

Annotated Bibliography
Accountability Frameworks between
States and Indigenous peoples
Jumbunna Institute | Indigenous Policy Hub

as at 30 October 2020

Title and authors	Indigenous Epistemology and Indigenous Standpoint Theory Dennis Foley
Citation (Harvard UTS style)	Foley, D. 2003, 'Indigenous Epistemology and Indigenous Standpoint Theory', <i>Social Alternatives</i> , vol. 22, no. 1, pp 44-52.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	An article 'examin[ing] the need for an Indigenous epistemological approach' and then providing an alternative — an Indigenous Standpoint Theory pulled together from Indigenous scholars' concepts across Australia and the Pacific.
Major findings and recommendations	<p>Indigenous research and knowledge must come from ways of thinking that are relevant to the nations concerned.</p> <p>Practitioners must be Indigenous.</p> <p>Practitioners must also be expert in Western versions of the discipline ('to be acutely aware of the[ir] limitations [as] western approaches.')</p> <p>Indigenous research must benefit the broader Indigenous community and the specific nation.</p> <p>Language should be the first way of recording and talking about this knowledge — English is only a translation or a second option.</p> <p>The work of research and its relationships must be flexible to its context.</p>
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW — Foley is a Koori man. ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Drawn from research outside of the NSW context
Relevance to First Nations people in NSW	<p>This research demonstrates a need (in the AANSW OCHRE context):</p> <ul style="list-style-type: none"> • For Indigenous value-driven research by Indigenous researchers who are adept in multiple methods • For Indigenous communities to get value from that research
Insights on accountability frameworks	<p>All relationships and all knowledge-sharing starts with disclosing and understanding where all parties are coming from — what their obligations are, what they consider authoritative, and what their values are.</p> <p>Language (not English) should be where principles originate and are expressed, not where they are translated to.</p>

Title and authors	The Uluru statement showed how to give First Nations people a real voice — now it's time for action. Eddie Synot
Citation (Harvard UTS style)	Synot, E. 2019, 'The Uluru statement showed how to give First Nations people a real voice — now it's time for action', <i>The Conversation</i> , viewed 16 September 2020, < https://theconversation.com/the-uluru-statement-showed-how-to-give-first-nations-people-a-real-voice-now-its-time-for-action-110707 >.
Categories (select all that apply)	<ul style="list-style-type: none"> • Knowledge-translation scholarly literature
Purpose of paper	An article to translate knowledge on the Uluru Statement and its context — as a matter of policy and legal accountability.
Major findings and recommendations	<p>Co-design without targets for self-determination is 'a form of rights ritualism: it appears to support Indigenous rights without implementing them.'</p> <p>'Symbolism' and 'practicality' are rhetorical devices from Australian politics and misrepresent the range of concerns that First Nations peoples bring to policy accountability, and where they put their political energy.</p> <p>Indigenous affairs are commonly reactive and based on crises, which gives non-Indigenous policymakers decision-making control over Indigenous communities that doesn't see the fuller picture of colonisation.</p>
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples — the Uluru Statement was contested in NSW and Victoria, but does have the backing of the convention meeting at Uluru and an Indigenous-led scholarly policy base.
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks — a short article, so not inappropriate ○ Does not clearly relate to First Nations people in NSW ○ Does not provide a sophisticated understanding of Aboriginal nation-building — focussed on First Nations-nation state relationships
Relevance to First Nations people in NSW	Symbolism and practicality, as well as co-design, are points of contention in discussions about OCHRE.
Insights on accountability frameworks	<p>Accountability frameworks cannot</p> <ul style="list-style-type: none"> • be reactive or single-issues-based • Be symbolic alone • Be focussed on co-design rather than <p>They must</p> <ul style="list-style-type: none"> • be proactive. • have real (rather than rhetorical) First Nations control.

Title and authors	Is ‘Closing the Gap’ enough? Ngarrindjeri ontologies, reconciliation and caring for country Daryle Rigney and Steve Hemming
Citation (Harvard UTS style)	Rigney, D. and Hemming, S. 2014, ‘Is ‘Closing the Gap’ enough? Ngarrindjeri ontologies, reconciliation and caring for country’, <i>Educational Philosophy and Theory</i> , vol. 46, no. 5, pp 536-545.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	This article illustrates the relationships between a number of nation-building efforts, efforts towards personal outcomes for Ngarrindjeri people, and Closing the Gap initiatives led by the Commonwealth. It thinks about how Ngarrindjeri (including the Ngarrindjeri Regional Authority) build alliances on a local and global scale, and ensure their accountability in ‘contact zones’ (where Ngarrindjeri and Commonwealth interests touch).
Major findings and recommendations	<ul style="list-style-type: none"> • Indigenous ontologies, epistemologies and connections to Country disrupt ideas of a singular State sovereignty, and therefore the idea of singular state authority over accountability. The State in turn does not understand or respect Indigenous knowledge or nation-building. • Social indicators as accountability measures, despite the importance of those social indicators, silences Ngarrindjeri interests and broader Ngarrindjeri nation-building, including their governance structures. • A shift in approach where Ngarrindjeri were a stakeholder group to where Ngarrindjeri were recognised as responsible traditional owners of Country, made it clear that non-Indigenous people, organisations and governments, had no authority to control Country or make decisions or assessments of it. <p>“From this recognition comes an understanding that Ngarrindjeri cultural futures are tied to the reinhabitation of Ngarrindjeri Ruwe. Ngarrindjeri well-being can only be achieved through a sustainable regional economy, good governance, realistic infrastructure, and rehabilitated lands and waters, as well as the further development of Ngarrindjeri expertise in research, planning, design, delivery, monitoring and evaluation of projects aimed at rehabilitation and care of Ngarrindjeri Ruwe. The links between a rehabilitated, healthy Ngarrindjeri Ruwe and the health of the Ngarrindjeri people, individually, as families and as a nation, are encompassed in Ngarrindjeri laws, traditions and philosophy.” (p 542)</p> <ul style="list-style-type: none"> • Ngarrindjeri strategy here does not distinguish between the ‘practical’ and the ‘symbolic.’ At the centre of their approach is agreement making that assert: “their presence and control in the lands and waters within the Ngarrindjeri Native Title claim; their status as the traditional owners of the land according to Ngarrindjeri traditions, customs and spiritual beliefs; and, finally, the rights, interests and obligations of Ngarrindjeri to speak and care for their traditional country, lands and waters in accordance with their laws, customs, beliefs and traditions.” (p 544)
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks — structured around Ngarrindjeri knowledge and story (historical and lore) ○ Developed by or with Indigenous peoples

	<ul style="list-style-type: none"> ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Does not directly relate to First Nations people in NSW
Relevance to First Nations people in NSW	This provides a model of state-Indigenous relationships in nation building which, while not transferable to nations in NSW given their cultural frame and the position of the NSW government, is instructive.
Insights on accountability frameworks	<ul style="list-style-type: none"> • After the court process and Royal Commission into the Hindmarsh Island Bridge Controversy, Ngarrindjeri leaders came together to secure knowledge-transmission across generations, which came under threat not only by state policy but settler state self-accountability. • Constructing accountability through statistical 'Aboriginal problems' dislodges First Nations nation-building and political aspirations and weakens the chance for meaningful, accountable relationships between First Nations and states. • For First Nations people to be able to hold governments and agencies accountable, they cannot be thought of as stakeholders — but as owners of Country, knowledgeable experts, and governing authorities on it.

Title and authors	Indigenous Statistics: A Quantitative Research Methodology Maggie Walter and Chris Andersen
Citation (Harvard UTS style)	Walter, M. and Andersen, C., 2013, <i>Indigenous Statistics: A Quantitative Research Methodology</i> , Left Coast Press, California.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	This is a book outlining the social biases of quantitative research on Indigenous peoples, and charting quantitative methods that serve First Nations interests, are guided by our ways of knowing and work to support our sovereignty.
Major findings and recommendations	<p>Statistics play a role in creating the reality they describe, and are shaped by the social cultural and racial terrain in which hypotheses are conceived, by which data is collected, by how analyses take place, and by how and who interprets them and why.</p> <p>The construction of statistical Indigenous subjects happens more through methodology than the particular mathematic tools that the methodology informs. To understand how social service delivery and governance works in a First Nations-state accountability context, it is first necessary to understand what underpins the evidence base used to support them.</p> <p>“Methodology is the active element...it determines why and how particular research questions are asked (and why others are not); how, when and where the data are gathered; how they are explored; and how the resulting data are interpreted and, significantly, eventually used.” (p 10)</p> <p>Many First Nations people and peoples, remembering times where they and their ancestors were measured or administrated by government statistics, resist statistics as a research method. But statistics can also be a source of accountability and resistance.</p> <p>“Indigenous communities must become literate in the entire statistical cycle of the construction, collection, interpretation and dissemination of quantitative information...open the possibility of levelling the relations of power within which statistical information is accorded its legitimacy in a manner that refusal or replacement with qualitative research cannot.” (p 134)</p> <p>Engaging First Nations peoples as facilitators of research in lower-regarded roles, rather than as researchers in their own right, offers research community legitimacy that it may not deserve at the expense of those First Nations people and their communities.</p> <p>Indigenous quantitative methodologies are not just the sum of their differences to non-Indigenous quantitative methodologies, and share things that are common, but not often exposed, about all ways of analysing and collecting data by all researchers. “Yes, standpoint is central to Indigenous quantitative methodologies, but this is the case for all research. However, Indigenous methodologists and researchers cannot be so blithely (and conveniently) unaware of this social positioning as are coloniser settler researchers, since our work is often positioned as more political simply because it is different from the status quo.” (p 57)</p>
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples

	<ul style="list-style-type: none"> ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not clearly relate to First Nations people in NSW ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This is applicable to all First Nations in Australia, who face largely the same problems of over-examination and being problematized by statistics, while also potentially benefitting from their own measured benchmarks made with an Indigenous methodology.
Insights on accountability frameworks	<p>Statistical checkpoints must be carefully navigated to not construct Aboriginal people as deficits in the name of accountability.</p> <p>First Nations people need meaningful direction, control and proper epistemological foundations in statistical knowledge produced about them in relation to government. This occurs in relation to methodology, rather than method, but Indigenous peoples need to be in control at every point.</p>

Title and authors	Culturally Appropriate Indigenous Accountability Tim Rowse
Citation (Harvard UTS style)	Rowse, T., 2000, 'Culturally Appropriate Indigenous Accountability', <i>American Behavioural Scientist</i> , vol. 43, no. 9, pp 1514-32.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This paper explores the accountability of Indigenous corporations and its multiple relationships — 'to the taxpayer, their employees, and their clients'.
Major findings and recommendations	<p>The Indigenous demand for self-determination poses a 'threat to officials in local state governments; they could lose authority and resources to emergent regional structures of Indigenous governance.' (p 1517)</p> <p>There is a long history of external accountability purporting to represent internal Indigenous accountability as a rhetorical gesture to secure greater government regulation of Indigenous organisations. (pp 1517-18)</p> <p>If accountability is multidimensional (as Fingleton posited in his review of ATSIC), then 'there is scope for diversity in the ways that accountability is institutionalised.' (p 1522)</p> <p>'Liberalism is...not intrinsically a source of arguments or pressures for assimilation [to non-Indigenous accountability or to individualism]. Nor does liberalism make it legitimate for governments to intervene in the affairs of minority cultures.' (p 1523)</p> <p>Indigenous peoples have made strategic decisions to associate and incorporate in the way that they do to present something externally cognisable to settler legal systems. 'Formal associations as an adaptive continuation of Indigenous traditions, not a symptom of their capitulation.' (p 1524) At times, incorporation and the necessary external accountability that came with it did not have a large impact because 'incorporation had been no more than an expedient step in getting funding or land title.' (p 1526) Sometimes, these rules have almost no impact, because they are perfunctory to community accountability and simply a practical gesture that can otherwise be disregarded.</p> <p>Where there is a clash between internal and external accountability, from the perspective of the law, the external accountability prevails. As a practical matter, it is tied to funding and power.</p> <p>'We should avoid assigning evaluative priority [on accountability] to custom and culture as if they were realities preceding contemporary Indigenous organisations. Any behaviours to which we refer as customary and traditional now coexist with Indigenous social forms that are recently developed and consciously contrived.' (p 1530)</p>
Strengths	<ul style="list-style-type: none"> Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Developed without Indigenous peoples Does not directly relate to First Nations people in NSW Does not provide a sophisticated understanding of Aboriginal nation-building

	<ul style="list-style-type: none"> ○ Appears to make a case for assimilation? Might just be clumsy wording about the introduction of rights to liberal discourse. ○ Consideration of Indigenous peoples as a minoritised group rather than an Indigenised group.
Relevance to First Nations people in NSW	While this was written some time ago, it may have useful reflections for First Nations in NSW that use Aboriginal corporations and ALCs (or regional authorities) as vehicles for community legal personality. Remains also generally relevant as OCHRE works to make a culturally appropriate and policy-relevant accountability framework that accounts for these structures.
Insights on accountability frameworks	Accountability frameworks from government, where minimised for their oversight of Aboriginal business, may not necessarily need to be culturally appropriate where First Nations peoples are strategic in how they use institutions not to constitute themselves, but to represent themselves and their interests to the state. This only applies for accountability mechanisms like grant acquittals or incorporation — flows from community to government — rather than concerned with government accountability to mob.

Title and authors	<p>Indigenous Peoples' Health Care: New approaches to contracting and accountability at the public administration frontier</p> <p>Judith Dwyer, Amohia Boulton, Josée G Lavoie, Tim Tenbensen and Jacqueline Cumming</p>
Citation (Harvard UTS style)	<p>Dwyer, D., Boulton, A., Lavoie, J., Tenbensen, T., and Cumming, J., 2014, 'Indigenous Peoples' Health Care: New approaches to contracting and accountability at the public administration frontier', <i>Public Management Review</i>, vol 16, no. 8, pp 1091-1112.</p>
Categories (select all that apply)	<ul style="list-style-type: none"> • Scholarly literature
Purpose of paper	<p>This paper explores relational forms of contract accountability between governments and Indigenous health organisations, where contracting parties become co-principals in relation to funding and regulation.</p>
Major findings and recommendations	<p>Indigenous public health organisations who work in their communities are made accountable to many niche parts of settler governments via patchwork funding schemes. Each scheme has its own onerous requirements, and the 'constraints...can undermine responsiveness [and accountability] to communities.' (p 1093) This has an adverse impact on Indigenous health.</p> <p>In public health funding, accountability is 'a power relationship where an accountability holder has the right to information, auditing and scrutiny of the actions of an accountability giver'. In First Nations communities, this is not the only form of accountability, and may be the one with the lowest priority. (p 1095)</p> <p>While in Canada, there is a policy move towards integrated and longer-term funding for Indigenous organisations, but 'reporting requirements to governments have been harder to shift.' (p 1099) In NZ, Whanau Ora has done similarly, but its accountability is still focussed on 'rigorous use of outcome-based performance indicators' (p 1101) that place elevated expectations on Maori orgs compared to their Pakeha counterparts. The localisation of measures to whanau and iwi does make accounting for program effectiveness more challenging. Evaluations of Whanau Ora are, however, mostly positive and effectively meeting those local and national measures.</p> <p>In Australia, there have been similar moves towards 'a more relational approach' in accountability. However, this is only at the moment an expression or intent — 'it is not yet possible to detect any general changes in practice' (p 1104).</p> <p>Globally in Indigenous public health, changing accountability regimes is the most difficult part of this incremental move away from the 'principal—agent' assumption in funding relationships. 'While other accountability pulls are recognised, they do not yet [in the eyes of governments] compete as the focus of effort and consequences.' 'The sense that accountability is an accounting matter, fundamentally about the exchange of money for information and compliance, is deeply entrenched and we found less evidence of practical reform.' (p 1106)</p>
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks

	<ul style="list-style-type: none"> ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Developed without Indigenous peoples ○ Does not directly relate to First Nations people in NSW ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	Could be of use to groups in the community-controlled sector, especially those in contact with NSW Health, who look at a new way of working with governments to ameliorate short term funding accountabilities and to amend their own internal accountabilities.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Essential that Indigenous-State relationships move out of the Principal—Agent relationship, and think about other accountability matrices and sets of relationship obligations • Also crucial that changes to move into more relational ways of doing are reflected in practice, not just sentiment • Accountability to government may be the lowest priority accountability for First Nations organisations

Title and authors	Collaborative and Participative Research: Accountability and the Indigenous Voice Bronwyn Rossingh
Citation (Harvard UTS style)	Rossingh, B., 2012, 'Collaborative and Participative Research: Accountability and the Indigenous Voice', <i>Social and Environmental Accountability Journal</i> , vol. 32, no. 2, pp 65-77.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This is a discussion of government funding regimes, accounting and accountability in remote Indigenous communities in the NT — exploring shared accountability and more appropriate ways for government to think about accountability.
Major findings and recommendations	<p>Accountability must be relational, negotiable and flexible concept that 'shapes itself depending on its environment.' (p 65)</p> <p>There is potential for convergence of Indigenous and Western-based accountability, through 'sharing knowledge and valuing other perspectives', but this has to go beyond changing the names of Western systems — it must require a deeper understanding and knowledge of Indigenous systems. If it doesn't, it would require Indigenous people 'abandon their own systems' and be part of 'systems that they do not really understand.' (p 65)</p> <p>Government accountability in funding relies on linguistic and technological mechanisms that are heavily value-laden, but appear on their surface to be neutral. They need to affirm common values and recognise difference and diversity.</p> <p>Documentation as an accountability mechanism 'calls for a specific behaviour that does not link to the cultural context of Indigenous communities...the issues are much deeper than just language.' (p 68)</p> <p>The article outlines from pp 72-73 the difficulties some communities in the NT had reckoning with bureaucratic speech in budget applications and acquittals.</p> <p>Rephrasing done in the course of the workshop allowed 'community people to tell their story about their special cultural project to enable fulfilment of their individual and group accountability to culture. Participants emphasised on many occasions that they want government to come to talk to them so that they could tell their story.' (p 73)</p> <p>Accountability concepts must be shaped and conveyed in a way that is meaningful in its environment, but governments remain transfixed on accounting for funding dollars in a way that is antithetical to 'achiev[ing] important changes for improving the lives of Indigenous people.' (p 75) 'These are changes that Indigenous communities want to embrace to enable them to keep culture strong so they can nurture the spirits of future generations.' (p 75)</p>
Strengths	<ul style="list-style-type: none"> From a participatory action workshop that worked to make a government grant application legible
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Developed without Indigenous peoples

	<ul style="list-style-type: none"> ○ Does not clearly relate to First Nations people in NSW ○ Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Does not provide a sophisticated understanding of Aboriginal nation-building <p>‘Do not really understand’ — note Nakata’s view on FN expertise of systems.</p> <p>Quite patronising, centres ‘the problem’ on First Nations linguistic understanding rather than on the systems designed by government</p>
Relevance to First Nations people in NSW	The legibility and legitimacy of grants schemes and how mob are forced into ill-fitting accountability government frameworks is a generalizable experience across Australia.
Insights on accountability frameworks	Governments must work to ensure that accountability frameworks to which First Nations are supposed to work are both comprehensible and relevant to the communities they are in.

Title and authors	Mediating Social Thought Through Digital Storytelling Althea Scott Nixon
Citation (Harvard UTS style)	Scott Nixon, A., 2009, 'Mediating Social Thought Through Digital Storytelling', <i>Pedagogies: An International Journal</i> , vol 4, pp 63-76.
Categories (select all that apply)	<ul style="list-style-type: none"> • Scholarly literature
Purpose of paper	This article describes how new communication media is used to promote agency, literacy and identity development among marginalised youth, and to hold power structures to account with this collective critical way of thinking about social problems.
Major findings and recommendations	The production of guided social justice multimedia narratives allows young people especially to redefine their social roles within a community. In seeing themselves as social actors, and focussing on the plight of victims rather than aggressors, students could challenge ideas that as minoritized youth they were not social actors with agency. Some began to think of themselves as social activists who could engage as leaders in their communities. For many, this was the beginning of 'sociocritical consciousness' (p 74) — articulating experiences into something coherent and communicable.
Strengths	<ul style="list-style-type: none"> • Powerful account of social justice narrativity, demonstrates its personal power of re-storying grievances well
Limitations	<ul style="list-style-type: none"> ○ Not clearly related to this work
Relevance to First Nations people in NSW	Unclear, included in RFQ.
Insights on accountability frameworks	<p>Development of sociocritical consciousness essential to accountability.</p> <p>Restorying is a form of soft accountability.</p>

Title and authors	Trust/worthiness and Accountability Clare Land
Citation (Harvard UTS style)	Land, C., 2011, 'Trust/worthiness and Accountability', <i>Journal of Australian Indigenous Issues</i> , vol. 14, no. 3, pp 54-69.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	To review key First Nations work on accountability to shed light on how to build or understand the limits of trust in Indigenous and non-Indigenous relationships.
Major findings and recommendations	<p>Non-Indigenous participants in Indigenous affairs, especially organisations, must 'strive to be trustworthy (and enter into constructs for enforcing this), but not be expected to be trusted.' (p 54)</p> <p>When non-Indigenous people attempt to hold themselves accountable in Indigenous Affairs ('auto-accountability') are not sustainable in the long term. 'One problem with auto-accountability is that it relies on self-reflection and a lot of guesswork, and can for some non-Indigenous people lead to a sense that it is better not to engage with Indigenous people.' (p 61)</p> <p>Transformative accountability is possible only when it isn't ritualised. Indigenous people must first be empowered to do something with that accountability — and in turn, non-Indigenous people who are held accountable must be willing participants who seek to reach a satisfactory outcome. (p 63)</p> <p>Where Indigenous and non-Indigenous organisations collaborate, Indigenous peoples' marginalisation 'make it more difficult to enforce trust placed in non-Indigenous people through recourse to law or to sufficiently powerful social sanctions.' 'The fundamental inequality in power between Indigenous and non-Indigenous individuals or organisations that collaborate means that agreements must enshrine Indigenous rights rather than equal rights.' (p 64)</p>
Strengths	<ul style="list-style-type: none"> Developed by or with Indigenous peoples
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Does not clearly relate to First Nations people in NSW Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This is a view from the 'other side', useful for mob who work across from whiteness as a social structure in accountability relationships.
Insights on accountability frameworks	<ul style="list-style-type: none"> Auto-accountability is not sustainable Accountability cannot become ritualised, it must offer tangible and enforceable change and outcomes Indigenous rights are not just equal rights — to be effective in addressing power imbalances and in recognising Indigenous people properly, accountability mechanisms will necessarily look <i>unequal</i> between the parties

Title and authors	Reciprocal Accountability and Fiduciary Duty: Implications for Indigenous Health in Canada, New Zealand and Australia Derek Kornelsen, Yvonne Boyer, Josée Lavoie and Judith Dwyer
Citation (Harvard UTS style)	Kornelsen, D., Boyer, Y., Lavoie, J., and Dwyer, J., 2016, 'Reciprocal Accountability and Fiduciary Duty: Implications for Indigenous Health in Canada, New Zealand and Australia', <i>Australian Indigenous Law Review</i> , vol 19, no. 2, pp 17-33.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This article explores two related phenomenon — comparative developments in reciprocal accountability frameworks between governments and Indigenous health service delivery, and recent doctrinal developments in Canada and NZ that suggest (to varying degrees) a fiduciary obligation between Indigenous peoples and states.
Major findings and recommendations	<p>Relational contracting is longer term, more flexible, and adaptive to community-controlled performance goals. It is one way that Indigenous-controlled organisations can 'play a dual role' in fulfilling their external obligations and advocating for their community.</p> <p>As part of this, reciprocal accountability 'is based on a non-hierarchical arrangement that emphasises partnership' (p 19) between funding partners, holding one another accountable for the partnership's activities. Indigenous groups internationally offer a few justifications for reciprocal accountability:</p> <ul style="list-style-type: none"> It recognises and addresses the imbalance of power in Indigenous-State partnerships that are working towards the same goal for First Nations, the only way of doing in <i>form</i> what the relationship says it does as an <i>outcome</i>; It is essential 'to providing inclusive and responsive care to First Nations communities.' (p 20) <p>In Canada, where the legal framework allows, these reciprocal accountability frameworks are designed to reflect, and not impinge upon, First Nations government, treaties and sovereignty. Because of the fiduciary nature of that relationship in Canadian law, the fiduciary obligations are commonly written in to relational contracting.</p> <p>'Federal and provincial governments owe a fiduciary obligation to ensure that the interests of Aboriginal peoples are taken into account and are not undermined through federal/provincial legislation/policy.' (p 21) That obligation arises not just from the power imbalance between Indigenous people and the State, but from their 'mutual vulnerability' and attendant duties to one another — in Canada including the duty to inform, consult and secure consent.</p> <p>'The recent history of Indigenous peoples' resistance to state infringements on Indigenous rights — whether through court challenges, public demonstrations, protests or blockades — directly challenges the dominant assumption of state invulnerability vis-à-vis Indigenous peoples.' (p 22)</p> <p>Despite the fiduciary obligation, the power of governments as controllers of funding effectively reverses the flow of accountability. Indigenous peoples are made to open their organisation to scrutiny</p>

	<p>and remedy in order to secure funding. 'However, where funding for Indigenous health is considered a constitutionally guaranteed <i>obligation</i> rather than an <i>investment</i>, the direction of the accountability' is reversed again, theoretically as a matter of law, although rarely in practice. (p 25)</p> <p>Fiduciary relationships and reciprocal accountability are both frameworks that enable 'an understanding of legitimate accountability relationships that is commensurate with many unique Indigenous worldviews.' They 'enable sensitivity to Indigenous perspectives on legitimate accountability relationships' and pay regard to the 'interdependence of the parties involved...precipitated conditions of mutual vulnerability and thus demanded that sustainable relationships were based on mutual trust and reciprocity.' (p 26) They also ensure that what might otherwise have to be initiated by community as accountability already pre-exists as a 'responsibility' or a 'duty' on the State's part through 'respectful relationship building'. (p 27)</p> <p>The article concludes with three recommendations (p 29)</p> <ul style="list-style-type: none"> • Conceiving of accountability benchmarks at a State/Federal level 'may provide clarity regarding jurisdictions and catchment areas' • The processes 'of mutual respect and reciprocity' must be at the core of accountability frameworks that serve Indigenous communities • Australia and NZ should examine the generalisability of the Canadian model.
Strengths	<ul style="list-style-type: none"> ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Developed without Indigenous peoples ○ Does not directly relate to First Nations people in NSW ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	<p>These are internationally comparative relationships that may be useful to First Nations in NSW who are seeking to redefine their relationship with the state through negotiation or litigation.</p>
Insights on accountability frameworks	<ul style="list-style-type: none"> • Fiduciary relationships that are both mutual and balanced in their consideration towards vulnerability, may be frameworks that fit Indigenous-settler accountability • They account for interdependence, positive obligations, and focus on relationships as the site for accountability rather than outcomes • They must be considered in the broader framework of government power and control over Indigenous communities in multiple settings (not just 'Indigenous Affairs')

Title and authors	Accountability Constructions, Contestations and Implications: Insights from Working in a Yolngu Cross-Cultural Institution, Australia Samantha Muller
Citation (Harvard UTS style)	Muller, S., 2008, 'Accountability Constructions, Contestations and Implications: Insights from Working in a Yolngu Cross-Cultural Institution, Australia', <i>Geography Compass</i> , vol 2, no. 2, pp 395-413.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This paper addresses colonial government constructions of development accountability imposed on First Nations organisations — it does so through a case study of the Dhimurru Land Management Aboriginal Corporation, established by Yolngu land-owners.
Major findings and recommendations	<p>The discourse around accountability of Indigenous people to government 'has developed as a means of displacing responsibility for Indigenous disadvantage away from federal and state governments towards Indigenous groups. [...] Such statements serve to reinforce popular perceptions about Indigenous (in)capacity for self-governance' (p 395) driving governments towards tighter auditing rather than systemic change.</p> <p>The Fingleton Review indicated that ATSIC did not have an inherent accountability problem, but 'issues of compliance with several sets of often inconsistent accountability requirements, which fail to recognise local constructions of accountability.' (p 398) The report called for these structures of accountability to be included, drawing ATSIC back to its self-determining, representative mandate.</p> <p>'The basic concept of accountability for the common [governmental] good does not easily translate across cultures.' (p 400) Embedding Western forms of generalised, arms-length accountability over locally-defined Indigenous forms of relational accountability undermines control over Indigenous affairs. Collisions between these value systems on accountability are constructed by governments as program failures, which have real consequences for the longevity of Indigenous representation, resources and institutions. Indigenous resistance to State accountability is treated as 'mismanagement' rather than heard.</p> <p>Internal accountability in some Indigenous nations (in this paper, the case study is Yolngu) does not distinguish between economics, evidence, evaluation, culture, spirituality, formal land tenure, and outcomes. These, and accountability for them among kin networks, are part of a single matrix.</p> <p>For Yolngu (in this case study), it is necessary to translate 'statutory and project management processes' that are abstract to their own accountability processes 'into on ground action of relevance to Yolngu'. (p 404) The administrative burden of acquitting so much external funding and regulatory compliance requires two full-time employees. The documentation and auditing take 'previous time and resources away from [Yolngu] priorities'. (p 409)</p> <p>The siloing of Yolngu activities (in this case study) into 'heritage management' and other government practice areas makes meeting internal responsibilities while reporting on external responsibilities</p>

	<p>very difficult. 'How do you report on people going to ceremony as cultural and natural heritage management? How do you measure time, effort or provide quantitative measures of traditional owner contributions in this context?' (p 406) This is despite funders being understanding, but it is 'structural and procedural' inadequacies that are the problem and that render Yolngu accountability invisible.</p> <p>'Procedures that are often purported to be 'value-neutral', 'objective' and 'scientific' is a subjective representation of the values of a dominant culture' and it pulls 'Indigenous organisations into processes of conflicting multiple accountability requirements.' (p 410)</p>
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Developed without Indigenous peoples ○ Does not directly relate to First Nations people in NSW
Relevance to First Nations people in NSW	<p>This is an example of another First Nation working in the 'contact zone' between accountability epistemologies, and may be instructive for mobs who work across comparative legislative processes as Aboriginal corporations or ALCs.</p>
Insights on accountability frameworks	<ul style="list-style-type: none"> • Indigenous resistance or difference of strategy cannot be treated as failure by governments • Siloing accountable activities into Western frameworks denied Indigenous epistemologies of accountability where everything is inter-related • There are no value neutral accountability requirements • The act of translating settler government concepts into First Nations equivalents, and then back, for accountability reporting, is a major drain on Indigenous resources and stymies their internal accountability. Some Western accountability frameworks from different departments also contradict one another and force duplicity on First Nations. • Arms-length accountability from the West may not be compatible with relational accountability in some First Nations • Moving accountability into First Nations' own hands cannot mean moving 'responsibility' for outcomes caused by colonisation into First Nations' hands in a way that penalises them for colonial structures outside of their control

Title and authors	Managing Dilemmas in Indigenous Community-Based Organisations: Viewing a spectrum of ways through the prism of accountability Kathryn Thorburn
Citation (Harvard UTS style)	Thorburn, K., 2007, 'Managing Dilemmas in Indigenous Community-Based Organisations: Viewing a spectrum of ways through the prism of accountability', <i>Ngilya: Talk the Law</i> , vol 1, pp 2-23.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This paper lays out a range of good practices for internal accountability in Indigenous community-based organisations — organisations that straddle two very distinct corporate cultures, Indigenous and bureaucratic. It takes two organisations in Fitzroy Crossing as its case studies.
Major findings and recommendations	<p>There are numerous tensions in internal accountability for Indigenous organisations that are incorporated in the wake of colonial upheaval and internal migration. Those are (p 12)</p> <ul style="list-style-type: none"> Maintaining a united front while accepting diversity Authorities' responsibilities and being accountable Insider staff versus outsider staff Information access versus limits to engagement Effectiveness versus inclusivity Costs and benefits. <p>'Umbrella' structures (that represent people within a particular location) 'work well in terms of vertical accountability — that is, between a representative on a Council, the leaders/elders who advise them, and their own constituency.' (p 13)</p> <p>However, umbrella structures 'become a problem horizontally.' (p 13) Accountability across different groups and between families and clans is trickier.</p> <p>'Accountability' as a concept internally can also be abstract. 'Demanding accountability presumes a particular kind of idealised relationship between two parties: at a minimum, a common understanding of the rights of one, and the obligations of the other.' Instead 'obligations' 'relate to networks of kin, and are in a sense nested, from those most closely related, to those more distant relatives.' (p 14) In this context, umbrella structures bring together an artificial group expression that individuals couldn't otherwise access. 'Responsibility' rather than 'accountability' is the dominant frame — responsibility is an obligation to look after the interests of an organisation or group, obligations that are 'contingent, nuanced and negotiable'. (p 14) This also means that dissent is more subtly expressed as a non-binding and relaxed form of consensus that respects the authority of decision-makers while not binding the community to their decisions. Through the lens of external accountability in the settler law that gives legal personality to such organisations, this is incomprehensible.</p> <p>In some situations of internal accountability, 'benign authoritarianism' that achieve community aspirations may be tolerated. However, in umbrella organisations representing a variety of interests and standpoints 'this mandate becomes even more obfuscated'. (p 17) In those orgs where all relevant communities are represented in governance, rather than having to rely on</p>

	<p>constituency to check leaders' power, 'power is dispersed, and often contested, but when necessary can become unified against external or internal transgressors.' (p 17)</p> <p>Internal accountability in formal umbrella structures goes to 'decisions taken in meetings, the positions presenting in meetings and the discussion outside of the meetings both before and after the event.' These mechanisms are more about the process than the substance of the decision, and are about protocol and relationships. (p 20)</p> <p>'Accountability' and total inclusivity has efficiency costs.</p>
Strengths	<ul style="list-style-type: none"> ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Developed without Indigenous peoples ○ Does not directly relate to First Nations people in NSW ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	<p>While First Nations and communities in NSW may have distinct cultural and social contexts, this article concerns how internal accountability is navigated in an external accountability environment — and how nations can form regional alliances in this context with inter-accountability.</p>
Insights on accountability frameworks	<ul style="list-style-type: none"> • Internal displacement and colonisation has made some forms of internal accountability difficult, because strictly place-based accountability structures do not always work • Accountability can sometimes be abstract condemnation • Obligation is a form of non-abstract accountability that takes place within the confines of a relationship, institutional, personal or kin. Obligation is flexible to the relationship. • Responsibility demands action on the obligation, and situates the relationship and its parties in an outcome that both are working towards. Sometimes responsibility that offers results is internally tolerable, even if it is not transparent, so long as it is properly situated in relationships. • The dispersal of power means that communities can be flexibly bound to decisions where there is consensus, and articulate non-consensus through not following through, without the need for dissent on the record • Vertical accountability is relatively easy in broadly-representative bodies, but horizontal accountability (between diverse groups within a community or locale) is much more difficult.

