INDIGENOUS RESEARCH ETHICS

Claiming Research Sovereignty Beyond
Deficit and the Colonial Legacy

Edited by
Lily George
Juan Tauri
Lindsey Te Ata o Tu MacDonald

INDIGENOUS RESEARCH ETHICS

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INDIGENOUS RESEARCH ETHICS: CLAIMING RESEARCH SOVEREIGNTY BEYOND DEFICIT AND THE COLONIAL LEGACY

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British Library Cataloguing in Publication Data
A catalogue record for this book is available from the British Library

ISOQAR certified
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for adherence to
Environmental
standard
ISO 14001:2004.

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Certificate Number 1985
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INVESTOR IN PEOPLE

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ABOUT THE EDITORS

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ABOUT THE AUTHORS

Professor Thalia Anthony is of Cypriot heritage, including from the colonised northern region, and works on Gadigal land. She is a Professor of Law at the University of Technology Sydney and researches systemic racism and colonial legacies in law enforcement. Her books include *Indigenous People, Crime and Punishment and Decolonising Criminology*. She collaborates with Aboriginal organisations in research and activism.

Dr Debbie Bargallie is a descendent of the Kamilaroi and Wonnarua peoples of New South Wales. She is a Postdoctoral Senior Research Fellow in the Griffith Institute for Educational Research, Griffith University and researches on race and racism. Her book *Unmasking the racial contract: Indigenous voices on racism in the Australian Public Service* was published in 2020 by AIATSIS Aboriginal Studies Press.

Maddie Boe's research interests include holistic well-being, including cultural, social, and emotional well-being, Indigenous self-determination, and intersectional feminism, including decolonisation. In 2016, as a graduate student, he received the Highest Academic Performance award (Upper Years) in Behavioural Science at the University of Notre Dame, Fremantle.

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Dr Julie Bull (PhD) is an award-winning Inuk Researcher and Educator from NunatuKavut, Labrador. She is currently based on Prince Edward Island and travels throughout Canada to work with communities, researchers, Research Ethics Boards (REBs), educators, and policymakers to implement emerging and promising practices in ethics and engagement with Indigenous peoples.

Professor Chris Cunneen is a Professor of Criminology at the Jumbunna Institute for Indigenous Education and Research, University of Technology Sydney, and an Adjunct Professor at James Cook University. Recent books include (with Brown et al.) *Justice Reinvestment: Winding Back Imprisonment*, Palgrave, and (with Tauri) *Indigenous Criminology*, Policy Press.

Associate Professor Antje Deckert is a Senior Lecturer (Criminology) at Auckland University of Technology. Her research examines academic and media crime discourses and their interactions with Indigenous peoples and

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Professor Jennifer Deger is a Visual Anthropologist and Research Leader who makes films, curates exhibitions, and writes on art, media, and relational aesthetics. She is Co-founder of Miyarrka Media, a community-based arts collective based in the Yolngu community of Gapuwiyak, northern Australia, with a recent publication about possibilities of a *yuṯa*, or new, anthropology, *Phone & Spear: A Yuṯa Anthropology* (Goldsmiths Press, 2019).

Fiona Duckworth is Senior Research Advisor Māori Research Laboratory: Te Rū Rangahau, University of Canterbury. She also works in central government contexts and has a focus on embedding culturally responsive approaches into policy and practice.

Professor Pat Dudgeon is from the Bardi people of the Kimberly area in Western Australia. Her areas of research include Aboriginal and Torres Strait Islander social and emotional well-being and suicide prevention. She has many prominent publications including, *Working Together: Aboriginal and Torres Strait Islander Mental Health and Wellbeing Principles and Practice*.

Professor Simon Easteal is the Director of the National Centre for Indigenous Genomics (NCIG) at the Australian National University's John Curtin School of Medical Research. For the past eight years, he has been working with a team of researchers to establish NCIG as a Centre that enables respectful inclusion of Aboriginal and Torres Strait Islander peoples in genome research and in the resultant health benefits.

Dr Lorena Gibson specialises in the Anthropology of development, hope, and NGOs. Her current Marsden-funded research project, East Side Orchestras: Music and Social Change, explores the social impacts of NGOs operating orchestral music education programmes in areas of high socioeconomic deprivation in urban Wellington, Aotearoa New Zealand.

Azure Hermes is from the Gimuy Walubara Yidinji people, traditional custodians of the Cairns area. She is the Indigenous Community Engagement Coordinator at the National Centre for Indigenous Genomics (NCIG) at the Australian National University. In this role, Azure communicates to Aboriginal and Torres Strait Islander people the story of the NCIG historical collection.

