



Royal Commission into Aboriginal Deaths in Custody Recommendation

51. Criteria for funding research related to Aboriginal people

That research funding bodies reviewing proposals for further research on programs and policies affecting Aboriginal people adopt as principal criteria for the funding of those programs:

- a) *The extent to which the problem or process being investigated has been defined by Aboriginal people of the relevant community or group;*
- b) *The extent to which Aboriginal people from the relevant community or group have substantial control over the conduct of the research;*
- c) *The requirement that Aboriginal people from the relevant community or group receive the results of the research delivered in a form which can be understood by them; and*
- d) *The requirement that the research include the formulation of proposals for further action by the Aboriginal community and local Aboriginal organisations.¹*

Background²	The Royal Commission into Aboriginal Deaths in Custody (RCIADIC) stressed the imperative for active engagement of Aboriginal communities in defining research problems and processes. More specifically, that a critical benchmark for funding consideration should be the extent to which the community contributes to framing the research issue. Likewise, that Aboriginal people and community should have substantial control over the research process, ideally through a collaborative approach, and be delivered the research results in a comprehensive manner. As such, the RDIADIC called for research initiatives to go beyond data collection and rather propose tangible actions and solutions that would benefit Aboriginal communities. This should align with the recommendation’s criteria for funding programs and policies affecting Aboriginal people.
Intent	Prioritise funding for Aboriginal-focused research by involving communities in defining issues, ensuring community control, delivering results, and formulating actionable proposals for community advancement.
Responsibility	The Commonwealth and all state and territory governments.
Key contact	Department of Premier and Cabinet (DPC); Department of Families, Fairness and Housing (DFFH); Department of Health (DH); Department of Jobs, Skills, Industry and Regions (DJSIR).

¹ RCIADIC, (Final Report, 1991) vol 2, 54-63 ('RCIADIC').

² Ibid.

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Key Action Taken

2005 Review³ Recommendation 51 was not assessed by Victorian Government agencies as it was deemed to be the sole responsibility of the Commonwealth Government.

Department for Victorian Communities

Aboriginal Affairs Victoria (AAV) advised that in general, they did not fund external research. However, an Indigenous Family Strategy project intended to involve the commissioning of research on published family violence statistics. AAV intended to include Recommendation 51 principles within tender documentation.

2018 Review⁴ Deloitte concluded that the Commonwealth Government had **fully implemented** Recommendation 51 through the introduction of the following guidelines relating to health and non-health research concerning Aboriginal people.

- The Commonwealth Government released the Values and Ethics: Guidelines for Ethical Conduct in Aboriginal and Torres Strait Islander Health Research and the Guidelines for Ethical Research in Australian Indigenous Studies.
- The National Health and Medical Research Council (NHMRC) required applications for Aboriginal health research must address the NHMRC Indigenous Research Excellence Criteria of community engagement, benefit, sustainability and transferability, and building capability.
- The Discovery Indigenous Scheme by the Australian Research Council supports research programs led by Aboriginal researchers and aimed to build research capacity of higher degree research and early career researchers.

Since then Responses from departments consulted on implementation of this recommendation:

Department of Families, Fairness and Housing⁵

DFFH commissions Aboriginal-owned evaluation specialists where possible for relevant evaluations, noting that this sometimes occurs in partnership with the Department's internal evaluation provider.

DFFH noted that there had been an increase in the use of Aboriginal-owned evaluation organisations conducting relevant evaluations. However, the demand for services for Aboriginal evaluation organisations exceeded current supply, meaning that Aboriginal-owned evaluation organisations cannot be commissioned for all relevant evaluations. Over time DFFH anticipate that this market will continue to mature and be able to take on a greater proportion of these evaluations.

³ Aboriginal Justice Forum (Vic), Department of Justice (Vic), *Victorian Implementation Review of the Recommendations from the Royal Commission into Aboriginal Deaths in Custody* (Review Report, October 2005) vol 1, 681, 692 ('2005 Review').

⁴ Deloitte Access Economics, Department of Prime Minister and Cabinet, *Review of the Implementation of the Recommendations of the Royal Commission into Aboriginal Deaths in Custody* (Report, August 2018) 106-107 ('2018 Review').

