

REFLECTIONS ON THE ‘RATES OF CRIME PROJECT’

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Introduction

One morning during the latter stages of our research project, we interviewed an Aboriginal research participant in Kempsey about his views on the nature of crime in his local community. The interview was a ‘success’ by all conventional markers of qualitative research: the interview itself went for just over an hour, fairly long by most standards; the research participant had plenty to say about the topic, we didn’t need to guide him or ask many questions; his tone was warm and pleasant, he made us feel welcome; and finally, the interviewee assured us of the importance of our study, giving the team words of encouragement about the value of our work in this area.

But the research participant also made a comment that made us feel slightly uncomfortable and which has stayed with us to this day. At the conclusion of the interview, he added: ‘Kempsey has been more investigated than the pyramids.’ As researchers working for Jumbunna Indigenous House of Learning (‘Jumbunna IHL’) at the University of Technology Sydney—a research unit which prides itself on its commitment to advocacy, transformative research, giving voice and agency to Indigenous peoples, and the highest standard of ethics—the statement caused some unease. The fundamental underpinning of all of our work is to support the self-determination initiatives of Indigenous communities and peoples, which we see being achieved through the agency of Indigenous peoples in setting and achieving their own agendas. Yet this project had a different basis and required a different approach to more typical Jumbunna IHL project.

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Like all Jumbunna IHL research, a fundamental objective was to give voice to Indigenous community members about how *they* would like their communities to grow and thrive. However, the project had primarily been designed to provide data that would support evidence-based government policy on crime and community safety. How could we reconcile our aspirations with the sobering reality that reports and recommendations are regularly ignored by policy makers? What were we going to do that was different to the previous studies conducted in this township? How could we give back to the participants in the study and the township generally? In short, did the ends justify the means? These concerns lie at the heart of this paper. In this paper, we reflect on the research processes involved in a study conducted by a team of researchers at Jumbunna IHL ('the Rates of Crime', 'the RoC Project' or 'the study').

The RoC Project was concerned with exploring factors that impact upon prevalence in crime in six Aboriginal communities in New South Wales. A great deal has been written about crime rates in Indigenous communities, some of which influences the development of policy in the law and justice arena designed to reduce criminal activity in these communities. However, our searches of the literature revealed a lack of research about how Indigenous residents view crime in their own communities, and what they consider to be hopeful approaches.

We thought that the research was potentially of value because it sought to understand the phenomenon of crime—enormously complex in any event—through an appreciation of the complexity and distinctiveness of each unique Indigenous community. The project focussed on towns that may share similar socioeconomic circumstances and other similarities, but have entirely different levels of recorded crime and other indicators of distress. Our interest arose because of our experience with Indigenous communities that are unique and multi-layered, each with their own individual character and dynamics. We hoped that, by appreciating complexity, the research could complicate notions of policy and practice that apply a broad brush approach to Indigenous towns as if they are uniform in light of complaints from Indigenous communities about top-down, one-size-fits-all government policy are decades old. We were not so presumptuous as to imagine that, in a short amount of time, we could understand the inner workings of the six Aboriginal communities that we visited. However, we did want to begin exploring how a policy approach that has the flexibility to respond to the specific circumstances of diverse towns might be created.

In this paper, we reflect on our research processes—including research design, consultation, execution and dissemination of research findings—as well as some of the ethical and practical questions that arose throughout the research process. These questions extend beyond human research ethics in the conventional, institutional sense of the term, and relate to our broader ethical concerns in the

design and conduct of research that should be ‘with and for’ Indigenous peoples and communities.

We reflect on our experience with the project within an environment of increasing emphasis on ethical methodologies. Whereas ethical considerations are sometimes treated as a nuisance that prolong the start date of important research, there is an important movement that seeks to place issues regarding ethics, methodology and the research process (rightly, in our view) at the fore of research pertaining to Indigenous peoples, communities and issues. The rise of Indigenous methodologies and of ‘Indigenist’² research puts questions of methodology front and centre in the presentation of research ‘findings’.

In recent years, we have seen the emergence of Indigenous research methodologies around the globe. The emerging schools of literature are united by the following principles: firstly, the need to conduct research that benefits local Indigenous communities; secondly, the need for research that is designed by and with Indigenous peoples; and thirdly, research that is accountable to the local community. At the core of this movement lies an attempt to create a space for Indigenous research within higher education institutions or the academy—spaces which have traditionally excluded Indigenous peoples.

Given the emerging nature of the literature on Indigenous methodologies, there are many unsettled debates. These include, for example, whether the research of any Indigenous person constitutes an Indigenous methodology, merely due to his or her Indigeneity. Can non-Indigenous people conduct research that follows an Indigenous methodology or design? Can research with Indigenous people and communities truly be ‘ethical’ if the methodology does not meet all of the standards of Indigenous research methodologies? Must research always be conducted with direct and tangible benefits determined by the communities at the centre of the research?

These are questions that we have asked ourselves throughout the research process of the RoC Project, and which we continue to ask ourselves today as we reflect on this project and other research that we are conducting. Importantly, we note at the outset that our research was not designed by the local communities that we visited and that the anticipated benefits were not those of the six communities but instead relate to the potential benefits that could accrue from a policy approach that has the flexibility to adapt to the needs of individual communities. We describe our

² Term coined by Lester Irabinna Rigney in Lester Irabinna Rigney, ‘Internationalisation of an Indigenous Anti-Colonial Cultural Critique of Research Methodologies: A Guide to Research Methodologies and its Principles’ (1999)14(2) *Wicazo Sa Review: Journal of Native American Studies* 109.

attempts to achieve high ethical standards and the considerations that we had to deal with in making that attempt in those defined circumstances.

This paper is structured in four sections. Part I traces the current literature on Indigenous methodologies and research, both in Australia and internationally. Part II describes our research methodology including conceptual framework, key questions, methods, ethics and findings. Part III offers some reflections on the research process. Finally, Part IV provides some conclusions.

I The Emergence of Indigenous Methodologies and Indigenist Research: A literature review

Indigenous peoples and communities frequently complain that they are over-researched but with few results. Relatedly, there is increasing agreement that research has historically been something that is *done to* Indigenous communities, who have traditionally been afforded little agency or oversight in the planning and execution of research.³ Smith's ground-breaking manifesto, *Decolonizing Methodologies*, details the ways in which research has been 'inextricably linked to European imperialism and colonialism'.⁴ Smith details how research has been 'implicated in the worst excesses of colonialism' and how the legacy of this resonates with and is remembered by Indigenous peoples.⁵ Moreton-Robinson and Walter explain this point succinctly:

³ Ibid; Martin Nakata, *Disciplining the Savages: Savaging the Disciplines* (2007, Aboriginal Studies Press); Linda Tuhiwai Smith, *Decolonizing Methodologies* (Zed Books and University of Otago Press, 2006); Linda Tuhiwai Smith, 'On Tricky Ground. Researching the Native in the Age of Uncertainty' in Norman K Denzin, Yvonna S. Lincoln (eds) *The Landscape of Qualitative Research* (Sage Publications, 2008); Aileen Moreton-Robinson & Maggie Walter, 'Indigenous Methodologies in Social Research' in Maggie Walter (ed) *Social Research Methods* (Oxford University Press, 2009) 1; Juanita Sherwood, *Do No Harm: Decolonising Aboriginal health research* (PhD Thesis, University of New South Wales, 2010); Karen Martin, *Please Knock Before You Enter: Aboriginal regulation of outsiders and the implications for researchers* (Post Pressed, 2008); Lester Rigney, 'First Perspective of Indigenous Australian Participation in Science: Framing Indigenous Research towards Indigenous Australian Intellectual Sovereignty' (2001) *Kaurna Higher Education Journal* 7.