Horomona Horo has fused the traditional instruments of the Maori, taonga puoro, within a diverse range of cultural and musical forms. Mentored by tohunga (experts) of taonga puoro, the late Dr Hirini Melbourne and Richard Nunns, he has become one of the leading international Maori faces of Taonga Puoro.

Associate Professor Maui Hudson (Whakatōhea) is an Interdisciplinary Researcher based in the Faculty of Māori and Indigenous Studies at the

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Dr Sharon Huebner is a Research Fellow at the University of Melbourne's Indigenous Studies Unit and an honorary Research Fellow at the Monash Indigenous Studies Centre. She has worked with Aboriginal and Torres Strait Islander families for the past two decades protecting and preserving intergenerational rights to cultural heritage, including the digital return of material culture from archives, libraries, and museums and to protocols for ethical engagement.

Dr Rebecca Kiddle's (Ngāti Porou, Ngā Puhi) research interests focus on Māori identity as it relates to towns and cities, the role of young people in decision-making processes to do with the built and natural environment, and decolonising cities.

Professor Tahu Kukutai (Ngāti Tiipa, Ngāti Kinohaku, Te Aupōuri) is Professor of Demography at the National Institute of Demographic and Economic Analysis. She co-edited *Indigenous Data Sovereignty: Toward an Agenda* and is a Founding Member of Te Mana Raraunga Māori Data Sovereignty Network and the Global Indigenous Data Alliance.

Rhea Lewthwaite is a Tr'ondëk Hwëch'in citizen and works for her self-governing First Nation on modern-treaty implementation issues. Her PhD research examines justice epistemologies, values, processes and practices within the social operation and function of the Tr'ondëk Hwëch'in before colonisation in the late 1890s and since post self-governance in the late 1990s.

Sebastian J. Lowe is a musical anthropologist from Aotearoa New Zealand with an interest in sound worlds, music, filmmaking, creative research methods, community anthropology and collaborative 'Mahi Tahi' ethics. He is also a co-curator of www.otismakers.com and a member of the New Zealand Ethics Committee - Te Roopu Rapu i te Tika.

Dr Angus Hikairo Macfarlane is Professor of Māori Research at the University of Canterbury, New Zealand. He has a prolific publication record and has also received many awards for his extensive academic achievements and contributions to Māori education. His research explores cultural concepts and strategies that influence professional practice.

Dr Sonja Macfarlane is an Associate Professor and Senior Research Fellow at the University of Canterbury, New Zealand. She has been the recipient of several prestigious awards that have acknowledged her academic contributions to Maori education. Her research focuses on culturally responsive evidence-based professional practice.

Professor Elena Marchetti is a Professor in the Griffith Law School, Griffith University. She is also the Deputy Chair of the Queensland Sentencing Advisory

Council. Her main research interests include Indigenous and feminist critiques of justice process and access to justice for minority groups. Her recent book *Indigenous Courts, Culture and Partner Violence* was published in 2019 by Palgrave Macmillan.

Carolyn Mascall, for over six years, has been engaged with the National Empowerment Project undertaking administration and research. She has studied health promotion, education, and public policy. She has worked to support the community to access appropriate health care and education and to improve cultural, social, and emotional well-being.

Dr Jeremy Mayall is a Composer, Performer, and Researcher who works in music, sound art, installation, and multimedia formats, with a focus on exploring his fascination in the interrelationships between sound, time, space, the senses, and the human experience. Much of his research is in the area of creative practice.

Miyarrka Media is an arts collective from east Arnhem Land in Australia's Northern Territory. They have exhibited internationally and produced several award-winning documentary films. *Phone & Spear: A Yuṯa Anthropology* (Goldsmiths Press, 2019) is their first book, collaboratively authored by Paul Gurrumuruwuy, Jennifer Deger, Enid Guruŋulmiwuy, Warren Balpatji, Meredith Balanydjarrk, James Ganambarr, and Kayleen Djingadjingawuy.

Ocean Ripeka Mercier (Ngāti Porou) explores the connections between mātauranga Māori and science, particularly in educational contexts, cultural mapping, and her current research collaborations: pest wasps, ocean knowledge platforms, and groundwater. She is widely known for her science communication roles, for instance, as presenter of Māori Television's *Project Mātauranga* and TVNZ's *Coast*.

