figure 1: Guiding principles for the Indigenous Evaluation Strategy. Source: Productivity Commission 2020, *A Guide to Evaluation under the Indigenous Evaluation Strategy, Draft*, Canberra, May.

3 Draft Guide to Evaluation Under the Indigenous Evaluation Strategy

Our comments relate mainly to the draft *Guide to Evaluation Under the Indigenous Evaluation Strategy*. This is a valuable document for Australian Government Agencies as they consider how to interpret the Indigenous Evaluation Strategy. For this reason, we focus on the Guide, with particular regard to Indigenous self-determination and data sovereignty to ensure that the priorities and knowledges of Aboriginal and Torres Strait Islander Peoples drive and direct evaluation with their communities.

Under international law, the right to self-determination for Aboriginal and Torres Strait Islander peoples in Australia is contained in three binding human rights treaties. The International Covenant on Civil and Political rights, the International Covenant on Economic, Social and Cultural Rights, and the United Nations Declaration on the Rights of Indigenous Peoples. The key reality of difference for these rights for Aboriginal peoples, is that self-determination is a right of 'peoples', a collective right, rather than that of individuals (Australian Human Rights Commission, n.d.).

Data sovereignty derives from the right to self-determination. In Australia, the *Maiam nayri Wingara Aboriginal and Torres Strait Islander Data Sovereignty Collective* was in 2017 to interpret the principals of the global Indigenous Data Sovereignty movement for an Australian context. They describe Indigenous Data Sovereignty as:

the right of Indigenous people to exercise ownership over Indigenous Data. Ownership of data can be expressed through the creation, collection, access, analysis, interpretation, management, dissemination and reuse of Indigenous Data (Maiam nayri Wingara Aboriginal and Torres Strait Islander Data Sovereignty Collective, n.d.)

Data is important for the advancement of the self-determination of Indigenous peoples (Kukutai and Taylor, 2016). Unfortunately, too often, the collection of data about Aboriginal and Torres Strait Islander peoples has been driven by the interests of others (governments, businesses, researchers) not the priorities of Aboriginal and Torres Strait Islander peoples themselves. Aboriginal and Torres Strait Islander peoples have been denied access to the control, production and usage of data about themselves (Kukutai and Taylor, 2016). But data is an asset for Aboriginal and Torres Strait Islander peoples, culturally, strategically and economically (Maiam nayri Wingara Aboriginal and Torres Strait Islander Data Sovereignty Collective, n.d.). The right to self-determination affords Aboriginal and Torres Strait Islander peoples the right to data sovereignty.

How the Indigenous Evaluation Strategy will ensure the collective right of self-determination and data sovereignty, should be clear in the implementation guidelines detailed in the draft *Guide to Evaluation under the Indigenous Evaluation Strategy*. Self-determination is essential in order for Aboriginal and Torres Strait Islander Australians to overcome the legacies of colonisation and dispossession. (Aboriginal and Torres Strait Islander Social Justice Commissioner, 2003.)

Stage 1. Building evaluation into policy and program design

It is essential to include evaluation into policy and program development from the earliest stages, as outlined in the Guide. It is especially important to consider the budgeting and resourcing needs of Aboriginal and Torres Strait Islander evaluations because these have unique considerations. In our experience, evaluations with Aboriginal and Torres Strait Islander communities require a long lead time in order to connect and consult with communities about their interest in the evaluation and their priorities for research, and this does have implications on resourcing and budget. In our experience, evaluations often fail to pay sufficient attention to fundamental priorities for communities. It is important to ensure evaluations can meaningfully consider the underlying, cross cutting issues, as well as those more prosaically linked to the evaluation in order to sufficiently resource the evaluation.

Recommendation 1.

The Guide includes an additional suggestion that evaluations are sufficiently resourced and budgeted to enable a long lead time for community engagement and comprehensive understanding of communities' needs and priorities for the evaluation.

Budgeting should also consider the cost of community feedback, and as we argue below, communities should determine the form and focus of community feedback, which may result in additional costs to the evaluation. We propose adding budgeting for community feedback to the cost considerations outlined in the case study example, *Evaluation in practice: Budgeting for evaluation during policy and program development* (Productivity Commission, 2020: 7). Encouraging early planning through an Indigenous Evaluation Threshold Assessment into new policy proposals would aid the inclusion of Indigenous evaluation with appropriate budgeting.

Recommendation 2.

Add to the Guide information about how to ensure that feedback from the evaluation will be communicated to community/ies according to their preferences and specific contexts by including feedback into budgeting and resourcing at the planning stage.

The Guide includes a series of 'Questions to consider when planning for evaluation during policy and program design' (Productivity Commission, 2020: 9). We suggest placing Aboriginal and Torres Strait Islander peoples at the centre of these questions in keeping with the Guiding Principles. This might include questions such as:

- How are Aboriginal and Torres Strait Islander peoples involved in developing the program logic and theories of change? What are the priorities of the Aboriginal and Torres Strait Islander peoples who will be affected by this policy?
- How have Aboriginal and Torres Strait Islander peoples informed policy and program development as well as evaluation plans?