⁴ Smith, *Decolonizing Methodologies*, above n 3, 1.

⁵ Ibid. A good example can be found in John Danalis' novel, *Riding the Black Cockatoo* (Allen & Unwin, 2009) which deals with the themes of research and repatriation of Aboriginal remains from museums and other international collections. In the book the protagonist, Jason, reveals his feelings when he was working as an intern in the Melbourne Museum:

““One day I tripped over this box, literally tripped over it. I opened it up, and inside were the remains of my people. Can you imagine that? They tried to keep it a secret from the dumb young blackfella. The more I looked the more I found. Well, I started making noise, asking questions: ‘Why do you need all these old ones, what use are they, why can’t they go back to country?’ ‘What did they say?’”

‘Research, they said, we need them for research.’ He spat the words out like pieces of rotten food.

The Indigenous subject is historically the object of social research; the research gaze is aimed at Indigenous people, culture and lives and is usually informed by Western traditions and conceived and interpreted by non-Indigenous researchers. There is a quantifiable absence of Indigenous knowledges, perspectives and understandings within the dominant research practice.⁶

As Sherwood states:

Research ... has objectified, oppressed, blamed and devalued Indigenous peoples through the bias of its Western worldview origins. It has appropriated knowledges, exploited and misrepresented its subjects, informed prejudice and racism and created a power imbalance with benefit afforded only to the experts.⁷

Conventional research often treats methodological considerations as ‘afterthoughts’ to a study, so as not to interfere with or detract from the findings and central argument of the completed study. As a consequence, the reader is often left with very little information about how the study was conducted, the research methods employed, and even less about the background and identity of the researchers themselves. Yet these factors directly or indirectly affect the study and the ‘data’ that emerges. Knowledge of the research team, the context in which the research was conducted allows a better understanding of the relationship between the research participants and the researcher. How a study is conducted has a direct bearing on the data that is collected, and hence, the veracity of the findings and the conclusions that are drawn from these.

In the Australian context, research about Aboriginal and Torres Strait Islander issues has been criticised on various grounds: for misrepresenting Indigenous peoples in various ways; for historical inaccuracies and distortions; lack of reflexivity; inability to acknowledge the standpoint and biases of the researcher; and at times, for being unethical and degrading.⁸ While overtly racist practices

⁶ Moreton-Robinson and Walter, above n 3, 1.

⁷ Sherwood, above n 3, 115. (References omitted)

⁸ A particularly harrowing example was the practice of removing Aboriginal remains throughout the 19th century until the 1940s for research in overseas universities, museums and laboratories for phrenology and anatomy studies. See Nicholas Mikluho-Maclay, ‘A Short Resume of Anthropological and Anatomical Researches in Melanesia and Australia’ Proceedings of the Linnaean Society of New South Wales, 1882. 171-175. The process of repatriating Aboriginal remains is an ongoing source of distress and unease for many Indigenous peoples to this day. The first museum to repatriate Aboriginal remains was the *Tasmanian Museum and Art Gallery* (Hobart, Tasmania) in 1976, with the return of the remains of Truganini to the Tasmanian Aboriginal community. Since then a number of institutions have committed to the process of repatriating remains, examples including the *Royal College of Surgeons* (Dublin, Ireland), the *Museum of Ethnography* (Stockholm, Sweden), *Edinburgh University* (Edinburgh, Scotland), *Natural History Museum* (Britain). Recently a number of institutions have agreed to return remains, examples including the *University of Oxford* (Britain) the *Charite Medical History Museum* (Berlin, Germany) and the *Booth Museum of Natural History* (Brighton, Britain). Bob Weatherall, activist and

may be less prevalent today (or so we hope), problematic research practices continue. One pervasive issue relates to the misrepresentation of aspects of Indigenous culture and ways of being.⁹ In large part, this misrepresentation occurs due to many non-Indigenous researchers not being conscious of whiteness as a race and lack of perception of the racialised nature of different struggles. Moreton-Robinson notes that such research can be condescending as though all [people] have the same aspirations and goals as non-Aboriginal [people].¹⁰

Importantly, these are not historical reflections about outmoded approaches to doing research. Rather, trends in research which continue to preference researchers' goals and which treat ethics requirements as procedural necessities underscore Indigenous communities' disdain. As an antidote to problematic research, in recent years there has been a proliferation of literature exploring the principles underlying Indigenous methodologies. Broadly speaking, Indigenous methodologies involve the production of knowledge which recognises Aboriginal world-views and which privileges the voices and experiences of Aboriginal peoples.¹¹ Indigenous methodologies are built on Indigenous protocols and see accountability to Indigenous communities as first priority of Indigenous research. Their emergence is an international phenomenon. Examples of Indigenous methodologies are diverse and include: Kaupapa Māori Research in Aotearoa/New Zealand;¹² Indigenous standpoint theory and Indigenist research in Australia;¹³

Chairman of the Centre for Indigenous Cultural Policy in Brisbane, estimates that there are thousands of Aboriginal remains still held in museums around the world (see generally, Phillips, 2011, Faulkhead, 2010, Lahn, 1996).

⁹ In the 1990s, for instance, Indigenous scholars challenged various allegations made by second-wave Australian feminists about Aboriginal women, along with their characterisation of the principle concerns for Indigenous women. See for example, Larissa Behrendt, 'Aboriginal Women and the White Lies of the Feminist Movement: Implications for Aboriginal women in the rights discourse' (1993) 1 *Australian Feminist Law Journal* 27; Aileen Moreton-Robinson, *Talkin' Up to the White Woman. Indigenous Women and Feminism* (University of Queensland Press, 2000). Perhaps the most famous of these, known as the 'Bell-Huggins debate', concerned the nature and degree of violence in Indigenous communities and who has the right to 'speak' about such issues. See, for example, Jackie Huggins, 'Correspondence' (1991) *Women's Studies International Forum* 14; Diane Bell and Topsy Nelson, 'Speaking about Rape is Everyone's Business' (1989) 12(4) *Women's Studies International Forum* 403. A persistent critique stems from a concern over the authority of non-Indigenous commentators to speak on issues based on what is often only a superficial or surface snapshot. In *Talkin' Up to the White Woman*, for example, Aileen Moreton-Robinson criticises non-Indigenous feminists representations of Aboriginal women and their articulation of Aboriginal women's priorities.⁹ Moreton-Robinson states that, 'in the Australian literature whiteness is not interrogated and named as a 'difference', even though it is the standard by which certain 'differences' are measured, centred and normalised' at xviii.