Dr Marama Muru-Lanning is the Director of the James Henare Māori Research Centre and an Associate Professor in Anthropology at the University of Auckland. Her research focuses on Māori perspectives of commodifying and privatising water, harbours, and other natural resources in Aotearoa New Zealand. Her book *Tūpuna Awa: People and Politics of the Waikato River* was published by Auckland University Press in 2016. She is from Tūrangawaewae Marae and is of Waikato and Ngāti Maniapoto descent.

Wiremu T. Puke is of Ngāti Wairere (the mana whenua of Hamilton City), Ngāti Porou, Ngāti Tūwharetoa, and Ngāpuhi descent. He is a trained ethnographic and empirical researcher and one of the few Māori carvers trained and accomplished in the use of traditional Māori stone tools.

Angela Ryder is a Wilman/Goreng Noongar from south-west WA who has worked relentlessly for over 30 years, with particular focus on empowering Aboriginal peoples and communities through the promotion of cultural, social, and emotional well-being. She is employed by Relationships Australia WA and serves on a number of boards.

Professor Juanita Sherwood is a Wiradjuri woman, Leader in ethical research practices with Aboriginal people, communities, and organisations in Australia. She is the Pro Vice Chancellor of Indigenous Engagement at Charles Sturt University. Her research approach is focused on building the capacity of non-Aboriginal researchers to ensure they undertake ethical research with Aboriginal peoples and their communities.

Dr Cherryl Waerea-i-te-rangi Smith (Ngā Wairiki/Ngati Apa, Te Aitanga a Hauiti, Ngai Tumapuhiarangi, Ngai Tahu) is a Senior Researcher at Te Atawhai o te Ao and lead researcher for her tribe Nga Wairiki/Ngati Apa. She has undertaken kaupapa Maori research for over 25 years in health, environment, education, and justice. She is grandmother of nine.

Dr Gretchen Stolte is a Nimi'ipuu (Nez Perce) American Indian and is the Berndt Foundation Research Fellow at the University of Western Australia. Her research on Australian First Nations identity construction and art will be published in a monograph to be available in late 2019.

Dr Catherine Trundle is a Pākehā Cultural Anthropologist and poet based in Wellington, New Zealand. She researches and writes about health, inequality, gender, family, ethics, and the politics of proof, and her work seeks to challenge the boundaries between academic writing and other creative modes of expression.

Tarapuhi Vaeau is a descendent of Ngāti Raukawa ki Te Tonga and Te Ati Haunui-a-Papārangi. She is a Cultural Anthropologist and Design Consultant. Her research interests lie in historical trauma, structural violence, Indigenous health, the politics of agency in vulnerable spaces, and Indigenous methodologies.

Kiri West (Ngāti Marutūahu) is a Doctoral Student at the University of Auckland, based in the Māori studies department. Her research is interested in Māori Data Sovereignty, with a particular focus on ethics and governance. She is a Founding Participant of the Global Indigenous Data Alliance.

Associate Professor Megan Williams is Wiradjuri through paternal family with over 20 years' experience on health programs and research in the justice context, including about workforce development and program evaluation using her Ngaa-bi-nya framework. She is an alumnus of the Lowitja Institute, chairs a research ethics committee and is a contributing editor of independent health media company Croakey.org.

Kaylynn Zaro is from Mauar of the Torres Strait central island group. She is the Director of Gerib Sik Torres Strait Islander Corporation and has received an ACT Women's Award in 2000 and 2010 and an Order of Australia Medal in 2010 for her work in promoting Torres Strait culture.

Noel Zaro is a Descendant of the Dowareb tribe of Murray Island in the Torres Strait. He is the Director of Gerib Sik Torres Strait Islanders Corporation and was awarded an Order of Australia Medal in 2010 for service to the promotion and teaching of Torres Strait Islander Culture.

