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TRANSCRIPT OF EVENT

GRADUATE DATA WEEK

INDIGENOUS DATA SOVEREIGNTY

ENACTING INDIGENOUS DATA GOVERNANCE IN AUSTRALIA

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Equity for Indigenous Research and Innovation Coordinating Hub

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- MAGGIE WALTER:** Ya pulingina students. Great to be here with you this afternoon to talk about data and talk about Indigenous Data Sovereignty and Indigenous Data Governance. So, I'll introduce myself properly in a moment, in a way that's culturally appropriate, but I'm going to share my screen now and we'll get started on the slides.
- MAGGIE WALTER:** So, Ya pulingina, my name is Maggie Walter, mi-na Maggie Walter, Palawa lutruwita. I'm a Tasmanian Aboriginal woman from lutruwita, Tasmania. I'm Palawa. You can see there up the top, the cool looking dude is my great, great great-grandfather, Mannalargenna, who came from the top tiny part of Tasmania, the far North-east. Then there's my grandmother. And then there's my father.
- MAGGIE WALTER:** And if I introduce myself that way, because that is a fitting way for you to know who I am. I'm also a distinguished Professor of Sociology at the University of Tasmania. And that also is part of my identity. And in doing so, I will honor... I'm here on the land of the Gadigal at the moment, in Sydney. So I pay my respects to the Gadigal and the Eora Nation, and also pay my respects to my old people back in lutruwita, Tasmania.
- MAGGIE WALTER:** So, let's have a look at what's happening in the Australian Indigenous research space. There's a lot. First we've got the brand new or not so brand new, but fairly new Coalition of the Peaks who have had with the COAG, The Coalition of Australian Governments, who are Closing the Gap on targets, all 16 of them. Then we've got the Australian Bureau of Statistics and the Australian Research Council where they now have a new Australian and New Zealand Social Research Classification Code, which came out last year, which has a new two digit Indigenous division, which previously wasn't there. Might not sound like much, but that will allow for the first time ever in Australia for Indigenous research to be both counted and analyzed.
- MAGGIE WALTER:** Then we've got the new code of ethics from AIATSIS. Again, it's a dramatic change from the old guidelines. And if you haven't had a look, I'd recommend you go and have a look at the new AIATSIS code of ethics. Then we've got the Indigenous evaluation strategy, which has come out of the productivity commission, the new Indigenous productivity commissioner, Romlie Mokak, which will change the way evaluations are done. Then we've got information or knowledge, in any format, inclusive of statistics, that is about Indigenous people and that impacts Indigenous lives at the collective and/or individual level, which is the Australian Indigenous Data Sovereignty Collective of which are past and added t that we've got the Indigenous Data Governance Principles, which many of you would be aware of the Findable, Accessible, Interoperable and Reusable, which are now matched under Indigenous Data Sovereignty far lines with the Care Principles. A little bit, those a little bit more closely as we get in.
- MAGGIE WALTER:** So most of you are in jobs where you're dealing with data and within that, I'll guarantee almost all of you will be dealing with Indigenous data. I want to first just look before we look at the data, look at the governance arrangements, which are also rapidly changing in Australia. So we have the old United Nations Declaration of the Rights of Indigenous People, which is more than 10 years now since it was adopted, but it's only recently starting to make significant inroads. Then of course, we have the Uluru Statement from the Heart. And if you look just above the F, you'll see my signature on that.
- MAGGIE WALTER:** I was at Uluru and very proud to have been part of that. Again, we've got the Coalition of the Peaks. We've got the New Indigenous Voice, which submissions are available now for an Indigenous Voice to parliament and government. And the empowered communities. So these are just a few of the things that are happening around the governance. We've got OCHRE in New South Wales as well.

MAGGIE WALTER: For all of these things, for both the changes in Indigenous research and the changes in Indigenous governance that have come or are coming, they're all underpinned by a need for data. Data will make this world go round. So before we move on, let's just have a look at a definition for data, I'm a big fan of definitions, especially in the Indigenous space, because often what happens is that, terms in the Indigenous space get adopted and then reformatted to mean something else.