¹⁰ Moreton-Robinson, *Talkin' Up to the White Woman*, above n 9.

¹¹ Moreton-Robinson and Walter, above n 3, 1.

¹² Smith, *Decolonizing Methodologies*, above n 3; Smith, 'On Tricky Ground', above n 3;

¹³ Rigney, 'A First Perspective of Indigenous Australian Participation in Science' above n 3; Nakata, above n 3; Moreton-Robinson & Walter, above n 3; Rigney, 'Internationalisation of an Indigenous Anti-Colonial Critique of Research Methodologies', above n 2; Sherwood, above n 3; Martin, above n 3.

Indigenous Action Research in Hawaii;¹⁴ Central American Indigenous methodologies;¹⁵ Indigenous methodologies in Canada;¹⁶ and African Indigenous Research Methodologies.¹⁷

Many definitions have been put forth, but taken generally key characteristics of Indigenous methodologies include:

- An emphasis on Indigenous needs & priorities
- An emphasis on the development of personal relationships with research participants (not data collection)
- Research which seeks to be collaborative
- Research which honours Aboriginal social mores and cultural protocols
- Research which is conducted in the community, for the benefit of the community and with the community

Australian researchers have been guided by Smith:

an approach that is active in building capacity and research infrastructure in order to sustain a sovereign research agenda that supports community aspirations and development. ... These strategies often have led to innovative research questions, new methodologies, new research relationships, deep analyses of the researcher in context, and analyses, interpretations, and the making of meanings that have been enriched by indigenous concepts and languages.¹⁸

She proposes guiding principles for conducting research in Indigenous communities:

- What research do we want done?
- Whom is it for?
- What difference will it make?
- Who will carry it out?
- How do we want the research done?
- How will we know if it is worthwhile?¹⁹

¹⁴ Ku Kahakalau, 'Practical Application of an Indigenous Research Framework and Two Qualitative Indigenous Research Methods: Sharing Circles and Anishnaabe Symbol-Based Reflection' (2004) *HŪLILI : Multidisciplinary Research on Hawaiian Well-Being* 1.

¹⁵ Cinthya Saavedra and Ellen D Nymark, 'Borderland-Mediterranean Feminism' in Norman K Denzin, Yvonna S Lincoln and Linda Tuhiwai Smith (eds) *Critical and Indigenous Methodologies* (Sage Publications, 2008).

¹⁶ Margaret Kovach, *Indigenous Methodologies: Characteristics, conversations and contexts* (University of Toronto, 2010).

¹⁷ Bagele Chilisa, *Indigenous Research Methodologies* (Sage Publications, 2012).

¹⁸ Smith, 'On Tricky Ground', above n 3, 120.

¹⁹ Smith, *Decolonizing Methodologies*, above n 3, 173.

In the Australian scholarship, Indigenous standpoint theory is concerned with the development of Indigenous standpoints as a way for Indigenous scholars to read Western systems of knowledge.²⁰ According to Nakata, this theorising emerges from a dilemma Indigenous scholars face when balancing their own understandings with representations of Aboriginality as they appear within Western texts.²¹ Similarly, L I Rigney argues that using Indigenous methodologies means pushing boundaries ‘in order to make intellectual space for Indigenous cultural knowledge systems that were denied in the past’.²²

Taken together, these writings create a theoretical ‘space’ to embrace expansive conceptions of knowledges and research produced with and for Indigenous peoples. Indigenous methodologies do not advocate the abandonment of qualitative and quantitative methods, but rather, call for a revitalisation of methods in ways which take into account the axiological, ontological and epistemological position of the researchers.

With this in mind, this article now seeks to set forth the methodology of this research project, including the methods, standpoint of the researchers and our reflections on the research processes. While we consider that this work exceeds the scope and concern of institutional human research ethics, we faced challenges in understanding how to measure the value of research that faced a number of constraints that prevented us from meeting some of the fundamental standards and core principles of Indigenous methodologies.

II The Jumbunna Rates of Crime Project

In 2009, researchers from Jumbunna IHL commenced a research project which sought to examine the various factors which contribute—positively and negatively—to varying rates of crime in six Aboriginal communities in New South Wales, Australia. The Jumbunna RoC Project sought to address a gap in previous research. While research had been conducted that linked factors (primarily socio-economic) to individual Indigenous offenders’ role in crime,²³ little research had

²⁰ Nakata, above n 3.

²¹ Ibid.

²² Rigney, ‘First Perspective of Indigenous Australian Participation in Science’, above n 3, 9.

²³ See, for example, Don Weatherburn, *Arresting incarceration: Pathways out of Indigenous imprisonment* (Aboriginal Studies Press, 2014); Lucy Snowball and Don Weatherburn, ‘Theories of Indigenous Violence: A Preliminary Empirical Assessment’ (2008) 41(2) *Australian and New Zealand Journal of Criminology* 216; Lucy Snowball and Don Weatherburn (2006) *Indigenous Imprisonment: The Role of Offender Characteristics*, (NSW Bureau of Crime Statistics and Research, 2006); Don Weatherburn, Lucy Snowball and Boyd Hunter, ‘The economic and social factors underpinning Indigenous contact with the justice system: Results from the 2002 NATSISS survey’ (2006) 104 (November) *Crime and Justice Bulletin* 1.

been conducted that focused on the broader dynamics and characteristics of communities and how these might impact on crime rates.²⁴

The objective of the study was to identify common themes and factors that may be considered to have an impact on crime rates in six Indigenous communities. In particular, we were interested in understanding the political, social, cultural and economic dynamics contributing to crime rates in a given community. Most importantly, however, we were interested in hearing from key community representatives and personnel from community organisations about the nature of and factors contributing to crime in local communities. We were especially interested in understanding whether there were common themes from those towns with relatively lower crime rates.

To this end, the aims of the RoC Project were as follows:

- To better understand the factors that contribute to significant variances in rates of Indigenous offending in different areas of NSW;
- To explore these factors to better inform policy strategies to reduce crime and increase social cohesion in Indigenous communities;
- To contribute to the broader literature on what makes strong, successful, socially cohesive Indigenous communities.

In terms of our conceptual framework, the study drew on social disorganisation theory to inform the interview approach and analysis of the data. Social disorganisation theory is a common theoretical framework employed by criminologists conducting research in relation to rural or regional communities.²⁵ Concepts of social disorganisation had previously been described as being relevant to Indigenous communities, the suggestion being that the breakdown of Indigenous informal social controls as a result of colonisation and dispossession correlated with high crime rates.²⁶ However, given the trial nature of the study and

²⁴ A number of studies had been conducted on variations in crime rates in rural communities in NSW but none related to Aboriginal communities in particular. See Patrick C Jobes et al 'A Structural Analysis of Social Disorganisation and Crime in Rural Communities in Australia' (2004) 37(1) *The Australia and New Zealand Journal of Criminology* 114; Patrick C Jobes, Joseph F Donnermeyer and Elaine Barclay, 'A tale of two towns: Social structure, integration and crime in rural New South Wales', (2005) 45 *Sociologia Ruralis* 224; Patrick C Jobes et al, *A Qualitative and Quantitative Analysis of the Relationship between Community Cohesiveness and Rural Crime: Part 1* (Institute for Rural Futures, University of New England, 2000); Joseph F Donnermeyer, Patrick Jobes and Elaine Barclay, 'Social disorganisation, conflict and crime in four rural Australian communities' (Paper presented at the annual meeting of the Rural Sociological Society, Santa Clara, CA, 2007).