Title and authors	Tikanga Maori Co-design Wananga Te Noho Kotahitanga Marae
Citation (Harvard UTS style)	Te Noho Kotahitanga Marae, 2016, <i>Tikanga Maori Co-design Wananga</i> , Unitec, New Zealand.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous-controlled organisation grey literature • International NGO grey literature
Purpose of paper	These are notes from a wananga (a period of collectively reckoning with knowledge in order to create new knowledge) on co-design with Maori for social innovation in Aotearoa.
Major findings and recommendations	<p>A whaneu-centric approach is the goal of using co-design. This is time-intensive and requires flexibility, intentionality and being responsive.</p> <p>Community co-designers must be 'positive disruptors' to this end — highlighting when the agency is not delivering for Maori. This work is unpopular but good practice and empowering for the community.</p> <p>Government ideas of professional boundaries are challenged with the need to bring all of oneself to the co-design. Everyone brings expertise that is recognised.</p> <p>Co-design must be sustainable, and able to stay within the control of a community rather than be extracted from them.</p> <p>The wananga concluded with the following next steps expressed:</p> <ul style="list-style-type: none"> • Co-designers to work together and openly communicate to support models and ways of doing; • To move away from talking about co-design and towards doing it.
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not clearly relate to First Nations people in NSW ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This is an example of a deliberative process where First Nations examine the merit and methodologies of co-design. It could assist future dialogues that come from First Nations communities upwards to representative entities as co-design efforts progress in NSW.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Co-design, in order to achieve accountability beyond consultation, should be positively disruptive • There are no professional boundaries, co-design requires bringing the full person, even if you are not part of the community being 'invited on' • Accountability is time-intensive and requires flexibility and responsiveness • There are structures other than nations or representative groups that are crucial to also be accountable to (like families, kin networks, subgroups)

Title and authors	The Cultural Interface Martin Nakata
Citation (Harvard UTS style)	Nakata, M., 2007, 'The Cultural Interface', <i>Australian Journal of Indigenous Education</i> , vol 36, pp 7-14.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	This is a theoretical paper that draws together methodological work from Indigenous education scholars and practitioners to suggest a mode by which Indigenous scholars and learners engage non-Indigenous systems as 'knowers' of them.
Major findings and recommendations	<p>The interface between 'Indigenous knowledge' and the disciplinary knowledge within which it sits is a 'complicated and contested space'. (p 8)</p> <p>'It is not possible to bring in Indigenous knowledge and plonk it in the curriculum unproblematically as if it is another data set for Western knowledge to discipline and test...[these knowledge systems] work off different theories of knowledge that frame who can be a knower, what can be known, what constitutes knowledge, sources of evidence for constructing knowledge, what constitutes truth, how truth is to be verified, how evidence becomes truth, how valid inferences are to be drawn, the role of belief in evidence, and related issues.' Neither can verify the other. (p 8)</p> <p>But they do have a relationship. 'What aspect of Indigenous knowledge gets representation, and how it is represented in this space reflects a complex set of intersections of interests and contestations: from what aspects of knowledge are recognised or valued; what can be envisioned in terms of representation or utility; what sorts of collaborations are practical or possible; the capacity of current technologies to represent aspects of IK without destroying its integrity; to what research projects are funded; to the quality of experts in both knowledge traditions; to the particular interests of scientists or disciplinary sectors; to what is finally included in databases, or published and circulated in the public or scholarly domain.' (p 9)</p> <p>When Indigenous knowledge is separated from those who know it, it is separated 'from the social institutions that uphold and reinforce its efficacy, and cleaves it from the practices that constantly renew its meanings.' (p 9) When it is classified and redistributed on Western disciplinary terms, it becomes just more of Indigenous people being 'known about' rather than being experts in their own right.</p> <p>Indigenous standpoints are produced as much as non-Indigenous standpoints, they are not a 'hidden wisdom'. It is a distinct analysis, 'rational and reasoned; they need to answer to the logic and assumptions on which they are built.' (p 11)</p> <p>For his standpoint theory, Nakata suggests three points (p 12)</p> <ul style="list-style-type: none"> • Indigenous peoples are entangled in a contested knowledge space where Indigenous and non-Indigenous knowledges meet; • Indigenous agency and decision-making in a colony is made within the limits of what can be known from that interface;

	<ul style="list-style-type: none"> • The tensions at the cultural interface both informs and limits what can be said when these knowledges are in conversation and what is left unsaid.
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples
Limitations	<ul style="list-style-type: none"> ○ Does not clearly relate to First Nations people in NSW ○ Developed from a Torres Strait Islander standpoint, but this is not a critical limitation as much as something to note may distinguish it from Aboriginal peoples in NSW.
Relevance to First Nations people in NSW	The cultural interface is not just a 'contact zone' conception, but acutely grounded in the knowledge that develops when two epistemologies relate to one another in a context of power. This is highly relevant for knowledge-based relationships projects in NSW through OCHRE, like local decision-making, and like water management, to give examples.
Insights on accountability frameworks	<p>It is not for Indigenous accountability frameworks to be known and practiced by government, nor necessarily to be verified by government, without Indigenous social institutions. They are to be known and practiced actively and dynamically by First Nations peoples within their respective contexts, and appreciating that they have insight into Western democratic accountability practices and strategically work within and against them. They must also be understood within their context, produced by particular histories and Country, not a 'hidden wisdom'.</p> <p>Contested knowledge means that grievances between mob and government may be articulated, but also be unable to be expressed epistemically. The conversation must be open enough that its very foundations can be contested. Some of the decisions that impact this relationship and accountability may be so assumed to be neutral that they might not look like decisions about accountability mechanisms or knowledge-based accountability at all.</p> <p>Indigenous concepts of accountability can't just be 'plonked' in government frameworks.</p>

Title and authors	Social Media as a Catalyst for Policy Action and Social Change for Health and Well-Being: Viewpoint Douglas Yeung
Citation (Harvard UTS style)	Yeung, D., 2018, 'Social Media as a Catalyst for Policy Action and Social Change for Health and Well-Being: Viewpoint', <i>Journal of Medical Internet Research</i> , vol. 20, iss. 3, pp 94-106.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This paper suggests that policy interventions benefit from social media analytics and responses — considering social media a complementary data source for evaluation and reform. The focus of this article is on attitudinal and behavioural activity on social media in relation to health.
Major findings and recommendations	<p>'Social media postings are often spontaneous and frequent. The content of these postings is timely and can provide up-to-the-moment information.' (p 97)</p> <p>Social connections and networks on social media are also insightful in knowing who is talking to one another, and about what — while 'discerning specific relationships' in public discussions 'may be difficult...social network information can be extremely powerful.' (p 98)</p> <p>The content of social media is 'a rich source of insight toward understanding attitudes and opinions. However, the data from this content are limited to the extent that people choose to present themselves in certain light, selectively and perhaps unconsciously adding or omitting certain content.' (p 99)</p> <p>There remains the need for validation research, including whether measures based on social media track with other measures of the same thing. (p 101)</p>
Strengths	<ul style="list-style-type: none"> Good positivist analysis on health behaviour and social data
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Developed without Indigenous peoples Does not clearly relate to First Nations people in NSW Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	Unclear, although First Nations peoples are significant users of social media.
Insights on accountability frameworks	Social media could inform how governments are actively accountable rather than reactive to crises, but needs to not become surveilling of Indigenous community opinion.

Title and authors	The Promise of Co-Design for Public Policy Emma Blomkamp
Citation (Harvard UTS style)	Blomkamp, E., 2018, 'The Promise of Co-Design for Public Policy', <i>Australian Journal of Public Administration</i> , vol. 77, no. 4, pp 729-43.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This article examines co-design in terms of its potential to improve policy processes and outcomes in an increasingly complex contemporary policymaking setting.
Major findings and recommendations	<p>Co-design must be tightly defined if it is going to mean anything or garner community trust and participation. A shared definition that involves direct participation, structured principles and practical tools, is needed to 'advance practice and research in this domain.' (p 731)</p> <p>It is crucial that co-design is not defined in a way that merely includes 'stakeholder feedback once a policy or a plan has been formulated by specialist professionals.' (p 732)</p> <p>Lived experience needs to be recognised as a type of expertise in participatory design. The role of professionals becomes one that brings formal evidence 'together with local knowledge and experiential expertise'. 'It is only co-design if people who are affected by the issue are active participants in the design process.' (p 733) The author provides a helpful taxonomy of similar approaches on p 735.</p> <p>A crucial tool in co-design is skillful facilitation to ensure people are supported 'to express themselves and meaningfully participate in co-design....to generate and test ideas as rapidly and pragmatically as possible.' (p 733)</p> <p>The article hypothesises (for further investigation) that co-design in policy (p 736)</p> <ul style="list-style-type: none"> Defines the problems and solutions in a way that better meets the needs of public and government Offers new methods for idea-generation that would benefit the public sector Strengthens relationships and trust — building social capital and addressing disengagement in government. <p>The risks or pitfalls of co-design for government include (p 737-739)</p> <ul style="list-style-type: none"> Diminished control Increased complexity Requirement for large coordination efforts Difficulty resourcing co-design outside of the start and end of a project Difficulty in scaling up to a level required for larger policy areas Lack of skill and infrastructure in appropriate co-design processes for their context Public resentment and distrust Reaching out to people not already engaged <p>The public sector needs more research and evaluation of co-design for policy.</p>
Strengths	<ul style="list-style-type: none"> Good guidance principles and cautions on co-design generally

Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Developed without Indigenous peoples ○ Does not clearly relate to First Nations people in NSW ○ Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	As co-design efforts increase, it is important that mob in NSW be across the boundaries of co-design, its potential as an accountability site for them, and risks in the process.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Co-design cannot become a buzzword for consultation or community implementation • For governments, if co-design is substantive it requires accountability and a significant surrender of control to affected communities • Recognising different forms of evidence and expertise in accountability is important if parties are to be treated as epistemic equals in co-design • Co-design and accountability require specific skills and capacity building on the part of governments

Title and authors	'The Torment of Our Powerlessness': Addressing Indigenous Constitutional Vulnerability through the Uluru Statement's Call for a First Nations Voice in their Affairs Shireen Morris
Citation (Harvard UTS style)	Morris, S., 2018, "The Torment of Our Powerlessness': Addressing Indigenous Constitutional Vulnerability through the Uluru Statement's Call for a First Nations Voice in their Affairs', <i>UNSW Law Review</i> , vol. 41, no. 3, pp. 629-669.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This article outlines the capacity of a First Nations voice to parliament as a coherent constitutional solution to their disempowerment in electoral Commonwealth politics and policy.
Major findings and recommendations	<p>The Voice to Parliament was a viable constitutional reform because it is 'in keeping with Australia's constitutional culture and design...what is fundamentally a rulebook' rather than an aspirational, rights-conferring instrument offering accountability. (p 633)</p> <p>There are three key vulnerabilities to liberal democratic accountability for Indigenous people — the unequal relationship to a colonial power through law and domination, the extreme minority status which undermines electoral mobility, and 'extreme social and economic disadvantage which exacerbates and perpetuates disempowerment.' (p 635) Laws, policies and precedent all flourish from the constitutional context that is built on this disempowerment, entrenching the lack of accountability in many settings. When Indigenous accountability does succeed, in litigation or in statutory progress, it is easily diminished by political will (like the <i>Native Title Act</i> after Mabo, or the abolition of ATSIC). Statutory measures to address race discrimination do not apply to the Commonwealth, who has only used its 'special measures' power under the Racial Discrimination Act on First Nations peoples.</p> <p>The Constitution is itself compatible with the idea that regional representation be held through elected membership to a central body — that is, after all, what Parliament is. But Indigenous people, who may benefit from a similar model, have not been included in this representation. It offers, as a constitution, stability in this representation which Indigenous people have been denied. 'It is understandable that Indigenous people want their voices guaranteed in the Constitution, just like the former colonies wanted their voices guaranteed...the search for a stable and enduring guarantee is thus at the heart of advocacy for Indigenous constitutional recognition.' (p 649) 'The easy axing of ATSIC demonstrates why it is important that any new Indigenous body is underpinned by a constitutional guarantee. The body should not be abolished the moment there are difficulties.' (p 650) Allegations of corruption do not result in a serious call to abolish Parliament.</p> <p>The proposed model includes a non-justiciability clause to ensure Parliamentary supremacy is conferred to the Voice and to prevent inappropriate review or curtailment by courts. The proposed model also includes that the body may advise on matters relating to Indigenous peoples, a scope that is broad and confers discretion to members. However, with no power of veto, 'the advice can be ignored by the state...it is unlikely that a veto would be practically</p>

	<p>workable, let alone politically accepted: a constitutionalised veto would be opposed by many on the grounds that it undermines Parliamentary supremacy.’ (p 657)</p> <p>There is contestation on whether the Voice should be enshrined constitutionally as a ‘bottom up’ or ‘top down’, that is, whether it should be required to have local representation cumulating in a central body or whether it could be a central body with legislative provisions for local representation. (see 660-663) There are also contestations on whether a duty to consult the Voice be enshrined in the Constitution to prevent it being ignored. Morris suggests ‘This could lead to extensive litigation and legal uncertainty regarding whether the requirement has been fulfilled.’ (p 665)</p>
Strengths	<ul style="list-style-type: none"> ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Developed without Indigenous peoples ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	<ul style="list-style-type: none"> • Mob in NSW, as a numerically significant Indigenous population, have a large stake in the Voice to Parliament model. • State constitutions work differently to the Commonwealth, but the ideas behind this structural proposal remain relevant.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability within state institutions is crucial alongside community organising because Indigenous peoples cannot access electoral power. • Central representation is crucial for centralised power where the state organises, but may comprise local representation in that model, as a state and the Commonwealth both do. • Parliamentary supremacy (including to stymie litigation victories) requires constitutional guarantees of agreements, accountability and relationships. • There exists a tension about whether accountability is the power to stop something (like a veto) or to comment or advise on something.

Title and authors	Towards an Australia Indigenous Women's Standpoint Theory: A Methodological Tool Aileen Moreton-Robinson
Citation (Harvard UTS style)	Moreton-Robinson, A., 2013, 'Towards an Australia Indigenous Women's Standpoint Theory: A Methodological Tool', <i>Australian Feminist Studies</i> , vol. 28, no. 78, pp 331-347.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	This article explains how First Nations women might situate themselves in their research and practice, informed by collective knowledge and experience and also by virtue of being both gendered and Indigenised in Australia.
Major findings and recommendations	<p>Indigenous women are producing knowledge, irrespective of their intention, that has to push against normative settler and patriarchal ways of thinking. By articulating a standpoint, First Nations women can 'deploy their respective embodied Indigenous knowledges and practices.' (p 332) Power has a relationship to how knowledge is produced, everyone who produces knowledge about Indigenous people has a value and moral relationship to power that shapes their knowledge — including what and who they value and consider authoritative.</p> <p>'There is an inextricable link between a nation state's sovereignty and what counts as knowledge, where and when it is produced and by whom.' However, 'the sovereignties of Indigenous peoples, predicated on our embodied connection to our respective country' inform 'who we are and how we come to know.' (p 336) While Indigenous research paradigms here are largely confined to researching within ourselves, however they can also be considered authorities on non-Indigenous subjects. 'This requires us to explicitly operationalise Western knowledge in order to engage. However, our gendered Indigenous [ways of thinking, being and doing] are constitutive elements' of the way we engage that Western knowledge. (p 338) 'One can present a seminar paper and perform according to the protocols of the white patriarchal academy while simultaneously challenging [the way it thinks].' (p 340)</p> <p>'Generating our [knowledge and questions] from the diversity of Indigenous women's shared knowledge is an important indicator of the validity of our research...the context of this research and who may wish to participate is also part of this process; one which is not linear but entangled and circuitous.' (p 342-3)</p>
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples
Limitations	<ul style="list-style-type: none"> ○ Does not directly relate to First Nations people in NSW
Relevance to First Nations people in NSW	This is a research tool situated in a shared First Nations women's standpoint, but guided by a Goenpul methodology first. First Nations in NSW may usefully weaponise Western government mechanisms but will also understand who they engage them as, and what knowledge informs that engagement.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Sovereignty defines what counts as authoritative knowledge, and vice versa. • Indigenous knowledges have authority over Western systems and can challenge the way they think on a number of topics, not just Indigenous issues.

	<ul style="list-style-type: none"> • Indigenous peoples also have expertise on Western methodologies and use them not just to be cognisable to the state but to master them and challenge how they think. • Diversity and difference among Indigenous knowledges (not just between nations) are indicators of their pluralistic validity.
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Title and authors	Whanau Ora: An Indigenous Policy Success Story Verna Smith, Charlotte Moore, Jacqueline Cumming and Amohia Boulton
Citation (Harvard UTS style)	Smith, V, Moore, C., Cumming, J., and Boulton, A., 2019, 'Whanau Ora: An Indigenous Policy Success Story', pp 505-529 in Luetjens, J., Mintrom, M., Hart, P. (eds) <i>Successful Public Policy: Lessons from Australia and New Zealand</i> , ANU Press, Canberra.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	This chapter is an in-depth case study of Whanau Ora, a health and social services policy for Maori that aimed to minimise dependence on state-delivered benefits and interventions.' (p 505)
Major findings and recommendations	<p>While institutional racism and monocultural services are significant, when government efforts to reduce these failed to raise health inequities, 'Maori leaders and policymakers [knew] that solutions that better reflected Maori aspirations, cultural practices and worldviews'. (p 506) They developed Whanau Ora with <i>whanau</i> as a central organising principle 'the smallest unit of Maori society...an environment where particular responsibilities and obligations were maintained.' (p 509) Whanau (family) had been a central rhetorical organising principle expressed by Maori to government on welfare issues since at least the 1950s, while iwi (tribe) became an organising principle from the 1980s on treaty enforcement. (p 511)</p> <p>As contracting to Maori services expanded, 'Maori saw an opportunity for self-determination...better aligned with their own customs and world views' whereas government saw a chance for Maori to 'develop an economic base through partnerships in the health and disability sector.' (p 510)</p> <p>The Maori Party and Maori members of other parties were instrumental in pushing the Whanau Ora's design onto government agendas. (p 512)</p> <p>In the first stage of the program, whanau were funded to make plans improving their lives (\$5000 for the plan, up to \$20 000 for implementation), providers were funded for capacity building, and Maori organisations were funded to coordinate. More detail is provided on p 514. In the second phase, funding was devolved to independent non-government commissioning agencies who could issue it across the North and South Islands, and among Pacific peoples. The leadership group was comprised of six Crown Ministers and six iwi members nominated by their iwi chairs. More detail is provided on p 515. It was an investment in Maori leadership over their own whanau and lives.</p> <p>Maori navigators were appointed to assist whanau with accessing the program. In evaluations they were attributed with playing 'a critical role in building trusting relationships with whanau' and ensuring the program was transparent and accountable to them. (p 519)</p> <p>In evaluations, there was no clear way to measure collective outcomes for Maori in the whanau-centred approach, rather than individual outcomes. Nevertheless, it emerged that 'principles such as coherent service delivery were less important than supporting innovation and whanau integrity.' (p 520) Across other sectors,</p>

	<p>however, the lack of structuring of policies and services around whanau meant that they sometimes contradicted Whanau Ora. 'Accountability for funding was expressed in terms of outputs rather than outcomes...tensions around accountability [to the government] were exacerbated by inconsistent and consuming descriptions of the aims and the expected results.' (p 522)</p>
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not clearly relate to First Nations people in NSW ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	<p>As OCHRE matures and institutional readiness develops, Whanau Ora may be a case study in how to conceive of the state-Indigenous relationship.</p>
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability of service provision must recognise different aims (for mob, nation-building, for states, effective/efficient service provision). • Accountability may involve state-Indigenous relationship 'navigators' who move in the contact zone to ensure clarity and minimise accountability opportunity cost. • Accountability involves, even in service provision, organising within communities according to how they bring themselves together as nations. This may include, in some instances, moving from Nations into clans and families. • Sophisticated relational contracting that works according First Nations principles, can build infrastructure and relationships, retain accountability, and distribute funding in innovative ways.

Title and authors	Belonging Together: Dealing with the Politics of Disenchantment in Australian Indigenous Affairs Policy Patrick Sullivan
Citation (Harvard UTS style)	Sullivan, P., 2011, <i>Belonging Together: Dealing with the Politics of Disenchantment in Australian Indigenous Affairs Policy</i> , Aboriginal Studies Press, Canberra.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This is a book that maps out the politics and relationships of key sites of Indigenous Affairs over recent times — specifically, exploring how they and their policy degrade or stagnate in their accountability to one another.
Major findings and recommendations	<p>Governments treat Indigenous community-controlled organisations as contracted suppliers of services — serving both community and government. This is at odds with many community-controlled organisations internal visions as communal bodies that understand and advance Indigenous interests in a particular area — ‘expressions of Aboriginal political identity as well as the critical ingredient for their material security.’ (p 49) They are forced to relate to government as suppliers in order to get access to material resources on a grants basis. ‘They sign up to agreements forged by government on the basis that government has already met its responsibility and is accountable, while the Aboriginal parties need to amend their behaviour to meet their obligations and become more accountable.’ (p 49) Yet, this sector is responsible for much of the advancement of First Nations’ interests with government.</p> <p>The Aboriginal community sector (through Aboriginal corporations, RNTBC, and other non-government entities), rather than education or observance of state governance, is the site of civic engagement for many communities. They have ‘a sophisticated understanding for the need for representation of constituencies and adaptation to cultural protocols...an understanding of governments and bureaucracies and the development and implementation of policy.’ (p 50) This sector is highly fragmented and localised, which may sometimes be appropriate, but also means it is under-resourced and has difficulty holding government accountable. ‘Self-determination was least challenging for settler interests if it was seen as essentially local self-governance.’ (p 55)</p> <p>Managerialism through Ministers responsible for Aboriginal Affairs (rather than public service mechanisms that work independently of Ministry) is a barrier to ‘reciprocal accountability’, ‘speak[ing] back to the government and hold[ing] it to account in the wider context of a democratic state.’ (p 68)</p> <p>There is confusion in the public sector on what position Aboriginal people hold government accountable from — as citizens, as disadvantaged subjects, or as a colonised minority. If they make government accountable as citizens, they are administered as individuals, provided services by State governments while acquitting Commonwealth funds. Accountability flows between State and Commonwealth bodies, while Indigenous Affairs policy relies on ‘convincing white Australia of adequate funding, appropriate programs and commensurate performance.’ (p 76) If they are disadvantaged subjects, then their accountability represents the</p>

	<p>NGO sector, producing representing self-governance norms through the community sector that are 'maladapted...but still producing self-organising communities.' (p 77) If Aboriginal people are a colonised minority, then their accountability more closely resembles that of recipients of development aid. 'Lacking electoral power, except through the manipulation of public opinion, the targets of development are subject to one-way accountability always upward, always to non-Aboriginal Australia.' (p 78)</p> <p>Accountability is made difficult by an advisor-heavy public service because 'more than any other area of public policy, [Aboriginal Affairs] is driven by the management of public perception.' (p 72) The electoral process, too, is impinged in its capacity for accountability in Aboriginal affairs for the same reason.</p> <p>Media representations have a critical role to play in accountability, but their role is greater 'in the development and implementation of Indigenous affairs policy...driven by, and results in, the production of policies aimed at the non-Aboriginal population.' (p 73)</p> <p>First Nations communities are constantly required to give account of themselves to 'multiple agencies' as a mechanism of accountability. (p 79) Even while 'agencies loosen the reins to ensure their own ability to cooperate across sectors, Aboriginal not for profit sector organisations remain firmly under the gaze of the bureaucracy's audit fetishism.' (p 80)</p> <p>'Vertical accountability needs to be truncated.' (p 82). The author suggests, 'client appraisals, surveys, community juries and relational contracting' (p 82) as ways to develop accountable trust between First Nations and government.</p>
Strengths	<ul style="list-style-type: none"> ○ Relates to First Nations people in NSW ○ A good view of the problem through a Western governance theory lens, that understands the problem is that governance.
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Developed without Indigenous peoples ○ Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	<p>Managerialism and audit fetishism (including in the NSW government), along with vertical accountability needs to be truncated.</p> <p>Strong Aboriginal community sector in NSW is a point of mobilisation.</p> <p>Aboriginal people in NSW will organise communities in whatever strategic form and hold significant expertise on state framing.</p>
Insights on accountability frameworks	<ul style="list-style-type: none"> • This scholarship defines accountability as 'the activity of rendering an account within a group and between groups so that the actors negotiate their identity, obligations and commitments in relation to each other, producing an environment of reciprocal accountabilities.' (p 69)

	<ul style="list-style-type: none"> • When Aboriginal Affairs is accountable to the electorate through the Ministry and electoral cycle, it means it may not be accountable to First Nations communities. • There are multiple ways to conceive of the accountability First Nations people seek — as citizens, subjects or colonised peoples. This impacts how the 'accountability unit' (the entity to which a government owes answers) is conceived. • Accountability cannot exist where, through contract and funding management, Aboriginal peoples are constructed as 'the problem'. The very accountability mechanisms of government, including audit fetishism, managerialism, vertical accountability, advisor-heavy politicised public services, are the accountability problem that inhibits an understanding of what governments are doing wrong in the relationship. • First Nations communities strategise about how they are represented and accounted for, internally as a polity represented through Aboriginal civic society, and externally as entities recognised and administered by settler law.
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Title and authors	The ‘new’ Closing the Gap is about buzzwords, not genuine change for Indigenous Australia Chelsea Bond
Citation (Harvard UTS style)	Bond, C. 2020 ‘The ‘new’ Closing the Gap is about buzzwords, not genuine change for Indigenous Australia’, <i>The Conversation</i> , 31 July. Accessed 22 September 2020. theconversation.com/chelsea-bond-the-new-closing-the-gap-is-about-buzzwords-not-genuine-change-for-indigenous-australia-143681
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous commentary and grey literature • Scholarly literature
Purpose of paper	This is a paper commentating the release of the new Closing the Gap announcement, including on its capacity to deliver accountability.
Major findings and recommendations	<p>The discourse of innovation and partnership is so core to Indigenous Affairs politics as to be meaningless. It creates ‘the illusion of Indigenous agency, racial progress and state benevolence.’</p> <p>Government structures that aim to better the lives of Indigenous people should consider racism a ‘foundational structure of oppression, responsible for producing the racialized disparities’ it addresses. Treating ‘culture’ as a proxy ‘provides an opportunity to blame Indigenous peoples for the structural disadvantage they are subject to.’</p> <p>‘The issue is the failure - or rather refusal - to commit to structural reform that meaningfully attends to the relationship between Indigenous peoples and the state. Such reform demands recognition of the unique rights of Indigenous peoples, not simply more data on disadvantage and supposed Indigenous deviance.’</p>
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	Closing the Gap, which has a considerable impact in NSW, may be a cautionary tale in partnership. The OCHRE discourse around partnership and innovation may be treated with scepticism if it does not offer tangible outcomes.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Racism must be an active consideration in accountability relationships — while they are government-government relationships, they are relationships between a mostly-white government and Indigenous governments. • In accountability, culture cannot be the only way to situate difference for First Nations peoples. • Accountability, and specifically accountability measures like population-wide outcomes, must recognise the unique sovereign position of First Nations people.