MAGGIE WALTER: So self-determination, all sorts of things have not meant the same things to people over the years. So in the Indigenous Data Sovereignty space, we are very, very careful at an Australian and the global level, to make sure that we have formal definitions so that doesn't happen. So this is a definition of Indigenous data that's informed by the work coming out of the British Columbia's First Nations' Data Governance Initiative. And we work with them along with others. It says Indigenous Data is any information or knowledge, in any format, inclusive of statistics, that is about Indigenous people and that impacts Indigenous lives at the collective and/or individual level. So you can see it's very wide. We'll mostly be talking about population-level data in this discussion. But you need to think about Indigenous data as being much more than that. So it's data about our resources and environments, data about us as socio-demographic data and data from us. Cultural knowledge, community stories, et cetera.

MAGGIE WALTER: So the next thing to think about is that when we think about data and especially if you've been in the quantum world for a while, you realise that sort of often we take statistical data because it's got numeric values as having sort of a fixed meaning that perhaps qualitative work doesn't have. And I want to dissuade you from that idea. I've talked very much about the politics of Indigenous data and no data and neutral, and certainly not the data about Indigenous people's land or resources, so that all our social cultural artifacts. So if not recorded in a percentage or a mean, or even a coefficient, just because it's a numeric form and it's attached to a formula does not mean that it is any more objective than if it was in words. So all data as subjective, and I reflect the realities of those whose purposes they serve.

MAGGIE WALTER: And that's primarily not Aboriginal and Torres Strait Islander people in Australia. So mostly data I collected about us in order to try and understand us from somebody else's definition of what's important to know. And it tends to come out that whatever happens, the data about Aboriginal and Torres Strait Islander people, positions us as hapless, helpless and hopeless. And this is real life outcomes. So I sort of got there on this slide three ways in which this happens. First is the majority of the trial. So nearly everything is focused on problems. So it's what we call the 5D data. And I'll explain that in the next couple of slides. And so it's always about the problems and in doing so, that's not to say some of those problems aren't real. This is not to do fake high levels of childhood illness or high levels of incarceration, the steps are wrong. It's to say that they produce a particular data narrative. And that... closes in, the way Aboriginal Torres Strait Islander people can be understood, especially by others, but often even by ourselves.

MAGGIE WALTER: Then nearly all one point in time. As far as I know, only the longitudinal study of Indigenous children is an active longitudinal data set about Aboriginal and Torres Strait Islander people. Nearly everything else is just cross-sectional. Even if it's repeat cross-sectional. Analysis tends to be limited to frequency counts or by various tables and tend to be a very simplistic understanding. And so if you have very simplistic analysis, at least a very simplistic and undemanding interpretations. And nearly always you've the orthodoxy of the dichotomy where we Aboriginal and Torres Strait Islander people always compared with those of the non-Indigenous population. And it tends to position Aboriginal data as only being able to make meaning of it. If you're able to compare it from data from non-Indigenous Australians, I would argue that the data have a meaning of their own and the sort of data we want. It's not necessarily easily comparable.

MAGGIE WALTER: So, let's have a look at our key concept, which is Indigenous Data Sovereignty. Again, this is an internationally agreed definition. And drawing up from the new work of Kukutai and Taylor and Matt Snipp, back in 2016. So Indigenous Data Sovereignty, are the rights of Indigenous people to govern, that's about rights and that governance of the collection, management, access, interpretation, dissemination and the reuse of data. So it relates to all data. And the impact of this? It reaffirms our obligations as Indigenous people, to respect knowledge and data aware and to recognise data as belonging to the collective. It's premised on data accountability to Indigenous peoples as per the various articles in the United Nation's Declaration for the Rights of Indigenous People.