²⁵ Joseph F Donnermeyer, 'Locating rural crime: The role of theory' in Elaine Barclay, Joseph F Donnermeyer, John Scott and Russell Hogg (eds), *Crime in Rural Australia* (Federation Press, 2007) 15, 18.

²⁶ Snowball and Weatherburn, above n 23, 219.

its limitations, the research team was open to alternative theoretical explanations or findings that may not support any existing criminological or other theory.

Our analysis suggests that social disorganisation theory did not explain our research findings, but, given the relatively small scope of the research, we cannot make a definitive claim to this effect.²⁷ However, the key themes that emerged from our discussions with research participants included a number of issues which do not feature heavily in the criminological literature on crime in Indigenous communities, and which we may have predicted to be underlying factors but were surprised to hear them described by research participants as directly contributing to crime. These themes included resourcefulness, history, the role of Elders, respect, segregation, autonomy and self-determination.²⁸

In short, the study's focus was on trying to understand some of the broad social, cultural, historical, political and economic factors that might affect rates of crime in these six towns. We were interested in understanding the stories of these six towns that might explain their respective crime rates.

A *Research Partnerships*

The Research Unit at Jumbunna Indigenous House of Learning is headed by Professor Larissa Behrendt and is the research arm of the student support centre for Indigenous students at UTS.²⁹ The Research Unit has an established reputation for undertaking advocacy work around Indigenous sovereignty and social justice issues. Our preference is to develop deep and enduring relationships with a small number of communities, rather than undertake a range of research projects across a large number of communities. The result is that we ultimately engage with communities in relation to a range of issues that sometimes extend beyond the research interest. We see ourselves as having a responsibility to respond to the issues that these communities raise. In this sense, the Jumbunna Project, being of defined and limited scope, is somewhat of an anomaly.

The Jumbunna Project was conducted in partnership with the New South Wales Bureau of Crime Statistics and Research ('BOCSAR'), and the Department of Justice and the Attorney General. Key personnel from Jumbunna IHL and

²⁷ Ruth McCausland and Alison Vivian, 'Why Do Some Aboriginal Communities Have Lower Crime Rates Than Others? A Pilot Study' (2010) 43(2) *The Australian and New Zealand Journal of Criminology* 301.

²⁸ For a more detailed account of these factors, see: Larissa Behrendt, Amanda Porter and Alison Vivian (2015) 'Factors Affecting High and Low Crime Rates in Aboriginal Communities' in Joseph F Donnermeyer (ed) *The International Handbook of Rural Criminology* (Routledge, 2015) 33.

²⁹ In terms of personnel, the Jumbunna RoC Project research team consisted of Indigenous and non-Indigenous researchers, including: Larissa Behrendt, Ruth McCausland, Alison Vivian, Terry Priest, Eloise Schnierer, Amanda Porter and Joanna Lunzer. We were 'outsiders', in the sense that no-one had grown up or lived within any of the six communities involved in the study.

BOCSAR set the direction for the research in wondering whether qualitative research would shed light on quantitative anomalies, that is, that towns that on their face have similar socioeconomic circumstances have vastly different rates of crime. BOCSAR provided unpublished crime data that assisted in choosing couplets of towns for the study, and BOCSAR personnel provided assistance with interpretation of the data.

B *Research design*

The research team consulted with the Murdi Paaki Regional Assembly, New South Wales Aboriginal Land Council, Aboriginal Legal Service (NSW/ACT) and with the Department of Justice and the Attorney General (as it was titled in 2008), in relation to the purposes of, and planning for, the research. There was consensus that current data about socioeconomic indicators linking Aboriginal individuals and propensity to be involved in crime were incomplete without, and could be enriched by, an understanding of the community context. An important goal was to elicit data that could contribute to advocacy about policy change.

Case studies were conducted in three pairs of communities with significant Aboriginal populations that are demographically comparable but with contrasting crime rates, namely Wilcannia and Menindee, Bourke and Lightning Ridge, and Kempsey and Gunnedah.³⁰ It was not intended to directly compare the towns *per se*, however similar demographics assisted us to identify some contrasts in the communities that may impact on crime rates, but which may not have arisen in unstructured or semi-structured interviews. For example, we found in some towns that research participants held erroneous views about levels of unemployment, population and relative income in some instances which may not have been highlighted in interviews alone.

The towns were selected because they had either notably high or low levels of recorded crime, in accordance with data provided by the New South Wales Bureau of Crime Statistics and Research. The research team was particularly interested in whether there may be identifiable characteristics or strategies that may have a positive impact on crime rates in Indigenous communities.

We engaged with Indigenous and non-Indigenous people who were key community and organisational representatives and others working in relevant criminal justice, liaison and service delivery roles to gain an understanding of the

³⁰ Two initial studies—Wilcannia/Menindee, and Bourke/Lightning Ridge—were pilot studies funded by a UTS Partnership Grant and Australian Institute of Aboriginal and Torres Strait Islander Studies (‘AIATSIS’) Research Grant respectively. The continuation of the research in the six communities was supported by an Australian Research Council Linkage grant in partnership with the NSW Bureau of Crime Statistics and Research and the NSW Department of Attorney-General and Justice.

dynamics and experiences of the community as a whole. In doing so, we sought to access research participants' relevant expertise and knowledge based on their role, rather than people's individual experiences or anecdotes related to crime. We appreciate that asking people to comment based on their professional role rather than personal experience is an artificial construct. However, we hoped to minimise personal accounts or hearsay. Representative and service delivery organisations were key points of contact in identifying with whom to conduct interviews. However, not all organisations that we approached agreed to be interviewed.

Approximately three to four weeks before travelling to the relevant town to conduct interviews, members of the research team would contact potential research participants to introduce themselves and to discuss the purpose of the interviews and the types of issues that would be raised. This would be followed by a detailed email that again explained the purpose of the study and listed the issues that we wished to discuss. Our subsequent experience with research participants suggests that this approach gave them the opportunity to reflect on their communities and their perspectives, which assisted them to prepare for the interview.

In-depth, semi-structured interviews were undertaken, both to better explain the statistical data and as sources of data in their own right. Rather than conduct survey style interviews, the research teams attempted to facilitate questioning and discussion allowing for greater flexibility.³¹ The approach was tailored to be receptive to alternative narratives and perspectives on a range of factors affecting crime rates in communities.