⁵ Department of Families Fairness and Housing, 'Review of Recommendations from the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) on Data, Research, Funding, Child Protection & Youth' (Response to AJC Request) 5-7.

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Department of Health⁶

While this recommendation was deemed fully implemented, the Department has provided further support for development and implementation of the Victorian Aboriginal Health, Medical and Wellbeing Research Accord: *marra ngarroo, marra goorri*. This is underpinned by a driving principle of Aboriginal-led research for Aboriginal people.

The Accord was launched in October 2023 after the Victorian Government funded VACCHO to develop the Accord in 2020-21, with further funding provided in 2022 for finalisation and implementation. Government support for implementing the Accord now rests with the Department of Jobs, Skills, Industry and Regions under the portfolio of the Minister for Medical Research. However, implementation funding ceased from June 2023 and may present challenges for subsequent phases of implementation.

Evidence of impact

Authorising Document

Department of Health⁷

marra ngarroo, marra goorri

The Victorian Aboriginal Health, Medical and Wellbeing Research Accord is a state-wide instrument that aims to assist researchers and research organisations to improve their ethical standards and increase self-determination by empowering Aboriginal peoples to have a greater voice in how research is conducted across the state.

marra ngarroo, marra goorri will act as an official agreement between Signatories such as Victorian Aboriginal communities, Victorian Government, and research organisations (universities, TAFEs, MRIs, health policy organisations, health services and other persons or entities that conduct health, medical or wellbeing research), with the goal of improving ethical Aboriginal research practices in Victoria.

The Accord supports the implementation of the national ethics guidelines at a local level across Victoria, and by so doing, aims to:

- implement principles of self-determination by increasing rates of Aboriginal-led research and Aboriginal participation in research
- create equitable and trusting relationships between Aboriginal peoples and the health, medical and wellbeing research sector
- enhance health benefits for Aboriginal peoples by identifying Aboriginal health, medical and wellbeing research priorities that are relevant to and impact positively on Community
- improve the way Aboriginal research is conducted in Victoria, for it to become more cognisant of past trauma, respectful of Aboriginal lore and customs and be culturally appropriate

⁶ Department of Health (Vic), 'Review of Recommendations from the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) ' (Response to AJC Request) 7-9.

⁷ Ibid.; Victorian Aboriginal Community Controlled Health Organisation (VACCHO), Department of Health (Vic), *marra ngarroo, marra goorri* (The Victorian Aboriginal Health, Medical and Wellbeing Research Accord, October 2023) 12, 16 ('*marra ngarroo, marra goorri*').

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- empower Aboriginal peoples by actively contributing to research methodologies using Aboriginal ways of knowing, being and doing
- protect Aboriginal health, medical and wellbeing data, knowledges, practices, and knowledge systems provided during research, using Aboriginal-led mechanisms.

Aboriginal Affairs Framework 2018–2023⁸

The Victorian Government’s overarching framework for working with Aboriginal Victorians, organisations and the wider community is the Victorian Aboriginal Affairs Framework (VAAF).

The VAAF states:

The goals, objectives, measures and self-determination guiding principles and actions within the VAAF set a clear direction for how government will ‘Plan’, ‘Act’, ‘Measure’ and ‘Evaluate’ to progress change across government, address inequity and deliver stronger outcomes for and with Aboriginal Victorians.

- The VAAF includes 111 measures across six domains, each with objectives and goals. As a whole-of-Victorian-Government framework, each department is responsible for and must report on its actions in the VAAF every year. These are contained in an annual report which is tabled in parliament and includes a data dashboard.
- The Victorian Government specifically included a commitment in the VAAF to establish an Aboriginal-led evaluation and review mechanism to track progress against the framework. However, in 2023, this evaluation and review mechanism was not yet established.

Victorian Aboriginal Justice Agreement: Phase 4⁹

Monitoring and Evaluation Framework

Burra Lotjpa Dunguludja will be monitored and evaluated to ensure transparency, accountability and continuous improvement. A monitoring and evaluation strategy will be developed that aligns with the outcome framework, and will focus on:

- monitoring and measuring outcomes that reflect Aboriginal values and measures of success
- improving Aboriginal justice data collection, which is essential for establishing an evidence base and securing funding for AJA initiatives
- producing useful findings to inform future program design and policy.