MAGGIE WALTER: And it's also has to meet Indigenous priorities and has to be used to enhance Indigenous collective wellbeing. And that's according to the people about whom the data being collected. It needs to be asked to define what our wellbeing is, not for others. So let's have a look first at all the ways Indigenous data I got wrong at the moment. And before I go to this, I will say that there are some efforts being made by various statistical bodies around the country to change the way they do Indigenous data, because we have been critiquing it for a while. I haven't got around it, but they are working much, much more. We don't need feeling around the edges. We need a paradigm shift.

MAGGIE WALTER: A gather paradox. We've got too much of one type of data. What I call beta data. It's data that's blameworthy. That infers a complicity. So this is data from the health survey, and it compares Aboriginal and Torres Strait Islander people. And it's by drug and alcohol. And as you can see across all the different age groups, Aboriginal people are much more likely to be using drugs now. So the question is not is this data correct, but why was this put figure chosen by a person to be the central page of the report? So it's not just about, what's correct. It's about what decisions are made around that data. It's about aggregate. So it's always not local or national, some part of our script, sometimes by state, but mostly it's national. And yet this is what Aboriginal and Torres Strait Islander looks like. Population looks like we are having more than 501st nations. So if I'm down here, it literally to Tasmania and the national data includes people who live right across the top of Australia. How useful are those data, to me, trying to plan programs in literally the Tasmania, not, not at all.

MAGGIE WALTER: It's decontextualised. It always asks what, not why. So this one's about smoking and you can see again, Indigenous people across all age groups are much more likely to smoke. All that is ever asked is 'What'. 'What' continuously. I want to say more stuff that actually ask why. Why do Aboriginal and Torres Strait Islander people more likely to smoke age 15 to 27? That's the real meaty stuff. It's deficit. It's five day. It's about desperateness. It's about differences. It's about disadvantages, it's about dysfunction and it's about deficit. And so this is of course here is incarceration rights and the life of me, I can never imagine why you would look at those figures from Western Australia or anywhere, even in my home state of Tasmania. And think that just presenting the data itself was enough. Why, you wouldn't say. What the hell is going on here? And it's reductive, this is to your attendance. But again, it is just this comparison of Indigenous and non-Indigenous as a half a dichotomous period that without asking what are these. Is that being Indigenous today, that leads to all of these outcomes?

MAGGIE WALTER: And so, I did an inquiry years back where I looked at the first report into Aboriginal conditions. And that was 1858 in the colony of Victoria. And about the welfare of Aboriginal people. I did compare that with the overcoming Indigenous disadvantage reports. And I will acknowledge that the productivity commission is trying to change the way they do data. But I really can't tell the difference. So it's a pattern. And if you've got New Zealand and you guys saw data from Hawaii, the pattern of what is collected and how it is presented about Indigenous populations in all of those places, you'll find it's exactly the same. So, that tells you more about the data collectors than it does about the people who are from whom the data are collected.

MAGGIE WALTER: This is just a little chart looking at beta data and looking at the other side of the Indigenous data paradox, one that we've got far too little data about. And this is to a certain extent where you come in. So when you look at data about Aboriginal Torres Strait Islander people to come to quite your desk, or, you're looking to collect, or you're looking to desegregate, or you look in to interpret.

MAGGIE WALTER: Question it. Don't just take the status quo. Have a think about what sort of data is it. Does it fall into any of the banner categories? And if it does, how can you minimize those data just contributing to a narrative of deficit? So we need to contextualize that, and it's comprehensive. We need desegregated data. We need contextualized data. We need data that informed Indigenous needs and priorities, and we need data that's available to us. Nearly all the data from the ABS and other places are locked up. They're not available to Aboriginal Torres Strait Islander communities or organisations to actually analyze. All the data are going one way, up to government and not the other way around.

MAGGIE WALTER: Excuse me.

