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# Assessing the Prison Experience for Australian First Peoples: A Prospective Research Approach

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### Abstract

Australian First Peoples hyperincarceration is concomitant with the trauma of historical and contemporary colonisation in perpetuating social dysfunction. Ongoing colonisation has been sustained by research that does not respect First Peoples epistemology, axiology, and ontology. Given this, the impact of prison quality and the potential association with First Peoples imprisonment and recidivism has been inadequately researched. Therefore there is a need to examine prison quality as experienced by Australian First Peoples. The purpose of this paper is to conceptualise a decolonising prison quality research method that is respectful of and culturally sensitive to Australian First Peoples. The proposed method interfaces First Peoples yarning with Appreciative Inquiry. Underpinning the proposed method is that all researchers, First Peoples or non-Indigenous, are attuned to cultural awareness and sensitive to the engagement process. When yarning is interfaced with Appreciative Inquiry and the latter is modified in consultation with First Peoples input, the proposed research method empowers research participants, potentially contributing to de-colonisation.

### Keywords

Prison quality; First Peoples; Aboriginal and Torres Strait Islanders; research methods; Appreciative Inquiry.

### Introduction

Research concerning Australian First Peoples' prisoners usually focuses on factors contributing to their gross over-representation in the nations prisons (Blagg 2008; Cunneen 2013; Weatherburn 2014). There are, however, many additional aspects of First Peoples imprisonment that warrant academic attention to reduce the ongoing damage a custodial sentence may inflict on individuals and, subsequently, their communities. Potentially, one highly beneficial area of this research is in prison quality. Prison quality refers to the moral performance of the prison which is, 'those aspects of a prisoner's mainly interpersonal and material treatment that render a term of imprisonment more or less dehumanising and/or painful.' (Liebling assisted by Arnold 2004: 473). The purpose of the following is to suggest a possible research method that interfaces (Durie 2005), as opposed to integrates, First Peoples

knowledge acquisition and transmission (represented through yarning) with a non-Indigenous approach to research (that is, Appreciative Inquiry).

The intention of the proposed research method is to develop a decolonising means of understanding prison quality from the perspective of imprisoned First Peoples. Other than the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) (1989), a watershed in detailing the trauma of Australian First Peoples incarceration, there is little Australian academic research focusing specifically on the quality of a prisoner's life from the First Peoples perspective. There are two reasons why this research deficit should be addressed. First, recent Australian research and ongoing international studies of a prison's social climate or its quality suggest that the better the 'feel' of the institution, the better the potential prisoner outcome on release (Day et al. 2012; Harding 2014; Liebling assisted by Arnold 2004; Liebling et al. 2012). Second, the 'total-institution' environment of prison is built on coerced control through intentional prisoner disempowerment (Goffman 1961; Sykes 1958). When the total institution of prison intersects with the intergenerational trauma of ongoing colonisation confronting many First Peoples there is significant potential for ongoing criminogenic dysfunction and community trauma (Blagg 2008a; Brown 2010; Cunneen 2008; Waldram 1997).

Most prisoners are released. Accordingly, if prisoners return to their communities, there is risk of the potential criminogenic influence transferring to home environments. The consequential behavioural dysfunction learned from a poor quality prison experience may transfer to contemporary First Peoples' attitudes, values, and behaviours. Imprisonment is for punishment of an offender. Imprisonment should not punish non-offending community members. However, the extraordinary rate of First Peoples over-representation in Australian prisons may play a pivotal role beyond punishment of an offender by sustaining colonisation and intergenerational trauma. Further, Cunneen (2008) suggests First Peoples anger at their treatment by the criminal justice system, both historic and in routine interactions with agents of the criminal justice system, increases the likelihood that exposure is criminogenic. Developing a program of research that can help counter the disproportional punishment imprisonment inflicts on First Peoples is necessary if there is a genuine desire for evidence-based improvement of First Peoples social and emotional wellbeing. Therefore examining First Peoples perceptions of prison quality should be a research priority.

One possible explanation for the deficit in First Peoples prison quality research is the complexity of conducting research that empowers the First Peoples prisoner's voice in detailing social and emotional wellbeing rather than further enabling the purpose-built colonising environment of prison. For example, non-Indigenous researchers conventionally label all First Peoples as 'Indigenous', implying all are of one homogenous group. While all racial or minority group prisoners are unique to some extent, First Peoples are distinct not only from non-Indigenous prisoners but heterogeneity also exists within the broad category of all Aboriginal and Torres Strait Islanders. Accordingly, it is inappropriate to assume that the 8,430 First Peoples imprisoned in 2013 (ABS 2014a) are all the same: they are not. In all likelihood, in any one institution there will be members of different moieties, clans, and skin groups. Such variation includes (but is not limited to) significant differences in language, spirituality (for example, stories, totems and dances) and approaches to punishment (that is, payback). Further, ongoing colonisation through, for example, the Stolen Generations has driven displacement from traditional homelands and values (Australian Human Rights Commission 1997). Accordingly, migration and environmental impacts often determine the extent to which an individual is aligned or engaged with traditional values and ways of living.