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ABOUT THE SERIES EDITOR

Dr Ron Iphofen, FAcSS, is Executive Editor of the Emerald book series *Advances in Research Ethics and Integrity* and edited volume 1 in the series, *Finding Common Ground: Consensus in Research Ethics Across the Social Sciences* (2017). He is an Independent Research Consultant, a Fellow of the UK Academy of Social Sciences, the Higher Education Academy and the Royal Society of Medicine. Since retiring as Director of Postgraduate Studies in the School of Healthcare Sciences, Bangor University, his major activity has been as an adviser to the European Commission (EC) and its agencies, the European Research Council (ERC) and the Research Executive Agency (REA) on both the Seventh Framework Programme (FP7) and Horizon 2020. His consultancy work has covered a range of research agencies (in government and independent) across Europe. He was Vice Chair of the UK Social Research Association, updated their Ethics Guidelines and now convenes the SRA's Research Ethics Forum. He was scientific consultant on the EC RESPECT project – establishing pan-European standards in the social sciences and chaired the Ethics and Societal Impact Advisory Group for another EC-funded European Demonstration Project on mass transit security (SECUR-ED). He has advised the UK Research Integrity Office; the National Disability Authority (NDA) of the Irish Ministry of Justice; the UK Parliamentary Office of Science and Technology; the Scottish Executive; UK Government Social Research; National Centre for Social Research; the Audit Commission; the Food Standards Agency; the Ministry of Justice; the BIG Lottery; a UK Local Authorities' Consortium; Skills Development Scotland; Agence Nationale de la Recherche (ANR the French Research Funding agency), among many others. He was founding Executive Editor of the Emerald gerontology journal *Quality in Ageing and Older Adults*. He published *Ethical Decision Making in Social Research: A Practical Guide* (Palgrave Macmillan, 2009 and 2011) and coedited with Martin Tolich *The SAGE Handbook of Qualitative Research Ethics* (Sage, 2018). He is currently leading a new €2.8M European Commission-funded project (PRO-RES) that aims at promoting ethics and integrity in all non-medical research (2018–2021).

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SERIES PREFACE

Ron Iphofen (Series Editor)

This book series, *Advances in Research Ethics and Integrity*, grew out of foundational work with a group of Fellows of the UK Academy of Social Sciences (AcSS) who were all concerned to ensure that lessons learned from previous work were built upon and improved in the interests of the production of robust research practices of high quality. Duplication or unnecessary repetitions of earlier research and ignorance of existing work were seen as hindrances to research progress. Individual researchers, research professions and society all suffer in having to pay the costs in time, energy and money of delayed progress and superfluous repetitions. There is little excuse for failure to build on existing knowledge and practice given modern search technologies unless selfish 'domain protectionism' leads researchers to ignore existing work and seek credit for innovations already accomplished. Our concern was to aid well-motivated researchers to quickly discover existing progress made in ethical research in terms of topic, method and/or discipline and to move on with their own work more productively and to discover the best, most effective means to disseminate their own findings so that other researchers could, in turn, contribute to research progress.

It is true that there is a plethora of ethics codes and guidelines with researchers left to themselves to judge those more appropriate to their proposed activity. The same questions are repeatedly asked on discussion forums about how to proceed when similar longstanding problems in the field are being confronted afresh by novice researchers. Researchers and members of ethics review boards alike are faced with selecting the most appropriate codes or guidelines for their current purpose, eliding differences and similarities in a labyrinth of uncertainty. It is no wonder that novice researchers can despair in their search for guidance and experienced researchers may be tempted by the 'checklist mentality' that appears to characterise a meeting of formalised ethics requirements and permit their conscience-free pursuit of a cherished programme of research.

If risks of harm to the public and to researchers are to be kept to a minimum and if professional standards in the conduct of scientific research are to be maintained, the more that fundamental understandings of ethical behaviour in research are shared the better. If progress is made in one sphere everyone gains from it being generally acknowledged and understood. If foundational work is conducted everyone gains from being able to build on and develop further that work.

Nor can it be assumed that formal ethics review committees are able to resolve the dilemmas or meet the challenges involved. Enough has been written about such review bodies to make their limitations clear. Crucially, they cannot follow

researchers into the field to monitor their every action; they cannot anticipate all of the emergent ethical dilemmas nor, even, follow through to the publication of findings. There is no adequate penalty for neglect through incompetence, nor worse, for conscious omissions of evidence. We have to rely upon the virtues of the individual researcher alongside the skills of journal reviewers and funding agency evaluators. We need constantly to monitor scientific integrity at the corporate and at the individual level. These are issues of quality as well as morality.