Title and authors	Without accountability, there is no justice Apyrl Day
Citation (Harvard UTS style)	Day, A., 2020. 'Without accountability, there is no justice', <i>The Guardian</i> , 10 September. Accessed 22 September 2020. theguardian.com/commentisfree/2020/sep/03/without-accountability-there-is-no-justice-for-my-mothers-death-in-australian-police-custody
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous commentary and grey literature
Purpose of paper	A commentary piece by Auntie Tanya Day's daughter on the governmental and systemic response to her mother's death and how it demonstrated poor accountability.
Major findings and recommendations	<p>The legal system is systemically racist and not currently capable of holding criminal accountability for Indigenous death and suffering — even when wrong that would amount to criminal conduct is displayed by state actors and accepted into evidence.</p> <p>'While this might look like a broken system, in reality it's being executed in the way it was designed, to tear down and oppress Aboriginal people while it upholds white supremacy.'</p> <p>'We found the process untrustworthy and unable to provide the justice our mother deserved. We hear far too many stories of families experiencing poorly led investigations with police ignoring important evidence and sidelining Aboriginal peoples' experiences while protecting their colleagues and hiding the truth from families.'</p>
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as ineffective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Does not clearly relate to First Nations people in NSW ○ Does not provide a sophisticated understanding of Aboriginal nation-building ○ Commentary, not scholarly in nature
Relevance to First Nations people in NSW	Legal accountability through judicial systems for mob in NSW has similarly looked like state impunity.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability requires more than the development of reports, knowledge and stories. It requires consequences. • Accountability systems that regularly produce outcomes perceived to be unjust by First Nations people will lose trust and come to be known as epistemically flawed or complicit. • Accountability must be underscored by independent investigations in which First Nations peoples have a voice.

Title and authors	Indigenous Methodologies Margaret Kovarch
Citation (Harvard UTS style)	Kovarch, M., 2009. <i>Indigenous Methodologies: Characteristics, Conversation and Contexts</i> , University of Toronto Press, Toronto.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	This book 'offers a commentary on differing aspects of Indigenous methodologies' (p 14) in an international, theoretical and applied context.
Major findings and recommendations	<p>We need methodologies that are wholly and inherently Indigenous, not just Western methodologies that are brought into alliance with Indigenous ethics. (p 13) Nevertheless, there are congruences within Western methodologies that suit Indigenous methodologies and ways of knowing — like self-reflective narrative research, participatory action research, phenomenology and narrative inquiry, which 'make meaning from story'. (p 27) From the perspective of Indigenous researchers who do qualitative research, there are two challenges — finding research methods that are not extractive and that are accountable to their communities' standards on knowledge; and dealing with a fundamental epistemological difference between Western and Indigenous research. Recent moves to have junior Indigenous researchers on non-Indigenous research teams using Western methodologies with cultural protocols opening the work, are not themselves Indigenous methodologies.</p> <p>Some Indigenous methodologies may concede translating their knowledge by organising data in a way that Western methodologies understand (like grounded theory). 'This involves presenting research in two ways, but given the newness of Indigenous methodologies to the academy, this may be a strategic concession.' (p 35) Indigenous peoples are commonly asked to make these concessions, but they can be adapted to 'allow the entrance of visual, symbolic and metaphorical representations of research design that mitigates the linearity of words alone.' (p 41)</p> <p>While Indigenous approaches vary by nation and clan, 'we understand each other because we share a worldview that holds common, enduring beliefs about the world...other Indigenous people will understand [through disclosing tribal affiliations] that though the specific custom and protocol may vary, the underlying epistemology for approaching the research is known.' (p 38) There is no unified framework, but there are three distinct aspects to Indigenous research (p 43):</p> <ul style="list-style-type: none"> • Cultural knowledges that guide research choices • Methods used • Interpretation methods and ways to give knowledge back in 'a purposeful, helpful and relevant manner'. (p 44) <p>Indigenous research also makes the following ethical positions (p 48):</p> <ul style="list-style-type: none"> • Research align with Indigenous values • Research is directly accountable to community • Research benefits the community directly • Researchers commit to doing no harm

	<p>Preparation, including self-reflection and relationship-building, is a crucial part of the research (to minimise harm and maximise accountability) and often takes longer than the research itself.</p> <p>Local language is central to Indigenous methodologies and Indigenous knowledge — from a project's conception, not just as knowledge translation or reinscribing — because language is a way of arranging or developing knowledge itself. It cannot be 'extrapolated'. (p 61) Because of this, scholars must have caution in sharing knowledge-structures like language or culture with settler institutions that do not understand them, devalue them, or accessorise with them.</p> <p>Kovarch proposes four research principles that work to counter research exploitation and keep communities in control of research (p 145):</p> <ul style="list-style-type: none"> • Ownership (of data and cultural knowledge) • Control (of the process, management and dissemination) • Access (to data, materials, IP benefits, any products or programs designed from their information) • Possession (of data) <p>Within a community, 'Elders, tribal ethics boards, and local protocols are helpful in determining' what is shared and what the above principles look like on the ground. (p 148) It is fundamentally a conversation, and never fixed.</p>
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Does not clearly relate to First Nations people in NSW
Relevance to First Nations people in NSW	<p>This literature doesn't relate specifically to mob in NSW, but the relevance to First Nations globally is significant. This may be a useful way of thinking about the development of First Nations-led knowledge in NSW and how it relates to Western knowledge, but also how it relates to the knowledge of other First Nations peoples.</p>
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability and the role of data in it requires ownership, control, access and possession. Accountability and its data must be governed by capable and culturally-appropriate institutions that resemble or link into First Nations government. • Principles of accountability cannot be Indigenised through translation, they must be foundations of it. • Accountability can draw on both First Nations and Western methodologies in its guiding data — but First Nations peoples are uniquely placed to navigate the contact zone that's made there. They must control the research, not be junior assistants on it. Translation is possible, but from First Nations principles, not to First Nations principles.

Title and authors	Ways of knowing, being and doing: A theoretical framework and methods for Indigenous and Indigenist re-search Karen Martin and Booran Mirrabooa
Citation (Harvard UTS style)	Martin, K., and Mirrabooa, B. 2003. 'Ways of knowing, being and doing: A theoretical framework and methods for Indigenous and Indigenist re-search', <i>Journal of Australian Studies</i> , vol. 27, iss. 76, pp 203-214.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	This paper outlines an Indigenist research framework used to do research with First Nations people in Far North Queensland.
Major findings and recommendations	<p>Martin reports of her early experiences being researched by state frameworks during a Native Title Claim: 'I felt that my knowledge and experiences were measured against pre-determined categories of culture to which it was deemed I could provide no new or convincing examples...I was not alone...others still chose not to participate.' (p 205)</p> <p>Martin offers an Indigenist framework that doesn't have a 'reactive stance of resisting or opposing western research frameworks and ideologies.' (p 205) Her proposed principles are —</p> <ul style="list-style-type: none"> • Recognition of Indigenous knowledges as vital and distinctive • Honouring Indigenous social mores as essential processes • Emphasising the contexts which shape Indigenous knowledge and experiences • Privileging the voices of Indigenous people and Country. <p>Martin provides a snapshot of Quandamooka Ontology: 'All things are recognised and respected for their place in the overall system...these relations are not oppositional...these relations serve to define and unite, not oppose or alienate.' (p 207) A researcher's relatedness (and their own ontology) must be disclosed because it 'shapes the assumptions and parameters for undertaking research.' (p 211)</p> <p>Martin proposed the following procedures for Indigenist researchers (pp 212-213) —</p> <ul style="list-style-type: none"> • Seek out primary sources of the researching community, ones produced by themselves or that they offer up as representations of themselves. These are read for relevance to the research question. • The design process occurs between researchers, Country, and the peoples concerned. It remains reflexive 'to claim our shortcomings, misunderstandings, oversight and mistakes.' (p 212) • Data collection methods follow codes and protocols set by the peoples concerned. These go beyond yarning or storying, and can include interacting with other parts of Country like animals, weather and skies. Fieldwork must be immersive to its context, and 'watch, listen, wait, learn and repeat'. (p 213) • Interpretation must respect Country and those of it. It requires patience in watching and waiting, and being open to interpretations emerging in unexpected ways. This isn't

	<p>about 'truth' or 'drawing general conclusions', it is about connecting 'self, family, community' and Country. (p 213)</p> <ul style="list-style-type: none"> • Reporting must be culturally regulated, based on informed permission, use preferred language, and always be based on maintaining the relationships that made it possible. Reporting must re-present the research to those involved and who they require to be informed.
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not clearly relate to First Nations people in NSW ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	<p>This is a useful knowledge base for mob to think about how they produce Indigenist knowledge. While from a Quandamooka framework, it may have some comparative benefit for NSW First Nations.</p>
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability and its data must account for the relationships in all things, not just think oppositionally or consequentially about outcomes and processes. • Accountability and its data require explicitness about who someone is and what their relationship is to the parties involved and their knowledge. • Accountability and the data that drives it should be reflexive to respond to contexts and mistakes. • Accountability and data should prioritise community self-representations. • Accountability should follow protocols of the communities concerned. Data should also understand Indigenous cosmology as a source of knowledge. • Interpretation of data and accountability mechanisms that flow through that require patience and willingness to be surprised. There can be no conclusion, but findings and processes that come from accountability data are about relationships and connections. • Reporting back, for accountability to be guided by data, must be appropriate to the community.

Title and authors	Translating Aboriginal Land Rights into Development Outcomes: Factors contributing to a successful program in Central Australia Janet Hunt and Danielle Campbell
Citation (Harvard UTS style)	Hunt, J. and Campbell, D. 2016. <i>Translating Aboriginal Land Rights into Development Outcomes: Factors contributing to a successful program in Central Australia</i> , CAEPR, Canberra.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This paper explores factors supporting the growth and success of the Central Land Council's development program.
Major findings and recommendations	<p>Traditional owners engaged in key sites were the majority of decision-making bodies, but they often 'chose to involve other Aboriginal residents...recognising that other Aboriginal people are affected by the source of income, acknowledging the cultural role of others as managers of land, bringing in additional capacity and expertise, managing relationships [...] and having a sense of responsibility for other Aboriginal people residing on their ancestral lands.' (p 1)</p> <p>Monitoring suggests the development program is successful because (pp 3-4):</p> <ul style="list-style-type: none"> It is Aboriginal-led and trusted as culturally and economically capable Governance structures are suited to each project and location Planning processes are adapted over time Governance groups are facilitated by capable outsiders who can facilitate informed planning They have an overarching commitment to action, reflection and adaptation in all projects, structures and relationships <p>While there is never consensus, First Nations people who are initially suspicious that CLC will make decisions for them begin to build trust between themselves as they see that the process retains their control and offers tangible results. Both opposition and trust in the process are crucial to the legitimacy of the process. 'This is not an intervention that is being imposed by government or initiated by a non-Aboriginal organisation...Nor is it a change that has been universally sought, developed or supported by all Aboriginal people involved at the outset.' Instead, it is called for by key community members 'who give it the legitimacy that is so critical to embarking on this new way of working.' (p 5)</p> <p>The CLC developed, after a period of review and reflection, a seven-step Planning for Action tool for decision making (detailed on p 8):</p> <ul style="list-style-type: none"> Getting started Agree on process Choose project Plan project Decide on project Enter agreement (project happens) How did it go?

	Outside of a formal evaluation framework, 'adaptive management and regular reflection with light-tough planning, which is being gradually elaborated and systematised' (p 12) appears to be working as a way to adapt and improve program delivery and decision-making.
Strengths	<ul style="list-style-type: none"> ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Does not directly relate to First Nations people in NSW
Relevance to First Nations people in NSW	This is a comparative study that is in a similar institutional and state-accountability setting to communities in NSW who are engaging nation building projects.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability may be to culturally-enduring decision-making bodies and nations, to Indigenous groups formed in a colonial context, and to bodies that articulate themselves within a statutory Indigenous organisational framework. All three can be interlinked through internal community accountability. • Internal accountability, that is principled, planned, project-specific, informed, resourced, relational, and Aboriginal-led, can produce long-term and sustainable project outcomes for mob. • Opposition and trust are both key to internal accountability, consensus is never guaranteed nor desirable. • Accountability may involve 'key members' of a community who offer legitimacy, rather than just any community member. • Adaptive management and reflection may be more internally appropriate rather than evaluation.

Title and authors	Beyond Ethnography: Engagement and Reciprocity as Foundations for Design Research Out Here Margaret Brereton, Paul Roe, Anita Lee Hong and Ronald Schroeter
Citation (Harvard UTS style)	Brereton, M., Roe, P., Hong, A.L., and Schroeter, R. 2014. 'Beyond Ethnography: Engagement and Reciprocity as Foundations for Design Research Out Here', <i>SIGCHI Conference on Human Factors in Computing Systems</i> , Association for Computing Machinery, California.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	This paper explores human computer interaction research — based on Indigenous frameworks of engagement, reciprocity and doing.
Major findings and recommendations	<p>Ethnography that attempts to gather and describe data from a particular community without prior work is not viable in an Indigenous context. It will struggle with:</p> <ul style="list-style-type: none"> • Difficulty in gaining access • Implied power relations between the researcher/ed • Subsequent ethnographic insight might not assist program design because of its limitations • A lack of relationships to assist future designs based on the research • Its third person perspective, 'wherein people are designed for but do not develop the skills or have technologies to design for themselves.' (p 2) • Its tendency to slip into data 'fishing' without any tangible outcomes, insights, or projects for either party. <p>Engaging first, offering services and reciprocity prior to expecting anything, was a key way to both immersing in the context of research and building critical trust. It was also the way that the research could be most useful to its community and a way to build a relationship from which initial research design could be developed.</p> <p>'Local designs and innovations form interesting exemplars from which new theories arise. Theories are not born in armchairs. Local designs can be read and understood for their contextual details to assess how they arose and how they might transfer and mutate to a different context.' (p 4)</p>
Strengths	<ul style="list-style-type: none"> ○ Gives a nod to and considers Aboriginal epistemologies, axiological and ontological frameworks
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Developed without Indigenous peoples ○ Does not clearly relate to First Nations people in NSW ○ Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Does not provide a sophisticated understanding of Aboriginal nation-building ○ Some patronising language about local community and their technical expertise
Relevance to First Nations people in NSW	These reflections on ethnography may be useful for mob in the OCHRE evaluation frameworks.
Insights on accountability frameworks	Theories of change in accountability frameworks can be built from the ground up by local initiatives led by mob, and shared between mobs.

	Immersion in measures for accountability requires reciprocity that may appear to be out-of-scope. This is to build relationships and trust. It is also to address imbalances between researcher and researched.
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Title and authors	Co-Design with Citizens and Stakeholders Mark Evans and Nina Terrey
Citation (Harvard UTS style)	Evans, M., and Terrey, N., 2016. 'Co-design with citizens and stakeholders', in Stoker, G. and Evans, M. (eds) <i>Evidence Based Policy Making in the Social Sciences</i> , pp 243-262.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This paper provides a taxonomy of co-design strategies and methodologies, and explores case studies that provide insight into the benefits, contexts and prerequisites of co-design. It 'assesses [co-design's] contribution to social progress' (p 243).
Major findings and recommendations	<p>Co-design, regardless of what method is chosen, involves three stages (p 246):</p> <ul style="list-style-type: none"> Discovery and insight: where a shared understanding of concerns and problems, and creates a space where 'participants can imagine and progress towards a future' (p 246) Prototyping: a design-experiment phase where participants and designers offer rapid feedback and responsive models, respectively. This is the phase with the most diversity of methodologies, which include (detailed on p 247) action learning, network mapping, journey mapping, and reflexive practice. Evaluation and scaling: a more traditional research phase where pilot designs are assessed using 'robust forms of evaluation' (p 247). These evaluations are then taken to the co-designers with technical support to 'review the range of options...[re]-design a prototype; pilot, monitor, evaluate and define' (p 248). From here, the cycle starts again. <p>Co-design strategies sit along a spectrum of participation — from 'informing' the public of decisions, to 'consulting' them on decisions, to 'empowering' the public to make decisions. (full spectrum on p 249)</p> <p>The article offers seven principles and conditions (p 254):</p> <ul style="list-style-type: none"> Co-design must be action-oriented Citizens should be placed at the centre of the process Co-design must be grounded in skills of observation, negotiation and empathy Multi-disciplinarity is required Rapid prototypes are important in co-design to keep the process engaged and action-oriented Co-design must balance the desirable, the possible, and the viable.
Strengths	Unclear, on list provided in RFQ.
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Developed without Indigenous peoples Does not clearly relate to First Nations people in NSW Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples Does not provide a sophisticated understanding of Aboriginal nation-building

Relevance to First Nations people in NSW	As co-design gains traction in NSW government agencies, this taxonomy may be useful to NSW mob.
Insights on accountability frameworks	Co-design is a specific method that involves ongoing accountability in the design process. Shared understanding, prototyping, making and reviewing mistakes, scaling up and down as appropriate, are part of that process. Co-design, and accountability, must be action-oriented and offer prototypes or action or they will stagnate.

Title and authors	Digital Storytelling in Bangladesh: Experiences, Challenges and Possibilities Samia A Rahim
Citation (Harvard UTS style)	Rahim, S., 2012, 'Digital Storytelling in Bangladesh: Experiences, Challenges and Possibilities', <i>IDS Bulletin</i> , vol. 43, no. 5, pp 98-103.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This article makes reflections on a digital storytelling project done as part of a young women's advocacy project in Bangladesh.
Major findings and recommendations	<p>Participants felt 'exhilaration' at being able to craft their own story about themselves through collaboration with other young women in a story circle. 'Almost everyone said that it made them view their lives differently and value themselves more...and felt tremendous confidence in having learnt new technical skills.' (p 99)</p> <p>In early drafts 'participants had abridged their experiences to juxtapose their journey from not having power to feeling powerful...Our discussions revealed that there were differences among us in our ideas of having power. To some participants, being empowered meant having power <i>over</i>...we clarified that it was okay to tell stories that have no resolution.' (p 100)</p> <p>Participants used the circles, and the opportunity to restory their lives, to tell personal stories of which they would otherwise be ashamed or silenced, particularly stories of sexual harassment. They used these chances to 'rupture' the way they had been misrepresented. For some, this also meant the chance to use the digital stories as research and advocacy tools.</p> <p>While sometimes these stories are thought of as raw or authentic, they are carefully curated by their creators. 'In politically charged situations and when alternative narratives are too risk to present, storytellers may structure their stories however they can make it acceptable.' (p 102)</p>
Strengths	Unclear, provided in RFQ.
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Developed without Indigenous peoples Does not clearly relate to First Nations people in NSW Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	Unclear, but as a community who use social media in a particular way, NSW First Nations may find social media a key accountability tool and find use in this method.
Insights on accountability frameworks	Re-storying from a position of powerlessness may be a crucial accountability tool for individuals of a minoritised group.

Title and authors	Internationalisation of an Indigenous Anticolonial Cultural Critique of Research Methodologies: A guide to Indigenous research methodology and its principles Lester-Irabinna Rigney
Citation (Harvard UTS style)	Rigney, L., 1999. 'Internationalisation of an Indigenous Anticolonial Cultural Critique of Research Methodologies: A guide to Indigenous research methodology and its principles', <i>Wicazo SA Review</i> , Fall, pp 109-119.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	<p>This article presents key ideas in how to empower self-determination for Indigenous people in research — and how to undermine colonial legitimacy in research on Indigenous peoples. Its purpose is to promote discussion.</p> <p>It is a seminal text in Indigenous methodologies because it did promote a discussion.</p>
Major findings and recommendations	<p>Australian policies and institutions are so entrenched in the theories of colonisation, and of 'cultural and racial social engineering' (p 111) that it is impossible to see the racism in them, which is presented as neutral features of their design. This happens in 'research epistemologies and methodological practices when researchers in general are well-meaning and clearly not aggressive racists?' (p 111)</p> <p>Race was a construction brought here in order to articulate and justify a power of difference over Indigenous people. 'To participate in [that framework] means denying, at least to some extent, the value and authenticity of the Indigenous social formations that have been replaced and suppressed by the colonial formations.' (p 113) It was the process of racialisation that 'declared that my people's minds, intellects, knowledges, histories and experiences were irrelevant.' (p 113)</p> <p>This also shapes how Indigenous people come to know and think about ourselves and our knowledges. 'Aboriginal researchers who wish to construct, rediscover and/or reaffirm Indigenous knowledges must function in traditions of classical methods of physical and/or social sciences' (p 114) rather than our own frameworks. We must look to our own frameworks as we do this recovery and theorizing work.</p> <p>Indigenist research, which Rigney conceives of as one way to do this, has three 'fundamental and interrelated principles' (pp 116-118)</p> <ul style="list-style-type: none"> • <i>Resistance</i> (research that addresses historical genocide, that reveals ongoing oppression, that engages with survival and resilience, and supports healing) • <i>Political integrity</i> (research that is undertaken by Indigenous people, that has a social and purposeful link between research and community, done by researchers who are engaged in resistance) • <i>Privileging Indigenous voices</i> (research focussing on the 'lived experiences, ideas traditions, dreams, interests, aspirations, and struggles of Indigenous Australians' (p 117). <p>Models and strategies may evolve over time.</p>
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks

	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Does not directly relate to First Nations people in NSW ○ Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Relevance to First Nations people in NSW	Situated in an Australian context, and a generalist international context, that offers general learnings. Still highly relevant, but high level insight on knowledge-based mechanisms within OCHRE and other initiatives.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Ways of thinking about accountability in our ways can have insights into settler governments' ways of thinking about accountability • Race is not a blanket social formation that can apply to Aboriginal people as a citizenry — there are more specific political formations of mob to be accountable to, not just an imagined Aboriginal subject. • Government accountability mechanisms can be racist unknowingly, even with motivated individuals working within them. • Knowledge-based accountability involves resistance to colonisation, integrity and commitment to its community, and the voices of First Nations peoples.

Title and authors	Implementing a project within the Indigenous Research Paradigm: The example of nation-building research Alison Vivian, Miriam Jorgensen, Damein Bell, Daryle Rigney, Stephen Cornell and Steve Hemming
Citation (Harvard UTS style)	Vivian, A., Jorgensen, M., Bell, D., Rigney, D., Cornell, S., and Hemming, S., 2016, 'Implementing a project within the Indigenous Research Paradigm: The example of nation-building research', <i>Ngilya: Talk the Law</i> , vol. 5, pp 47-74.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	This paper illustrates how research can be done with and for Aboriginal communities, rather than on or about them, in a way that is ethical, disciplinarily valid, and intellectually stronger.
Major findings and recommendations	<p>Colonised research has techniques and ways of thinking that 'deny Indigenous peoples agency as researchers; entrench racist misrepresentations, stereotypes, and attitudes; devalue Indigenous cultures, viewpoints, ideas and institutions; and appropriate information that Indigenous peoples generated.' (p 51)</p> <p>This article's review of the literature came up with eight features of research that worked against these impacts (pp 52-54). This research</p> <ul style="list-style-type: none"> • Supports Indigenous community self-determination • Promotes an Indigenous vision of social justice • Respects Indigenous peoples' agency and humanity • Respects Indigenous knowledge in theory and in research design • Supports Indigenous communities in reclaiming knowledge, language and culture • Recognises joint intellectual effort and mutual learning • Rejects research ethics that doesn't go beyond risk mitigation • Works towards transforming research institutions <p>These become an Indigenous Research Paradigm when they are used with appropriate research methods. 'A methodology that is all principles and no method is unlikely to produce defensible or usable results; a methodology that is all method and no principles may end up replicating western ways of viewing the world and reinforcing the colonial project.' (p 56)</p> <p>In research relationships, 'tension is to be welcomed as a sign of passion and commitment' (p 61) but is also useful to situate the relationship in what its goals are and to understand that partners may have different approaches. Both parties in this case 'commit[ed] to reciprocity as a fundamental tenet of our relationship...two sets of interests that are at once symbiotic, hierarchical, and equitable (but not equal).' (p 62) They are:</p> <ul style="list-style-type: none"> • <i>Symbiotic</i> because neither can achieve their goals without the other • <i>Hierarchical</i> because 'all parties seek to act as Indigenous nation builders' and act on the instructions of Indigenous nations accordingly. Some nations have developed institutional decision-making to assist with this task, including a decision-making matrix, a research approvals process, and a periodic review of their own processes and mechanisms.

	<ul style="list-style-type: none"> • <i>Equitable</i> because it is mutually beneficial for researchers and the nations alike, and what each party gains builds capacity for what the other party stands to gain. There is a diagram of this process on p 65. <p>The researchers developed the following protocol to respect appropriate community governance of First Nations knowledge (pp 68-69):</p> <ul style="list-style-type: none"> • Indigenous cultural knowledge should not be thought of as only a special kind of intellectual property • Indigenous cultural knowledge can only be published with the consent of a collective • Cultural knowledge protections must be built into all processes • Draft and agree upon research protocols for academic partners with Indigenous Nations themselves
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Can be generalised to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Does not immediately concern First Nations people in NSW
Relevance to First Nations people in NSW	Highly relevant generalizable findings from nation-specific projects. Of use to mob in NSW who seek to use research to build capable institutions and other prerequisites of nation building, including in OCHRE frameworks.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Nation-building research, or knowledge-based accountability must: <ul style="list-style-type: none"> ○ Support self-determination ○ Promote an Indigenous vision of social justice ○ Respect agency and humanity ○ Respect Indigenous knowledge in theory and in research design ○ Support Indigenous communities in reclaiming knowledge, language and culture ○ Recognise joint intellectual effort ○ Reject research ethics that doesn't go beyond risk mitigation ○ Work towards transforming institutions • Research relationships between nations and government institutions must be based on mutuality and symbiosis, and have power relationships constructed in favour of mob. They will always be evolving. • The production of accountability frameworks will have its own accountability.

Title and authors	Indigenous Data Sovereignty: Towards an Agenda Edited by Tahu Kukutai and John Taylor
Citation (Harvard UTS style)	Kukutai, T., and Taylor, J. 2016, <i>Indigenous data sovereignty</i> , ANU Press, Canberra.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	A collection of scholarly works on Indigenous control, direction of and beneficence from data — from its foundation to its output.
Major findings and recommendations	<p>Data & UNDRIP Megan Davis</p> <p>Community control of data is both consistent with UNDRIP and necessary for its implementations as a soft international law accountability instrument. (p 35) It requires the development of indicators by international Indigenous conventions, the training of First Nations peoples and states to collect that data, and that a global Indigenous body 'compiles, analyses and publishes the data'. (p 36)</p> <p>What does data sovereignty imply? What does it look like? Matthew Snipp</p> <p>Decolonised data requires the following principles (pp 52-53):</p> <ul style="list-style-type: none"> • The power of Indigenous people to decide who counts among them and who counts as an authority among them • The context of this data must reflect the interests, values and priorities of Indigenous people • Indigenous people must control who has access to these data (including governments) • Institutional support for this must include significant representative Indigenous oversight and Indigenous capabilities in data technology <p>Data politics and Indigenous representation in Australian statistics Maggie Walter</p> <p>Deficit data produces problematic people in the eyes of government. 'Indigenous statistics — these representations of phenomena such as relationship to the labour market, experience of high mortality and morbidity and housing positioning — in numerical form acquire within this conversation process a mantle of impartiality, if not full objectivity...as mechanisms of unequal power relations. They define who and what Indigenous people are. They also define what we cannot be.' (p 86)</p> <p>Governing data and data for governance: the everyday practice of Indigenous sovereignty Diane E Smith</p> <p>In the context of a community-driven governance project, the authors identified the data required about each dimension in order to retain accountability and support existing community effort (pp 124-125):</p> <ul style="list-style-type: none"> • Cultural geography and legitimacy • Power and authority • Leadership/governors

	<ul style="list-style-type: none"> • Decision-making • Institutional bases • Strategic direction • Participation and voice • Accountability • Resource governance • Governance of nation state • Governance environment • Capacity development • Governance self-evaluation <p>‘In every society there are cultural determinants of what constitutes leadership, decision-making, representation, group membership, participation, legitimacy and accountability...Serious problems arise when supposedly objective statistics do not adequately reflect these differences.’ (p 128)</p> <p>To prioritise data <i>for</i> and <i>by</i> First Nations governance, the author suggests the following (pp 125-7)</p> <ul style="list-style-type: none"> • Collective cultural identity and internal relationships • Hard demographic facts • Governance performance • Financial planning and accountability • Strengths, assets, resources and expertise <p>Data sovereignty for the Yawuru in Western Australia Mandy Yap and Eunice Yu</p> <p>What is ‘recognised as evidence is increasingly synonymous with the creation of indicators...collected for the purpose of informing government frameworks.’ Within that ‘recognition space is a framework for examining the different positioning, world views and aspirations on the [Indigenous] side and national and international targets set by governments and international bodies on the other.’ (p 234)</p> <p>Yawuru built a self-research project as part of their nation-building aspirations after a native title determination. The projects stemmed from their values and aspirations ‘knowing our country, knowing our stories, and knowing our community. Together these key pillars can bring about health country, strong community and mabu liyan in parallel with the pursuit of economic development.’ (p 246) ‘Active and meaningful’ Yawuru participation in this process was ‘crucial to building an evidence base’ (p 247) for their community and understanding its internal diversity. However, ‘the recognition space’ is challenging, time intensive, and requires consistency and comparability in sometimes incompatible frameworks.</p>
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Generalises to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Does not directly relate to First Nations people in NSW

Relevance to First Nations people in NSW	As mob in NSW work to use data as an accountability tool, this writing will continue to be relevant.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Community accountability over data may be guaranteed by UNDRIP. • Community-controlled data is crucial for keeping settler governments accountable and keeping mob internally accountable. Measures mob may want to engage include demography, governance performance and finance, assets and expertise, collective cultural identity and internal relationships. • Communities must set their own data agendas that are consistent with their aspirations and their cultural frameworks. Recognition of these measures is complex, not always needed, but must be actively negotiated by community with outsiders. • External accountability that relies on creating deficit Aboriginal statistical subjects will have detrimental policy impacts on mob as well as impact through data what they can imagine of themselves and their community's aspirations. • Data sovereignty for accountability necessitates community control over access, framing, staffing, methodology, authority, purpose and data capability.