- What resources do Aboriginal and Torres Strait Islander communities and organisations need to maintain ownership and control of their data throughout and following the evaluation process?
- Does the evaluation budget include sufficient resources to provide feedback according to the preferences of Aboriginal and Torres Strait Islander communities and organisations?
- Can policy and program design be undertaken in way that is responsive to evaluation findings and following discussion about evaluation feedback with participating communities and organisations? Have resources been allocated to allow recommendations from communities' involvement in the evaluation to be implemented?

Recommendation 3.

Amend the '*Questions to consider when planning for evaluation during policy and program design*' (Productivity Commission, 2020: 9) to include a set of questions (above) to ensure that Aboriginal and Torres Strait Islander peoples remain at the centre of considerations for planning policy, programs and evaluations.

The Guide points to the importance of well-designed pilot programs for generating evidence about implementation and impact so that a policy or program can be refined before being implemented. We support this position, but would add that a pilot should only be conducted if a Government Agency genuinely intends to roll it out if it is successful. It is very damaging to communities to have pilot programs implemented, evaluated as successful, but defunded after 3 years and/or not taken to scale because there is no funding to do so.

Recommendation 4.

Add to the series of questions about piloting a policy or program in the '*Questions to consider when planning for evaluation during policy and program design*' to include consideration whether the Government Agency has the intent and resources to continue or expand a pilot program if the evaluation finds that it is successful.

Stage 2: What to evaluate

This section of the Guide describes how to decide what policies and programs should be evaluated. Again, we suggest making the interests and priorities of Aboriginal and Torres Strait Islander peoples stronger throughout this section in keeping with the Guiding Principles. At the moment, Aboriginal and Torres Strait Islander peoples' own considerations about what to evaluate are first raised at the end of this section, in the box, '*Questions to consider when deciding what policies and programs to evaluate*', which asks, 'Have Aboriginal and Torres Strait Islander people been engaged in the process of deciding what policies and programs to evaluate?' (Productivity Commission, 2020: 13). This question needs to be front and centre.

Recommendation 5.

Change the ‘*Questions to consider when deciding what policies and programs to evaluate*’ (Productivity Commission, 2020: 13), so that it first asks if Aboriginal and Torres Strait Islander peoples have been engaged in decision making, to ensure that the priorities and interests of Aboriginal and Torres Strait Islander peoples remain at the centre.

Aboriginal and Torres Strait Islander peoples are highly researched. In deciding what to evaluate, it is also important to consider the potential impact of evaluation on the communities who might be involved. In addition, in our experience evaluation is expensive and burdensome on communities. For this reason, Government Agencies should only evaluate when they genuinely intend to use the results for policy or program development. For this reason, we suggest the inclusion of an additional questions as detailed in recommendation 5 below.

Recommendation 6.

The ‘*Questions to consider when deciding what policies and programs to evaluate*’ (Productivity Commission, 2020: 13) should include additional questions to ensure that this evaluation is not overburdening the peoples and community/ies involved:

- What other evaluation or research has been recently been conducted, is current or planned with the Aboriginal and Torres Strait Islander peoples who may be involved in the new evaluation? What can be done to ensure that communities are not over-researched? Can the knowledge be found in existing literature or reports?
- Is the evaluation necessary for policy or program development? What steps can be taken to ensure the evaluation findings will be used?

Stage 3: Evaluation planning, design and conduct

Regarding evaluation planning, design and conduct, we agree that it is important to ensure that appropriate engagement with Aboriginal and Torres Strait Islander peoples at all stages of evaluation, and for research to be conducted ethically. Seeking approval from ethics committees is a valuable part of the research process as it ensures research plans adhere to ethical guidelines, which is especially important for Aboriginal and Torres Strait Islander peoples who have had particularly negative experiences of research.

A key element of ethical research relates to data sovereignty. At the beginning of an evaluation, agreement should be reached with participating Aboriginal and Torres Strait Islander peoples regarding the ownership, management, and access to research data and research findings. AIATSIS (2012) encourages written agreements which outline community expectations and evaluator commitments regarding research data and findings.

The box, '*Questions to consider when identifying and collecting data*', concludes with two questions related to data sovereignty:

Have Aboriginal and Torres Strait Islander people been engaged in planning, collecting and managing data used in the evaluation?

Are there clear processes in place for access to and release of data? (Productivity Commission, 2020: 26)

We consider that questions of data ownership, management, collection and access should be addressed in the earliest stages of evaluation planning. This is especially important in evaluation research with government because data and findings are not always made publicly available.

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Stage 4: Reporting Evaluation Findings

The box, '*Questions to consider when reporting evaluation findings?*', includes the question

Have results been communicated back to the Aboriginal and Torres Strait Islander communities or organisations engaged in the evaluation? (Productivity Commission, 2020: 33)

Early in the evaluation planning, the method and focus of the results which are shared with Aboriginal and Torres Strait Islander peoples should be negotiated and agreed. Evaluation findings should be shared with communities in the way they request and may include more than a short plain English summary. It is additionally important that communities have opportunities to engage in a dialogue with those responsible for policies and programs to respond to the findings and suggest ways forward to address implications.

This has implications throughout the evaluation, from the earliest planning stages to the refinement of policies and programs after the evaluation.

Recommendation 7.

The Guide should provide suggestions on negotiating the format and focus of findings which are communicated with Aboriginal and Torres Strait Islander peoples throughout the evaluation process. This begins with appropriate resourcing, is open to negotiation throughout the evaluation and may involve multiple forms of communication, and should involve dialogue with policy and program developers from Government Agencies.

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