

CDU-HREC guidelines for reviewing and supporting First Nations Research

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Recognition of Country

In acknowledging that all research in Australia is carried out on the land of First Nations peoples, the relevant traditional owners and/or local organisations should be informed of the activity being undertaken by the researchers if it entails issues of significance for First Nations Peoples*, as the local people may wish to be involved.

Purpose

The purpose of this document is to provide guidance to CDU Human Research Ethics Committee (CDU-HREC) members for reviewing and assessing First Nations research proposals to ensure consistency, transparency and justice in ethical decision making. Following discussion with the committee, these guidelines are now being shared with the university community here on the webpages. These guidelines are a response to the desire to focus First Nations research submissions on upholding First Nations values.

With the determination to promote ethical principles within the National Statement, the NMHRC's guidelines for Ethical Conduct in Research with Aboriginal and Torres Strait Islander Peoples and communities and abide by the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) Code, the members of CDU-HREC recognise their critical contribution in supporting First Nations research. This is underpinned by acknowledging that First Nations people bring unique perspectives to research including a profound understanding of the environmental and social conditions of the mixed communities we all now live in and experience within mainstream society. CDU-HREC wish to allow that input to flourish through promoting high standards for ethical practice in research at CDU.

Definition of First Nations Research:

CDU-HREC considers First Nations Research as any research that relates to, or may have the potential to impact, the collective rights and interests of First Nations peoples' lands, waters, cultures and histories.

It is important to emphasise that First Nations Research is not limited to studies that involve Aboriginal or Torres Strait Islander people as researchers or sources of direct data collection i.e., participants in research. This broad definition includes new projects where existing data are analysed again, perhaps in a different way, as part of another study. In particular, such research provides opportunity for greater involvement and training of local knowledge holders as researchers within the academy.

Research that relates to First Nations peoples of Australia should be informed by First Nations research ethics principles outlined in AIATSIS Code: A Guide Applying the AIATSIS Code of Ethics for Aboriginal and Torres Strait Islander Research (2020) and the National Health and Medical Research Council (NHMRC) Ethical conduct in research with Aboriginal and Torres Strait Islander Peoples and communities: Guidelines for researchers and stakeholders (2018).

All research, including studies that have negligible risk or use secondary data that could have a potential impact on First Nations Peoples, require HREC review by the full committee.

Submission requirements:

As an ethical review body, CDU-HREC takes a precautionary approach for all First Nations Research, as recommended in the AIATSIS Code, where 'guidance from an ethics review committee with experience in Aboriginal and Torres Strait Islander research can be of significant benefit' (AIATSIS Code 2020, p7).

At CDU, investigators who are proposing to embark on a First Nations Research study are required to submit a standard HREC application [form](#), respond to questions that relate to the six core values of Aboriginal and Torres Strait Islander People (NHMRC 2018) and provide a signed research agreement, known as the [Aboriginal and Torres Strait Islander Research Agreement \(ATSIRA\)](#), or equivalent with relevant First Nations representatives, collaborators or stakeholders, if reasonable. In most circumstances, a thoughtfully selected and invited Reference Group for the study is recommended to promote wider engagement, support First Nations people on the research team, improve quality and reduce unforeseen risk throughout the full course of the study.

Review criteria

All research ethics proposals are reviewed according to the four overarching ethical principles identified in the NHMRC National Statement: Research merit and integrity, Justice, Beneficence and Respect for humans.

First Nations research ethics proposals are required to provide evidence of genuine partnership and equitable engagement with First Nations peoples that is aligned and congruent with the purpose, design, methodology and methods of the research study, and a commitment to Indigenous values in research. The research must be informed by 'Indigenous priorities, values, perspectives, and voices... [this includes] the 'why' and 'how' of research from conception to communication' (AIATSIS Code 2020, p17), and Indigenous data sovereignty around the control and use of data and access wherever it is held.

CDU-HREC reviews applications to assess understanding and integration of the six core values of Aboriginal and Torres Strait Islander People (NHMRC 2018): Spirit and integrity, Cultural continuity, Equity, Reciprocity, Respect and Responsibility and the four principles contained in the AIATSIS Code: Indigenous self-determination, Indigenous leadership, Impact and value, and Sustainability and accountability. Questions on the CDU-HREC application form ask researchers to explain how they are implementing these values into their research.