Central to our methodology was that research participants lead the interviews, rather than being 'led' to particular topics. Given the (sometimes lengthy) telephone conversations that we previously had about the project in preparation for our field visits, frequently we were not able to start the recorder before the research participant started to speak. In some instances, research participants arrived with written notes. We think the approach of reasonably detailed pre-interview contact resulted in some interesting observations. For example, the research team was struck by the fact that many research participants raised factors such as the history of their town or impact of colonisation early in the interview, sometimes as the first issue to be raised. Had we conducted survey style questions, we suspect that these issues may not have had this prominence and may not have arisen at all.

³¹ Victor Minichiello, Rosalie Aroni, and Terrence Hays, *In-Depth Interviewing. Principles, Techniques, Analysis* (Pearson Education Australia, 3rd ed, 2008) 64.

Inevitably, different factors that may impact on rates of crime or social cohesion—either positively or negatively—arose in relation to the six communities from different research participants. For example, alcohol consumption was reportedly high in all six communities but there was much greater emphasis on alcohol consumption as a contributing factor in towns with high crime rates. Local factors such as the opportunity to go fishing or specking, and the influence of Kinchella Boys Home also become prominent.

Interviews were recorded unless research participants requested that they not be. Three research teams interviewed approximately 160 people in the six communities, almost half of whom are Aboriginal. Of that total, 17 people agreed to be interviewed but declined to have their interviews recorded. Recorded interviews were transcribed and coded for key themes and common narratives using NVivo™ software. The research teams also attended a number of community meetings including Community Working Party meetings in Wilcannia, Bourke and Lightning Ridge; a community meeting to address escalating crime rates in Wilcannia; a Local Government Crime Prevention Committee meeting in Gunnedah; a NSW Police Local Area Community Aboriginal Committee meeting in Bourke and a Gunnedah Indigenous Service Delivery Interagency meeting.

Because of the potentially sensitive nature of discussing issues of crime, the criminal justice system, community dynamics and different approaches to leadership and service delivery in small communities, research participants were given the opportunity to speak with the research team confidentially. In fact, confidentiality proved to be a pivotal factor in eliciting agreement for involvement in the study. One striking example related to a person who as a general rule would not be permitted by their employer to participate in the research. That person wanted to participate in the study and we were able to accommodate their specific requirements in relation to venue for the interview, recording of the interview and how the person would be described. Ultimately, we were able to agree upon quotes and anecdotes that the person was satisfied would not identify them.

The majority of research participants requested total confidentiality, including that there be no reference to them personally by name or title. A number of people specifically requested that the organisation for which they worked also not be identified. We acknowledge the difficulties in providing confidentiality in small towns. As several research participants observed, they were certain that they would be identifiable in the reports. However, by acting under the research participants' instructions and not identifying the person by name, role or organisation, we ensured that the research participant had control of the process. Similarly, although we interviewed people on the basis of their experiences, expertise and their role in an organisation or representative body, many people

wished to emphasise that they were expressing their own views and not that of the organisation in a formal way.

Data from the study (including quotes, anecdotes and observations) that we wished to use were emailed to the relevant research participant for their amendment and/or approval. Hour long conversations can take on a surprisingly personal tone and people may express themselves in a more informal way in a face-to-face interview than they would in writing. People may also say things that they would prefer remain confidential or that, upon reflection, they have reconsidered. Therefore it was essential that the research participants be authorised to determine how they are quoted. We also requested that they determine how they wished to be described. After all, if our publications are purporting to include the views of research participants, then we need to ensure that they correctly reflect the research participants' considered views. Once we had this information, we were able to amend quotes, correct titles and ensure that anecdotes and observations were accurate in draft community reports.

If quoted, research participants were given the option of being identified by position title or by a generic descriptor such as 'community service provider' or 'community worker' but in each case, the description was chosen by the research participant. Few people agreed to be identified by position title, although two participants withdrew their request for confidentiality after reading a draft community report. Research participants could withdraw their consent regarding involvement in the study at any point, and one person did so after reading the draft community report for the Wilcannia/Menindee pilot study.

Upon completion of the draft community reports, we returned to the various communities to meet again with as many research participants as possible to discuss the report and its findings before finalising it. These conversations were frequently much more candid than the initial interview. This change in attitude was particularly marked for one research participant, who had initially been reluctant to participate because of a previous experience with another research team.³² We speculate that this candour reflected the fact that that we honoured our word. That is, we did not quote research participants without permission, use any anecdotes or observations without permission and that we gave research participants the opportunity to read the draft report before it was finalised.

Due to confidentiality undertakings, a complete list of organisations represented in the study cannot be provided. However, representatives of a wide range of organisations were interviewed for the study including the NSW Police Force

³² Despite assurances to the contrary this person had been identified in a number of publications related to an earlier study. Although not identified by name, this person was identified by role. As the only person in the town with that role, the identification had been unequivocal.

(police officers and other employees), Aboriginal Legal Service, schools, Community Working Parties, Local Aboriginal Land Councils, local governments, Murdi Paaki Regional Assembly, circle sentencing members, health services, counselling services, youth services, government and non-government service providers.

C *Brief Summary of Findings*

A full statement of the research findings lies beyond the scope of this paper, however here we highlight some of the findings that are essential to this paper's consideration of methodology and ethics.³³

In a sense, the project did not succeed in achieving its aim of understanding community dynamics that might contribute to lower crime rates. While there was a widely shared narrative in Wilcannia, Bourke and Kempsey as to what factors contribute to their high recorded crime rates, research participants were much less able to articulate reasons for their towns' recorded lower crime rates in Menindee, Lightning Ridge and Gunnedah. In fact in some instances, especially in Gunnedah, there was resistance to the very idea that the town has relatively low crime rates, a widespread perception being that crime is a serious but under-resourced problem.

When asked about crime as a phenomenon in his or her local community,³⁴ a variety of complex and interrelated social, cultural, economic issues were raised: extremely difficult socioeconomic circumstances of the towns experiencing rural decline and low income/poverty; dangerous levels of alcohol consumption; unemployment and lack of meaningful activity; compounding impact of the inability to pay fines; over-policing and underreporting of crime; limited sentencing options and limited access to alternative regimes; and poor quality housing and overcrowding.³⁵

In addition, research participants raised a number of issues which are less frequently articulated in relation to crime and criminal justice issues. Research participants described their communities—positively and negatively—as intimately shaped by their local histories. Many research participants— Aboriginal

³³ For an overview of the research findings see For an overview of the research findings see Ruth McCausland and Alison Vivian, *Factors affecting crime rates in Indigenous communities in NSW: a pilot study in Wilcannia and Menindee* (Community Report, 2009); Alison Vivian and Terry Priest, *Factors affecting crime rates in Indigenous communities in NSW: a pilot study in Kempsey and Gunnedah* (Community Report, 2012); Alison Vivian and Eloise Schnierer, *Factors affecting crime rates in Indigenous communities in NSW: a pilot study in Bourke and Lightning Ridge* (Community Report, 2010); McCausland and Vivian, above n 27; Behrendt, Porter and Vivian above n 28.