Outputs

Department of Health¹⁰

The launch of *marra ngarloo, marra goorri* has promoted the importance of Indigenous Data Sovereignty principles in health, wellbeing and medical research.

⁸ Victorian State Government, *Victorian Aboriginal Affairs Framework 2018–2023* (Framework, 2018) ('VAAF 2018-2023'); Yoorrook Justice Commission, *Yoorrook for Justice: Report into Victoria’s Child Protection and Criminal Justice Systems* (Report, August 2023) 92-93 ('*Yoorrook for Justice*').

⁹ Department of Justice (Vic), *Burra Lotjpa Dunguludja: Victorian Aboriginal Justice Agreement Phase 4* (Agreement, 2018) 56-57 ('AJA4').

¹⁰ Department of Health (Vic), 'Review of Recommendations from the Royal Commission into Aboriginal Deaths in Custody (RCIADIC)' 7-9.

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Outcomes

Department of Health¹¹

The development of *marra ngaroo*, *marra goorri* involved regular consultations with Aboriginal community, Aboriginal health organisations, universities, medical research institutes, health services, human research ethic committees, the Victorian government, state and territory governments and the Commonwealth government.

marra ngaroo, *marra goorri* is governed by an Aboriginal and Torres Strait Islander-led Accord Governance Group (AGG). The AGG retains oversight of the monitoring and evaluation of *marra ngaroo*, *marra goorri*.

Yoorrook for Justice¹²

Yoorrook was disturbed to hear in evidence presented to the Commission that major policy frameworks relating to Aboriginal people have not been subject to any monitoring or evaluation, despite stated commitments to do so.

For example, the Aboriginal Youth Justice Strategy, *Wirkara Kulpa* (2022-2032), commits to monitoring under the *Burra Lotjpa Dunguludja: Monitoring and Evaluation Framework*. However, there were no specific, data-based Key Performance Indicators (KPIs) set in the strategy. A governance structure was only approved in June 2023, meaning there was effectively no monitoring or evaluation of the strategy for approximately 12 months.

Generally, Yoorrook was greatly concerned at the systemic failure to consistently implement standard accountability and measurement practices across various frameworks and policies. The lack of evaluation limits capacity to deliver benefits for Aboriginal people in Victoria and the lack of monitoring limits the accountability of those responsible for the delivery and outcomes of the programs. Overall, the lack of measurement of progress limits the likelihood of improvements for Aboriginal people.

Indigenous Research Excellence Criteria¹³

NHMRC's Indigenous Research Excellence Criteria (IREC) are designed to ensure that research into Aboriginal health is of the highest scientific merit and is beneficial and acceptable to Aboriginal peoples and communities.

National consultation (Jun-Sept 2023) on the IREC considered how the criteria are working in practice and whether improvements are needed. Stakeholders were asked whether the current IREC are still appropriate, how we can ensure a rigorous peer review process using the IREC, and what other national or international ideas and approaches might be considered.

Main Findings

Majority of respondents supported the continued use of IREC to assess applications involving Aboriginal health; however, they also added that the criteria needed to be refreshed to reflect modern community expectations.

The criteria would benefit from community-identified priorities (self-determination), be Aboriginal-led, co-designed with communities, involve community-led governance (including

¹¹ Ibid.

¹² *Yoorrook for Justice* 92-94.

¹³ National Health and Medical Research Council, *Indigenous Research Excellence Criteria Review* (Discussion Paper, 2023) ('IREC Review').

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data and intellectual property), respect Indigenous knowledges and research methods, value respectful relationships and result in research that is impactful and accountable with reciprocal benefits (for community and researchers), leading to appropriate knowledge translation and two-way capability strengthening.

Community Views

Dr Eddie Cubillo¹⁴

Our mob keep hearing promises, but those promises have not led to real implementation to make change.