Rather than submersing heterogeneous identities under a generic appellation of 'Australian Aboriginal and Torres Strait Islanders prisoners', research into prison quality requires specific attention be paid to understanding each prisoners unique prison experience in recognition of the diversity of circumstances that have led to and sustained over-incarceration. Understanding

their uniqueness requires a research space where First Peoples prisoners feel able and willing to express their own self-definition in circumstances and in forms that are culturally appropriate. To reiterate, the intention of this paper is to present one approach to interfaced (Durie 2005) prison research involving First Peoples that recognises their uniqueness (relative to non-Indigenous and other First Peoples groups) while empowering their voice as the primary means of understanding how prison is experienced and survived.

The following paper commences by describing the disproportionate rates of First Peoples incarceration. Such over-representation highlights the need to understand First Peoples experiences of prison. To understand how a First Peoples prisoner interprets the non-Indigenous administration of punishment through a prison sentence and, by extension, prison quality requires some understanding of the contrast between First People and non-Indigenous ways of punishment. Accordingly, the paper briefly describes First Peoples concepts of punishment. Following this is a review of existing approaches to assessing prison quality that includes discussion of how inappropriate research sustains ongoing structurally racist systems. Finally, the paper proposes a modification to the action-based research method of Appreciative Inquiry through interfacing yarning as the data collection approach applied to the study of a prison's quality from a First Peoples perspective.

### **A brief overview of recent First Peoples imprisonment, offending and victimisation data**

First Peoples in Australia are overrepresented in the nation's criminal justice system as prisoners and victims of serious crimes. According to Australian Bureau of Statistics (ABS 2014a) data on Australian prisoners, the age adjusted imprisonment rate of self-identified First Peoples on 30 June 2013 is 15 times higher than non-Indigenous prisoners (ranging between four times higher in Tasmania – where a very small proportion of the total population identify themselves as First Peoples – and 21 times higher in Western Australia). From 2012 to 2013 there was a six per cent increase in the numbers of sentenced First Peoples prisoners (median aggregate sentence length 24 months) compared to a three per cent increase (median aggregate sentence length 42 months) for non-Indigenous prisoners. During this same period, recidivism was higher for First Peoples prisoners with 77 per cent having previously served an adult sentence compared to 51 per cent of non-Indigenous prisoners. The most serious offence/charge for First Peoples leading to a conviction was 'Acts intended to cause injury' (34%) compared with non-Indigenous (15%), followed by 'unlawful entry with intent' (16%, non-Indigenous 10%); 'offences against justice procedures' (11%, non-Indigenous 9%); 'robbery and extortion' (10%, non-Indigenous 10%); and sexual assault (9%, non-Indigenous 13%).

The Australian Bureau of Statistics (ABS 2014b) data on crime victimisation indicates that First Peoples experience higher victimisation rates for 'homicide and related offences' and sexual assault across all jurisdictions for which relevant data were reported (New South Wales, Northern Territory, Queensland and South Australia). First Peoples victims of sexual assault were more likely to identify a family member as the perpetrator (39%) than non- First Peoples (23%). Data on assault victimisation (available for South Australia, New South Wales and the Northern Territory) (ABS 2014b) show patterns of higher representation of First Peoples females as victims of assault than First Peoples males (2.18 time higher in South Australia; 1.50 times higher in New South Wales; 3.00 times higher in the Northern Territory). A higher percentage of First Peoples assault victims knew their attacker (cross-jurisdictional  $M = 87\%$ ) than non-Indigenous victims (cross-jurisdictional  $M = 57\%$ ).

In summary, despite the recommendations of the 1989 RCIADIC that prison be the punishment of last resort, the rates and numbers of First Peoples entering prison continue to escalate to where they now represent 27 per cent of the total prison population despite being only 2.5 per cent of the Australian adult population. Of particular concern is that First Peoples convictions

and sentences are for primarily violent offences with their victims also being primarily First Peoples.

### **Imprisonment and First Peoples punishment**

It is impossible and, in some instances, inappropriate to discuss or describe the administration of First Peoples law and punishment. Further, as non-Indigenous authors, neither claims expertise or special affinity with First Peoples' laws or legal practices.

First Peoples law predates colonisation with Gaymarani (2011: 284) stating that First Peoples law 'even predates Christ'. Customary law is inseparable from religion, with laws being handed down during the dreaming. Depending on the community or clan, First Peoples law continues to be practised and is constantly evolving with men and women having their own equally important spheres of legal influence (Law Reform Commission of Western Australia 2005).