³⁴ Part of this summary of findings is taken from Behrendt, Porter and Vivian above n 28.

³⁵ McCausland and Vivian, above n 33; Vivian and Priest, above n 33; Vivian and Schnierer, above n 33; McCausland and Vivian, above n 27.

and non-Indigenous alike—pointed to historical legacies of colonisation, mission histories and assimilationist government policy as influencing the contemporary fabric of the respective communities.

These local histories were argued to impact on contemporary relationships within the local Aboriginal community, between the Aboriginal and non-Indigenous communities, and between the Aboriginal community and the criminal justice system and other service providers. The role of education and policing were specifically noted. Research participants spoke about racism, segregation and inequality; inter-generational trauma, loss, grief and anger; leadership, decision-making authority and autonomy; family conflict and community divisions; stereotyping and expectation; hope and ambition; resilience and resourcefulness; relations with state entities and ‘remote control’ syndrome. For many research participants, the links between such issues and crime were self-evident; potentially causal.

Interestingly, while it might have been anticipated that historical legacies would be raised as an *underlying* cause of crime, in Bourke and Kempsey in particular, the history of the towns was described as so fundamental to the dynamics of the communities and contemporary relationships, that several senior Aboriginal people described ongoing colonisation as a *primary* cause of high crime rates. Research participants raised racism and segregation; economic and social inequality; intergenerational trauma; the deliberate and systematic suppression of Aboriginal culture and language; the deliberate and systematic undermining of Aboriginal authority and decision-making mechanisms and leadership; difficult relationships between Aboriginal and non-Indigenous communities and within the respective Aboriginal communities; and the inability of Aboriginal and non-Indigenous people to appreciate and celebrate each other’s lifeways, values and priorities as clear legacies.

In each of Wilcannia, Bourke and Kempsey, research participants—Aboriginal and non-Indigenous—vividly recounted stories of entrenched racism and segregation, said by one non-Indigenous research participant to be ‘part of the fabric of the river towns’. These were argued to be fundamental to understanding the dynamics of these towns. Examples given included that Kempsey had the highest ‘no vote’ in the 1967 Referendum than any other town in NSW, the appalling legacy of Kinchella Boys’ Home, and policies of segregation in public venues including the local swimming pool, cinema, and even essential services such as hospitals. These are not distant events and people told their own family stories, reminding us that Aboriginal people were being put onto cattle trucks and forcibly relocated to missions without volition as late as the 1950s. Grief, loss, bitterness, anger and hostility were described as directly emerging from Aboriginal people’s unacknowledged treatment, leading to the outright rejection of

the rhetoric that Indigenous people should ‘just get over it’ and concentrate on the future.

Our study reiterates that factors relating to Indigenous people’s contact with the criminal justice system are complex and diverse. Our study began to document the myriad factors which are perceived as contributing to crime rates within local settings. An appreciation of these numerous factors is important, both to academic and policy literature. Specifically, our findings highlight the importance of context and complexity in bringing to prominence factors that may previously have been undervalued or ignored within criminological studies and policy-making on criminal justice and crime prevention. While issues such as policing, substance abuse and socio-economic disadvantage tend to dominate the criminological literature, the Jumbunna RoC Project broadened the ambit of factors that are perceived by local residents as correlated with recorded crime rates. For example, as noted above, a number of research participants started their responses with a discussion about local history. Other research participants spoke about the relevance of certain localised factors, such as the water level of the local river and whether townsfolk could go fishing, being able to walk on Country or going fossicking. Others spoke of the relevance of local events, such as the goodwill shown by townsfolk in ‘pulling together’ to crowd-fund the design and construction of a local pool. None of these are factors which tend to immediately come to mind when one thinks of ‘crime’ and ‘crime rates’, yet they were each seen by local residents as highly relevant in influencing crime at a local community level.

Finally, the extent to which research participants identified the presence or absence of self-determination and autonomy as impacting positively or negatively on the prevalence of crime was notable.³⁶ Specifically, research participants in Lightning Ridge and Menindee frequently invoked autonomy as a positive contributor to ‘success’ or relative harmony, where members of the community exercise self-reliance. By contrast, the prevalence of external prescription, undermining of community decision-making and indifference to community-based solutions were frequently highlighted as destructive in Wilcannia, Bourke and Kempsey.

As the research progressed, the research team was struck by the correlation between research participants’ observations and Australian and North American research that demonstrates the link between self-determination and communities’ capacity to reach their own economic, political, social, and cultural goals.³⁷

³⁶ Behrendt, Porter and Vivian, above n 28.

³⁷ For an overview of the research findings of the Harvard Project on American Indian Economic Development, see Miriam Jorgensen (ed), *Rebuilding Native Nations: Strategies for Governance and Development* (University of Arizona Press, 2007). For a comprehensive survey of Native

III Reflections on the Jumbunna Rates of Crime Project

It is an interesting time to be writing and researching about Indigenous justice issues. On the one hand, it is exciting to see numerous reflections on and guidelines about Indigenous methodologies emerging across the globe. On the other hand, conventional or ‘business as usual’ approaches to research tend to be the norm and adopting Indigenous methodologies the exception in the overwhelming majority of academic and policy research on Indigenous issues.

In the following section we reflect on some ethical and practical questions that arose during the research process of the RoC Project. We were faced with some practical and methodological constraints that had the potential to affect the ethical conduct of the project as follows:

- (a) A limited budget: In fact, Jumbunna IHL significantly subsidised the project to ensure a greater engagement with the six communities than would have otherwise been possible;
- (b) A predetermined analysis framework: BOCSAR requested that social disorganisation theory be used to frame the study;
- (c) Limitations in co-designing research questions and methodology with partner communities: Indeed, Jumbunna personnel set the research questions;
- (d) Due to the large scale of the project, we were unable to maintain ongoing relationships beyond the three/four year duration of the study;
- (e) The study required particular criteria for participating communities which meant that Jumbunna personnel initiated the study in particular communities rather than being requested to undertake research by the community.

In terms of the indicia of approaches that demonstrate the principles of Indigenous research methodologies, we consider the following issues:

- (a) Defining the ‘benefit’ of the research
- (b) Managing research partnerships
- (c) The ethics of conducting research with a limited and policy focussed aim rather than ongoing, community-based research; and
- (d) Dissemination of research findings

American nations and communities, see Harvard Project on American Indian Economic Development, *The State of the Native Nations: Conditions under US Policies of Self-determination* (Oxford University Press, 2008). For Harvard Project publications, see <http://hpaied.org/publications-and-research> (accessed on 11 October 2016).

In light of the constraints listed above, it would be possible to characterise the RoC Project as conventional research devoid of the interests of Indigenous communities. However, our responsibility as Jumbunna researchers meant that we were obliged to create a methodology where we could give voice to the concerns to each of the six Aboriginal communities, notwithstanding any limitations. Throughout this section, it is our intention to share a ‘warts and all’ account of our methodological practices and ethical concerns, in order to reflect honesty and with candour on some of the challenges and compromises we faced at various stages in the research in our attempt to conduct robust and ethical research.