MAGGIE WALTER: So some of the things that are happening around there, we have a lot of work happening around big data and open data. But I will contend very strongly that just because it's big, and just because its data doesn't make it better. So there are all sorts of risks involved in the move to open data. And again, that comes under that fair principles, which now have been adopted right across the Western world, at least. In Australia, we have legislation now before parliament, or might even have gone through, about data sharing and the rules for more open data within, especially within government administrative data sets. But the first whole draft of the discussion paper did not even contain the word Indigenous.

MAGGIE WALTER: So how can we move forward when there seems to be this incapacity among people who control the data to even consider Indigenous needs within it? And people were always very surprised when you bring it up and say, you didn't ever mention Indigenous data in there, why didn't you? But often now say, yes, we should have. But then you say, well, okay, go on, do it. And they're stuck. They don't know what to do. There seems to be this, almost a paralysis of saying, we're not used to doing this. So therefore we'll try and avoid it. And here's just some of those risks.

MAGGIE WALTER: So, we know algorithms will come from this. We know already that the use of algorithms become misogynistic, sexist and racist within almost a couple of hours of being released. And that's because they're not neutral. They're reflecting what they're processing. So this is where we come to the governance part. So this is where I want you to be thinking about where to put your energies. So if we have Indigenous data governance, it mediates the risks and pathways to collect the benefits. And it allows Indigenous data collectors and interrogators or analysts to actually have a cultural and social license to use those data because at the moment, people don't.

MAGGIE WALTER: So, let's talk about governance and data sovereignty. So, the question, when you're thinking about how we might flip this on the head, and we're not talking again, we're not talking about consultancy groups or advisory groups. We've been doing those since the 1980s and most Aboriginal Torres Strait Islander people are well and truly over them. We don't want to be advisors or consulted anymore. We want to be decision makers. And I think that we need to be refusing to be part of the advisory boards or consultancy groups to get a change in the way things are happening. So, what would Indigenous statistics look like? Think about the Indigenous statistics that you know, within your own workplace or what you see in the paper. If we were the intended audience and we were the instigators and analyzers, they wouldn't look what they do now. What would they look like if data were collected and analysed to make our priorities and needs and aspirations? It wouldn't look like they do now.

MAGGIE WALTER: And what would they look like if they were framed to reflect back to Indigenous people? What we define as important to know ourselves? And that's of course where the sense is. Its reflecting back to the nation, what the nation thinks it's important to know about itself. That's not happening for Aboriginal and Torres Strait Islander people. And we needed it to happen. So, let's talk about governance. Governance is a mechanism by which Indigenous data sovereignty is delivered. And he, had written it down again. The Consultational Advisory Group is not governance. So we need data that reflects our life worlds. What Indigenous life worlds look. What's important and what makes meaning for Indigenous lives? What is in the embedded life reality? We needed it at the level needed by first nations communities.

MAGGIE WALTER: And that's one of the first things to come out of closing the gap is the need for local level data. It needs to be based on Indigenous defined needs. Again, the new closing the gap targets do a much better job than the original six in actually incorporating Indigenous needs. But of course, it's also struggles with trying to have a national program that makes all needs for all peoples. It needs to contribute directly to Indigenous nation rebuilding. To get our communities and the organisation support them back onto a positive, deliberate track.

MAGGIE WALTER: And we need data that are accountable to and controlled by those to whom they relate. And this would seem to me to be a basic right, as a citizen, to be able to have some access and some control of the data about you. And for those who have that data to be accountable to you. The Indigenous data sovereignty is now a global grouping. So there's national networks in wealth four countries, [inaudible 00:21:31] that Monarch group in, Aotearoa New Zealand, we've got in Indigenous Data Sovereignty Network in the US. We've got the Maiam Nayri Wingara collective in Australia. We've got the First Nations, British Columbia Data Governance or the Governance Center, which are now fully affiliated with our international network of which Maiam Nayri Wingara are on the Executive of the Global Indigenous Data Alliance. Now I've got the websites for both of those there, and they're in, and I'll happily send the websites if you want to have a look further. And there's new emerging ones for Inuit and Métis in Canada, especially. And Sami, and also in Mexico.