Related recommendations

Yoorrook for Justice¹⁵

Recommendation 3

To ensure State accountability for Aboriginal peoples' related programs and policies by those responsible for their development and delivery:

- a) government bodies must ensure that Aboriginal peoples' related programs and policies are rigorously monitored and evaluated
- b) monitoring and evaluation must be designed alongside the development of the program or policy so that it is built into the program or policy (and commences at the same time as implementation) with measurement focused on real outcomes
- c) where programs or policies have existing commitments to monitoring and evaluation, but little or no progress has been made, these must be actioned within six months
- d) where programs or policies do not have monitoring or evaluation included, the inclusion of these must be actioned urgently, and
- e) these monitoring and evaluation processes must be in accordance with the Burra Lotjpa Dunguludja (AJA4) Monitoring and Evaluation Framework including:
 - i) being consistent with Aboriginal peoples' values
 - ii) reflecting Aboriginal peoples' priorities for what is measured and how it is measured
 - iii) having an approved regular reporting cycle, and
 - iv) having a commitment to the open reporting of results.

Recommendation 4

The Victorian Government must as an urgent priority, having regard to the right of Aboriginal people to self-determination, negotiate in good faith with the First Peoples' Assembly of Victoria:

- a) the establishment of an independent and authoritative oversight and accountability commission for the monitoring and evaluation of Aboriginal peoples related policies and programs
- b) the detailed functions and membership of the commission, and

¹⁴ Eddie Cubillo, *Outline of Evidence of Dr Eddie Cubillo (University of Melbourne)* (Yoorrook for Justice Evidence HB1.0002.0013.0001, 15 December 2022) 4 ('Outline of Evidence of Dr Eddie Cubillo (University of Melbourne)').

¹⁵ *Yoorrook for Justice* 27.

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- c) give the commission the necessary resources and authority to hold responsible government ministers, departments and entities to account for the success or failure of the programs they develop and deliver.

2005 Review¹⁶

Recommendation 156

That the extent to which the protocols for any research involving the Aboriginal community advanced by Recommendation 51 are adhered to by other research and research funding bodies be reviewed by a monitoring process established as a consequence of this Review.

Assessment Summary¹⁷

The intent of Recommendation 51 was to prioritise funding for Aboriginal-focused research by involving communities in defining issues, ensuring community control, delivering results, and formulating actionable proposals for community advancement.

There's a high degree of alignment between this recommendation and the actions that have been taken, noting:

- The National Health and Medical Research Council (NHMRC) Values and Ethics: Guidelines for Ethical Conduct in Aboriginal and Torres Strait Islander Health Research and Guidelines for Ethical Research in Australian Indigenous Studies reflect the four points described in Recommendation 51.
- Applications for Aboriginal health research must address the NHMRC Indigenous Research Excellence Criteria of community engagement, benefit, sustainability and transferability, and building capability.
- The Discovery Indigenous Scheme by the Australian Research Council supports research programs led by Aboriginal researchers and aimed to build research capacity of early career researchers.

Evidence of desired impacts by Victorian Government departments, includes:

- The Department of Families, Fairness and Housing commissions Aboriginal-owned evaluation specialists where possible for relevant evaluations, sometimes in partnership with their internal evaluation team.
- Research and evaluation funded by the Department of Justice and Community Safety generally requires approval from the Justice Human Research Ethics Committee. Where Aboriginal stakeholders are involved, the ethics application must demonstrate how the principles of ethical Aboriginal research are being upheld, including community engagement, benefit, sustainability, transferability, and capacity building, and must include an endorsement letter from the Koori Justice Unit.
- The Department of Health supported the Victorian Aboriginal Community Controlled Health Organisation development of the Victorian Aboriginal Health, Medical and Wellbeing Research Accord: *marra ngaroo, marra goorri*. It is underpinned by a driving principle of Aboriginal-led research for Aboriginal people. Government support for implementation now rests with the Department of Jobs, Skills, Industry and Regions under the portfolio of the Minister for Medical Research. However, implementation funding ceased from June 2023 and may present challenges for subsequent phases of implementation.

We note that in the 2023 review of Indigenous Research Excellence Criteria, most respondents supported the continued use of the Indigenous Research Excellence Criteria for assessing research involving Aboriginal health

¹⁶ 2005 Review, vol 1, 707.