Title and authors	Speaking as Country: A Ngarrindjeri Methodology of Transformative Engagement Steve Hemming, Daryle Rigney, Shaun Berg, Clyde Rigney, Grant Rigney, Luke Trevorrow
Citation (Harvard UTS style)	Hemming, S., Rigney, D., Berg, S., Rigney, C., Rigney, G., and Trevorrow, L., 2016. 'Speaking as Country: A Ngarrindjeri Methodology of Transformative Engagement', <i>Ngiya: Talk the Law</i> , vol. 5, pp 22-45
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This is a concept-driven account of Ngarrindjeri innovation in Indigenous-state environmental management, including on how Ngarrindjeri engaged with and against state regulatory systems that didn't fit.
Major findings and recommendations	<p>After a long time of being denied water rights and being treated as 'stakeholders' of land rather than yannarumi (speaking as Country), Ngarrindjeri decided to strategise around what happened in 'the contact zone' between Ngarrindjeri law and Western regulation. They jointly tasked the Ngarrindjeri Regional Authority with identifying authoritatively as a Nation (and to be recognised as such), to organise politically as a Nation, and to act effectively as a representative power in SA politics (p 31).</p> <p>'The NRA not only is a key point of government contact, but also significantly decides the nature of the contact between Ngarrindjeri and the settler state....communication with non-Indigenous agencies would only be worthwhile if Ngarrindjeri could be sure that cultural knowledge would be listened to, acknowledged as authoritative, and treated respectfully.' (p 33)</p> <p>NRA forged an agreement with governments on the local, state and national levels to create 'a formal context for the NRA to negotiate regarding SA government programs on Ngarrindjeri Ruwe.' (p 34) Part of that negotiation involved recognition of ownership, recognition of NRA as a peak body, and an agreement to negotiate on Ngarrindjeri aspirations and land hand-backs. It also included a long-term strategic goal of ongoing resourcing, not only to participate in State water programs, but for Ngarrindjeri to resource their own.</p> <p>Co-management of waterways forms part of this strategy, but Ngarrindjeri have an integrated program that transforms this program relationship into an accountability mechanism through the Yarlwar-Ruwe Program. It features (pp 38-39):</p> <ul style="list-style-type: none"> Formal Ngarrindjeri representation (including Ngarrindjeri Heritage Committee and Ngarrindjeri Tendi) Devolved decision-making from the NRA Board to Ngarrindjeri specialists Establishing a Statement of Commitments that frame and direct Ngarrindjeri projects Cultural knowledge protection clauses in all contracts Ngarrindjeri culturally-appropriate decision-making Long-term coordinated empowerment of Ngarrindjeri Dealing with multiple issues and projects, including research projects Developing strategies to change culture of government policy, programs and practices Stakeholder involvement outside of Ngarrindjeri

	<ul style="list-style-type: none"> • Media and technology teams • Engagement and partnership building with research, education and business sector • Supporting business opportunities for Ngarrindjeri enterprise.
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Generalisable to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Does not directly relate to First Nations people in NSW
Relevance to First Nations people in NSW	<p>This is a model of engagement at the 'contact zone' in a state government context that may apply to some nations in NSW, with the caveat that it is developed as and from Ngarrindjeri Country.</p>
Insights on accountability frameworks	<ul style="list-style-type: none"> • Proper accountability means not being treated as stakeholders, but from a particular position as First Nations peoples • Accountability can operate through Aboriginal-led bodies not thought of as nations externally, but which present and work as nations internally • Accountable relationships are predicated on Aboriginal authority, listening to Aboriginal expertise, and institutional respect. • Accountability may involve negotiation and agreement-making with multiple nations about the terms of engagement across different contexts. • Following this example, potential avenues of accountability to be negotiated could include: <ul style="list-style-type: none"> ○ Formal representation ○ Devolution of state decisions ○ Commitments and agreements for all co-directed projects ○ Cultural knowledge protection ○ Nation-specific decision-making ○ Internal change of state government culture and policy ○ Media and technology ○ Partnerships with other organisations

Title and authors	'Telling it how it was': For what? Stephanie Gilbert
Citation (Harvard UTS style)	Gilbert, S., 2016. "Telling it how it was': For what?', <i>Ngilya: Talk the Law</i> , vol. 5, pp 100-110.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	This paper recounts an Indigenous scholar's journey from being part of a 'soft' law accountability mechanisms like the Bringing Them Home Inquiry and the oral history project that followed and from then attempting to access her transcripts for her own research.
Major findings and recommendations	<p>'My experience at the NLA raised some methodological issues for me; including how to work across being a 'Stolen Generations' contributor of material as well as a researcher of said material. Not all of these are clear as we are not sure what the NLA ever saw as their interests or motivations for the actions they took with me. For my own part though I remain clear, my research project was constricted from within my ideological position as an Indigenous researcher as well as being constructed within Indigenous methodologies.' (pp 106-7)</p> <p>'Whilst story-telling is a tool highly valued for information sharing...within Indigenous communities, prioritising legal concerns about defamation or privacy are new challenges for storytelling's age old process and its implementation as a research methodology.' (p 108)</p>
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW
Limitations	<ul style="list-style-type: none"> ○ Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	Many mob in NSW may have similar experience providing to accountability mechanisms and inquiries and receiving no material reparations over their experiences, or even recognition as an authority rather than an informant on government activity.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability mechanisms can in their own right be extractive. • Accountability mechanisms must have data sovereignty built in • Accountability mechanisms must have carefully-planned exemptions to contempt, defamation and privacy laws to empower community voices.

Title and authors	The unbearable witness, seeing: A case for Indigenous methodologies in Australian soft law Alison Whittaker
Citation (Harvard UTS style)	Whittaker, A., 2018. 'The unbearable witness, seeing: A case for Indigenous methodologies in Australian soft law', <i>Pandora's Box</i> , iss. 2018, pp 23-35.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	A piece outlining the need for Indigenous methodologies in soft law like Coronial Inquiries, parliamentary inquiries and Royal Commissions.
Major findings and recommendations	<p>Indigenous people are obsessively documented in the failings of settler governments as a way for governments to hold themselves accountable. They produce a steady stream of analysis on Indigenous deficit and recommendations that are rarely followed.</p> <p>'Creating repetitive and increasingly particulate knowledge about Indigenous suffering using soft law not only derails reparative or substantive justice for Indigenous peoples, it creates new paths of suffering and new paths for governments to deny justice.' (p 28)</p> <p>'The knowledge-centricity and policy motivation of soft law provide parallels with the crisis of Indigenous knowledge extraction in the academy — offering as much equivalent condemnation as they do a path out of the entrenched cycle of examination and reexamination. Critical Indigenous research methodologies are as varied as the groups and the individuals using them, but emerge from the common premise that research methodologies should be informed by Indigenous ways of knowing, being and doing.' (p 30)</p> <p>'Without Indigenous leadership and Indigenous epistemologies, including reconsidering or fusing Western standards of both good data and good law, however, such inquiries are likely to fall into the same patterns of creating Indigenous subjects of 'disadvantage', rather than doing the crucial work of interrogating colonial relations.' (p 34)</p> <p>'Structural ways researchers have incorporated knowledge-based approaches into their process and final product include — reciprocating Indigenous knowledge-holders as co-researchers with actual funds or resources, involving Indigenous participants in methodological development and data interpretation, and leaving space to develop culturally-relevant independent theory by appointing Indigenous commissioners of inquiry.' (p 35)</p>
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as ineffective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Does not provide a sophisticated understanding of Aboriginal nation-building

Relevance to First Nations people in NSW	Mob in NSW have experience of extractive truth-telling inquiry processes as accountability mechanisms, including some ongoing. This research may apply to these circumstances.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Truth-telling accountability mechanisms cannot be reactive and crisis-based • When inquiries require Indigenous involvement or knowledge, they should be structured by authoritative Indigenous persons around appropriate knowledges • Accountability processes that involve truth-telling should be careful to not be repetitive without outcomes, and should involve reciprocity, rather than the creation of Indigenous deficit to explain government failure.

Title and authors	Unsettling the Settler State: Creativity and Resistance in Indigenous Settler-State Governance Edited by Sarah Maddison and Morgan Brigg
Citation (Harvard UTS style)	Maddison, S. and Brigg, M. (eds), 2011. <i>Unsettling the Settler State: Creativity and Resistance in Indigenous Settler-State Governance</i> , Federation Press, Sydney.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This collection of papers explores governmental, legal and organisational relationships between Indigenous peoples and the Settler State.
Major findings and recommendations	<p>Beyond Captive and Captor: Settler-Indigenous Governance for the twenty-first century Morgan Brigg and Lyndon Murphy</p> <p>Indigenous governance causes confusion because neither mainstream Indigenous nor non-Indigenous politics cannot look beyond 'Settler-liberalism' as the frame of debate and discussion on what government should look like. 'Opening dialogue about the values and ideas that underpin governance in our society requires openness to difference and a willingness to be surprised about the possibilities...but it does not mean that partners in dialogue will be alien or opposed to one another....we are not hermetically sealed from each other in ways that prevent meaningful exchange.' (p 25) This exchange helps everyone involved not only understand the other's standpoint, but also helps them better understand their own and the assumptions and values that underpin them. At the centre of these discussions is the author's conception of 'jurisdiction' — the 'legitimacy to act authoritatively'. (p 28) Discussion without recognition of Indigenous jurisdiction risks subsuming and disavowing Indigenous ideas 'pushed into the realm of private expression or belief.' (p 29)</p> <p>The Way of the Walawalarra: Kapululangu's Two-Way Governance Zohl de Ishtar and the Women Elders of Kapululangu Aboriginal Women's Law and Culture Centre</p> <p>'Elders' relationship with the Walawalarra forms the foundation of the organisation: its purpose, its inspiration and its direction. The stories told about these Ancestors' lives provide the rationale for Kapululangu's existence: guidelines explaining why it is important, what its programs should be and, in particular, how it should be governed: relationship to self, kin, Country and cosmology.' (p 76)</p> <p>'Kapululangu women have gained a foothold in Settler governance by utilising their traditional practice of the Tilitja. Long realising their need to work with the dominant society, the Elders have always been willing to do whatever the Australian rules required them to do, while staying true to their Walawalarra Ancestors. [...] They have identified and grown up selected Kartiya women, skilled in Settler governance, who are able to operate as a bridge of communication and the conduit of resources between the two worlds.' (p 79)</p> <p>Murdi Paaki: Challenge, Continuity and Change Sam Jeffries, Sarah Maddison and George Menham</p>

Murdi Paaki, after ATSIC, made strategic decisions about how to engage with government as a political and representative entity that more closely resembled a regional authority. It required 'communities learning to think differently about their own accountability, as more autonomous decision-making process also meant a new kind of accountability to community and not just to government funder.' Meanwhile 'Government had to change the way they thought about engaging with Indigenous people in the region: they were no longer merely engaging with service providers; they now had to engage with a whole community whose wishes could be expressed through a regional forum.' (p 128)

The 'cultural match' of the Murdi Paaki model with local governance before colonisation, makes it uniquely positioned to build alliances between First Nations to secure a larger organised political leverage than they would have otherwise had. It has flexibility built into its design to reflect shifting aspirations as those alliances grow. Core to this flexibility is being a decision-making body, rather than a service-delivery body.

The National Congress of Australia's First Peoples: Changing the Relationship between Aboriginal and Torres Strait Islander Peoples and the State?

Tom Calma and Darren Dick

In the development of National Congress in consultation with First Nations, there were two key tensions:

- Is a national representative body there to represent a national perspective on Indigenous issues *or* be representative of Indigenous peoples across the continent? This is a question at the core of the designs of Congress and how it functioned as an accountability mechanism.
- What relationship should Congress have to Government? How can Congress be influential to government and hold it accountable, *and* be reliably resourced without the threat of abolition if it was seen to go beyond an acceptable role by Government?

A private company was chosen as a model because it offered (pp 176-178)

- Flexibility to change not otherwise afforded to statutory bodies
- Attractiveness of the organisation to private sector support
- Timeliness and ease of establishment — compared with the political contingency and slowness of statutory establishment.

Internally, Congress was conceived to have a (pp 179-180)

- A National Executive for advocacy and policy in the day to day
- A National Congress to hold them accountable and set policy and priorities
- An ethics council to maintain ethics and accountability standards across the whole organisation
- An executive support unit to assist with necessary work.

	<p>At the time of writing (2010), Congress identified its largest challenges as (pp 181-187):</p> <ul style="list-style-type: none"> • Making sure Congress was a political and representative organisation, and more than an institutional setting for the existing work of its members — ensuring it can speak clearly to Governments • Ensuring Congress isn't a substitute for local representation and local accountability of state and Commonwealth governments — and that it isn't inappropriately consulted by governments. The accountability flow must be from Government to Congress (through its public advocacy), rather than a consultancy role. • Long term sustainability
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	Ten years old, a little out of date with recent developments.
Relevance to First Nations people in NSW	These are all models situated in, or closely related to, mob in NSW. Significant insight for mob in NSW, but worth noting the developments since the time of writing.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability mechanisms may involve concepts and epistemologies that are untranslatable, sacred or only partly available to settler institutions. They should still work to them. • First Nations are strategic in how they build capacity and leadership for external engagement and engagement of states — in line with their own values and protocols. • Interrogation and friction in contact zone helps mob and states alike understand their values and structures, and their authority. • Accountability must account for and recognise Indigenous authority and jurisdiction. • Alliances between Indigenous communities is a long-held practice and regional alliances can draw on that intercultural, intra-Indigenous relational strength and political leverage. They must remain flexible. • Accountability cannot have service-provision at its centre. It must be about decision-making. • Mob make strategic decisions about legal cognisability based on the kinds of accountability they're expected to exert. This is why some groups opt for incorporation, for its flexibility and detachment from state political will. • Indigenous organisations may have their own in-built accountability mechanisms (like ethics committees, elections and executives) that closely resemble the civic life of state governments.

	<ul style="list-style-type: none"> • Larger coalition groups that use their combined power for authority in accountability are not a substitute for local representation.
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Title and authors	Mia Mia Aboriginal Community Development: Fostering cultural security Edited by Cheryle Kickett-Tucker, Dawn Bessarab, Juli Coffin, and Michael Wright
Citation (Harvard UTS style)	Kickett-Tucker, C., Bessarab, D., Coffin, J. and Wright, M., 2017. <i>Mia Mia Aboriginal Community Development: Fostering cultural security</i> , Cambridge University Press, Cambridge.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This book is a collection of papers on community development led by First Nations peoples, to be instructive to the community development sector.
Major findings and recommendations	<p>Is community development equity or justice? Bindi Bennett and Sue Green</p> <p>Aboriginal community development risks being a neocolonial arm through which government exert soft coercive power over Aboriginal communities through the application of grants that shape community activities and growth.</p> <p>Equity approaches take Indigenous people as deficit subjects in need of special measures to bring outcomes up to par with non-Indigenous subjects. 'There is no space for discussion...that Aboriginal people may have different priorities and aspirations'. (p 131)</p> <p>A justice approach instead seeks to redress past harms and addresses 'structural disadvantage and social systems that discriminate.' 'It is essential to define what those rights are and whose responsibility it is to meet those rights.' (p 132)</p> <p>Fragmented departmental and jurisdictional arrangements mean that the same Aboriginal people are repeatedly engaged for slightly different frameworks about the same thing. 'This means they do not respond holistically to communities' priorities.' (p 133) Some engage the wrong people, don't know local history and dismiss protocol, fatiguing any government engagement. Government departments 'have different priorities, expectations, levels of commitment of policy, and implementation frameworks that have never been resolved to enable effective working with Aboriginal partners.' (p 133)</p> <p>Those who come to engage with Aboriginal communities must be engaged in social justice 'it is essential that those working within community development be prepared to and actually do take a stand [on government monopolies on funding and outcomes].' (p 135)</p>
Strengths	<ul style="list-style-type: none"> Gives priority to Aboriginal epistemologies, axiological and ontological frameworks Developed by or with Indigenous peoples Relates to First Nations people in NSW Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> Not exceptionally rigorous Does not provide a sophisticated understanding of Aboriginal nation-building

Relevance to First Nations people in NSW	Constructed across an Australian context, highly generalizable to this context.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability of community orgs can be an arm of soft state control of First Nations community life. • Engagement with communities must have the right character for accountability to be authoritative — must engage the right protocol, right people, and the right history. • Accountability requires a fuller relationship that demonstrates commitment to the community over a sustained period of time and multiple issues.

Title and authors	Promoting Voice and Choice: Exploring Innovations in Australian NGO Accountability for Development Effectiveness Australian Council for International Development
Citation (Harvard UTS style)	Australian Council for International Development, 2009. <i>Promoting Voice and Choice: Exploring Innovations in Australian NGO Accountability for Development Effectiveness</i> . ACFID, Sydney.
Categories (select all that apply)	<ul style="list-style-type: none"> • International development NGO grey literature • Australian NGO grey literature
Purpose of paper	An outline of research conducted on NGO program quality and effectiveness, to ensure transparency and accountability and understand New Accountability as a modern governance framework for NGOs.
Major findings and recommendations	<p>Australian NGOs struggle with embedding 'agreed principles into their everyday practice'. (p 7) It is crucial that they demonstrate their effectiveness by being accountable to those who stand to benefit from their work, who guide those agreed principles.</p> <p>Accountability to local communities by NGOs requires 'advocacy, networking and coordination.' (p 10) It requires building accountability around values, rather than specific procedures. Communities impacted by NGOs work should be considered 'primary stakeholders' in it, rather than 'beneficiaries.' Accountability to them is an ongoing partnership relationship, rather than a 'single loop'. (p 15) This includes involvement in evaluation, not only in cross-checking other results, but in participatory data and designing score-cards and measures against which NGOs will be assessed. Flexibility in partnership requires NGOs be open to 'alternative criteria...on effectiveness.' (p 20) In partnerships, it is crucial that NGOs understand their partner's accountability to local communities, and do 'not skew accountability away from communities and towards them[selves].' (p 24) Hierarchies between senior NGO leadership and frontline workers must be 'collapsed' (p 29) for bottom-up 'reverse evaluation' accountability to take place.</p> <p>Social media, in a field where NGOs fear reputational risk, is a key accountability tool for those with 'the least power in the aid chain'. This may redress some of the power imbalances between NGOs and communities, but some NGOs are wary of how it necessarily 'relinquish[es] control.' (p 24) Because of this, social media is treated as a conduit for programs by NGOs and a conduit for accountability by communities — sometimes at cross-purposes. This is not always the case for orgs that are led by the communities they service — because a shared identity demonstrates their stakes and commitment, and frames the conversation as peers.</p>
Strengths	<ul style="list-style-type: none"> ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Developed without Indigenous peoples ○ Does not clearly relate to First Nations people in NSW ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	Relevant insofar as mob in NSW encounter NGOs working with and for them, to varying extents modelling best practice and cautionary practices. Notable that this is not Indigenous-specific.

<p>Insights on accountability frameworks</p>	<ul style="list-style-type: none"> • Social media is a powerful tool for communities to hold NGOs accountable, and they pay attention because of its threat to reputation and operation. • Accountability works as a series of processes that build upon one another and do not end. It is a relationship, flexible and subject to review. • Accountability must be built around whole-of-organisation values, not just procedures. • One mechanism for transparent evaluation of programs is participatory data. • For accountability to be vertically integrated, hierarchies within organisations must be collapsed during evaluations.
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Title and authors	AH&MRC Guidelines for Research into Aboriginal Health: Key Principles Aboriginal Health and Medical Research Council of NSW
Citation (Harvard UTS style)	Aboriginal Health and Medical Research Council of NSW, 2016. <i>AH&MRC Guidelines for Research into Aboriginal Health: Key Principles</i> , AH&MRC: Sydney.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Ethics procedures
Purpose of paper	These are guidelines and principles on research about Aboriginal health, to guide researchers and ethics committee members.
Major findings and recommendations	<p>Applicants must demonstrate the following for approval:</p> <ul style="list-style-type: none"> • A specific net benefit (when balanced against risk) for Indigenous communities • Demonstrated Aboriginal community control over research — including design, data ownership and interpretation, and reporting. Control requires participants and involved communities be informed about and agree with the project, including being able to seek information, make decisions in their own way, and ensure cultural protocols are followed at every stage. It is not enough to only consult Aboriginal community controlled health services, but they must be consulted as experts. It is not enough to consult Aboriginal government workers. • Aboriginal people must be employed in research projects, preferably as co-investigators.
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	These govern health research for and on mob in NSW.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Research with communities for knowledge-based accountability requires reciprocity and net benefit for communities. • Communities must control research made on them, from design to ownership to interpretation to reporting • Knowledge-based accountability should employ and engage Aboriginal people at a high level.

Title and authors	Guidelines for Ethical Research in Australian Indigenous Studies Australian Institute of Aboriginal and Torres Strait Islander Studies
Citation (Harvard UTS style)	Australian Institute of Aboriginal and Torres Strait Islander Studies, 2012. <i>Guidelines for Ethical Research in Australian Indigenous Studies</i> , AIATSIS, Canberra.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Ethics procedures
Purpose of paper	These are Indigenous-specific research guidelines for researchers who work with or do work about Indigenous communities.
Major findings and recommendations	<p>The Guidelines are comprised of fourteen principles which researchers must answer:</p> <ul style="list-style-type: none"> • Recognition of the diversity of peoples and individuals • Recognition of Indigenous self-determination • Recognition of rights to intangible heritage • Respect and maintenance of rights in traditional knowledge • Respect and maintenance of Indigenous knowledge, practice and innovation • Consultation, negotiation and consent • Responsibility for consultation and negotiation is ongoing • Negotiation should achieve mutual understanding • Negotiation should result in formal agreement for the project • Indigenous rights to full participation in projects • Indigenous net benefit and no disadvantage from project • Outcomes include results that respond to Indigenous needs and interests • Indigenous-led data management plans • Appropriate mechanisms for reporting on research ethics
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	The GERAIS statement is reflected in most ethics bodies who deal with research with Indigenous communities in NSW.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability requires a matrix of recognition that requires prior work and commitment to a relationship before work can begin. • Accountability should prioritise Indigenous leadership and Indigenous benefit.

Title and authors	Indigenous Peoples, Poverty and Self-determination in Australia, New Zealand, Canada and the United States Native Nations Institute and the Harvard Project on American Indian Economic Development
Citation (Harvard UTS style)	Native Nations Institute and the Harvard Project on American Indian Economic Development, 2006. <i>Indigenous Peoples, Poverty and Self-determination in Australia, New Zealand, Canada and the United States</i> . NNI Joint Occasional Papers on Native Affairs No. 2, Arizona.
Categories (select all that apply)	<ul style="list-style-type: none"> • International development NGO grey literature • Scholarly literature
Purpose of paper	This paper explores the connections between poverty and the State disavowal of Indigenous self-determination.
Major findings and recommendations	<p>Western perspectives on Indigenous governance require Indigenous peoples root their argument in a 'body of international law' and norms, but from their own perspective it is about the 'continuity of Indigenous ties to the land and in the personhood that is substantially derivative of those ties, shared cultural practice and collective memory. Both perspectives support [self-determination]...[including] the right to shape the political order of which they are a part.' (pp 7-8)</p> <p>There are grounds for analysing and assessing CANZUS states together in their treatment of Indigenous people. They are comparative because of settler strategic similarities, not because of Indigenous similarities (pp 5-6):</p> <ul style="list-style-type: none"> • All four are contemporary settler societies with predominately British heritage, language and legal structures that have supplanted Indigenous peoples • They have each caused Indigenous resource loss, the destruction of Indigenous economies and some of Indigenous social organisation — that continue over the longer term, but have not resulted in the disappearance of Indigenous peoples • In those settings, Indigenous people have occupied distinct legal and political positions that distinguish them from other minorities who are racialised. (pp 5-6) <p>For Indigenous economic success to occur, three factors must be present (pp 13-14):</p> <ul style="list-style-type: none"> • Sovereignty or self-rule ('Who controls the primary relationship between sovereigns?' — this doesn't make nation-building inevitable, but it is necessary to start.) Self rule is crucial because: <ul style="list-style-type: none"> ○ It reflects Indigenous agendas and knowledge ○ It puts resources in Indigenous hands ○ It fosters citizen engagement and trust ○ It shifts accountability — making 'governmental decision making accountable to those most directly affected. The decision-makers themselves pay the price of bad decisions and reap the benefits of good ones.' (p 17) • Capable governing institutions • 'Match' between formal governing institutions and Indigenous political culture and society

	<p>Self-determination policy has set a playing field in which Native Nations can reduce their poverty — resulting in reduced unemployment, reduced use of welfare, viable native enterprises and management of natural resources. It is the only US policy, for instance, to produce these outcomes so consistently for Indigenous peoples.</p> <p>Cornell suggests three ‘overall policy implications’ for these findings (pp 27-28):</p> <ul style="list-style-type: none"> • Refusing self-determination means crippling the effort to overcome Indigenous poverty • Self-determination and capacity requires local-led innovation and a variety of models • Indigenous peoples must decide for themselves ‘how self-governing institutions should be structured’ and governments just accept the variety of relationships and governance solutions that will surely result.’ (p 27)
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Does not directly relate to First Nations people in NSW ○ Developed when ATSIC was active.
Relevance to First Nations people in NSW	<p>This is written on a CANZUS state context, including Australia. It is generally applicable, but findings should be carefully interpreted by NSW mob who may find them useful.</p>
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability of government can sometimes mean transfer of power from government or derogation of decision-making (to self-determining groups) • Accountability must be locally-led • Accountability requires the development and design of capable self-governance institutions — and governments must work to understand their institutional reality, not the other way around. • Nation-building that might enable accountability in a less formal sense from Indigenous governments to settler governments requires: <ul style="list-style-type: none"> ○ Sovereignty ○ Institutional capability ○ Cultural compatibility of internal processes • Accountability shifts from government to community when FN decision-makers are held accountable by their own communities. This means being allowed to make mistakes and wear consequences for mistakes or missed opportunities or mis-estimates, as a state government would.

Title and authors	United Nations Declaration on the Rights of Indigenous People United Nations
Citation (Harvard UTS style)	UN General Assembly, 2007. United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly, 2 October, A/RES/61/295.
Categories (select all that apply)	<ul style="list-style-type: none"> • International law soft instrument
Purpose of paper	This is a declaration of the international rights of Indigenous peoples.
Major findings and recommendations	<p>Key Articles that concern accountability between Indigenous peoples and settler states include —</p> <ul style="list-style-type: none"> • Article 2 Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity • Article 3 Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. • Article 4 Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions. • Article 5 Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State. • Article 18 Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions • Article 19 States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them. • Article 21 Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security. • Article 27 States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

	<ul style="list-style-type: none"> • Article 28 Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent. • Article 35 Indigenous peoples have the right to determine the responsibilities of individuals to their communities. • Article 40 Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights. <p>Many articles (like the right to revitalise culture, the right to establish and control education institutions, right to health, right to environment etc) include provisions that the State provide effective measures and redress which Indigenous peoples could use. See also <i>Article 38</i>, where states must take measures with Indigenous people to implement UNDRIP.</p>
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Does not immediately relate to First Nations people in NSW ○ Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Does not provide a sophisticated understanding of Aboriginal nation-building ○ Is a legal instrument, rather than a contribution to literature
Relevance to First Nations people in NSW	UNDRIP is a useful international accountability mechanism for mob in NSW, but not always locally impactful.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability requires First Nations control of their own affairs, from root to leaf. • Accountability also requires First Nations peoples be able to hold states accountable in state institutions, including reparative gestures and being openly informed of and engaged on government action.

Title and authors	Rebuilding Native Nations: Strategies for Governance and Development Miriam Jorgensen
Citation (Harvard UTS style)	Jorgensen, M. (ed), 2007. <i>Rebuilding Native Nations: Strategies for Governance and Development</i> , University of Arizona Press, Arizona.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	A collection of papers on nation-building and economic development in Native Nations, relevant for practitioners, advocates, scholars and community members.
Major findings and recommendations	<p>Intergovernmental relationships: Expressions of tribal sovereignty Sarah Hicks</p> <p>The previous two decades has seen a growth in both the scope and number of intergovernmental agreements between Native Nations and other governments. Some are concerned with overall governmental relationships, and some are issues based. Some involve making agreements with nations with existing treaties, others find other legal expressions. At the same time, to give meaning and enforceability to those agreements, governments have made executive-level Bureaus of Indian Affairs and made internal Federal procedures to ensure proper consultation prior to legislation or regulation. This happened because of multiple policy impulses that met nation-building in the tribal-state dynamic (pp 252-256) —</p> <ul style="list-style-type: none"> Devolution of decision-making power technically vested in government to Native Nations and other decentralised local political structures (albeit unevenly) Tribes mobilising to assert their governing power, including building governance institutions that states can formulate institutional agreements with — including shared governance agreements that offer state resources for tribal control Increasingly formalised sites of conflict that create incentives for state cooperation. <p>There are five critical benefits for formalised intergovernmental relationships (pp 256-258) —</p> <ul style="list-style-type: none"> They enhance tribal sovereignty They expand jurisdiction, authority and influence of Native Nations They amplify tribal impact They mean tribes can proactively address their concerns They prompt action on mutually beneficial community development. <p>To continue to grow, they require (pp 258-267) —</p> <ul style="list-style-type: none"> A formal commitment to mutual cooperation Mutual understanding and respect Communication A process for addressing disagreements and concerns, including meetings, reviews, recommendations and a means of holding government departments accountable Institutionalisation, so that progress doesn't rely on key individuals

	<p>Two Approaches to the Development of Native Nations: One Works, the Other Doesn't Stephen Cornell and Joseph Kalt</p> <p>The <i>standard approach</i> to nation-building doesn't work. It is typified by (p 9):</p> <ul style="list-style-type: none"> • Short-term, non-strategic decision-making • Outsiders set development agendas • Development is treated as an economic problem • Culture is viewed as an obstacle to development • Elected leadership or community representation is concerned with the distribution of resources <p>In the standard approach, non-Indigenous government hold almost all the agenda-setting, resourcing and decision-making power. 'They recognise the demands of Indigenous peoples for greater control over their own affairs, but they also face a commonplace set of bureaucratic imperatives: protect the budget, avoid newsworthy disasters, be accountable to legislatures and managerial higher-ups and so forth. Turning over real power to Native nations is threatening...but the cost of this approach has been high.' (pp 14-15)</p> <p>The <i>nation-building approach</i> works. It is typified by (p 19):</p> <ul style="list-style-type: none"> • Native nations asserting decision-making power • Native nations backing up their decisions with effective governing institutions • Governing institutions that match Indigenous political culture • Strategic decision-making • Insider leaders serve as mobilisers and nation-builders <p>In the nation building approach, non-Indigenous governments move to an advisory and resource role. They do this by (pp 27-28):</p> <ul style="list-style-type: none"> • Focussing on institutional capacity building and institutional development for practical self-rule • Moving to block grants, so Native communities can make their own resourcing decisions without conditions • Develop evaluation criteria that reflect Native needs and aspirations set by their own Nations • Shifting from making decisions for Native nations to consulting on decisions with Native nations (a reversal of the current dynamic) • Recognising that self-governing Nations (like all governments) make mistakes, and that sovereignty means the freedom to make those mistakes and be accountable to their own citizenry.
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building

Limitations	<ul style="list-style-type: none"> ○ Does not directly relate to First Nations people in NSW
Relevance to First Nations people in NSW	These are comparative examples of First Nations accountability from Western nations, transferrable to this context.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability requires agreement on government conduct and jurisdiction, including communication, respect, devolution of decision-making and formalised resolution processes. • Accountability also requires nations mobilising to assert governing power, including shared governance where mutually beneficial. • Agreements on accountability and shared government enhance Indigenous sovereignty, expand Indigenous jurisdiction and impact, allow for proactive internal accountability and develop communities effectively. • Nation-building requires internal accountability within First Nations. This means that standard state accountability must take a back seat, playing a block grant resourcing and advisory role — including allowing things to go wrong within the First Nation without intervention, as they would with other governments that they have relationships with.