According to the National Statement, HREC decisions 'must be informed by an exchange of opinions from each of those who constitute the minimum membership...and endeavour to research decisions by general agreement' (NHMRC 2018, p92). CDU-HREC is a democratic body that engages in critical discussion of applications within meetings.

Doing an Aboriginal and Torres Strait Islander Research Agreement (ATSIRA) well

The ATSIRA was developed to support investigators in their compliance with the AIATSIS Code, research integrity and research governance. Investigators are invited to adapt and tailor the template ATSIRA found on the webpages according to the context and specific requirements of their study.

CDU-HREC requests that the agreement is signed by relevant collaborators, stakeholders and First Nations representatives following thorough and genuine consultation integral to the planning of the research project and submitted along with the ethics application. This helps to ensure that all details concerning a study's conduct have been discussed and agreed before ethical review. The ATSIRA serves as a practical document to assist CDU researchers to uphold the highest standards of research integrity, governance, data sovereignty and ethics for the benefit of all investigators, participants, contributors, advisors and stakeholders involved in and potentially impacted by the study.

The ATSIRA should be signed by all communities who will participate in the study to ensure that the process towards Indigenous led researcher is pursued.

Exceptions when ATIRA may not be needed:

The ATSIRA was meant to ensure true consultation and shared leadership in all aspects of the research, from conception to final reporting. More recently we have identified the need to go further to support First Nations Peoples and promote fairness in all aspects of CDU-HREC activity and process.

CDU-HREC acknowledges that in some circumstances a signed ATSIRA need not be provided with the application or is inappropriate within the context of a particular study. In these instances, the requirement may be reconsidered as follows, allowing the discretion of the committee members in their deliberations:

- 1) The researcher demonstrates that consultation is well underway, but the ATSIRA has yet to be finalised by all signatories. Conditional Approval can be granted to allow the study to progress without data collection, providing the rest of the application satisfies CDU-HREC. Many of our projects are presented at this stage as the researchers want to verify the project before they go for a formal signing.
- 2) The research involves First Nations people as participants who represent themselves as professionals, students, or another identifiable research cohort within a broad Australian locality, outside of an Indigenous community. No ATSIRA is required if there are no obvious collaborators or representative bodies to sign such a document. However, active engagement and genuine decision-making accountability in the research by First Nations people needs to be documented. This can be achieved by:
 - a. Convening a Reference Group that includes First Nations people unless there is strong and appropriate representation on the research team,
 - b. Notifying local Traditional Owners, and
 - c. Ensuring that details of research integrity and governance surrounding contribution, expectations, sustainability, data sovereignty, intellectual property, authorship and timescale are identified and agreed with participants, ideally within the Information for Participants and Informed Consent process.

For example, a project in Darwin was run with professional teachers, who do not have a representative group.

- 3) The research is led by or co-designed with a First Nations researcher or collaborator, who is part of the community under study.
 - a. A Reference Group is strongly advised, which may be the research team and hence their knowledge contribution is fully acknowledged.For example, when Yolngu researchers are included on the research team and the study is being carried out in Yolngu communities.
- 4) A First Nations research team working with a community that is not their own, requires a Reference Group established either through:
 - a. The ATSIRA form signed following consultation with relevant representatives or
 - b. A letter from the community and/or relevant local organisation that confirms awareness and support of the study, demonstrating understanding by including details of

individuals who will support the study, intellectual property, authorship, timescale, expectations and sustainability.

For example, projects developed with Aboriginal people from around Australia who are based at CDU and researching issues with communities here.

Applications that are not First Nations research

Submissions that are not considered First Nations research yet are determined to entail issues of significance for First Nations peoples*, will require completion of Item 13 on the application and/or engagement with a Reference Group. An ATSIRA will not be required in most instances.

* Issues of significance refer to economic, social, educational, cultural, environmental (lands and waters) and service provision associated with potential impact to First Nations People.