MAGGIE WALTER: So to move on to governance, governance is a two way split. So we have governance of data and data for governance, and those things worked really well. And then I acknowledge Diane Smith from INU who first came up with that idea of governance of data and data for governance, because it puts it very neatly that the two sides of what we need. So we need governance of existing data. So we can refute that as far as the data of disregard, we need governance. So we can tell our own stories from those data and have input into the narrative of how Indigenous people are known. And we need to apply Indigenous data protocols. But on the other side, we need data that can inform our own policies and development.

MAGGIE WALTER: We need data for developing infrastructure, and we need to design our own measures and indicators. Because we know that the current trope of Indigenous indicators and measures just measure a very, very limited part of the Indigenous life world or Indigenous worldview. And we need new mint measures and indicators to collect what is important and what's really needed. So back in June 2018, we had a summit where we had 50 Aboriginal and Torres Strait Islander people from all over Australia, come together to talk about what we needed and what was sort of the protocols that we would want to be in place around how Indigenous data were treated in Australia. And I won't read all those through. I'll let you read them as we go through. But it's really just a summary of the sort of things we've been discussing up till now. So it's about being empowered, being contextual, being able to exercise control and data that's protective.

MAGGIE WALTER: Let's move to the international scene now. So I know this is a rapid fire trip through Indigenous Data Sovereignty and Governance, but really what I'm hoping today is to get to thinking about data, especially Indigenous data in a different way. To get you to question when the standard tropes come across your desk. So the care principles have been developed by the Global Indigenous Data Alliance as a companion piece for the principles. So yes, we need data in that affair, but we also need data that take care. And so the care principles are collective benefits, authority to control responsibility and accountability in there and ethics. And you'll find reference to the care principles in the new AIATSIS code of ethics. And they line up pretty well with everything we've got going somewhere. And these are being picked up all over the world and being introduced into libraries and museums and data governance areas, that are administrative data areas as a way of bringing in some Indigenous data governance as a little bit of a framework.

MAGGIE WALTER: We've had some success internationally, for example, the special rep to on the right to privacy, to the United Nations incorporated Indigenous Data Sovereignty into their recommendations to the United Nations on how rights to privacy should be enacted and insured. And again, just to say, the right to individual privacy, which tends to be at the center of the Western thought process and knowledge system is not directly applicable. Well, it is applicable, but it's not enough in of itself for Indigenous peoples that we need collective privacy. And also that server that allows us to have some privacy and decide what things are open and what things aren't.

MAGGIE WALTER: Again, just as a reminder, we're nearly at the end of what Indigenous Data Sovereignty is. Just a point. I reemphasised it and put it there a second time, just to reemphasise. It's about rights and it's about governance. It isn't about being consulted. Or having input. So the question I want to leave you with is how can you support, within your own role, within your own agency, appropriate Indigenous data, Indigenous research infrastructure in Australia? What would it look like? Now that's something that we're working on at the moment as Maïam Nayri Wingara network is working. And with others. And it's a critical question about having that research infrastructure in place. At the moment, we're doing things, but it's all piecemeal - it's bit here and a bit there. We need an overall plan and a set of protocols. But have a think about how you might do it within your own job. And just to finish this, those websites again, and also two books on Indigenous Data Sovereignty.

MAGGIE WALTER: So the first one is by edited by Tahu Kukutai and John Taylor from ANU and that came out in 2016. So it was the first book globally on this topic. And that's available free to download from the ANU Press. The second book is Indigenous Data Sovereignty and Policy, which just came out in late 2020. And that's by myself, Tahu Kukutai, Stephanie Russo Caroll and Desi Rodriguez-Lonebear. And that is a valuable work, download by chapter for free from the Routledge site. So we actually got together and purchased open access for that. So we do believe in open data and open access. It's just how it's done that we have issues around. So while at that, I'll stop sharing the screen now. And hopefully I've made just that little bit of difference in how you think about data and how you think about Indigenous data.