Title and authors	Independent Evaluation of the Central Land Council's Community Development and Governance Programs Chris Roche and James Ensor
Citation (Harvard UTS style)	Roche, C., and Ensor, J., 2014. <i>Independent Evaluation of the Central Land Council's Community Development and Governance Programs</i> , La Trobe University and People&Planet, Melbourne.
Categories (select all that apply)	<ul style="list-style-type: none"> Indigenous-controlled organisation grey literature
Purpose of paper	A mixed-methods evaluation of the CLC's community development and governance programs, prepared for CLC.
Major findings and recommendations	<p>Despite a period of tumult in laws, policy and regulation that impact the CLC and the communities it represents, the CLC Community Development Program and the Governance Project have produced outcomes valued by Aboriginal people. These outcomes occurred in sites of priority set by the CLC and its constituents, including — employment opportunities, education outcomes, childcare and youth engagement, enhanced kidney health and overall wellbeing for the community, and cultural maintenance. Aboriginal people in or benefiting from the programs valued the centrality of culture, voice and control as a way to achieve these outcomes.</p> <p>The Governance Project also empowered Central Aboriginal communities at a time of significant legal disempowerment under the NT Intervention, using its statutory legitimacy and authority to represent concerns and exercise local political agency on the national stage.</p> <p>While the impact of either programme was greater than the sum of the potential impact of the royalty payments that funded them, the individual-community benefit divide was a source of conflict that suggests the use should be more complementary. The potential for greater outcomes is not stymied by any flaw in the Programs, but by external policy impositions and the broader context of colonial deprivation and external governmental failures. Much of the programs have been filling gaps in external political will to fund activities the community knows will address these, especially cultural activities.</p> <p>Leadership and staffing had a key role in the programs' successes, with leaders adept in local cultural and political contexts, as well as institutional expertise, driving them across a variety of settings that require tailored responses. Non-Indigenous staff who could elevate Aboriginal voices and collaborate across contexts supported the leaders' role.</p>
Strengths	<ul style="list-style-type: none"> Developed by or with Indigenous peoples Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Does not directly relate to First Nations people in NSW
Relevance to First Nations people in NSW	These are generalizable findings from an evaluation of an ALC's work. They may be comparable to mobs in NSW.

<p>Insights on accountability frameworks</p>	<ul style="list-style-type: none"> • Accountability efforts can shift internally at times of significant external intervention. • External policy impositions can impact what First Nations are expected by their communities to be accountable for, and can negatively impact their own development and improvement. • Accountability requires leadership and staffing across a variety of settings.
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Title and authors	Opening Doors Through Partnerships: Practical approaches to developing genuine partnerships that address Aboriginal and Torres Strait Islander community needs Secretariat of National Aboriginal and Islander Child Care
Citation (Harvard UTS style)	Secretariat of National Aboriginal and Islander Child Care, 2012. <i>Opening Doors Through Partnerships: Practical approaches to developing genuine partnerships that address Aboriginal and Torres Strait Islander community needs</i> , SNAICC, Fitzroy.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous-controlled organisation grey literature
Purpose of paper	These are case-study analyses on issues-driven service-delivery partnerships between Indigenous controlled organisations and government.
Major findings and recommendations	<p>The partnerships studied in this paper have been formalised in a variety of ways (pp 26-27):</p> <ul style="list-style-type: none"> • MoUs and partnership agreements • Service agreements • Staff position descriptions and seconded work plans • Legislative frameworks • Organisational policies and procedures <p>Agreements must come 'from a position of trust'. 'Where partnership relationships are 'forced', outcomes will be variable and highly dependent on the level of trust that exists or is developed between the organisations.' (p 29) They must 'create negotiating strength for small partners' where the other partner is a government.</p> <p>'Agreements that reflect the interests of both parties create a level of accountability, the opportunity for partners who would otherwise be in a weaker negotiating position to hold partners accountable to their commitments.' (p 31)</p> <p>Agreements require the following elements to be effective</p> <ul style="list-style-type: none"> • Clear commitments from both parties • Not restraining day to day flexibility • Being part of an ongoing agreement process that is 'more strategic, systematic and a basis for future growth' (p 27) • Sustainability within institutions, rather than relying on people to carry the partnership <p>While the overall goal is for responsibilities and decision-making to be transferred to community-controlled organisations, those organisations do not want to be set up to fail. Part of their self-determination means capacity building and support in the transfer of projects into community control. The partnership relationship continues, but government relationship has an 'ebb and flow' movement when communities initiate contact. (p 72)</p>
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Does not directly relate to First Nations people in NSW ○ Does not provide a sophisticated understanding of Aboriginal nation-building

Relevance to First Nations people in NSW	This is a report that reflects an Australia-wide stake in community childcare partnerships.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability requires agreements based on trust, and cannot be forced. • Negotiating strength must be measured and equalised in accountability agreement-making, offering First Nations power, information and resources to balance out the relative institutional power of states. • This balanced relationship must continue through to enforcement of the agreement and future accountability. • These agreements require clarity of commitment, flexibility, their own life as ongoing, negotiable instruments, and sustainability within institutions (rather than with motivated individuals). • First Nations must not be set up to fail, a capacity-building period may be required on an ad hoc basis.

Title and authors	A Report on Engagements with Aboriginal and Torres Strait Islander People: to inform a new national agreement on Closing the Gap Coalition of Peaks
Citation (Harvard UTS style)	Coalition of Peaks, 2020. <i>A Report on Engagements with Aboriginal and Torres Strait Islander People: to inform a new national agreement on Closing the Gap</i> , Coalition of Peaks, Canberra.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous-controlled organisation grey literature • Australian state/Commonwealth government grey literature
Purpose of paper	This is a report compiling community feedback, priorities, strategies and aspirations for the Closing the Gap refresh, conducted by the Coalition of Peaks and to be presented to the Australian government.
Major findings and recommendations	<p>The Agreement committed to three priority reforms (p 15):</p> <ul style="list-style-type: none"> • Developing and strengthening structures that ensure Indigenous shared decision-making at national, state, local and regional levels 'embedding their ownership, responsibility and expertise' • Building the community-controlled sector to deliver on those decisions through services • Ensuring government agencies undertake systemic reform to contribute to Closing the Gap. <p>Priority 1 (most closely related to accountability) was very strongly supported by everyone engaged by the Coalition. NSW stakeholders suggested the following were necessary to make shared decision-making happen (pp 24-25):</p> <ul style="list-style-type: none"> • Genuine partnerships that prioritise Indigenous voices and build trust • Open lines of communication • Cultures to be recognised, respected and embedded • Longer term funding, issued locally, without duplication • Documented accountability from both governments and communities. <p>Participants from across Australia suggested aspects of joint decision-making partnerships that work well (pp 27-29):</p> <ul style="list-style-type: none"> • Face to face meetings • Indigenous leadership • Quality, informed decision-making • Inclusive representation elected by community <ul style="list-style-type: none"> ○ Upwards-flowing from local representation to nation-wide representation ○ Involving the creation of community forums, committees or regional groups • Information-sharing • Embedding culture and culturally safe practices in the relationship • Treating Indigenous communities as experts in their own affairs • Action-based • Transparency • Direct consequences and accountability mechanisms for all decision-makers' actions and outcomes

	<ul style="list-style-type: none"> • Cooperation between all levels of government and community-controlled organisations as a smaller model of localised or issues-based decision-making, as well as overarching representative shared decision-making • Achievable targets • Direct access to decision-makers like Ministers and Premiers • Effective, ongoing communication in appropriate forms • Resourced relationships, accepting that a funding agreement is not itself a relationship • Having Indigenous peoples in senior roles in the public service • Paying community members for their contribution • Indigenous groups having their own knowledge base and policy advice, rather than being forced to rely on governments • Access to the same data that governments have to make their policy decisions • Formal space to influence methodology and outcomes that governments use to measure accountable progress • Capacity to collect and manage our own data • Early decision-making roles, rather than being brought on at the implementation phase • Upskilling of Indigenous people to fulfill these decision-making, consulting and policy roles • Addressing contextual inequalities outside of the relationship (with which only Indigenous people have to deal with daily, impinging our decision-making capacity and resources)
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This is a report developed by consulting some mobs in NSW, and which impacts orgs, nations and individuals in NSW.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability requires partnerships prioritising Indigenous voices, and respect • Accountability requires documentation, openness and communication • Accountability in a First Nations-state partnership may require — <ul style="list-style-type: none"> ○ In person meetings ○ Indigenous leadership ○ Informed decision-making ○ Inclusive, locally-informed elected representation ○ Information sharing ○ Action-based agreements ○ Consequences for process, action and outcomes ○ Multiple levels of government cooperation, including access to ministers and First Nations in senior roles in government ○ Targets to be measured ○ Resourcing ○ Indigenous-owned and operated knowledge bases

	<ul style="list-style-type: none"> ○ Access to government data and modelling ○ Early discussions and decision-making, rather than reactive decision-making
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Title and authors	Inquiry into economic development in Aboriginal communities Legislative Council Standing Committee on State Development
Citation (Harvard UTS style)	Standing Committee on State Development, 2016. <i>Inquiry into economic development in Aboriginal communities</i> , NSW Legislative Council, Sydney.
Categories (select all that apply)	<ul style="list-style-type: none"> Australian state/Commonwealth government grey literature
Purpose of paper	This is a Legislative Council review of the legal and policy space surrounding Aboriginal economic development, and potential barriers or enablers of that development.
Major findings and recommendations	<p>Despite the positive efforts of OCHRE (as of 2016), 'more strategic leadership' is needed so Indigenous communities 'have in place a mechanism for accountability of government initiatives, measuring and evaluating outcomes, and reviewing action where progress stalls.' (p 10)</p> <p>There must be a strong regulatory entity to oversee the Aboriginal Economic Development Framework. Industry-based agreements that work within the framework must be rigorously evaluated, and should be done so based on community-driven outcomes rather than programmatic or industry outputs.</p> <p>Aboriginal stakeholders (in 2016) were concerned that, despite the overall evaluation of OCHRE, that local initiatives and individual programs and services were not receiving the same evaluative support and attention. Oversight of this would, in the Committee's view, be the role of the strong regulatory entity mentioned above.</p> <p>Aboriginal Lands Councils 'should accept that as they grow and their interests diversify there will inevitably be increasing complexity in their governance and compliance arrangements [to be accountable to the private sector and government].' (p 44) They must also implement further procedures to statutory requirements in order to manage conflicts of interest.</p> <p>It is vital that ALCs and local councils develop relationships, not just as joint venture partners, but as groups working on the same subject matter concurrently.</p>
Strengths	<ul style="list-style-type: none"> Developed by or with Indigenous peoples Relates to First Nations people in NSW Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	Highly relevant, a recent review of the economic standing of First Nations in NSW and the role of policy and law. Also relevant because of its remarks on OCHRE.
Insights on accountability frameworks	<ul style="list-style-type: none"> Independent regulatory entities may be important to account for government policies that operate within the state and private sector Accountability requires localised evaluation resources As institutions develop under the nation-building model, First Nations will require more complex accountability mechanisms

Title and authors	Estimates Process 2019-2020 ACT Aboriginal and Torres Strait Islander Elected Body
Citation (Harvard UTS style)	ACT Aboriginal and Torres Strait Islander Elected Body, 2020. <i>Transcript of Evidence Estimates Process 2019-2020</i> , ATSIEB Secretariat, Canberra.
Categories (select all that apply)	<ul style="list-style-type: none"> • Parliamentary proceedings
Purpose of paper	Proceedings from a budget estimates process before the ACT Aboriginal and Torres Strait Islander Elected Body.
Major findings and recommendations	<p>The proceedings themselves are an <i>example</i> of an accountability process rather than analysis about such a process. The Chair and members of the Committee pose questions to Government directorates as members of a legislature would. They pose relevant questions (on their own behalf and sometimes asked on behalf of organisations and community members) directly to:</p> <ul style="list-style-type: none"> • The Chief Minister • Education Directorate • Environment, Planning and Sustainable Development Directorate • Transport Canberra and City Services Directorate • Community Services Directorate • ACT Policing • ACT Health • ACT Fire and Rescue, and • Justice and Community Safety. <p>From the transcript, the answers seem similar to those gleaned in similar processes, but with a focus on First Nations affairs directed by questioners elected from that community.</p>
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not directly relate to First Nations people in NSW ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This may be a comparative model that mob look to in NSW, as OCHRE matures.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability may require select establishment of independent Indigenous inquiry bodies auspiced by government, with statutory authority to call state government figures into account.

Title and authors	APO NT Partnership Principles for working with Aboriginal organisations and communities in the Northern Territory Aboriginal Peak Organisations NT
Citation (Harvard UTS style)	Aboriginal Peak Organisations NT, 2017. <i>APO NT Partnership Principles for working with Aboriginal organisations and communities in the Northern Territory</i> , APO NT, Darwin.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous-controlled organisation grey literature
Purpose of paper	These are principles to guide the 'development of a partnership-centred approach for non-Aboriginal organisations engaging in the delivery of services or development initiatives' (p 1) with NT Aboriginal communities.
Major findings and recommendations	<p>These principles make eleven agreements that non-Aboriginal organisations must enter into to work with NT Aboriginal communities. They are designed to prioritise self-determination in Indigenous affairs, offer accountability from NGOs, and to keep resources in communities. They require, briefly (pp 1-2), for non-Aboriginal organisations to:</p> <ul style="list-style-type: none"> • Consider their own capacity • Recognise existing Aboriginal capacity • Research existing Aboriginal options • Seek partnerships where they have something to contribute • Be guided by Aboriginal NGOs in developing a partnership • Recognise, support and promote existing Aboriginal development practice • Work with Aboriginal people to create viable Aboriginal organisations to delegate power and resources • Ensure Aboriginal control • Develop a clear exit strategy • Ensure robust evaluation and accountability to community and other Aboriginal organisations • Ensure cultural competency and share appropriate development practice where necessary
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Does not directly relate to First Nations people in NSW
Relevance to First Nations people in NSW	This may be a comparative model that mob look to in NSW, as relationships between the NSW government, First Nations (in various institutional settings) and NGOs develop.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability of government and NGOs to community, where they are there in a resourcing role, requires an exit plan and derogation of funding and power. • In this transitional period, it requires robust evaluation and regular reporting to communities.

Title and authors	How co-design delivers agency, advocacy and real-world impact VicHealth
Citation (Harvard UTS style)	VicHealth, 2017. <i>How co-design delivers agency, advocacy and real-world impact</i> , VicHealth, Melbourne.
Categories (select all that apply)	<ul style="list-style-type: none"> Australian state/Commonwealth government grey literature
Purpose of paper	This is an explainer of co-design as relevant to VicHealth staff and consumers, using interviews with staff from key services and university partnership projects as a vehicle.
Major findings and recommendations	<p>Co-design, while successful, is often a term that is misapplied to any project where end-users are consulted. (p 3) Co-design must run 'as a thread' through a design process. Effective co-design in health 'also has the effect of empowering' communities it concerns. (p 6)</p> <p>There is mutual benefit in co-design. Communities involved ensure 'their needs and values are genuinely being addressed' whereas organisations 'have a better understanding' of the issues and can 'use those insights to explore new possibilities.' (p 6)</p> <p>Co-design requires intensive resources and expenses, and requires pre-existing relationships, networks and touch points in order to target its impacted community. But it is worth it and results in increased program effectiveness and, from that, long term efficiencies.</p>
Strengths	Unclear, was requested for inclusion.
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Developed without Indigenous peoples Does not clearly relate to First Nations people in NSW Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	As co-design grows in popular usage, this may be useful case study for mob in NSW.
Insights on accountability frameworks	<ul style="list-style-type: none"> Co-design can be an accountability mechanism that is proactive, rather than reactive, but does tend to be contained to projects rather than an all-encompassing relationship. Accountability (even through the relatively contained co-design) is resource- and time-intensive.

Title and authors	Indigenous Evaluation Strategy Draft Australian Government Productivity Commission
Citation (Harvard UTS style)	Productivity Commission, 2020. <i>Indigenous Evaluation Strategy Draft</i> , AGPS, Canberra.
Categories (select all that apply)	<ul style="list-style-type: none"> Australian state/Commonwealth government grey literature
Purpose of paper	This is a paper for comment on a draft evaluation strategy for Indigenous programs supported by Commonwealth funding.
Major findings and recommendations	<p>An Indigenous Evaluation Strategy is necessary because there is no uniform approach to evaluation nor to providing Indigenous perspectives on 'evaluation selection, planning, conduct and reporting'. (p 5) Despite numerous Indigenous programs nationally, there is not a significant evaluation base to know about what is and isn't working.</p> <p>An Indigenous evaluations strategy isn't just a strategy to evaluate Indigenous programs. It must (p 6)</p> <ul style="list-style-type: none"> Centre Indigenous people, priorities and knowledge Elevate the quality of evaluation of Indigenous programs Enhance the use of evaluation to inform Indigenous policy, program design and implementation Promote a whole-of-government approach to priority setting and evaluation of Indigenous programs. <p>The overall principle of the strategy is to 'centre [Indigenous] people, perspectives, priorities and knowledges' (p 8). This is supplemented by four knowledge-production strategies concerning Indigenous policy (pp 11-19) —</p> <ul style="list-style-type: none"> Credibility — evaluation is rigorous, technically defensible, done by a mix of internal and external evaluators, and done systematically based on importance to Indigenous peoples and its significance to the Commonwealth, Usefulness — evaluations fill knowledge gaps and attend to what's most relevant, are communicated in useful ways, are systematically used to improve programs, and address issues of importance to Indigenous people, Ethics — evaluations are done according to the values of established research guidelines and done with Indigenous communities, agencies systematically assess ethical risks, and are subject to review by an Indigenous ethics research committee, and Transparency — evaluations have their terms published in advance, have teams selected through a transparent process, there is access to evaluation data by communities, findings are clearly justified, and evaluation reports are easy to find. <p>The Strategy is to be implemented with a maturing staged approach to reflect developing capacity. An Indigenous Evaluation Council is proposed to oversee this process and the overall performance of the Strategy.</p>
Strengths	<ul style="list-style-type: none"> Developed by or with Indigenous peoples Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Does not directly relate to First Nations people in NSW

	<ul style="list-style-type: none"> ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This evaluation strategy will come to control Commonwealth funds, much of which is provided to mobs in NSW, and result in new modes of accountability in an Indigenous (or aspirationally Indigenist) framework.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Evaluations of and for accountability in Indigenous affairs require — <ul style="list-style-type: none"> ○ Centreing mob and their knowledge ○ Credibility, usefulness, systematic ethics review and transparency ○ Institutional support from an independent, Indigenous-led body to oversee capacity and a staged process towards state and First Nations evaluative capability

Title and authors	Understanding whanau-centred approaches: Analysis of Phase One Whanau Ora research and monitoring results Te Puni Kokiri
Citation (Harvard UTS style)	Te Puni Kokiri, 2015. <i>Understanding whanau-centred approaches Analysis of Phase One Whanau Ora research and monitoring results</i> , Te Kawanatanga o Aotearoa, Wellington.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous-controlled organisation grey literature • International government grey literature • Government document describing program
Purpose of paper	This is a report that presents 'key findings and learnings of whanau-centred approaches in the first three years of the Whanau Ora program.
Major findings and recommendations	<p>A key accountability principle of the program, after review, was that it was designed around whānau accountability, whanau innovation and whānau dignity. It also appreciates barriers to mutual-accountability models between states and Indigenous individuals that are common in service provision. 'This principle assumes that a code of responsibility is present in all whānau, though it may sometimes be masked by events or circumstances that propel whānau into survival mode or trigger a defensive reaction.' (p 103)</p> <p>Instead, accountability lies almost entirely outside government interventions and is grounded in the pervasive community organising principle of whakapapa. The accountability is situated in sites like whanau (families), hapu (sub tribes/clans) and iwi (tribes).</p> <p>Nevertheless, for the sustainability of the program, contract accountability 'to funders and taxpayers' will be necessary. The report suggests 'Further work is required to determine specific funding models and service structures that can support whānau-centred approaches while retaining appropriate' accountability. (p 98) Nevertheless, it has been a model for the NZ Productivity Commission to consider as an innovative contracting approach, derogating funds to community-controlled organisations, with community oversight, directly to whanau to make highly-localised decisions.</p> <p>These structures must include (pp 98-99):</p> <ul style="list-style-type: none"> • Flexible funding to work across a number of hapu and whanau contexts • Contract and service specifications that account for whanau priorities and have flexible entry criteria • Flexibility in service integration, and working across government areas of priority • Outcomes based contracts where whanau-driven outcomes are monitored at the micro level and government-developed outcomes allow for high-level monitoring • Sustainable funding
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not directly relate to First Nations people in NSW ○ Does not provide a sophisticated understanding of Aboriginal nation-building

Relevance to First Nations people in NSW	As state-Indigenous relationships change to meet a growing self-determination mandate, especially in health justice, the NSW government may need to change its understanding of how First Nations are socially organised, and what it means for that relationship.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability may be to other organising units of Indigenous society than to nation-state equivalences or other strategic institutions cognisable to settler law. • Governments must work to understand, to the extent appropriate, how accountability of and to those units may work, especially in contracting approaches. • Accountability requires flexibility and diversity in design, values and assumptions, not just in setting a flexible phased approach to reach particular goals.

Title and authors	ACT Aboriginal and Torres Strait Islander Agreement 2019-2028 ACT Government and ATSIEB
Citation (Harvard UTS style)	ACT Government and ATSIEB, 2019. <i>ACT Aboriginal and Torres Strait Islander Agreement 2019-2028</i> , ACT Government, Canberra.
Categories (select all that apply)	<ul style="list-style-type: none"> • Government document describing program
Purpose of paper	This is an agreement between the ACT Government and ATSIEB to set the 10 year strategic direction of Indigenous Affairs, supporting the exercise of self-determination.
Major findings and recommendations	<p>The Agreement is guided by five principles (p 3) —</p> <ul style="list-style-type: none"> • Respectful interaction with communities • Work differently with different communities • Increase value for the community • Improve the level of services provided to Indigenous people • Enable information sharing and interaction across the ACT Government to these ends. <p>It relies in reporting and analysis as its main accountability mechanism — with an Outcomes Framework tracking performance against core outcomes identified by community in the Agreement (reporting to ATSIEB, the ACT Strategic Board and the Minister), and with Focus Area Action Plans tracking the progress of ACT Government directorates against the 10 year outcomes.</p>
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Does not directly relate to First Nations people in NSW ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This is a comparative agreement that may be insightful for nearby mob in NSW.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability relies to some extent on a baseline of information, reporting and analysis to First Nations on a systematic basis with clear targets • Accountability requires a horizontally flexible approach between different First Nations communities

Title and authors	OCHRE Review Report NSW Ombudsman
Citation (Harvard UTS style)	Ombudsman NSW, 2019. <i>OCHRE Review Report</i> , Ombudsman NSW, Sydney.
Categories (select all that apply)	<ul style="list-style-type: none"> Australian state/Commonwealth government grey literature
Purpose of paper	A review by NSW Ombudsman, under <i>Ombudsman Act 1974</i> , monitoring and assessing the delivery of OCHRE from 2014-2019.
Major findings and recommendations	<p>Local decision making as a part of self-determination is crucial to the healing of intergenerational trauma — through ‘a formal process for resetting the relationship between Aboriginal communities and government agencies.’ (p 9) Service delivery targeted at healing trauma must ‘reflected in Aboriginal people genuinely participating in designing and making decisions about the types of services, and how they are delivered, in their own communities.’ (p 10) Meanwhile, a government-wide commitment to healing is recommended, where each agency designs a healing-informed approach to their everyday business. The Ombudsman also recommends (pp 9-10)</p> <ul style="list-style-type: none"> Publicly acknowledging historic wrongs Making monetary reparations Providing personal letters of apology and face-to-face apologies to Stolen Generations survivors Improving access to records as a move towards truth-telling <p>In LDM, it is crucial that measures ‘shift the power differential...including by devolving certain decision-making and budgetary control.’ (p 12) The process has been slow, and it is critical that formal Accords with local decision-makers are both negotiated and implemented as a matter of urgency. The NSW public service must meaningfully invest resources in training for ‘power sharing’. Both agreement-making parties will also require ‘enhanced collection, analysis and reporting of outcomes data’. (p 12) Further, communities would benefit from direct ‘engagement with the NSW Government about local matters that are not suitable to be addressed through Accords or the LDM initiative.’ (p 24)</p> <p>Only a handful of projects so far have been selected for ‘solution brokerage’, where Aboriginal communities nominate areas for the NSW Government to prioritise as key areas of concern. These are issues that are long-standing, complex and ‘have the potential to undermine trust...if they remain unresolved.’ (p 14) Of the few selected, one has stalled and all others have run significantly over timeframe. The Ombudsman recommends (pp 26-27):</p> <ul style="list-style-type: none"> More meaningful selection criteria that address the significance and impact of issues on Aboriginal communities Alternative resolution processes for ineligible issues Leadership within agencies to deliver on the brokerage Clear requirements for reporting against milestones Public reporting on processes and providing direct information to impacted communities <p>Successful mechanisms under OCHRE are those with backing from individuals who have ‘sufficient clout, authority and accountability’, and those with ‘robust governance arrangements across agency portfolios.’ (p 18)</p>
Strengths	<ul style="list-style-type: none"> Developed by or with Indigenous peoples

	<ul style="list-style-type: none"> ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This directly applies to mob in NSW as an existing accountability mechanism — monitoring of OCHRE.
Insights on accountability frameworks	This is an existing accountability mechanism, with the Act providing under Part 3B that the Ombudsman have a monitoring role of Aboriginal programs. It represents a 'fourth branch' model of accountability in liberal democracy, without the direct involvement of mob. Worth noting the indicia and recommendations made above by the Ombuds.

Title and authors	OCHRE: The Continuing Conversation, Evaluation Stage 1: Implementation and Early Outcomes UNSW SPRC
Citation (Harvard UTS style)	UNSW SPRC, 2018. <i>OCHRE: The Continuing Conversation, Evaluation Stage 1: Implementation and Early Outcomes</i> . UNSW, Sydney.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous-controlled organisation grey literature • Australian state/Commonwealth government grey literature
Purpose of paper	An independent evaluation of OCHRE and its early implementation.
Major findings and recommendations	<p>This review makes numerous detailed findings about each OCHRE program and its early implementation. The following are those most relevant to this literature review.</p> <ul style="list-style-type: none"> • All programs require more resources to ‘maintain engagement with the diverse views and needs of Aboriginal communities in each area’ (p g) • There need to be clearer lines of responsibility between ‘government departments, community governance structures and OCHRE programs.’ (p g) • LDM offers an ‘ongoing open dialogue between Aboriginal communities and government...in some ways the furthest towards actual expression of self-determination in Australia.’ (p h) • LDM is not clearly <i>local</i>, but instead is <i>regional</i> • Communities must see evidence that LDM is meaningfully changing their lives. It is not enough that it is changing how NSW government works internally. • Government recognition of Assemblies and Accords may ‘undermine existing Aboriginal governance structures.’ (p i) • LDM could be improved by (p i): <ul style="list-style-type: none"> ○ Increasing timely engagement across NSW Government agencies ○ Building cultural capability of government representatives ○ Increase resources of Assemblies ○ Provide support for succession planning, so that progress doesn’t end when particular individuals’ participation does ○ Clarify the relationship that LDM has with other Aboriginal governance structures
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This directly applies to mob in NSW as an existing accountability mechanism — evaluation of OCHRE.
Insights on accountability frameworks	The above findings and recommendations are a direct insight to the efficacy of OCHRE overall as an accountability deliverance mechanism.

Title and authors	Final Report of the Referendum Council Referendum Council
Citation (Harvard UTS style)	Referendum Council, 2017. <i>Final Report of the Referendum Council</i> . AGPS, Canberra.
Categories (select all that apply)	<ul style="list-style-type: none"> Australian state/Commonwealth government grey literature
Purpose of paper	This is a report on consultation with Indigenous peoples on meaningful recognition in the constitution.
Major findings and recommendations	<p>Presented with two alternative substantive options, a new section protecting against adverse discrimination and a Voice to Parliament, the regional dialogues preferred the Voice. The discrimination clause 'was viewed as a shield dependent upon interpretation by the High Court [and prohibitive litigation expense and delay], whereas a Voice to the Parliament was viewed as a sword, enabling First Peoples to advocate directly to the Parliament.' (p 13) 'Even though the Voice [was still subject to] parliamentary sovereignty, the potential for the Voice to have additional functions that provided Aboriginal and Torres Strait Islander people with an active and participatory role in the democratic life of the state was viewed as more empowering than a non-discrimination clause or a head of power.' (p 14)</p> <p>The following Guiding Principles to constitutional reform were distilled from these dialogues and broader consultation. Constitutional recognition must (pp 22-28):</p> <ul style="list-style-type: none"> Not diminish Indigenous sovereignty Be substantive and structural Advance self-determination and UNDRIP Recognise the rights and status of First Nations Tell the truth about colonisation and history Not foreclose future advancement Not waste the opportunity of reform on sentiment Provide a mechanism for agreement-making Be supported by First Nations and Indigenous peoples Not interfere with positive legal arrangements
Strengths	<ul style="list-style-type: none"> Developed by or with Indigenous peoples Relates to First Nations people in NSW Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	Though this is a Commonwealth level, NSW mob have a lot at stake in this unique context. This may assist with various OCHRE initiatives.
Insights on accountability frameworks	<p>Accountability may be more desirable if it can be proactive for mob rather than reactive, even if the proactive measure may have less substantive power (advice rather than enforcement).</p> <p>Accountability mechanisms enshrined in state laws and constitutions must not diminish sovereignty, deliver outcomes and substance, provide mechanisms for agreement making and recognise the unique position of First Nations.</p>

Title and authors	Weaving Knowledges: Knowledge-exchange, co-design and community-based participatory research and evaluation in Aboriginal communities Tony Dreise and Evalynn Mazurski
Citation (Harvard UTS style)	Dreise, T., and Mazurski, E., 2018. <i>Weaving Knowledges: Knowledge-exchange, co-design and community-based participatory research and evaluation in Aboriginal communities</i> . AANSW, Sydney.
Categories (select all that apply)	<ul style="list-style-type: none"> • Australian state/Commonwealth government grey literature
Purpose of paper	'The purpose of this report it to assist Aboriginal, research and policy communities in considering and implementing co-design in evaluation and co-design and community-based participatory research into the future.' (p 6)
Major findings and recommendations	<p>'Western science and academic research are unlikely, by themselves, to provide a holistic picture or a complete understanding of this inherent complexity or of the pathways necessary to turn Aboriginal marginalisation around.' (p 9)</p> <p>When engaging in co-design (through findings of the OCHRE evaluation), it is essential that (p 17):</p> <ul style="list-style-type: none"> • Community members understand what co-design is • They are briefed in advance (where they represent others or need to seek community input) • They are treated as equal partners, including through being provided relevant information about theories and practice • Community have multiple opportunities to engage • Lessons learned are systematically introduced into what happens next • Each phase follows smoothly for community members • The design process be flexible to communities' needs • Cultural protocol is followed. <p>On the ground, there are difficulties to the co-design process, including (pp 23-25):</p> <ul style="list-style-type: none"> • Difficulty ensuring everyone is adequately informed • Engaging community members who are not already involved in OCHRE initiatives somehow • Time constraints, both at meetings and in project design generally, with time pressure coming from government at odds with local community capacity • Overt formality of facilitators (mitigated by local supporters who could engage their community across these epistemological differences) • Logistical complexity and resource intensiveness • The difficulty of consensus agreement-making • Contact-driven agreement-making for people without phones or email • Tensions over who is authorised to sign off on behalf of communities, including those not present. <p>Research collaboration (and 'weaving knowledges') requires Aboriginal communities and Western academics to 'trust each other...recognise and respect each other's positions and world views...[and safely] exchange wisdom that give equal weight to lived and studies experiences.' (p 27)</p>

Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This is directly related to mob in NSW through the OCHRE framework.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability through co-design and evaluation requires not relying on Western academic research for monitoring. • For co-design to be an accountability mechanism, community members must be briefed, resourced, widely engaged, treated as equal partners, have multiple opportunities, and have their cultural protocol respected. This is in contrast with government imperatives that work against contexts like time constraints, resource intensiveness, a desire for consensus, and logistical complexity.