A *Who benefits?*

A crucial, perhaps the most crucial, element in undertaking research within an Indigenous methodologies paradigm is that the research be of benefit to Indigenous peoples and communities as defined by them. There are many layers to the question of benefit, particularly for a study such as ours focussed on policy. Is benefit to be assessed according to direct impact on research participants themselves? Can benefit be assessed according to its potential impact for all Indigenous people? If so, who can consent to the research, provide guidance on the appropriateness of the proposed methodology and give input into the research design?

As outlined above, the RoC Project was supported by a number of Aboriginal peak bodies in NSW which described the potential benefit in producing evidence that might be used by the six communities, these peak bodies and other Aboriginal and non-Indigenous organisations in their advocacy for policy change. The research would also be of broader interest to criminologists and other academics with an interest in understanding the dynamics of crime within six Aboriginal communities.

Notwithstanding that the research did not determine what might constitute direct community benefit for the six towns, the research was conducted on the basis of potential contributions to policy development and to the criminology literature. Some research participants raised the question of community benefit and we were frank in admitting that the primary focus on the research was on evidence based policy outcomes. Some research participants were justifiably cynical about the utility of research for their communities or about the impact that our study might have on policy. However, there was also considerable support for adding to the body of knowledge that illustrates the centrality of community-based solutions for community problems.

In fact, many research participants warmly received our explanation that one of the main reasons for conducting the study was to question the idea that the same policy solutions can be applied across different communities. In reflecting on what is it about *this* community that impacts on crime, we hoped to be able to elicit common features of towns with relatively lower crime rates and towns with relatively higher crime rates respectively. The remarkably different narratives from the six towns and an emphasis on agency and self-determination that was unexpected, demonstrated the need for local solutions as we had hypothesised and as research participants recommended.

B *Research Partnerships*

As highlighted earlier in this paper, our research partners included BOCSAR and the Department of Justice and Attorney-General. In addition to these partner organisations, the project would not have been possible without the commitment and support of the six communities themselves and, notably, key community leaders and representative entities from the six communities.

The six communities were selected by the research team, in close consultation with BOCSAR. Our reason for doing so was out of methodological necessity: we were interested in exploring community members' reflections on the nature and causes of crime in townships with both high and low recorded crime rates. However, it is point worth noting that this decision deviates from the normal approach adopted by Jumbunna IHL, where research projects are usually initiated at the request of Indigenous communities themselves. As a general rule, Jumbunna does not undertake many research projects but engages deeply with the few communities with which we work. Examples include work conducted by Jumbunna personnel in Borroloola and Bowraville and with the Gunditjmarra People and Ngarrindjeri Nation.

However, the Jumbunna RoC Project had a different focus to much of our other work and did not require that deep level of engagement. It was a small study of relatively short duration (three-four years) directed at a relatively simple question. The research methodology would not require in-depth ethnographic research with the six communities. Instead, we would speak to as many people as we possibly could from relevant organisations and representative bodies (approximately 160 interviews or conversations for approximately one hour) to obtain a *broad* overview of community dynamics and circumstances in six communities that varied in their circumstances. On analysis of the numerous interviews in each town, we were satisfied that we obtained a notable degree of consensus, particularly given that our methodology was to not lead research participants to any specific topics.

The success of the RoC Project was largely contingent on the ability of the team to engage as closely as we were able (given our limitations) with research participants and community organisations. We were conscious that a research project that seeks to investigate crime rates in Indigenous communities, community dynamics and aspirations, and which raises issues about leadership, community distress/dysfunction, and community capacity had the capacity to be divisive. Further, some research participants shared stories about previous negative encounters with researchers, describing encounters where they had been identified without permission or felt that they had been quoted out of context.

Our attempts to overcome constraints imposed by limited engagement and maintain faith with research participants who were very generous with their time and insights included the following endeavours:

- Contacting research participants well before the interview for a sometimes lengthy conversation about the project, the issues we were interested in and any concerns they had or suggestions that they wished to make;
- Meeting with research participants at least twice (for a face to face interview and meeting to discuss the draft community report);
- Attending meetings as requested by research participants;
- Being flexible about meeting venues, meeting in groups and being ‘on’ or ‘off the record’;
- Getting research participants’ explicit approval in relation to quotes and anecdotes before community reports were finalised;
- Returning to the six communities to report to individual research participants, community organisations, Community Working Parties and the Murdi Paaki Regional Authority on research findings before community reports were finalised.

(a) *Conducting research with diverse and heterogeneous communities:
Consent and research design*

We have noted above that budgetary and research design constraints meant that we were not able to undertake the in-depth consultation that would be required to facilitate community led research design.

However, our observations throughout the research suggest that consent and community-led research design may have proven difficult to obtain in any event. One rich vein of conversation from the RoC Project, which was not, and potentially could not be resolved, relates to the question of how you might obtain community consent to conduct research or engage with ‘the community’ to

negotiate research design in diverse communities which do not have decision making bodies with acknowledged authority within their communities.

Research participants described towns in some instances, as having multiple decision-making bodies and numerous community organisations, and/or several people with authority to speak for different sections of the community. Further several of the towns in which we worked were described by research participants to be fractured, even terminally divided. These divisions in some instances created hostility, even violent encounters, between groups within the towns. In some circumstances, lack of cooperation was a best case scenario. In other circumstances, research participants described deliberate attempts to undermine other groups' initiatives.

Attempting to explain that we wanted to understand community dynamics but that we were not conducting long term, in-depth research was, justifiably, not always easy. However, in obtaining consent from individual research participants, we were conscious to make the attempt. On the rare occasion when the issue of community consent was raised by research participants, we received conflicting (at times directly opposing) advice on who or which bodies we should approach. One person advised us that we should speak to a community service provider based in an entirely separate town to our study. Our impression was that this advice was linked to differing allegiances to groups within these towns. Given the study's findings that research participants frequently correlated high rates of crime with lack of self-determination and with disunity and discord within some of these towns, our perception that the extreme difficulty that obtaining community consent would entail, is in and of itself symptomatic of the factors that influence high crime rates.

Ultimately, we were not required to resolve these difficult challenges because we were not attempting to conduct in depth and ongoing community based research and did not have the capacity to conduct such research. However, our experience does illustrate the common complaint that research funding is inadequate to support robust community-led research. Engagement to conduct research that nourishes Indigenous communities and fulfils their research agenda is enormously time and resource intensive. Given that Jumbunna IHL needed to subsidise this level of engagement, genuine community engagement needed for fulfil the requirements for free, prior and informed consent and participation in research design would be cost prohibitive for much research.

(b) Analysis and dissemination of research findings

Foundational principles of Indigenous research methodologies are that Indigenous communities should also be engaged in analysis and directing dissemination of

research findings. Again, this was beyond the time and resource capabilities of the research team. Nonetheless, we attempted to enable maximum participation of research participants in both of these areas. For example, although we had a framework through which to conduct analysis, we did not let this influence the methodology. Rather, we adopted a grounded theory approach where we attempted to conduct interviews without preconceived ideas and conducted analysis based on the data in front of us. It was only after we coded data that we asked whether social disorganisation theory might apply.