¹⁷ Meeting with Aboriginal Justice Caucus Working Group (Project Team, Online, 1 September 2025) ('Working Group Meeting (1 September 2025)'); Meeting with Aboriginal Justice Caucus (Project Team, In Person, 23 September 2025) ('AJC Meeting (23 September 2025)').

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but recommended updating its criteria to reflect contemporary community expectations. We support the emphasis in the review on the need for Aboriginal-led processes that prioritise self-determination, community governance, respect for Aboriginal knowledge systems, and reciprocal benefits that strengthen capability and ensure meaningful, accountable research outcomes.

These changes may contribute to greater empowerment of communities to play a role in decision-making around research and outcomes and strengthen the positive impacts of the funding criteria already in place.

It's something community has accepted, and it makes it a lot easier to do that research when required.
(Marion Hansen, Co-chairperson, Aboriginal Justice Caucus)

Assessment of RCIADIC Recommendation 51

Is the intent of the recommendation accurately described?

Yes No

Does the action taken align with the intent of the recommendation?

0 – No action taken

1 – Action taken is of little relevance to the intent of the recommendation

2 – Action taken partially aligns with the intent of the recommendation

3 – Action taken fully aligns with the intent of the recommendation

2.5

(Score out of 3)

Is there evidence of the desired impact or outcome/s?

0 – No evidence

1 – Evidence of output rather than outcome

2 – Some evidence action contributed to outcome/s

3 – Clear link between action and impact or outcome/s

2.5

(Score out of 3)

How relevant is the recommendation in the current context?

0 – No relevance – refers to practices, agencies or laws that no longer exist

1 – Low – some relevance, but most aspects of the recommendation no longer apply

2 – Moderate – remains relevant, but some aspects of recommendation no longer apply

3 – High – entirely relevant to current context

3

(Score out of 3)

Does full implementation have the potential to reduce incarceration, increase safety in custody and/or progress Aboriginal self-determination?

0 – No potential to improve Aboriginal justice outcomes

1 – Low – potential to improve Aboriginal justice outcomes, but none of the three identified

2 – Moderate – potential to progress one or two of the outcomes identified

3 – High – potential to reduce incarceration AND increase safety in custody AND self-determination

1.25

(Score out of 3)

Potential actions for further work

Support implementation of *marra ngarroo, marra goorri*

Continue to invest in the implementation of *marra ngarroo, marra goorri*, the Victorian Aboriginal Health and Wellbeing Research Accord, including the Aboriginal teams and governance structures that support it.

Monitoring and evaluation underpinning accountability (*Yoorrook for Justice, recommendations 3 and 4*)

To ensure State accountability for Aboriginal peoples related programs and policies by those responsible for their development and delivery:

- a) government bodies must ensure that Aboriginal peoples related programs and policies are rigorously monitored and evaluated
- b) monitoring and evaluation must be designed alongside the development of the program or policy so that it is built into the program or policy (and commences at the same time as implementation) with measurement focused on real outcomes
- c) where programs or policies have existing commitments to monitoring and evaluation, but little or no progress has been made, these must be actioned within six months
- d) where programs or policies do not have monitoring or evaluation included, the inclusion of these must be actioned urgently, and
- e) these monitoring and evaluation processes must be in accordance with the Burra Lotjpa Dunguludja (AJA4) Monitoring and Evaluation Framework including:
 - i) being consistent with Aboriginal peoples' values,
 - ii) reflecting Aboriginal peoples' priorities for what is measured and how it is measured,
 - iii) having an approved regular reporting cycle, and iv) having a commitment to the open reporting of results.

The Victorian Government must as an urgent priority, having regard to the right of Aboriginal peoples to self-determination, negotiate in good faith with the First Peoples' Assembly of Victoria:

- a) the establishment of an independent and authoritative oversight and accountability commission for the monitoring and evaluation of Aboriginal peoples related policies and programs
- b) the detailed functions and membership of the commission, and
- c) to give the commission the necessary resources and authority to hold responsible government ministers, departments and entities to account for the success or failure of the programs they develop and deliver.

Low priority for further work

Relevance and potential impact

		Low (0-2)	Moderate (3-4)	High (5-6)
Extent of action taken and evidence of outcomes	High (5-6)		Rec 51	
	Moderate (3-4)			
	Low (0-2)			

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