Title and authors	Wungurilwil Gapgpdur: Aboriginal Children and Families Agreement Victorian Government, Department of Health and Human Services
Citation (Harvard UTS style)	Victorian Government, Department of Health and Human Services, 2018. <i>Wungurilwil Gapgpdur: Aboriginal Children and Families Agreement</i> , Victorian Government, Melbourne.
Categories (select all that apply)	<ul style="list-style-type: none"> • Government document describing program • Australian state/Commonwealth government grey literature
Purpose of paper	A partnership agreement between Victorian Government, Aboriginal communities and the family services sector.
Major findings and recommendations	<p>The agreement is guided by seven principles (p 7):</p> <ul style="list-style-type: none"> • Aboriginal self-determination ('Aboriginal community control makes service providers more accountable to community members, increases the likelihood that service offerings will be tailored to the community's particular priorities, and improves client satisfaction and health outcomes...Aboriginal Victorians have [already] enacted self-determination with their own communities.' (p 14)) • Culture and community (including representation and inclusion, communication, time, cultural respect, relationship building and historical truth-telling (p 36)). • Family-centricity • Respect • Strengths and success-based • Relationships of trust and accountability (through — the establishment of a monitoring body, the Aboriginal Children's Forum, representing Aboriginal organisations, government agencies and family services, Elders, leaders and communities; an Outcomes Framework to measure progress; and shared responsibility for evaluation, implementation, advising, updating the Agreement, designing policies around the Agreement and embedding 'cultural strengthening as a core feature' (p 22)) • Resource equity
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Does not directly relate to First Nations people in NSW ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This is a comparable jurisdiction, but resembles what NSW child protection might look like under an agreement model if OCHRE continues to move into the agreement-making space.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Agreements that guide accountability might find these seven principles useful as a starting point.

Title and authors	Working with Aboriginal Communities: A guide to community consultation and protocols Board of Studies NSW
Citation (Harvard UTS style)	Board of Studies NSW, 2008. <i>Working with Aboriginal Communities: A guide to community consultation and protocols</i> . Board of Studies NSW, Sydney.
Categories (select all that apply)	<ul style="list-style-type: none"> • Australian state/Commonwealth government grey literature
Purpose of paper	Guidelines for engaging and consulting with Aboriginal communities, to support teachers.
Major findings and recommendations	<p>Introductory protocols are crucial, including sharing background information about oneself and why a speaker from outside the community wants to be in contact with this community.</p> <p>It is essential to consult widely, accept silence, understand the significance of stories as answers, and the significance of talking around an answer rather than giving it directly. Consultants must understand that there are different types of knowledge, and a diversity of knowledge within a community.</p>
Strengths	<ul style="list-style-type: none"> ○ Relates to First Nations people in NSW
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Developed without Indigenous peoples ○ Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This guide is designed for non-Indigenous government educators to engage with mob in NSW, so highly relevant and impactful on Indigenous-government relationships.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability requires a whole self be brought to negotiations and discussions. • Silence, story, diversion and diversity, are key parts of engaging Indigenous communities to be open and accountable to them.

Title and authors	Service delivery in remote and discrete Aboriginal and Torres Strait Islander communities Queensland Productivity Commission
Citation (Harvard UTS style)	Queensland Productivity Commission, 2017. <i>Service delivery in remote and discrete Aboriginal and Torres Strait Islander communities</i> . QPC, Brisbane.
Categories (select all that apply)	<ul style="list-style-type: none"> • Australian state/Commonwealth government grey literature
Purpose of paper	This is a review of service delivery to remote and isolated Indigenous communities in Queensland, given large expenditures and sub-optimal outcomes.
Major findings and recommendations	<p>The 'key to achieving a sustained improvement is to enable [Indigenous] communities to develop solutions for themselves.' (p viii) The report recommends, to this end (p viii):</p> <ul style="list-style-type: none"> • Transferring accountability and decision-making to communities (currently weak accountability exists through public, NGO and provider pressure on governments as decision-makers. This reform would centre community as decision-makers and establish mutual accountability, see diagram on p xviii) • Capability and capacity building within government, service providers and communities to support this new way of doing things • Independent oversight, timely and transparent data collection and reporting 'to ensure performance and accountability'. <p>Governments 'should set outcomes and accountabilities through formal agreements with communities. These agreements should specify the objectives, principles and outcomes being sought, and should be negotiated between Indigenous communities and government.' (p xix) Communities develop plans in preparation for this agreement with service needs, design, gaps and priorities. An Authorising Body, which is derived through community participation and by delegated decision-making by government, will support and empower this process. 'Authorising bodies may represent one or more communities, depending on circumstances and needs...and may require legislative support....authorising bodies must have the capacity to support the most efficient and effective use of resources, avoid conflicts of interest, and enable innovation and efficiency.' (p xx) In allocating funding, the authorising body would operate between government agencies and communities to streamline and centralise responsibility with communities concerned. They would be the conduit for mutual accountability.</p> <p>In the proposed reform, an authorising body would have the following responsibilities (p xxi):</p> <ul style="list-style-type: none"> • Entering into formal agreements with government on behalf of communities • Working with communities to determine need • Negotiate service provision and ensure community plans for outsider service provision are being followed • Commission services to support community plans • Coordinate service delivery • Collate data for communities to monitor progress against outcomes specified in their plans.

	<p>It is not possible, given the level of institutional preparedness in each context, to roll out all reforms immediately. ‘Reforms will need to be staged with those ready, transitioned first, and others to follow as capacity is established.’ (p 136) This requires a long-term commitment to bringing all communities and government departments on board, and will require rethinking a ‘pilot’ rollout method where results are immediately expected. A staged approach means ‘there need to be strong mechanisms to keep the reforms on track over time.’ (p 136) This requires a developmental approach where planning, action and evaluation occur simultaneously and cumulatively. (see p 237). In the staged approach, one needs acceptance, authority and ability — the latter two being sites of concern for this reform. There must be more authority to effect the reform and build capability in both government and community, and the ability and resources to deliver the reforms tangibly. (see diagram p 244)</p> <p>To assist with preparedness, a staged approach should be developed. ‘An agreed, transparent pathway for progressing through reform stages would provide surety for communities and lend authority to decisions made in the agreement-making process. The agreed pathway would allow communities to identify where they sit on a spectrum of readiness to adopt greater decision-making and accountability, and what further capacity needs to be built... These criteria should consider good governance principles such as legitimacy and leadership, community participation and voice, strategic direction, accountability (internal and external), resource governance and organisational performance.’ (p 247, guidance on these principles pp 129-133)</p> <p>One way to centralise accountability and to ensure sustainability in the Authorising Body model is to ensure ‘regional or cooperative approaches’ between Indigenous communities, offering (p 137):</p> <ul style="list-style-type: none"> • Scope and scale efficiencies • Reduced bureaucratic cost • Attentive local decision-making within a scaled-up collective decision-maker • Reduced need to establish infrastructure that smaller communities would not otherwise find useful. <p>The same centralising principle is applicable <i>between</i> different Indigenous community-led service providers within the same community. (see e.g. figures on pp 139-141)</p> <p>The Commission recommends an independent oversight body to manage evaluation, indicators and accountability, and a separate joint community/government oversight committee ‘to ensure agreement on the scope of reforms, keep all parties informed as implementation progresses, and serve as a forum for engaging broader stakeholder groups.’ (p 246)</p>
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Does not directly relate to First Nations people in NSW

	<ul style="list-style-type: none"> ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This report has some limited comparative benefit for accountability in health service delivery in some remote and rural locations — may be relevant to service-delivery community-controlled orgs and decision-making bodies.
Insights on accountability frameworks	<p>Regional and cooperative efficiencies essential in reducing bureaucratic burden on smaller communities who need to be heard — this may be achieved by scaling up representative local decision making in a collective regional alliance.</p> <p>Reforms must be staged according to readiness on both sides of the Indigenous-settler relationship — planning, action and evaluation occur simultaneously, and authority, ability and acceptance building over time. This pathway should occur by agreement about procedure, and then by agreement about substance with locally impacted mobs.</p>

Title and authors	Indigenous Self-Government in the Australian Federation Alison Vivian, Miriam Jorgensen, Alexander Reilly, Mark McMillan, Cosima McRae and John McMinn
Citation (Harvard UTS style)	Vivian, A., Jorgensen, M., Reilly, A., McMillan, M., McRae, C., and McMinn, J., 2017. Indigenous Self-Government in the Australian Federation, <i>Australian Indigenous Law Review</i> , vol 20, pp 215-242.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This is a research article that situates Indigenous self-government as a possibility within the Australian federation, as a matter of law and governance as they currently exist.
Major findings and recommendations	<p>'Apart from limited and highly circumscribed opportunities created through native title, cultural heritage laws and some states' land rights systems, the Australian state neither acknowledges Aboriginal and Torres Strait Islander peoples' status as distinct political collectives (nations, societies, communities...) nor recognises their inherent rights to self-governance.' (p 216)</p> <p>'The governance strategies of the Ngarrindjeri Nation have resulted in numerous, mutually beneficial and highly successful inter-governmental relationships with state and local governments. The Guditjmarra People, in what is now Victoria, until recently had a governing mechanism that used deliberative democracy strategies to fulfil their obligations to Country, to negotiate agreements with the Victorian government and to pursue their native title, cultural heritage and traditional owner aspirations. These bodies and mechanisms of self-government were designed by the Ngarrindjeri Nation and Guditjmarra People themselves. Their aim was to create institutions that were effective and had cultural legitimacy. They also sought to be strategic, building governing systems and growing relationships that laid the groundwork for increased Ngarrindjeri and Guditjmarra authority over the long term.' (p 217)</p> <p>'Mounting evidence of Indigenous polities increasing their authority over their Country and citizens is impossible to ignore. A close examination of the actions taken by local, state and federal governments, industry and other non-Indigenous entities in relation to Aboriginal and Torres Strait Islanders reveals an accumulation of political, economic and legal agreements that assume the existence of collectives with self-governing capacities and negotiating authority. [...] In making these agreements, Indigenous political collectives strive to enhance their institutional capacity to exercise their jurisdiction.' (p 220)</p> <p>'The challenge referred to here is one faced by Indigenous collectives or polities rather than by the community organisations that Indigenous collectives use as tools to interact with Australian governments, corporations and service entities. [...] it is essential to 'distinguish between management and governance' and to avoid conflating a developmental or service delivery organisation with an institution of self-government.' (p 222)</p> <p>Indigenous nations require 'culturally legitimate institutions and processes' that produce quality decision-making, match 'community principles' about how authority should be exercised and also 'meet current needs' and contexts (p 222). 'Governing systems that are</p>

	<p>legitimate in the eyes of the citizenry mean that governing systems will vary from nation to nation and community to community.’ (p 224)</p> <p>There is, the authors argue, a distinction between government and governance, and that Indigenous nations are commonly asked to invest in the weaker form. Indigenous government is ‘overtly political institutions that represent Indigenous constituencies and not service delivery populations; that respond to a scope of activity set by the nation/governing body/citizens rather than by external parties; that are accountable to the nation/society/people/ community instead of external funders or directors of policy and programs alone; and that seek to engage with non-Indigenous governments on a government-to government basis rather than as stakeholders participating in a consultation.’ (p 225)</p> <p>‘Indigenous peoples do not seek recognition by the nation-state for legitimacy. Indigenous jurisdiction and self-governing authority is distinct from and not reliant on authorisation or validation from Australian institutions. While recognition by the Australian legal system might make Indigenous political collectives less vulnerable to external interference, and make it possible to the nation-state to ‘see’ and acknowledge certain aspects of Indigenous law, recognition is not relevant to their continued existence.’ (p 227)</p> <p>‘The absence of legal affirmation of Indigenous self-government suggests that any political conversation between Indigenous collectives and local, state and federal governments requires a reality check, and subsequent establishment of a framework through which their government-to-government interactions will occur. The rational response, as we have begun to see in Victoria, South Australia and, arguably, in New South Wales is for Australian governments to formally acknowledge the nation-to-nation and government-to-government relationships that have begun to emerge as a result of de facto sovereignty.’ (p 229)</p> <p>‘What is striking about the evolution of Commonwealth and state relations is how it resulted in the creation of ‘relationship management’ mechanisms that are at once broad and comprehensive and without a Constitutional foundation. Absent Commonwealth power to require uniformity, equity or agreement on certain policy issues, member governments use the COAG to achieve these ends. These qualities naturally raise the question of whether there could be greater engagement with Indigenous governments as an extension of existing intergovernmental relations.’ (p 233)</p> <p>‘Still more lessons relevant to the inclusion of Indigenous governments in the Australian federation can be drawn from developments in the status of local government, which in 1901 was seen as purely a domestic responsibility of the states and as having no relevance to federal discussions. The Australian Constitution does not refer to local governments at all, and the federal government has no independent relations with them. It is state and territory Constitutions that provide for their creation via legislation.’ (p 233)</p>
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	<p>‘One possible, albeit contentious, solution to the conundrum would be to negotiate to have state jurisdiction delegated to Indigenous governments, in the same way that states now delegate authority to local governments. This would have the advantage of making Indigenous governments visible and potentially less vulnerable. In some places, this kind of delegation is already occurring and has been relatively simple to achieve.’ (p 238)</p> <p>‘The delegation of state or federal jurisdiction to existing Indigenous governments is contentious because it does not necessarily entail acknowledgment of Indigenous peoples as sovereign or even of Indigenous peoples’ inherent right to self-government. For the purposes of the Australian mainstream legal system, the only jurisdiction being exercised is that of the nation-state in delegating statutory authority to an entity such as the Ngarrindjeri Regional Authority or the Victorian Aboriginal Heritage Council. For Aboriginal and Torres Strait Islander peoples to accept this model as an acceptable solution, they would need to pragmatically act as if the legal centralism that the Australian State asserts is valid.’ (p 239)</p> <p>‘Even if Constitutional recognition of Indigenous government were possible, there are potential dangers in cementing governing institutions within the Australian system and losing the flexibility to adapt and evolve. [...] On the other hand, continuing to exist entirely outside the Australian political and legal framework results in vulnerability. In particular, the entities that Indigenous peoples now create to interact with external parties are subject to regulation by federal and state legislation and, until economic independence can be achieved, are generally dependent on state and federal government funding.’ (p 241)</p>
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks
Relevance to First Nations people in NSW	Demonstrates the space for First Nations self-government in a state-Commonwealth context, including in NSW.
Insights on accountability frameworks	<p>Delegation of legislative power to mobs is not in itself accountability and self-determination — because it flows from state power to mob rather than mob’s inherent jurisdiction being recognised (and being able to hold a state accountable). However, it is one way for the state to conceptualise their own jurisdictional restriction in having delegated, and so being unable to use, oversight power.</p> <p>Recognition and legitimacy are not key priorities in the Indigenous—State relationship, First Nations are already legitimate and internally accountable (whether cognisable by settler law or not).</p> <p>It is essential to distinguish between service provision and governance, on both sides of an accountable Indigenous-State relationship.</p>

Title and authors	Building New Traditions: Drawing Insights from Interactive Legal Culture Jennifer Hendry and Melissa Tatum
Citation (Harvard UTS style)	Hendry, J., and Tatum, M., 2018. Building New Traditions: Drawing Insights from Interactive Legal Culture, in <i>Indigenous Justice: New tools, approaches and spaces</i> (Hendry, Tatum, Jorgensen, Howard-Wagner eds), pp 161-182, Palgrave Socio-Legal Studies, London.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This chapter demonstrates how different systems of accountability (Indigenous and settler) come to understand one another in a contemporary colonial context — principally through Native nations working to make their law comprehensible to outsider governments.
Major findings and recommendations	<p>In places where Native nation sovereignty is recognised and nations exercise their own internal jurisdiction through courts, external infringements on their sovereignty continue to occur. One logic for these infringements is that Native nations do not appear to be 'doing' law in the way that Western colonial governments understand law to be done. As a result, Native nations have moved to translate their laws for outsiders to build a shared epistemology that defines their institutional legitimacy as a pre-emptive defence to these intrusions. It is a process of dialogue between two ways of thinking about government, referred to by the authors as 'legal interactivity' where the two sets of lawmaking meet.</p> <p>The Navajo Nation, for instance, are working to codify or proclaim and otherwise publish their long-standing legal principles as Navajo tribal common law. The Muskogee Nation develop law reporters to formally publish law in a similar format to a Western law reporter, to enable collation of precedent and principle. The Pascue Yaqui Tribe have built on their existing principles of the accused being spoken on behalf of to develop a fusion between this and a public defenders office — to make their trial system cognisably fair to the perception of outsider lawmakers with the power to further incur their sovereignty on the basis that it doesn't resemble a fair trial.</p> <p>'The radical conceptual potential of interactive legal culture lies with its capacity to lay a foundation for discursive approaches capable of giving rise to new, mutual traditions...As tribal legal cultures do this, so too should dominant legal cultures...under circumstances of genuine understanding and reciprocity.' (p 178)</p>
Strengths	<ul style="list-style-type: none"> Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Developed without Indigenous peoples Does not directly relate to First Nations people in NSW
Relevance to First Nations people in NSW	Comparable, although not easily, to how mob in NSW present and articulate their status as First Nations people through PBCs, ALCs, ACs and other similar bodies.
Insights on accountability frameworks	First Nations, in their own internal accountability, are sometimes forced to be cognisable to Western law which claims authority over even their internal accountability. This means First Nations can strategically present themselves on the terms of Western law to pre-empt incursion on their sovereignty, and to build their institutional

	legitimacy for the West. This occurs in 'the contact zone' and is an example of new syntheses of Indigenous accountability and Western accountability in a broader colonial context.
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Title and authors	Does the Media Fail Aboriginal Political Aspirations?: 45 years of news media reporting of key political moments Edited by Amy Thomas, Andrew Jakubowicz, Heidi Norman
Citation (Harvard UTS style)	Thomas, A., Jakubowicz, A., and Norman, H. (eds), 2020. Does the Media Fail Aboriginal Political Aspirations?: 45 years of news media reporting of key political moments.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This book is a collection of papers sharing the same methodology that examine how Australian media respond to key moments in Indigenous political history where Indigenous people have articulated a change agenda.
Major findings and recommendations	<p>'Like writing in the sand': Media discourse, the Barunga Statement and the Treaty '88 campaign Lorena Allam</p> <p>'Discursively, Aboriginal people are either cultural and ceremonial people from the bush, who may even be naïve and idealistic about their chances of effecting change, or they are angry radicals willing to engage with enemies of the West. Ultimately, Aboriginal people and their interests become a colourful backdrop to the political drama in Canberra.' (p 96)</p> <p>'Where Aboriginal narratives from the time are reasoned and thoughtful, concerned with explaining to the Aboriginal constituency a unified message, the mainstream media does not fully explain or consider the Barunga Statement, its significance to Aboriginal people or its origins; there are no explainers, no think pieces, no historical context, no follow-up questions to any Aboriginal people other than Charles Perkins, who is engaged in battle with John Howard.' (p 98)</p> <p>Erasing race and racism on the long road to recognition Amy McQuire</p> <p>'Two major discourses emerged from the analysis of the selected articles. In one frame, the success or failure of constitutional change hinged on the prospect of bipartisanship, so that the views of the prime minister and the opposition leader were prioritised over Aboriginal aspirations and any form of Aboriginal opinion that did not fit the discourse. This influenced the second major discourse, on the proposed insertion into the constitution of an anti-discrimination clause, and specifically the concerns raised by the opposition leader Tony Abbott that it would lead to a 'one-clause bill of rights'....the effect of racism on Aboriginal people was not mentioned.' (p 209)</p> <p>'No attempt was made to find out what Aboriginal people felt, and what they would accept. In positioning substantive recognition as a radical issue that overreached and would not be accepted by the mainstream public, the issue of treaty and agreement-making fell outside the very limited confines of what was deemed acceptable discourse.' (p 215)</p>
Strengths	<ul style="list-style-type: none"> Developed by or with Indigenous peoples Relates to First Nations people in NSW Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples

Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This was conducted with mob from NSW on a variety of topics, directly applying a First Nations NSW lens onto (usually Commonwealth) government-media-First Nations relationships.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Media as an accountability tool are not always reliable for First Nations people — they are often detrimental to accountability. • First Nations accountability of government suffers from bipartisanship in the electoral cycle which goes unchallenged by media. • Indigenous aspirations must be at the centre of stories told as accountability, whether by data, by media, by government, or by organisations. • Indigenous attempts to move the public to hold governments electorally accountable through media have failed because mob are treated as supplementary drama or infantilised.

Title and authors	Settling with Indigenous People Edited by Marcia Langton, Odette Mazel, Lisa Palmer, Kathryn Shain, and Maureen Tehan
Citation (Harvard UTS style)	Langton, M., Mazel, O., Palmer, L., Shain, K. and Tehan, M., 2006. <i>Settling with Indigenous People</i> , The Federation Press, Sydney.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	A collection of works on agreement-making and relationship-building between Indigenous and non-Indigenous peoples in CANZUS states.
Major findings and recommendations	<p>Keeping the Fires Burning: Grievance and Aspiration in the Ngai Tahu Settlement Sir Tipene O'Regan, Lisa Palmer, and Marcia Langton</p> <p>The Ngai Tahu settlement was the result of over a hundred years of their formal grievance lodging with Pakeha settlement. After three findings from The Waitangi Tribunal, Ngai Tahu refused a settlement made by the tribunal and set about their own negotiations with the New Zealand government. This 'laid the basis for overturning the removal of tribal legal personality by [early settlement statutes]. Ngai Tahu saw themselves again being recognised as a people and as a tribal nation.' (p 50) Negotiations faltered when the Crown, 'worried about the ramifications of this acknowledgement down the subsequent Ngai Tahu generations' (p 51) refused to acknowledge the full monetary value lost because of Waitangi Treaty violations. Eventually, because of this refusal, Ngai Tahu secured access to the right of first refusal for any Crown land asset sold on their homelands, from which their economic growth has been founded even before a settlement was reached.</p> <p>They also successfully negotiated from this platform, the Te Runanga o Ngai Tahu Act which established formal Crown recognition of their legal personality. While 'the recognition of their individual citizenship rights is valued by Ngai Tahu, on the other hand, a universality conception of individualised rights fails to address the customary rights and interests of the tribal collective.' (p 52) Ngai Tahu took up this and other aspect of the settlement after an iwi-wide referendum to obtain a mandate.</p> <p>Authority, Knowledge and Values: Indigenous Nations Engagement in the Management of Natural Resources in the Murray-Darling Basin Monica Morgan, Lisa Strelein and Jessica Weir</p> <p>'While MLDRIN was established to advocate the interests of nations along the length of the rivers, thereby creating a forum for traditional owners on a wider geographic scale, the need to draw from, rely on and preserve the autonomy and authority of the traditional owners remains MLDRIN's focus' including 'securing negotiated natural resources management and land justice outcomes' from nation to nation. (p 142)</p> <p>In building the Murray Darling plan and its governance, the Ministerial Council and the Community Advisory Council agreed to ensure their work 'contributed to the alignment of scientific and policy priorities with the priorities of the Indigenous Nations' overcoming 'previous stances that excluded Indigenous knowledge</p>

	<p>and authority and presumed an adversarial relationship.’ (p 146) Despite this, the relationships of these parties separately under Native Title regimes is comparatively adversarial, which has ‘obscured the need to address Indigenous peoples rights other than in those determined by native title processes.’ (p 147)</p> <p>‘The Indigenous Nations [in MLDRIN] are developing the concept of cultural flows to express how their interests compare and contrast with the priorities of others....It also targets the needs of each nation, which means not sacrificing country in one section of a river in order to prioritise the interests of another.’ (pp 150-151)</p> <p>The work of these nations (at the time of writing) ensured (pp 153-156):</p> <ul style="list-style-type: none"> • Prioritising of shared values • Recognition of shared authority • Opening up of varying levels of government to Indigenous voices • Certainty, process and outcomes (‘process, not personality’) <p>Agreement-Making in the Local Context: Case Studies from Regional Australia Kathryn Shain, William Genat and Ed Wensing</p> <p>Recent moves towards reconciliation and direct negotiation with Indigenous Nations have meant that local governments have been much more involved in agreement-making with Nations than before. While many of these agreements are not legally binding, they have force politically and institutionally that makes them good accountability instruments for local communities.</p> <p>The MOU between Tangentyere Council and Alice Springs Local Council ‘has as its underlying principles the fostering of reconciliation, negotiating in good faith and the desirability of a joint partnership between the parties....this outcome was a radical departure from the previously antipathetic and sometimes hostile relationships between settler Australians and Indigenous Australians.’ (p 191) Negotiations started over the inclusion of Town Camp roads within a local road revitalisation plan, but became broader as the political context grew more amenable to generalised agreement-making. The Committee established from members of both councils to oversee the agreement has within its ambit ‘all facets of local government service provision.’ (p 193)</p> <p>‘Tangentyere Council is now recognised by the Town Council as the peak body on issues relating to housing association matters and is to be consulted on the likely impact of town council policies and programs. It is recognition that Tangentyere is a council with responsibilities similar to those of the Town Council. It is also a recognition that town camps and their residents, which have for so long been marginalised by the town, are indeed an integral part of Alice Springs. (p 193)</p> <p>A similar Accord under similar circumstances has been struck between Aboriginal people in Albany and the City of Albany. Focussed on the Indigenous population of the city, rather than on a</p>
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	<p>council of representatives, it is more aspirational than consultative in nature. However, it has secured (in the words of the authors, pp 198-200):</p> <ul style="list-style-type: none"> • Formal recognition of Noongar • Formal recognition of prior custodianship • Formal recognition of heritage and culture • Strengthening awareness of local culture • Educational scholarships and awards • Employment opportunities • Financial support. <p>The authors identify features of negotiating and implementing successful local agreements (pp 200-203):</p> <ul style="list-style-type: none"> • Leadership and institutional auspice • Commitment and compromise from both parties • Participation based on mutual respect • Commonwealth, State and Territory support • Tangible outcomes to benefit local community • Dispute resolution, monitoring and review • Flexibility, with agreements being 'a living document'.
Strengths	<ul style="list-style-type: none"> ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks
Relevance to First Nations people in NSW	<p>These are texts on agreement-making that both touch on mobs in NSW, and offer comparative insights.</p>
Insights on accountability frameworks	<p>Negotiations with First Nations often occur in conflict with the State, not within its own institutions set up for safe accountability. They require the State having something (including property, assets, and power) at stake and often at risk of a counter-claim.</p> <p>Sharing authority, values and opening up jurisdiction for contestation and cooperation are key to working accountably on areas of shared interest. These should be institutionalised with set processes and targeted outcomes.</p> <p>Agreement-making may also draw from the development of local agreements between First Nations and local councils — who enjoy the flexibility of discretion and compromise, relational (rather than purely legal) enforcement, recognition, resource distribution and policy priorities, and set procedures of monitoring and review.</p>

Title and authors	Indigenist Critical Realism: Human Rights and First Australians' Wellbeing Gracelyn Smallwood
Citation (Harvard UTS style)	Smallwood, G., 2015. <i>Indigenist Critical Realism: Human Rights and First Australians' Wellbeing</i> . Routledge, London.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	A book on critical realist presentations of First Nations peoples and history in Australia, situated within a rights agenda.
Major findings and recommendations	<p>Smallwood describes the NTER, and specifically the military and income interventions without consultation, as 'punish[ing] the victim' and 'deny[ing] White Australia's role in the destruction of once coherent, functioning communities. From decades of state neglect results in an onset of [intervening] state disempowerment and the infantilising of First Australian people.' (p 157) What is required, Smallwood argues, is cultural continuity secured in a Commonwealth rights statute. 'When First Australians come into contact with key Western institutions, the laws and procedures of those same institutions can be laid aside. In so doing, we have a return to the imperatives and values of the frontier...a Bill of Rights is needed.' (p 164)</p> <p>'Unpalatable as it may be to some, there is within the living memory of First Australian an understanding that non-Indigenous Australians will only pay heed when there is militant resistance.' (p 160)</p> <p>Smallwood explains that key moments in the Indigenous-settler relationship received attention only because of the resistance (physically or otherwise publicly) of Indigenous people, regarded by media and legal systems as a 'manipulation'. (p 161)</p>
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples
Limitations	<ul style="list-style-type: none"> ○ Does not directly relate to First Nations people in NSW ○ Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	Some useful discussion of Australia-wide modelling of Indigenous accountability under state mechanisms and Commonwealth mechanisms. Applicable to NSW mob in that context.
Insights on accountability frameworks	<p>Accountability may also mean governments being resisted or denied by First Nations peoples, in order to place pressure on governments to come to the table. These actions are unpopular and seen as extra-territorial among the state voting base, and so are not protected by electoral accountability.</p> <p>Accountability for governments means self-examination rather than addressing Indigenous improvement.</p> <p>Rights statutes at a Commonwealth level (and possibly a state level) may be required.</p>

Title and authors	Decolonizing Methodologies: Research and Indigenous Peoples Linda Tuhiwai Smith
Citation (Harvard UTS style)	Tuhiwai Smith, L., 1999. <i>Decolonizing Methodologies: Research and Indigenous Peoples</i> . Zed Books, London.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	<i>The book on decolonising methodologies.</i>
Major findings and recommendations	<p>While 'cultural, and linguistic revitalisation movements have recentred the roles of Indigenous women, of Elders, and of groups who have been marginalised through various colonial practices', this occurred alongside 'reorganising political relations with the state.' Those 'challenges made by Indigenous nations have deeply disturbed the colonial comfort of some states [...] challenged the legitimacy of the doctrines upon which colonial states have built their foundations.' These were part of 'a much greater crisis of legitimacy faced by modern nation states in the face of widespread cultural and economic shifts.' (p 115)</p> <p>From this context, an Indigenous research agenda developed. (see Figure 6.1 on p 121) The agenda has self-determination at its centre, and from there builds development, survival and recovery. It has four paths there — decolonisation, mobilisation, transformation and healing. This, in addition to existing ethical protocols in Indigenous communities, distinguishes the ethic and intent of knowledge production and research in Indigenous communities from that of the West. 'From Indigenous perspectives ethical codes of conduct serve partly the same purpose as the protocols which govern our relationships with each other and with the environment [...] Respect is a reciprocal, shared, constantly interchanging principle which is expressed through all aspects of social conduct.' (p 125)</p> <p>Research done by iwi in preparation for Settler-Indigenous relationships and settlements must be done with this methodology in its centre. 'The process of mounting a treaty claim and preparing it for an eventual hearing requires the collective knowledge, effort and commitment of people in the various sections of the tribe...Any sign that secret deals have been made or that traditional processes have been overridden, can result in a halt to further work and a schism in the tribe itself.' This is a 'consequence of being driven by the government agenda for settlement at any cost.' (p 132)</p> <p>The book lists twenty-five Indigenous methods or 'projects' that have, in their context, met the Indigenous Research Agenda's model. Those most relevant to accountability include (pp 145-163):</p> <ul style="list-style-type: none"> • Turning grievance and rights claiming into concurrent opportunities for nation-building and knowledge-building • Testifying to painful events or resilience • Storytelling and remembering • Intervening upon settler processes • Reframing and restoring • Envisioning potential worlds • Rebuilding and strengthening Indigenous governance • Indigenising hostile principles and spaces • Naming and negotiating with settler parties • Sharing between and within groups.