While research participants did not directly take part in analysing the data, we consider that the process of meeting with research participants to discuss with them the draft community reports before publication was an effective means of engaging people in the analysis. After these discussions, we found ourselves in some instances, amending reports, adding particular nuance to some observations and reframing context. We did not always agree with research participants' observations but were able to have detailed, at times robust discussion about our proposed findings. In one instance, we were not able to agree with comments made by one research participant who ultimately withdrew their quotes and anecdotes from the study entirely.

Another important element of the research process involved the dissemination of research findings to key research partner organisations, government departments and to the communities themselves. We prepared community reports for each 'pair' of communities, met with research participants and gave a number of presentations in each of the six communities about the findings and how the reports might be used. These reports generated a great deal of interest within the Indigenous and mainstream media, the NSW government and NGO sectors, legal service providers including the Aboriginal Legal Service and Legal Aid, the Judicial Commission of NSW, and with academics from a number of disciplines. Members of the research team presented the findings to legal service providers' peak bodies, the Judicial Commission of NSW, at conferences, through guest lectures, including the John Barry Memorial Lecture on Criminology, and through radio and newspaper interviews. Additionally, we distributed the reports to state and federal local members of parliament for the six towns.

IV A Square Plug in a Round Hole? Reconciling the Aspirations and Practice of Indigenous Methodologies

Ultimately, we consider that our research findings are important and relevant to the body of literature on Indigenous justice issues, and for providing an evidence base for the development of crime and justice policy. We also consider that the Jumbunna Project's research findings have significant capacity to enrich the criminological literature as they addressed factors that are not typically described

in the criminological literature.³⁸ Previous analysis of Indigenous incarceration within criminology had tended to focus on a limited number of topics: alcohol and substance abuse;³⁹ unemployment and socio-economic disadvantage;⁴⁰ parenting;⁴¹ and interactions with the criminal justice system including the police.⁴² While each of the factors was raised in our research, it was the elaboration on perceived causes that proved to be the most illuminating. Our research findings point to a complex array of factors that are interrelated and highly contingent upon local context.⁴³

One glaring example was the impact of alcohol on crime in the six towns. Alcohol was raised by every research participant as either causing or exacerbating crime. However, the discussion frequently then turned to the use of alcohol as linked to the dynamics and environment of the particular community: such as the impact of systemic racism, disempowerment, marginalisation, dramatic inequality, poor physical and mental wellbeing, intergenerational trauma etc, rather than a cause of crime in and of itself. This suggests that measures targeted at consumption of alcohol that do not address the underlying causes of dangerous levels of consumption are unlikely to succeed.

Finally, and potentially most importantly, the findings of the Jumbunna Project are important for reasons which extend beyond the academic and policy literature. They are potentially beneficial in reinforcing Australian and North American research that self-determination is a fundamental precursor to Indigenous communities their economic, social, political and cultural goals and community development aspirations. According to the evidence, communities which have practical decision-making capacity; culturally legitimate and effective governing institutions that match the community's values and culture; strategic and long-term plans for action; and committed, driven leadership can succeed in their governance and development goals.

The criminological literature similarly emphasises Indigenous self-determination as a necessary basis for reform of the criminal justice system.⁴⁴ Cunneen argues that significant institutional change must reflect the Indigenous right to self-

³⁸ Behrendt, Porter and Vivian, above n 28.

³⁹ See, eg, Weatherburn, above n 23; Snowball and Weatherburn, above n 23; Eliot Johnston, Final Report: Royal Commission into Aboriginal Deaths in Custody (1991, volume 5) 111.

⁴⁰ See, eg, Weatherburn, above n 23; Weatherburn, Snowball and Hunter, above n 23; Johnston, above n 38.

⁴¹ See, eg, Weatherburn, above n 23.

⁴² See, eg, Weatherburn, above n 23; Johnston, above n 39; Chris Cunneen, *Conflict, Politics and Crime* (Allen & Unwin, 2001).

⁴³ Behrendt, Porter and Vivian, above n 28.

⁴⁴ Cunneen, above n 42; Harry Blagg, *Crime, Aboriginality and the Decolonisation of Justice* (Hawkin's Press, 2008).

determination to achieve decolonisation.⁴⁵ Blagg argues that strategies that reflect and build on the Indigenous right of self-determination are needed to ‘decolonise’ the institution of policing.⁴⁶ Similarly, Wootten states that ‘for change to be effective it must be built on the basis of negotiation with local Aboriginal communities and have their full support’.⁴⁷ Finally, the principles of the Indigenous right to self-determination is evident throughout the Final Report of the *Royal Commission into Aboriginal Deaths in Custody* and in its 339 recommendations.⁴⁸ Many of the recommendations either implicitly or explicitly refer to the need for negotiation with Indigenous people and organisations, including recommendation 188 that requires self-determination in the design and implementation of any policy or program or the substantial modification of any policy or program which will particularly affect Aboriginal people.⁴⁹

The Jumbunna Project reinforces numerous calls for a dramatic overhaul of policy as it relates to Aboriginal and Torres Strait Islander people and peoples to support capacity building in Indigenous communities and for Indigenous people and organisations.

Conclusion

This paper has outlined some methodological and ethical approaches to a project conducted by a team of researchers at Jumbunna IHL. Our firm view is that Indigenous methodologies provide the standards against which all research with Aboriginal and Torres Strait Islander peoples should be assessed. We benefited from appraising our ongoing performance in the Jumbunna RoC Project through the insights we have into what might be best practice and what might be improved in the future. However, although our ethos and ethical approaches draw inspiration from the literature on Indigenous methodologies, various constraints on this project meant that we encountered some complex ethical issues in practice.

In an environment where research funding is diminishing, where capacity to undertake community-based research is under increasing pressure, and where community engagement is fraught in fractured communities with multifaceted relationships, the question of what constitutes ethical or appropriate research is complex. There is an interplay between research objectives and impact that can complicate appraisals of whether research was, or is, ethical. For example, researchers frequently claim, as we have, that their findings have the potential to make an important contribution to evidence based policy. However, as we are only

⁴⁵ Cunneen, above n 42.

⁴⁶ Blagg, above n 44.

⁴⁷ Hal Wootten 1991, cited in Cunneen, above n 42, 205.

⁴⁹ Johnston, above n 39.

too aware, research findings are frequently ignored. Research findings that suggest a complete policy overhaul, as ours do, are likely to be even more difficult to implement.

How our work is judged is a matter for others. We are proud of the research and consider that it makes an important contribution to potential evidence based policy and academic literature. More importantly, it gave a voice to research participants in six Aboriginal communities to describe the complexities of their communities and to insist that top down or imposed solutions will be no more successful in the future, than they have been in the past. Further, it supports the strong stand that Aboriginal and Torres Strait Islander people and communities have taken since invasion, namely that the inherent right to self-determination should be enabled and facilitated.