Within the research ethics field new problems, issues and concerns and new ways of collecting data continue to emerge regularly. This should not be surprising as social, economic and technological change necessitate constant re-evaluation of research conduct. Standard approaches to research ethics such as valid informed consent, inclusion/exclusion criteria, vulnerable subjects and covert studies need to be reconsidered as developing social contexts and methodological innovation, interdisciplinary research and economic pressures pose new challenges to convention. Innovations in technology and method challenge our understanding of 'the public' and 'the private'. Researchers need to think even more clearly about the balance of harm and benefit to their subjects, to themselves and to society. This series proposes to address such new and continuing challenges for both funders, research managers, research ethics committees and researchers in the field as they emerge. The concerns and interests are global and well recognised by researchers and commissioners alike around the world but with varying commitments at both the procedural and the practical levels. This series is designed to suggest realistic solutions to these challenges – this practical angle is the *unique selling proposition* (USP) for the series. Each volume will raise and address the key issues in the debates, but also strive to suggest ways forward that maintain the key ethical concerns of respect for human rights and dignity, while sustaining pragmatic guidance for future research developments. A series such as this aims to offer practical help and guidance in actual research engagements as well as meeting the often varied and challenging demands of research ethics review. The approach will not be one of abstract moral philosophy; instead it will seek to help researchers think through the potential harms and benefits of their work in the proposal stage and assist their reflection of the big ethical moments that they face in the field often when there may be no one to advise them in terms of their societal impact and acceptance.

While the research community can be highly imaginative both in the fields of study and methodological innovation, the structures of management and funding, and the pressure to publish to fulfil league table quotas can pressure researchers into errors of judgment that have personal and professional consequences. The series aims to adopt an approach that promotes good practice and sets principles, values and standards that serve as models to aid successful research outcomes. There is clear international appeal as commissioners and researchers alike share a vested interest in the global promotion of professional virtues that lead to the public acceptability of good research. In an increasingly global world in research terms, there is little point in applying too localised a morality, nor one that implies a solely Western hegemony of values. If standards 'matter', it seems evident that they should 'matter' to and for all. Only then can the growth

of interdisciplinary and multi-national projects be accomplished effectively and with a shared concern for potential harms and benefits. While a diversity of experience and local interests is acknowledged, there are existing, proven models of good practice which can help research practitioners in emergent nations build their policies and processes to suit their own circumstances. We need to see that consensus positions effectively guide the work of scientists across the globe and secure minimal participant harm and maximum societal benefit – and, additionally, that instances of fraudulence, corruption and dishonesty in science decrease as a consequence.

Perhaps some forms of truly independent formal ethics scrutiny can help maintain the integrity of research professions in an era of enhanced concerns over data security, privacy and human rights legislation. But it is essential to guard against rigid conformity to what can become administrative procedures. The consistency we seek to assist researchers in understanding what constitutes 'proper behaviour' does not imply uniformity. Having principles does not lead inexorably to an adherence to principlism. Indeed, sincerely held principles can be in conflict in differing contexts. No one practice is necessarily the best approach in all circumstances. But if researchers are aware of the range of possible ways in which their work can be accomplished ethically and with integrity, they can be free to apply the approach that works or is necessary in their setting. Guides to 'good' ways of doing things should not be taken as the 'only' way of proceeding. A rigidity in outlook does no favours to methodological innovation, nor to the research subjects or participants that they are supposed to protect. If there were to be any principles that should be rigidly adhered to they should include flexibility, open-mindedness, the recognition of the range of challenging situations to be met in the field – principles that in essence amount to a sense of proportionality. And these principles should apply equally to researchers and ethics reviewers alike. To accomplish that requires ethics reviewers to think afresh about each new research proposal, to detach from pre-formed opinions and prejudices, while still learning from and applying the lessons of the past. Principles such as these must also apply to funding and commissioning agencies, to research institutions and to professional associations and their learned societies. Our integrity as researchers demands that we recognise that the rights of our funders and research participants and/or subjects are to be valued alongside our cherished research goals and seek to embody such principles in the research process from the outset. This series will strive to seek just how that might be accomplished in the best interests of all.

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FOREWORD

This book is timely and significant as the need for both an ethic about Indigenous research and an ethics of Indigenous research is as urgent now as it was two decades ago. The faster that knowledge and technology accelerates and is disseminated globally and virtually, the more important it is that our consciousness about conducting ethical research with, for and by Indigenous peoples and communities is paying attention. The more our world is threatened either by climate change or political repression, by biotechnology or human stupidity, the more we need to act ethically and in relation to humans and all other entities.

This book goes well beyond the 'How to fill out an ethics form' procedural approach to ethical requirements into the diverse ways in which we think about ethics within Indigenous research, how it is negotiated within non-Indigenous institutional contexts and then how it is mediated across different disciplinary and methodological attitudes to Indigenous peoples. This book is the textbook we need to support our postgraduate students to think deeply about ethics, and it is the text we need to sustain the intellectual conversation about research ethics in relation to Indigenous research as a part of exercising our epistemic sovereignty.

Professor Linda Tuhiwai Smith