	<p>One consequence of the Waitangi Tribunal and the political work around it was ‘that it gave a very concrete focus for recovering and/or representing Maori versions of colonial history, and for situating the impact of colonialism in Maori world views and value systems. [...] Research priorities were determined by the nature of the claim being made and driven by the sense of injustice felt by the iwi concerned.’ (p 170) While the Crown accountability to iwi was a priority ‘there was a broader desire by Maori community to regain or hold on to Maori language and cultural knowledge’ at the level of the whanau. (p 171)</p> <p>At the time of writing, Tuhiwai Smith sets the following strategic direction for research (pp 194-195):</p> <ul style="list-style-type: none"> • Determining Maori research priorities ourselves • Defining the ways research should proceed • Training Maori researchers • Culturally appropriate ethics • Culturally sympathetic methods • Collaboration with our own diverse iwi • Development and dissemination of literature by Maori about research • Continued reflection, evaluation and critique of Maori research by Maori • Extending disciplinary space for Maori researchers • Educating the wider research and policy community • Direct accountability and outcomes for Maori. <p>She offers five relevant ‘conditions’ for decolonisation (p 201) —</p> <ul style="list-style-type: none"> • Critical consciousness • Reimagining a position as Indigenous peoples • Brining together ideas, social categories and tendencies to create opportunity • Disturbing the status quo • Challenging the structures that enable it <p>Finally, ‘Indigenous work has to talk back to or talk up to power. There are no neutral spaces for the kind of work required to ensure that traditional Indigenous knowledge flourishes, that it remains connected intimately to Indigenous people as a way of thinking, knowing and being; that it is sustained and actually grows over future generations.’ (p 226)</p>
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Does not directly relate to First Nations people in NSW
Relevance to First Nations people in NSW	Highly relevant broad learnings, generalizable to this context as a way of thinking about counter-colonial ways of working with knowledge as accountability.
Insights on accountability frameworks	Impossible to summarise! You can’t go wrong following the broader learnings of this book. Accountability goes much deeper than what is formally expressed, but to the very core of power, ideas and epistemology — what can be imagined and how.

Title and authors	Aboriginal peoples, colonialism and international law: raw law Irene Watson
Citation (Harvard UTS style)	Watson, I., 2015. <i>Aboriginal peoples, colonialism and international law: raw law</i> . Routledge, London.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This is a book conceptualising legal pluralism in a context of colonialism, and asserting 'raw law' as a concept of uncaded Indigenous governance.
Major findings and recommendations	<p>First Nations peoples remain colonised 'in relation to the colonial project [...] a relationship of conflict.' The relationship is defined by 'annihilat[ing] the core identity of First Nations peoples and smother[ing] our relationships to law, land and the natural world. Those relationships become 'dressed' and subjugated to the rules and regulations of the laws of the colonial state.' She asks 'does First Nations Peoples' law maintain its naked self under the layers of colonial rules and regulations?' (p 13)</p> <p>Despite attempts to eliminate Indigenous governance 'those Nunga processes or ways will always exist in the natural world and for those who live with those laws.' (p 17) 'The muldarbi' or colonial law, is 'disguised by claims to recognition of the Nunga subject...masks its intentions and is often disguised in a form that suggests popular support.' (p 18)</p> <p>Working for accountability in Western systems is rarely easy. 'I feel this pressure because of my juxtapositioning as a Nunga woman, surviving in a colonial environment and working in an academic context...I must locate myself within a space in which the muldarbi has been working for centuries to dismantle my Nunga being. The risk of entering this space is that I become assimilated by the muldarbi. The challenge is to live and remain a Nunga.' (p 24) 'In using my own voice I assert my right to be, and in doing this I resist the erosion and dismantling of my Nunga being.' (p 24)</p> <p>'The process of translating First Nations laws into a colonial court system has its own set of impossibilities. [...] Why would one bother to seek justice within a framework that perpetuates injustice? Perhaps because the only answer is because alternative and independent options remain closed to First Nations.' (p 46)</p> <p>Watson recommends 'the urgent creation of an international independent mechanism that is enabled and resourced to report independently and act upon the ongoing and critical position of First Nations.' (p 147)</p> <p>Treaties are not always reliable mechanisms for accountability, because they are interpreted by state laws and often states and Indigenous peoples are at cross-purposes of what a treaty actually means — resolution or relationship. 'What [an international driven] Treaty Study did reveal is that treaties entered into with First Nations favoured one treaty party in every instance — the states...in the contemporary context conflicts on the interpretation of treaties have arisen between states and First Nations. States view treaties as a means of acquiring territory and jurisdiction. First Nations view the</p>

	same treaties as peace agreements and evidence of their sovereignty.'
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not directly relate to First Nations people in NSW ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This is a piece of literature that examines Western governance and its relationship to First Nations — because it examines that and the contact zone, it has easy comparability with mob in NSW.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Despite the imposition of Western accountability, First Nations accountability (not just internal) endures. • Accountability among First Nations does not always require popular support, its authority comes from other places. • Translating First Nations accountability into Western accountability may be a last resort when independent, non-State mechanisms have failed. • Treaties as accountability mechanisms cannot rely on Western law for their interpretation and enforcement, or they will favour Western interests. • Indigenous peoples and Western states approach treaties and agreements about accountability differently. In Western governments, these agreements acquire jurisdiction. Among First Nations, they are relationship terms and evidence that they are nations with the capacity to enter into treaty.

Title and authors	Griffith Review 60: First Things First Edited by Juliane Schultz and Sandra Phillips
Citation (Harvard UTS style)	Schultz, J., and Phillips, S. (eds), 2018. <i>First Things First</i> , Griffith Review 60, Brisbane.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous commentary and grey literature • Scholarly literature
Purpose of paper	This is a collection of works in a non-scholarly journal on governmentality and Indigenous peoples in Australia.
Major findings and recommendations	<p>Changing the Channel Jack Latimore</p> <p>Social media is an expression of enduring First Nations accountability through truth-telling on the actions of government. IndigenousX, a rotating twitter account of different Indigenous people, has been successful in moving that into new media. 'IndigenousX increasingly provides a focal point for Indigenous agency and non-Indigenous support online largely through Twitter, contributing to what's known as the fifth estate. The social coalition afforded by Twitter and Facebook fosters communities of dissent that pose vital and often real-time challenge to existing social orders too often blindly reproduced by mainstream media.' (p 51)</p> <p>'Perhaps the biggest impact...is on the direction and viability of the constitutional recognition campaign...Noel Person used that data in an interview with Brisbane's Aboriginal community radio station to argue for a series of Indigenous-only community conferences.' (p 54)</p> <p>'Policy-making is now more media-tised than ever before — particularly for Indigenous policy — and we realise there is significant opportunity in being able to set new agendas in public conversation. Our intention is to forge new media systems that produce improved representation for First Nations Peoples....simply by providing new pathways for our brothers and sisters to have their voices heard and participate in the dialogues and decision-making that affects them.' (p 57)</p> <p>Preparing the Treaty generation Kerry Arabena</p> <p>'First 1000 Days Australia focusses on conception as an opportune time to invest in First People's nation-building. Because of the lifelong outcomes generated through this period of time, we now say we are not birthing babies, we are birthing Elders. Every baby born is a gift to their families and a future Elder of their community...[it] encourages self-determination in family groups over deficit-driven responses to early life.' (p 312)</p> <p>'We do not privilege nor do we reward the position of the empowered victim or empowered service provider. Our identity is not bound to or defined by our access to any service-delivery system. We have strong moral positions that we know can be challenging, and because of our focus on family strengthening and self-determination, ... we are unapologetic for holding our people accountable for the self-determination that leaders ask for and we would have our people aspire to. We are citizens; not clients; self-determining, not service seeking.' (p 314)</p>

	<p>Challenge of Negotiation Patrick Dodson</p> <p>‘The lesson that needs to be learned from Barunga is that reconciliation is not only about consultation with First Nations people and individuals of goodwill, but a process of political negotiation with and within the parliament. Recognition and treaty-making involves two parties. Both parties must want to engage and both must then negotiate and agree on terms. First Nations aspirations alone will not win the day.’ (p 59)</p> <p>‘How do we get power to...achieve our aspirations? ...How do we enjoy our sovereign status in a reconciled nation? These are serious questions for us to grapple with [and] we have to recognise the responsibility of others in putting ourselves in this situation. [...] The false belief that First Nations people have no rights apart from what those in government deign to give us.’ (p 64)</p> <p>The Long Road to Uluru Megan Davis</p> <p>A cycle of political expediency has undermined nearly all engagement Indigenous peoples have had with ‘the transformative potential of liberal democratic governance through civic engagement beyond the ballot box.’ (p 13) When the Uluru Statement was rejected as a third chamber for being too substantive, and when previous statements had been misread by governments to be urging a ‘preamble’, there are limited opportunities for mob to engage in a substantive accountability reform process to mainstream government without being rejected as either too ambitious or patronised as symbols. Without legal effect, any changes to constitutions or laws will stymie Indigenous aspirations for accountability of mainstream governments.</p> <p>To identify cultural and political authorities in the Voice, the dialogues suggested that both ballot elections and traditional frameworks of leadership be on offer for nations to represent themselves. ‘This is about bringing back to the state the footprint of First Nations and imbuing the decision-making of the government and bureaucracy with cultural authority and cultural legitimacy of the foundation of Indigenous culture, the land and its ancient polities.’ (p 41) This is both substantive and symbolic.</p> <p>‘Treaty is a nation-to-nation process that requires leverage and resources. The state-based process, and especially the territories, are extremely vulnerable to Commonwealth power in a variety of ways.’ (p 43) ‘There is no one size fits all.’ (p 42)</p>
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks

Relevance to First Nations people in NSW	Each of these subjects is relevant to and fought out in some way in First Nations NSW.
Insights on accountability frameworks	<ul style="list-style-type: none"> • First Nations-led media that responds to community concerns is a critical arm of Indigenous civic life and accountability. • First Nations peoples, even as those who are engaged in what on their surface appear to be service providers accountable through funding to government, use community-controlled orgs as ways of holding a broad accountability between themselves, families and First Nations. These are civic sites, both locally and in terms of national aspirations. • Agreement-making and future accountability mechanisms may require some compromise on our aspirations. • Representative forms of accountability for mob must also account for cultural and political authority — and be flexible to local priorities in how a First Nation or community seeks to be represented. • Mutual resourcing in agreement-making is essential if the agreement is to be substantial.

Title and authors	Resolving Indigenous Disputes: Land Conflict and Beyond Edited by Larissa Behrendt and Loretta Kelly
Citation (Harvard UTS style)	Behrendt, L., and Kelly, L., 2008. <i>Resolving Indigenous Disputes: Land Conflict and Beyond</i> . Federation Press, Sydney.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This is a monograph on in-community conflict within First Nations, external pressures and resolution strategies.
Major findings and recommendations	<p>Mainstream dispute resolution processes 'give importance to values underlying the litigation system'. (p 96) There is a comparative table on p 97 that is instructive in comparing dispute resolution processes. It is excerpted here.</p> <p>Traditional Aboriginal resolution processes</p> <ul style="list-style-type: none"> Oral complaint Emotional, informal response Co-habitation of disputants Elder juries Experience required for recognition as arbitrator No rules of evidence Procedure evolves as dispute does Process occurs with community present Disputants address arbitrators No time constraints Circle informality Settlements discussed with disputants Communal appeal available. <p>Australian litigation</p> <ul style="list-style-type: none"> Written complaint Formal, emotionless response Stranger disputes Jury of peers Legal training required for arbitrator Fixed rules of evidence Precise, generalised procedure Strangers observing Lawyers address arbitrators Deadline intensive Formal judicial culture Judgement delivered to disputants Hierarchical judicial appeal available <p>For a model of dispute resolution within a community, the authors suggest the following process (from pp 106-110):</p> <ul style="list-style-type: none"> Guiding the process through a Council of Elders, assisted by younger community members with specific skills and knowledge (agreed by a process that makes sense for that Nation) — if community prepare an Indigenous arbitrator or facilitator, 'this preference should be honoured'. (p 107) Proceedings may need to take place in public in the community — preferably on Country and at a place agreed upon and significant to (if applicable) the dispute

	<ul style="list-style-type: none"> • Elders or facilitators should bring everyone together into this space to discuss positioning and the standpoint of those involved • The dispute is aired by the disputants and their families • The respondent and their families respond • Elders question both parties and their families — and provide protocol and context appropriate to the dispute • Community members not otherwise implicated in the dispute are invited to speak • Elders continue the conversation and raise potential solutions and agreements • Elders work with both parties towards an agreement, which is then followed up on as it progresses in implementation. <p>‘Imposed systems contain implicit principles and values that are foreign to our people, eroding or traditional culture and its virtues...autonomy should be seen as a process occurring at all levels in our society, rather than an outcome that occurs following some political or legislative event....Colonised peoples need healing of the person and the family at the same time that community and nation-building occurs.’ (p 113)</p> <p>Non-Indigenous facilitators of inter-community disputes should have (p 124):</p> <ul style="list-style-type: none"> • Understanding of the cultures involved • Understanding of the language in use • Understanding of local histories • Ability to develop good relationships with Aboriginal people • A sense of humour • Preparedness to invest time in prior process, relationships and trust-building prior to dispute resolution process
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	A bit more brief than I expected.
Relevance to First Nations people in NSW	Created by and for First Nations people in NSW. Highly relevant.
Insights on accountability frameworks	<ul style="list-style-type: none"> • There are distinct ways of resolving disputes that inherently translate to distinct ways of demonstrating and implementing accountability frameworks. (These are listed above.) • Accountability between and among parties requires highly-specific and culturally-grounded facilitation skills. • Accountability requires autonomy in process, not just in a desired outcome consistent with both parties. • There is a process to be followed that could make accountability as a broader procedure locally relevant.

Title and authors	Because a White Man'll Never Do It Kevin Gilbert
Citation (Harvard UTS style)	Gilbert, K., 1973. <i>Because a White Man'll Never Do It</i> . Harper Collins, Melbourne.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This is a book on Aboriginal affairs by a Wiradjuri and Kamilaroi man. 'Books by white people on black subjects seem to be very much in fashion lately.' This writes back to that tendency and that gaze.
Major findings and recommendations	<p>'The need for a nation-wide black conference to thresh out the land claim issues thoroughly is obvious. Blacks organize land conferences here and there whenever they are able to. They are never properly representative because very few blacks can afford to travel. To have a representative and decisive national black conference on the land issue would take funding on a scale that only a government could sustain. It's the old question all over again — blacks haven't got the money and the whites are not likely to support such a conference on the scale needed.' (pp 61-62)</p> <p>On representative politics and distinct First Nations political and social sensibilities: 'Many of the young militants reject the idea of crawling through the white system because they reject the system itself. And how do you tell some of the reserve blacks — who have learnt years ago that no matter how they true, they never get any further anyway — that someone did manage so how about they try again, a little harder? That is the trouble with many of the conservatives; their immediate problem has been solved, so the problems of other people don't seem so pressing either.' (p 134)</p> <p>'Aboriginal leadership is an amorphous thing. It still tends to be exercised by the older women, so continuing an old local tradition of Aboriginal life. I remember the influence exerted by my own Aboriginal grandmother at Condobolin some twenty years ago...she used the weapon of Aboriginal shame to devastating effect against whoever she felt needed it.' (p 136)</p> <p>'That's what you get for 'being and doing' for blacks. Real leadership must come from younger Aborigines who are more sophisticated in their understanding of how to manipulate the mechanisms of the white society.' (p 137)</p> <p>'It may not be altogether fair, but in black eyes nevertheless, anyone who takes any type of government job automatically becomes suspect. The money-fear-security nexus that seems to be the backbone of these jobs sooner or later prevents black employees from acting in the black interest. They can go so far, but definitely no further.' (p 138)</p> <p>'Independence takes money and that is the catch in all Aboriginal affairs.' (p 140)</p> <p>'Why do our people have to be subjected to this sort of thing? Why do they have to structure themselves in ways laid down by a white man's law to get a white man's handout when they should have access to compensation funds, not cap in hand, but as a right? I know, of course, that they won't get the grant money unless they do</p>

	<p>so structure themselves. Also, they need to follow the requirements of the white man's law in this, as in other cases, in order to protect themselves from the white man. [...] Why should they have to grapple with the intricacies of legal requirements, rules of debate, accountancy and all the other clap-trap before such time as they have raised a generation of sons who can do it for them? Why shouldn't they have a properly set up, black administered, black-directed National Aboriginal Development Commission, outside of the public service, to do it for them? A black commission that is structurally immune from any white-anting? That could be handing all the legal requirements and funding black projects from compensation money? That could be hiring white advisors who would not be in control but who would be directed according to black self-determination?' (p 172)</p>
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	None in the indicia, but is about a different policy era in Aboriginal Affairs.
Relevance to First Nations people in NSW	A seminal text in Aboriginal affairs for mob — crafted within the context of NSW/ACT advocacy.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Mob must control their own affairs. • Accountability is to a distinct Aboriginal polity, or it fails community trust and aspirations. • Split accountability regimes tend to favour the State. • Leadership in accountability comes from Elders and younger people. • The First Nations polity is pluralistic across location, class, and social realities. • The viability and legitimacy of consultative and conferencing accountability practices, even among mob, is impacted by capacity to travel, resource, and be legible to a political class.

Title and authors	Social Accountability: What does the evidence really say? Jonathan Fox
Citation (Harvard UTS style)	Fox, J., 2015. 'Social Accountability: What does the evidence really say?', <i>World Development</i> , vol. 72, pp. 346-361.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	'This meta-analysis reinterprets evaluations through a new lens: the distinction between tactical and strategic approaches to the promotion of citizen voice to contribute to improved public sector performance.' (p 346)
Major findings and recommendations	<p>Social accountability includes — citizen monitoring of public sector performance, user-centred public information systems, public compliance and grievance systems, and participation in design and budgeting. These are all focussed on a model of maximum public information and oversight.</p> <p>There are two different approaches to social accountability, tactical and strategic.</p> <p>Tactical approaches 'assume that access to information alone will motivate localized collective action, which will in turn generate sufficient power to influence public sector performance.' (p 346) They have (p 352) —</p> <ul style="list-style-type: none"> Bounded intervention A sole driver in citizen voice Assumptions that information will inspire action that influences the public sector A sole focus on local arenas <p>The results of tactical social accountability are mixed.</p> <p>Strategic approaches 'deploy multiple tactics, encourage enabling environments for collective action for accountability, and coordinate citizen voice initiatives with reforms that bolster public sector responsiveness.' (p 346) They have (p 352) —</p> <ul style="list-style-type: none"> Coordinated, multiple, tactics An enabling environment for <i>collective</i> voices, rather than individual voice and perceived risk Coordination with governmental reforms that bolster public sector responsiveness Vertical scale and horizontal scale Constantly changing, uneven and contested processes. <p>They deliver accountability consistently, because they are 'teethed' and have consequences.</p> <p>Existing knowledge on social accountability reveals that information itself is not sufficient, bottom-up monitoring lacks bite outside of information provision, and community-driven programs are sometimes captured by locals who already dominate the conversation. (p 348)</p> <p>This meta-analysis also offers the following at-scale insights about social accountability (pp 352-356) —</p> <ul style="list-style-type: none"> Information has to be user-centred if it's going to empower

	<ul style="list-style-type: none"> • Voice needs representation of diversity and aggregation of similar mass interests • Voice is constrained by fear of reprisals • Accountability goals need to distinguish between responding to past problems to preventing future problems • Teeth means negative sanctions and proactive reforms, and the power of the State to respond using those instruments • Vertical accountability (through protest and elections) is essential to ensure citizens retain power over State actors • Voice and teeth both need each other • Comparative insights between jurisdictions are crucial
Strengths	Rigorous meta-evaluation of social accountability measures that are similar to those raised by some First Nations peoples.
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Developed without Indigenous peoples ○ Does not directly relate to First Nations people in NSW ○ Does not directly concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This was suggested by responding scholars in October 20 feedback. As social accountability measures become popular, this may advise mob in NSW on their efficacy and features that may make them either suitable or unsuitable for First Nations (like, their reliance on media coverage and electoral power).
Insights on accountability frameworks	<ul style="list-style-type: none"> • Social accountability is crucial to contemporary accountability in public governance. • For mob, this forced information-sharing reactivity to settler government decisions (combined with limited media interest, Ministerial culture and electoral disempowerment) is not ideal and has a limited capacity to deliver change. • It means that strategic and institutionalised approaches to social accountability (ones that have 'teeth') may be necessary. This is along with the indicia of strong social accountability outlined above.

Title and authors	Organising Aboriginal Governance: Pathways to self-determined success in the Northern Territory, Australia Diane Smith
Citation (Harvard UTS style)	Smith, D., 2015. <i>Organising Aboriginal Governance: Pathways to Self-Determined Success in the Northern Territory, Australia</i> . Aboriginal Governance and Management Program APONT, Darwin.
Categories (select all that apply)	<ul style="list-style-type: none"> • Australian NGO grey literature • Indigenous-controlled organisation grey literature
Purpose of paper	This is a report on organisational governance models for First Nations peoples, presented to peak Aboriginal bodies in the Northern Territory.
Major findings and recommendations	<p>'There is a difference between Aboriginal and non-Aboriginal meanings of accountability, responsibility and legitimacy. Aboriginal people value internal accountability and mutual responsibility; while governments emphasise 'upwards' accountability, financial management and compliance reporting.' (p 14)</p> <p>'Aboriginal governance arrangements tend to be 'networked' through thick inter-connected layers of related individuals, groups, organisations and communities, each having their own mutual roles, responsibilities and accountabilities.' (p 15)</p> <p>Indigenous community organisations are accountable in two ways. They have two distinct authorising environments. One is Indigenous governance systems, institutions and jurisdiction, and the other is non-Indigenous governance systems, institutions and jurisdiction. Some measures that NT remote organisations have implemented to address this two-way accountability are (pp 160-161) —</p> <ul style="list-style-type: none"> • checks and balances that encourage good conduct and discourage 'selfish-determination' and corrupt behaviour; • governance policies and procedures; • strategic planning and performance reporting processes; • statements of roles, responsibilities and delegations; • ways of making and implementing decisions that reinforce members support; • AGM formats that encourage members to participate and have a voice; • s/election processes for deciding who represents group members; • ways of presenting complex information to governing boards; • standards for what accountability means to members, staff, governing members and stakeholders; • policies that address the cultural implications of decisions; annual reports and newsletter, radio, television and video to provide information back to members • ways of regularly consulting and engaging with members in person; and • regular reporting of financial status back to members and funders
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Does not directly relate to First Nations people in NSW

	<ul style="list-style-type: none"> ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This was recommended to us by the October 20 feedback group. It is helpful in conceptualising multiple sites of internal and external accountability experienced by First Nations in NSW who may also articulate themselves as legal personalities under corporations or prescribed bodies, or as comparable bodies.
Insights on accountability frameworks	There are two pulls in accountability between internal and external interests and relationships. A number of organisations have implemented transparency measures as a way to cover both authorizing arenas. There will still be internal accountabilities that exist separately to the legal and political personality of the organisation, these will be networked through other political organisations relevant to the First Nations and communities concerned.

Title and authors	Treaty Elders' Forum Report and Final Working Group Report on the Design of the Aboriginal Representative Body Victorian Treaty Advancement Commission
Citation (Harvard UTS style)	Victorian Treaty Advancement Commission, 2018. <i>Treaty Elders' Forum Report</i> . VTAC, Melbourne. Victorian Treaty Advancement Commission, 2018. <i>Final Working Group Report on the Design of the Aboriginal Representative Body</i> . VTAC, Melbourne.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous-controlled organisation grey literature • Australian state/Commonwealth government grey literature
Purpose of paper	These are consultative reports on the design of a representative Treaty negotiation oversight body in Victoria, with various appropriate groups.
Major findings and recommendations	<p>Elders' Forum It is crucial that an Elders' voice is embedded in any Aboriginal representative body. It should (p 3) —</p> <ul style="list-style-type: none"> • Confer resources to Elders • Engage Elders who can't attend meetings • Hear as many Elders' voices as possible • Ensure discussions are accessible to Elders in prison • Be set up in a way that respects how different nations organise • Have an appropriate dispute-resolution process • Respect cultural boundaries to information access • Give opportunities for Elders to give information to youth • Offer community a way to talk to Elders about representation <p>Final Working Group Report The working group recommends (pp 8-9):</p> <ul style="list-style-type: none"> • Supporting self-determination for all Aboriginal Victorians • It should embody design principles chosen by the community • It should develop a framework to underpin Treaty negotiations • It should represent all Aboriginal Victorians • It should be independent (and be a company limited by guarantee) to be accountable to the Aboriginal Victorian community • It should be democratic, and be elected from six voting areas that do not cut across Traditional Owner boundaries • All Aboriginal Victorians should be eligible to vote • TOs should be eligible to stand for election (endorsed by a corp, an ACCO or 20 eligible voters, to ensure community support) • Membership should be regularly refreshed • Special mechanisms other than elections should hold the body directly accountable <ul style="list-style-type: none"> ○ 'An accountability body or "Ethics Council" should exist, but it should focus on cultural accountability, rather than legal or corporate governance, which should be managed by other regulators. The role, composition, and procedures of an accountability body should be determined by the Victorian Treaty Advancement Commission in establishing the Aboriginal Representative Body.' (p 9)
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples

	<ul style="list-style-type: none"> ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Does not directly relate to First Nations people in NSW
Relevance to First Nations people in NSW	As agreement-making is higher on the agenda, this model of accountable oversight of negotiations may be instructive for mob in NSW. This was recommended by feedback on October 20.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Cultural accountability is distinct from political, social and electoral accountability • There is a particular and regionally-specific role for Elders to play in designing, accounting for and implementing agreement-making • Elders will require resourcing, respect and infrastructural support to ensure the process is culturally and contextually appropriate — including being able to speak with young people and their community • Different mechanisms will be required to ensure that each nation's way of organising is reflected in how they are represented

Title and authors	Indigenous Evaluation: A strategic objective of the Australasian Evaluation Society Nan Wehipeihana
Citation (Harvard UTS style)	Wehipeihana, N. 2008, Indigenous Evaluation: A strategic objective of the Australasian Evaluation Society, <i>Evaluation Journal of Australasia</i> , vol. 8, no. 1, pp 40-44.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	'This article provides brief background information about the factors that gave rise to the emergence of Indigenous evaluation as a strategic objective of the AES' (p 40)
Major findings and recommendations	'Certainly there has been an increased awareness of the issues and concerns in relation to Indigenous evaluation, but probably not enough...Without an understanding of the 'added value' that Indigenous evaluation brings, and how it contributes to improving the quality of our work, then Indigenous evaluation is likely to be resigned to the fringes of evaluation, and for the most part, subsumed within current theories and approaches such as: participatory, collaborative, responsive and empowerment evaluation.' (p 43)
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	A history of the Indigenous evaluation movement is critical in understanding how Indigenous evaluation is currently implemented, and how it can be a better tool for accountability. This was suggested by scholarly feedback on October 20.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Indigenous evaluation is useful as an accountability across all areas of public evaluation • If it is confined to its own silo, it will become a special form of evaluation rather than as a sovereignty-grounded way of accounting for outcomes and processes in government at large.

Title and authors	Ngaa-bi-nya Aboriginal and Torres Strait Islander program evaluation framework Megan Williams
Citation (Harvard UTS style)	Williams, M., 2018. 'Ngaa-bi-nya Aboriginal and Torres Strait Islander program evaluation framework', <i>Evaluation Journal of Australasia</i> , vol. 18, iss. 1, pp 6-20.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous methodologies literature • Scholarly literature
Purpose of paper	This is a presentation of the evaluation framework targeted at public health evaluations. It is designed 'to stimulate thinking about critical success factors in programs relevant to Aboriginal and Torres Strait Islander people's lives.' (p 6)
Major findings and recommendations	<p>The Ngaa-bi-nya model for evaluation 'acknowledges that the past affects the present, and that the present affects the future, and that the future cannot be shaped without a consideration of and reckoning with the past. It thereby acknowledges the need for an intergenerational perspective to program delivery, caregiving, and healing. Ngaa-bi-nya privileges Aboriginal and Torres Strait Islander people's priorities, perspectives, and voices, given that programs are most successful when Aboriginal and Torres Strait Islander community members have power over governance, design, and delivery, including building capacity of community members to do so, aligned with cultural practices and values (e.g., Whiteside et al., 2016). This extends to conducting evaluation, and translating findings from evaluation.' (pp 9-10)</p> <p>The framework has four domains, which intersect to provide <i>critical success factors</i> as measures and program outcomes driven by community and Aboriginal epistemologies. The domains are —</p> <ul style="list-style-type: none"> • <i>Landscape</i> (pp 11-12) — encompassing history, environment, programs and services, self-determination and policy • <i>Resources</i> (pp 12-13) — encompassing financial resources, human resources and material resources (including data) • <i>Ways of working</i> (pp 13-15) — including holistic caregiving, quality caregiving, staff support and development, sustainability and appropriateness of evaluative methods and bureaucratic accountability methods • <i>Learnings</i> (pp 15-17) — including self-determination, cultural care, healing and developing an evidence base.
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This was prepared by a Wiradjuri woman in a NSW context — drawing from evaluations within NSW First Nations health programs. Highly relevant to this research and NSW mob.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Indigenous evaluation is not always temporally constrained, and accounts for past events and future contingencies • Indigenous evaluation requires Indigenous governance, design and delivery in line with appropriate values

	<ul style="list-style-type: none"> • Indigenous evaluation, to be successful, must consider multiple logics of change and relationships, and different material, cultural and historical contexts that shape what is being evaluated
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Title and authors	'You Mob All Agree?' The Chronic Emergency of Culturally Competent Engaged Indigenous Problem Solving Toni Bauman
Citation (Harvard UTS style)	Bauman, T., 2007. 'You Mob All Agree?' The Chronic Emergency of Culturally Competent Engaged Indigenous Problem Solving', <i>Indigenous Law Bulletin</i> , vol 6, iss. 29, pp 13-17.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	An article written in the shadow of the NT Emergency Response, addressing concurrent consulting and accountability measures.
Major findings and recommendations	<p>'The missing link in government approaches to Indigenous issues is thus an adequately resourced infrastructure of community decision-making, engagement, problem solving and negotiation, based on the understanding that outcomes will not be sustainable unless they are owned by the Indigenous people involved. In the past, one solution which has often been proposed by Governments is for public servants to have 'cultural awareness' training, but this is only a very small part of the answer. Being aware of issues which impact on Indigenous people does not equate to the necessary skills of engagement and communication, and not all individuals will be suited to effective engagement with Indigenous people. Moreover, governments and government departments themselves have major organisational communication problems and a range of 'cultures' within them which give rise to internal misunderstandings and conflict which have a flow-on effect to Indigenous communities. These in turn intersect with those of other departments as whole-of-government approaches flounder.' (p 15)</p> <p>'There is an urgent need to foster Indigenous and government capacity in:</p> <ul style="list-style-type: none"> identifying and exploring the causes and potential solutions to problems; responding in meaningful ways to changing government agendas; developing strategies and capacities to engage, manage and utilise technical expertise; ensuring decision-making and dispute management processes are embedded in good governance; planning and implementing workable strategies and solutions including the identification of: <ul style="list-style-type: none"> how decisions should be made about particular issues; and strategies for conflict management; and monitoring, renegotiating, or adapting strategies and solutions as required.' (p 16)
Strengths	None on the indicia provided, but very grounded reflections on skills within government.
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Developed without Indigenous peoples Does not directly relate to First Nations people in NSW Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples

	<ul style="list-style-type: none"> ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	In government-Nation relationships, the preparedness of government is absolutely essential. In assessing these soft skills and their role in harder structures, NSW mob may consider this checklist for government human resources capacity. A good comparative generalist framework for application here.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Community-driven accountability requires adequate resourcing in order to be sustainable • Accountability moves beyond awareness of government — it requires answers and structural reform (including the development of government infrastructure, interdepartmental coordination, and workforce skills) • The above points are prerequisites to a mutually accountable project relationship between settler governments and First Nations

Title and authors	Reciprocal accountability: Assessing the accountability environment in Australian Aboriginal Affairs policy Patrick Sullivan
Citation (Harvard UTS style)	Sullivan, P., 2009. 'Reciprocal accountability: Assessing the accountability environment in Australian Aboriginal Affairs policy', <i>International Journal of Public Sector Management</i> , vol 22, no 1, pp 57-72.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	'This paper attempts to replace the understanding of public sector accountability as a linear and hierarchical process with one in which accountability occurs within a network of social relationships.' (p 57)
Major findings and recommendations	<p>On the relevance of ministerial culture and public service governance in Aboriginal Affairs: 'A minister is accountable to a range of constituencies, many of them more immediate and powerful than the electorate, which the personal staff must protect the minister from. Increased accountability of the public service to a minister should have increased the accountability and, therefore, vulnerability of ministers which the political staff needs to manage. In practice, recent scandals that would previously have led to the resignation of a minister have shown that advisers and public servants adopt procedures to keep formal knowledge of embarrassing errors or dishonest behaviour from the minister...While management of ministerial performance is the aim, the proximate activity is the management of the perception of ministerial performance.' (p 60)</p> <p>Defining reciprocal accountability: 'It is that accountability is the activity of rendering an account within a group and between groups so that the actors negotiate their identity, obligations and commitments in relation to each other, producing an environment of reciprocal accountabilities...Accountability in a communal setting is primarily the rendering of reciprocal account between individuals and groups so that the person and the group define themselves, both to themselves and to others, as who they are, why they matter, that they are fundamentally ethical within their cultural norms. Accountability is not only an instance of relations of power. It is constitutive, making the people who they are in their own estimations and in their relations with others. This is no less true of the bureaucrats and politicians who involve themselves in aboriginal lives than it is among aboriginal people themselves.' (p 66)</p> <p>Sullivan goes on to suggest client appraisals, surveys and community juries as government-funded, community-implemented mechanisms by which this can be realised, in order to develop trust between mob and settler government. (p 68)</p>
Strengths	<ul style="list-style-type: none"> Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Developed without Indigenous peoples Does not directly relate to First Nations people in NSW Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	A generalist relevance on reciprocal accountability. This paper was requested for inclusion by scholarly feedback on 20 October.

<p>Insights on accountability frameworks</p>	<ul style="list-style-type: none"> • Models of political accountability that centre on Ministers and parliamentarians are at odds with the culture of ministerial staffing and decision-making • Political perception in the settler public is the main public accountability arm in Indigenous Affairs, rather than accountability to First Nations and communities • Reciprocal accountability is not just about actions, but also about the identities and relationships of parties and how they are negotiated with regards to values, ethical procedures, power and terms of engagement. This is true for both mob and outsiders.
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Title and authors	Managing for development results: monitoring, evaluation and learning Secretariat of the Pacific Community
Citation (Harvard UTS style)	Secretariat of the Pacific Community, 2013. <i>Managing for development results: monitoring, evaluation and learning</i> . Committee of Representatives of Governments and Administrations, Fiji.
Categories (select all that apply)	<ul style="list-style-type: none"> • International development NGO grey literature
Purpose of paper	'This paper provides an update on the Secretariat's implementation of its new corporate monitoring, evaluation and learning (MEL) framework to strengthen management for development results.' (p 1)
Major findings and recommendations	<p>Through deriving a Pacific-driven internal evaluation strategy, SPC was able to (pp 3-4):</p> <ul style="list-style-type: none"> • More cogently define its strategic direction (supported by a context-appropriate results framework) • Increase its focus on divisions' and programs' contextual effectiveness • Integrate governmental and cooperative reporting systems • Promote a cross-divisional learning culture <p>However, SPC were still wrestling with resource constraints, project-contained evaluation culture, and implementing a double-loop of learnings (not just what can be done better, but why) (pp 4-5)</p>
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not directly relate to First Nations people in NSW ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	This was proposed by a feedback session on October 20, as a comparative framework. It is an example of how to implement a First Nations-led, values-driven and locally-relevant evaluation framework among disparate nations with similar interests. This is a similar context to that of NSW.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Resource constraints will undermine even Indigenous-led, value-driven accountability • Indigenous evaluation doesn't just enhance how a nation or community's values are implemented, but feeds back into those values themselves • Different parts of an Indigenous nation may need to work together and coordinate accountability measures

Title and authors	The Road is Made by Walking: Towards a better primary health care system for Australia's First Peoples — The Funding, Accountability and Results (FAR) project Lowitja Institute
Citation (Harvard UTS style)	Lowitja Institute, 2015. <i>The Road is Made by Walking: Towards a better primary health care system for Australia's First Peoples — The Funding, Accountability and Results (FAR) project</i> . Lowitja Institute Policy Brief, Victoria.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	'This study calls for a resetting of the relationship between the sector and government, so that it works well for both funders and ACCHOs, to enable universal access to comprehensive PHC for Australia's First Peoples.' (p 1)
Major findings and recommendations	<p>Direct services to mob, are best controlled by regional First Nations authorities with equitable pooled funding with appropriate accountability governance done at the regional level. This is because —</p> <ul style="list-style-type: none"> It provides a framework for population-based funding It offers more secure and less contingent funding, allowing communities to innovate and plan longer-term It accommodates varying structures of community-control and service delivery, dependent on context, histories and relationships It enables locally responsive care for remote and regional communities It opens up a simplified bureaucratic accountability regime — where governments harmonise their accounting asks of community orgs, offer codes of practice and provide early and ad hoc support for community care providers. 'A framework of reciprocal accountability between ACCHOs and their funders would support these arrangements, and could be used to strengthen the accountability of both governments and ACCHOs to communities for good stewardship of the system and health care outcomes.' (p 2) <p>It requires (p 3) —</p> <ul style="list-style-type: none"> Pooled funding Engagement with the larger government system, including resources and referrals Regional community control Stewardship by government, governance by local community Equitable funding Accountability to communities, and reciprocal accountability with funders.
Strengths	<ul style="list-style-type: none"> Developed by or with Indigenous peoples Relates to First Nations people in NSW Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Does not provide a sophisticated understanding of Aboriginal nation-building

Relevance to First Nations people in NSW	This was suggested by the scholarly feedback session on 20 October. A generalist, service-provider framework which fits how many communities are currently institutionally represented.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Consistent funding is crucial • Community control is crucial • Government resources and stewardship may be required, but self-determination must occur simultaneously and local governance control the process • Different local structures across contexts must be accommodated in a generalist framework.

Title and authors	Contracting for Indigenous Health Care: Towards Mutual Accountability Judith M. Dwyer, Josée Lavoie, Kim O'Donnell, Uning Marlina, Patrick Sullivan
Citation (Harvard UTS style)	Dwyer, J., Lavoie, J., O'Donnell, K., Marlina, U., and Sullivan, P., 2011., 'Contracting for Indigenous Health Care: Towards Mutual Accountability', <i>Australian Journal of Public Administration</i> , vol 70, iss 1, pp 34-46.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	'The analysis in this article highlights potential policy and program changes that could improve the effectiveness of funding and accountability arrangements, based on the use of an alliance contracting model, better performance indicators and greater clarity in the relative roles of national and jurisdictional governments.' (p 34)
Major findings and recommendations	<p>'Relational contracting recognises the interdependence of contractor and supplier, and seeks to maximise the common interests of the parties in the enterprise. It is characterised by greater flexibility and cooperation, as well as reliance on trust. Relational contracting assumes that transactions are likely to recur, and recognises that the nature of the contracted services makes it difficult to specify and monitor outputs, which are therefore less detailed. These contracts more often rely on self-enforcing mechanisms to guarantee the fulfilment of the terms, as each party wants to maintain its reputation as well as good relationships.' (p 36)</p> <p>'Nevertheless accountability is also about power and the discharging of responsibility between stakeholders. ACCHSs, like many other organisations in the non-government sector, also carry direct accountabilities to their communities and consumers. While the need for accountability for public funds is accepted, there is a need to ensure that the compliance, monitoring and reporting arrangements justified on the basis of accountability are meaningful and proportionate, and address accountabilities to consumers as well as funders.' (p 37)</p> <p>Nevertheless, this model of contracting still faces problems, both transitional and relating to the structural incapacity of some governments to understand and act on a relational model. Some of these issues are related to trying to force relational contract party behaviour without changing fundamentally the nature of the contract or funding. Those difficulties are (pp 38-41) —</p> <ul style="list-style-type: none"> Complex contractual arrangements without management or planning Fragmented funding, but integrated program requirements Perception of high transaction costs Barriers to mutual accountability and trust-building Short term contracting with ongoing funding.
Strengths	<ul style="list-style-type: none"> Relates to First Nations people in NSW Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Developed without Indigenous peoples Does not provide a sophisticated understanding of Aboriginal nation-building

Relevance to First Nations people in NSW	This article was recommended to us by scholars in feedback on October 20. This contract model may be relevant for local community-driven service providers, and decision-makers resourced by government funding.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Where funding arrangements take place between governments and First Nations, relational contracting offers a balance of accountability and community control, stability and proportionality • Accountability can occur through relationships with reputational and trust consequences, not just through legal or political mechanisms

Title and authors	Surveillance at Work: New Public Management and Indigenous Organisations Elise Adams
Citation (Harvard UTS style)	Adams, E., 2011. 'Surveillance at Work: New Public Management and Indigenous Organisations', <i>Knowledge, Culture, Social Change Conference</i> , Sydney.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	'This paper will examine the effects, born of the government bureaucracy's ever-increasing faith in New Public Management, on Aboriginal-specific services in western Sydney.' (p 2)
Major findings and recommendations	<p>'While NPM is purported to be politically neutral, the privileging of certain types of knowledge and data in tendering and reporting processes can open the door for political ideologies and interests to come into play. As such, NPM has been widely criticised on a number of fronts; three of which are the aforementioned preponderance for decoupling [of service provision and the tender process], the single-minded reification of key principles within the project management process (such as the term 'Indigenous'), and the highly selective approach to evidence.' (p 7)</p> <p>'In the CSS funding application, the concept of 'Indigenous culture' was repeatedly invoked, however it was not until feedback on Winanga-Li's tender was obtained that the funding body's fixed definition of Indigenous culture emerged. FaHCSIA explained that within the application "cultural sensitivities" referred to an 'ability to connect with Indigenous people' and that Winanga-Li had not "specifically identify[ed] issues such as sorry business, men's and women's business, [and] community elders".</p> <p>Such statements by FaHCSIA show their pre-conceived definition of Indigenous behaviour, which adheres to reified notions of Indigenous culture. It further indicates their lack of knowledge about localised aspects of Indigenous culture. Few Aboriginal residents of Mt Druitt are Darug, the traditional owners of that land, and the majority hail from a large number of different locations in NSW, the ACT, and Queensland. While there exists great diversity in cultural sensitivities, none of the Aboriginal people with whom I worked in Mt Druitt were concerned with the issues identified by FaHCSIA, such as 'sorry business' or 'men's and women's business'.' (pp 7-8)</p> <p>'Bureaucratic knowledge of Indigenous culture is likely to come primarily from media sources, academic texts, government reports, cultural awareness seminars and workshops, and the occasional consultation. There is very infrequently long-term engagement or immersion in any particular Aboriginal community.' (p 8)</p> <p>'Bureaucrats and organisations have too much to lose by truthfully reporting any past failures or shortcomings in their operations. [...] NPM reporting provides a particularistic advantage not to organisations that will deliver the best program, but to organisations with the consultants' best train in NPM rhetoric, logic and processes.' (p 12)</p>
Strengths	<ul style="list-style-type: none"> Gives priority to Aboriginal epistemologies, axiological and ontological frameworks Developed by or with Indigenous peoples

	<ul style="list-style-type: none"> ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	Suggested for inclusion in feedback on October 20. Written by mob in NSW, about mob in NSW, about government frameworks of accountability in this framework. Highly relevant.
Insights on accountability frameworks	NPM mechanisms of accountability disadvantage effective First Nations organisations in servicing their own communities — to the benefit of non-Indigenous NGOs who can write grants but not deliver competent programs.

Title and authors	Inquiry into Horizontal Fiscal Equalisation: Submission Yothu Yindi Foundation
Citation (Harvard UTS style)	Yothu Yindi Foundation, 2017. <i>Inquiry into Horizontal Fiscal Equalisation: Submission</i> . YYF, Casuarina.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	This is a submission to the Productivity Commission's inquiry into Horizontal Fiscal Equalisation. 'We wish to detail our concerns regarding why and how the current use of GST allocation is not effective in relation to social and economic disadvantage in the Northern Territory and requires reform.' (p 1)
Major findings and recommendations	<p>Measurements of Indigenous demography must include contexts of socioeconomic determinants and geography. Experiences of Indigeneity will shift through that context and require different measures, goals and resourcing driven by their community. 'Combined with the infrastructure deficits existing at 1978 and the policy of the CGC to assume equal starting points, the decades of underspending on areas relating to Indigenous disadvantage has manifestly compounded the social, physical, economic and emotional disadvantage of Indigenous people.' (p 5)</p> <p>'Presumably the cost of the additional staff in Departments responsible for services to Indigenous people will be treated as "Indigenous expenditure" despite the apparent inefficiency inherent in the numbers, and the fact that the spending is on non-Aboriginal people who may, or may not, provide a public service to Aboriginal people, and who ordinarily live in the main urban centres (particularly Darwin and Alice Springs).</p> <p>We Indigenous people in remote Arnhem Land observe these matters with a great deal of cynicism and dismay. We also observe some of the geographic injustices that are not represented in the above figures. For example there has been perhaps \$400 million spent on roads in greater Darwin within the last three years when there were already adequate roads in our opinion. We compare that to the state of the central Arnhem Highway (so-called) which is a dirt road from north-east Arnhem land to the Stuart Highway at Mataranka 100 km south of Katherine.</p> <p>We point out all the foregoing simply to inform you of some of the things that bloat the issue of Indigenous disadvantage and the ongoing failure to Close the Gap. It is particularly galling that we are often held responsible for the actions (and inactions) of the Northern Territory's fiscal distribution.' (p 6)</p>
Strengths	<ul style="list-style-type: none"> Developed by or with Indigenous peoples
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Does not clearly relate to First Nations people in NSW – some pretty troubling remarks about NSW's relative Aboriginal population Does not concern accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples Does not provide a sophisticated understanding of Aboriginal nation-building

Relevance to First Nations people in NSW	This was recommended by scholarly feedback on October 20. Of comparative relevance, although I note the competitive context for GST funding between mob in NSW and mob in NT.
Insights on accountability frameworks	<ul style="list-style-type: none"> • In accountability and allocation, Indigeneity is not a flat, static indicator • Funding acquired on behalf of mob that is not controlled by mob often is put to programs that either disadvantage them or do not reach them at all • There are limited accountability frameworks for mob to critique or input into government expenditure on their behalf.

Title and authors	Core Benefits Verification Framework Aboriginal Carbon Foundation
Citation (Harvard UTS style)	Aboriginal Carbon Foundation, 2019. <i>Core Benefits Verification Framework</i> . ACF, Cairns.
Categories (select all that apply)	<ul style="list-style-type: none"> • Indigenous-controlled organisation grey literature • Australian NGO grey literature
Purpose of paper	This is a report describing the verification and accountability framework of the Aboriginal Carbon Foundation.
Major findings and recommendations	<p>An Indigenous to Indigenous philosophy of carbon verification emphasises accountability and resource sharing between mobs who have relevant expertise. 'In practice, this 'Indigenous to Indigenous' philosophy sees verification of core-benefits conducted by a team of trained Aboriginal experts, including rangers, Traditional Owners and community members from across the projects. This principle prevents the extraction of information by external agencies to be used and interpreted without the understanding of, or any required benefit to, the affected community. This approach safeguards Aboriginal data sovereignty and ensures the people verifying have strong cultural and project-based knowledge.' (p 7)</p> <p>In this framework, mob take on key technical responsibilities and make key decisions about the projects <i>internally</i>. But in terms of <i>external</i> accountability, 'all external verification of information will be undertaken by a team of trained Aboriginal experts, including rangers, Traditional Owners and community members from across the projects.' (p 8)</p> <p>'Methodological validity is enhanced by high levels of participation and cultural responsiveness. For example, when outsider researchers without a solid grasp of the context enter a community to collect data they are immediately disadvantaged in several ways; they are far less likely to be understood or trusted with information about social and cultural outcomes, and they are unfamiliar with the local political context, power dynamics, cultural protocols and languages which will affect their abilities to collect accurate information and analyse it.' (p 21)</p> <p>In this approach, mob deal with accountability data in the following ways (p 8) —</p> <ul style="list-style-type: none"> • ensuring respect and knowledge of local research protocols when entering communities and gathering information; • having a strong understanding of the project context and demonstrated ability to build strong relationships with participants; and • communicating in local vernacular, ideally the languages that shape the participants and effected people's worldviews, so that respondents are comfortable and confident to converse on an intellectual level.
Strengths	<ul style="list-style-type: none"> ○ Gives priority to Aboriginal epistemologies, axiological and ontological frameworks ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples

	<ul style="list-style-type: none"> ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	All indicia fulfilled! Could be more detailed, but this is a generalist model.
Relevance to First Nations people in NSW	Suggested to be included on expert feedback from October 20. Relevant to communities in NSW who are part of this program, and mobs within and outside of OCHRE looking to evaluation as an accountability mechanism.
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability mechanisms can have local control and the authority of a centralised Indigenous oversight authority — it may be guided by the indicia above • In evaluation, community drive and local appropriateness enhance, rather than detract from, rigour and methodological validity in both hard and soft sciences • Indigenous-to-Indigenous accountability is one expression of data sovereignty that combines local control with the mandate of central representation and standardisation

Title and authors	Building capacity in Indigenous governance: Comparing the Australian and American experiences Burke A. Hendrix, Danielle Delaney, Richard C. Witmer, Mark Moran, Will Sanders, Elizabeth Ganter
Citation (Harvard UTS style)	Hendrix, B., Delaney, D., Witmer, R., Moran, M., Sanders, W., and Ganter, E., 2019. 'Building capacity in Indigenous governance: Comparing the Australian and American experiences', <i>Australian Journal of Public Administration</i> , vol 79, iss 1, pp 26-40.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	'This paper compares key aspects of governance structures for Indigenous populations in the United States and Australia. The paper focuses on policy coordination and administration, in particular the nodes of decision-making in the two countries in relation to government contracting and accountability.' (p 26)
Major findings and recommendations	<p>Self-determination is both a substantive and fiscal accountability policy field for settler governments in their dealings with First Nations — and the relationship is not clearly causal. 'In the United States, self-determination policy largely developed through short-term government contracting of service delivery as a mode of decentralized governance, which allowed Indigenous governments and organizations to assume temporary responsibility for implementing U.S. government policy. Over time, this contracting model transitioned to long-term contracting, and then to a more capacious policy of permanent compacting in which tribal governments and consortia . ' (p 29)</p> <p>The sites of engagement in the US context outlined above, have the following features (pp 30-31) –</p> <ul style="list-style-type: none"> They do not take place in contexts of competitive bidding with NGOs or other bodies Short term contracts can expand into long-term or even enduring intergovernmental compacts Government departments do not get to choose on whether compacts entered into by the government will be accepted by them — they must accept if the community provides the information and the oversight capacity The long timeframes provide stability in service-provision, but also in governance Funds for compacts come in the form of block grants, and can be combined with tribal revenue or other funding Planning capacity can build over time <p>'The combined effect of these policies is to allow tribes to engage in whole-of-government planning for themselves, rather than having it carried out at higher levels for them. The model that emerges from ISDEAA procedures and government-to-government practices requires federal bureaucracies to treat Indigenous tribes as the primary coordinative nodes for planning and implementing policy outcomes at the local level.' (p 32) How might mob in Australia implement a similar model, in the face of a government that does almost precisely the opposite?</p> <p>'In areas where Indigenous organizational structures of this kind have not yet developed, or where they have developed in ways that seem awkwardly suited for ISDEAA-style contracting/compacting,</p>

	<p>Australia could facilitate the kind of consortia allowed to U.S. Indigenous organizations. This would give contractual permission or encouragement for service-provision corporations to begin formal association with one another and with other kinds of indigenous organizations (e.g. Land Councils), with the possibility of block grants in the future once a certain number of services are tied into the same coordinative network or administered by the same unit. Where indigenous communities already feel themselves associated together as nations, this would allow them to plan accordingly for a future of ISDEAA-like compacting across a range of services, and to build appropriate networks of organizations to carry this out. Where communities do not see themselves as united in this way, the prospect of stronger whole-of-government coordination would be likely to encourage continued conversations about what the scope of the community entails.’ (p 37)</p>
Strengths	<ul style="list-style-type: none"> ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks ○ Developed without Indigenous peoples ○ Does not directly relate to First Nations people in NSW
Relevance to First Nations people in NSW	<p>This is a comparative paper that may have some insights for mob here, but will need to be tempered by its legal context.</p>
Insights on accountability frameworks	<ul style="list-style-type: none"> • Accountability in the contact zone should be designed around the policy and fiscal assumptions outlined above — if it is to prioritise self-determination. The article sets out some structural ways this could happen, but they are out of date with current legal regimes. • Different approaches may need to be taken depending on how Nations express themselves as legal entities, and depending on whether communities think of themselves as nations • A crucial part of government-to-First Nation accountability is what is set as out-of-scope in terms of government decision-making and rights-to-information about First Nations

Title and authors	The Neoliberal State, Recognition and Indigenous Rights Edited by Deirdre Howard-Wagner, Maria Bargh, Isabel Altamirano-Jiménez
Citation (Harvard UTS style)	Howard-Wagner, D., Bargh, M., and Altamirano-Jiménez, I. (eds), 2018. <i>The Neoliberal State, Recognition and Indigenous Rights</i> . ANU Press, Canberra.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	A collection of edited empirically-grounded essays on the operational dynamics of neoliberal governance as it impacts Indigenous Nations and Indigenous individuals.
Major findings and recommendations	<p>Missing ATSIC: Australia's need for a strong Indigenous representative body Will Sanders</p> <p>'Some law and government authority must flow from Indigenous peoples...Australia needs a strong Indigenous representative body within its political institutions.' (p 114)</p> <p>'While the National Congress is not yet strong, it is also not vulnerable to complete destruction by adverse government action....With individual and corporate members and two chambers of elected representatives, Congress, like ATSIC before it, sits ambiguously between the populations and peoples idioms....Decolonisation in a settler majority is clearly never simple, and Indigenous activists can legitimately work in both the populations and peoples idioms.' (p 123)</p> <p>'The language of political communities, peoples and First Nations opens a whole other terrain in Indigenous affairs, as too does the language of colonisation and decolonisation. Without these languages, Indigenous affairs conducted solely in the populations idiom is severely lacking.' (p 125)</p> <p>Indigenous peoples, neoliberalism and the state: A retreat from rights to 'responsibilisation' via the cashless welfare card Shelley Bielefeld</p> <p>'If Australia is to attain a genuinely postcolonial status, then redressing the power imbalance over Indigenous peoples' access to economic resources is essential [...] It could provide a way to sustain long-term funding for Indigenous communities and end the destructive cycle of endless grant applications for short term funding under competitive schemes [...] a pathway out of current approaches designed to colonise, regulate and subjugate Indigenous peoples.' (p 159)</p> <p>Fragile positions in the new paternalism: Indigenous community organisations during the 'Advancement' era in Australia Alexander Page</p> <p>'This attempted control of Indigenous political capacity through the Commonwealth's allegory of deficiency — including an implicit and mandatory requirement for Indigenous Advancement — prescribes an apolitical logic of economic rationalism as its legitimate and natural remedy.' (p 186)</p>

	<p>Aboriginal organisations, self-determination and the neoliberal age: A case study of how the ‘game has changed’ for Aboriginal organisations in Newcastle Deirdre Howard-Wagner</p> <p>‘The reactions and strategies of those who manage Aboriginal organisations evidence the critical or reflexive vigilance of Aboriginal agency in the neoliberal age. Aboriginal agency and resistance is, for example, expressed as endeavours to pursue innovative funding solutions that will change the funding dynamic with the state, subsidise organisational initiatives, or lead to funding self-sufficiency, which are adopted creatively to bring about social change.’ (p 221)</p> <p>NPM approaches, along with a mainstreaming political impulse from government, have reduced Aboriginal community-controlled organisations to service-providers. ‘Policies and funding arrangements constrain their capacity to act autonomously in meeting the needs of local Aboriginal people’ as they define those needs. (p 230)</p> <p>‘Those who had been sent to mandatory governance training as part of their [funding] arrangements...accepted that this was part of the way governments now do business, but also noted that governments often failed to recognise the importance of Aboriginal culture and obligations to community as central to the governance and success of local Aboriginal organisations.’ (p 232)</p>
Strengths	<ul style="list-style-type: none"> ○ Developed by or with Indigenous peoples ○ Relates to First Nations people in NSW ○ Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples ○ Provides a sophisticated understanding of Aboriginal nation-building
Limitations	<ul style="list-style-type: none"> ○ Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks
Relevance to First Nations people in NSW	<p>While these are works that think about settler government in a continent-wide sense, they have generalist and comparative relevance for NPM within NSW and how First Nations here experience that.</p>
Insights on accountability frameworks	<ul style="list-style-type: none"> • Strong Indigenous accountability institutions in settler government are good for <i>everyone</i> under the authority of those governments • Indigenous people think of accountability both as populations and as peoples — but cannot just be treated as populations because their position has unique relevance to the colonial state itself • No-strings-attached, compensatory economic resources (that are enduring, like royalties) may be necessary for Indigenous peoples to build independent accountability institutions • ‘Advancement’ policies are not moving towards self-determination, but impose their own accountability logics for First Nations on what their own self-determination can look like, and accordingly, their political capacity

	<ul style="list-style-type: none"> • First Nations adapt to new logics from colonial governments, but are financially impacted by them, impacting their capacity to hold governments accountable and themselves be accountable • Accountability mechanisms from NPM can turn First Nations into service providers instead of decision-makers • Good governance and accountability practices for mob may not look like how governments like to do business.
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Title and authors	Linking Accountability and self-determination in Aboriginal organisations DF Martin and JD Finlayson
Citation (Harvard UTS style)	Martin, DF, and Finlayson, JD., 1996. <i>Linking Accountability and Self-determination in Aboriginal Organisations</i> , CAEPR, Canberra.
Categories (select all that apply)	<ul style="list-style-type: none"> Scholarly literature
Purpose of paper	A discussion paper synthesising a number of projects on accountability and performance of Aboriginal organisations.
Major findings and recommendations	<p>Localism isn't absolute, and itself varies greatly across geographies. 'Because it is grounded in the particularities of small-scale groupings, shared values, events and so forth, its extent is dependent upon the particular issues around which political or economic action is being undertaken...its composition and extent may be dependent upon such factors as the relevant issue, who is seen as having legitimate interests in it, and how much support they can command over that issue.' (p 5)</p> <p>There will always be tensions in accountability between local interests, which are specific and internally accountable, and broader interests of government in Aboriginal affairs, which are linked to resourcing and externally accountable.</p> <p>'Organisations which are accountable to their members or constituencies are more likely to be effective in what they undertake and more financially accountable. [...] There are also crucial dimensions of [internal accountability] from the Aboriginal political and social domain, and can be expressed for instance through relations of kinship, familial obligations, and culturally define rights to speak about particular matters. The most effective organisations are those which have made creative use of principles drawn from both [internal and Western] domains in establishing structures and processes which seek to maximise internal accountability.' (p 13)</p> <p>'Aboriginal organisations which have given careful attention to the actual nature, scope and dynamics of their constituencies, and have attempted to incorporate this diversity within their structures and processes, will be more likely to have achieved internal accountability than those which attempt to legitimate themselves whether internally or externally based on some unexamined notion of being 'community' or 'grass roots' based...Organisations which have instituted processes to maximise internal accountability will have established participatory processes by which organisational goals and strategies are developed, defined the contexts in which the organisation will act, and established procedures for ongoing monitoring of their performance — organisational self-determination [...] Furthermore, organisations which have developed structures and processes which maximise their internal accountability are more likely to be externally accountable [...] more likely to result in effective outcomes and the accountable use of funds.' (p 22)</p>
Strengths	<ul style="list-style-type: none"> Relates to First Nations people in NSW Concerns accountability frameworks that have been evaluated or assessed as effective by Aboriginal peoples
Limitations	<ul style="list-style-type: none"> Does not prioritise Aboriginal epistemologies, axiological and ontological frameworks Developed without Indigenous peoples

	<ul style="list-style-type: none"> ○ Does not provide a sophisticated understanding of Aboriginal nation-building
Relevance to First Nations people in NSW	Relevant to mobs who express themselves through particular legal personalities — and those mobs who are called to be accountable to funders or governments. Highly relevant in NSW context where both practices are common.
Insights on accountability frameworks	<ul style="list-style-type: none"> • The relevance of locality in accountability will itself vary between local contexts • To be accountable internally, First Nations and communities must be clear about their constituencies, roles and structures • Internal accountability enhances external accountability — even while both are likely to always be in tension • Governance principles (aside from those networks which are not to be legible to settler law or governance) can be drawn from both Indigenous and non-Indigenous practices in the contact zone.