Laws are transmitted through non-written forms such as lived example, ceremony and oral reiteration (recent exceptions are written accounts of Ngarra law; see Gaymarani 2011 and Gaykamangu 2012) with each person taught from an early age the spiritual, social and physical punishments consequential to committing crimes (Gaymarani 2011; Ginibi 1994; Law Reform Commission of Western Australia 2005). However, the mode of presentation differs; for example, Gaykamangu (2012: 246) states:

Ngarra law is not written down like Balanda ['white' people] law is written on paper. Ngarra law is 'written down' in the ceremonial processes and cultural artefacts such as Ngarra bunggaol (dance), mnikay (songs), paintings, in our kinship and marriage system, the way we look after our children, and the way we look after the country and the sea.

First Peoples have dispute resolution systems specifying who is responsible for pronouncing a verdict for the specific type of offence, including provision for appeal (Gaykamangu 2012; Gaymarani 2011). For example, the Law Reform Commission of Western Australia (2005) reported that the victim and their kin dealt with private offences whereas public wrongs could involve (offence dependent) others such as Elders, the equivalent of prosecutors and defence lawyers, and traditional healers. Legal matters were settled by communal negotiation with the punishment and who was authorised to perform the punishment agreed upon (Gaykamangu 2012; Gaymarani 2011; Ginibi 1994; Law Reform Commission of Western Australia 2005). If the person (or people) authorised to carry out the agreed sentence was believed to have exceeded their mandate, then feuding may result (Law Reform Commission of Western Australia 2005).

First Peoples punishments, although retributive, are intended to be interpersonally and socially healing. The punishment is agreed to by the offender and is often performed in public. Once punishment is completed, the matter is ended. First Peoples punishments could include community exile for set periods of time to a particular place (leaving clan land and including never to return as an option), material compensation for a set amount of time, shaming, death by sorcery and death through physical means and physical punishments such as spearing (in various forms), ritual battles and beatings (Douglas and Finnane 2012; Gaykamangu 2012; Gaymarani 2011; Ginibi 1994; Law Reform Commission of Western Australia 2005).

In comparison with non-Indigenous punishment, Blagg (2008a) proposes that, notwithstanding the albeit violent but short-lived First Peoples approach to punishment, First Peoples feel there is more violence in imprisonment because they are separated from their homelands and community. Furthermore, unlike First Peoples criminal justice, imprisonment is not restorative; nor does it signal the end of the offence. For the imprisoned First Peoples' perpetrator, there is

unavoidable continuing shame that comes from being labelled a criminal, a status that remains until traditional retribution (that is, payback) and restorative practices have been undertaken.

Additionally, the First Peoples sentenced under non-Indigenous laws are subject to the continuing influence of colonisation. Ongoing colonisation rests not only in the First Peoples person being defined as somehow less than civilised and needing to be protected from themselves, but there is also the reminder that the ability to impose non-Indigenous laws over First Peoples is a routine reassertion of sovereignty over a 'conquered' people (Douglas and Finnane 2012). For example, those who remain committed to living by First Peoples laws and imposing First Peoples punishments are open to prosecution by non-Indigenous law for acting in a way that is barbarous to the conqueror, yet healing to First Peoples (Douglas and Finnane 2012; Gaymarani, 2011; Ginibi, 1994; Law Reform Commission of Western Australia 2005). Even those institutions and actions with the explicated goal of decolonisation are potentially exercises in deep colonisation. Deep colonisation as defined by Rose (1996: 6) is 'conquest embedded within institutions and practices which are aimed toward reversing the effects of colonisation'. Some recent examples of deep colonising institutions and practices include the Australian RCIADIC (readers interested in evaluating the argument that the RCIADIC was an exercise in deep colonisation are referred to Marchetti 2006) and the Northern Territory Intervention (Douglas and Finnane 2012; Howard-Wagner 2011).

Based on this brief overview of First Peoples approaches to law and punishment, it is understandable how a prison sentence could seem a confusing punishment for a First Nations' person, particularly one relatively unfamiliar with non-Indigenous laws and punishments compared to First Peoples laws and punishments (section 29.2.42, RCIADIC National Report Volume 4 1991). Compared with traditional First Peoples punishment, prison is non-restorative, all too often regularly occurring and, in some instances, perceived as non-punitive. In the midst of this confusion, the majority of First Peoples prisoners survive the experience; how they survive, however, is not known.

The dilemma of providing custodial environments that minimise First Peoples harm has been recognised by the West Australian government by the construction of the West Kimberley Regional Prison adjacent to the small town of Derby. After consultation with Elders and community members from the region, the West Kimberley prison was designed and built to operate in a manner consistent with the culture and philosophy specific to local First Peoples prisoners. For example prisoner accommodation is in self-care units rather than cells, family or language groups are housed together, and the location of the prison was chosen in recognition of the distress caused to First Nations peoples of being separated from their country (Government of Western Australia, Department of Corrective Services 2013). Whether the West Kimberley Regional Prison has the intended positive effects for First Peoples will require independent evaluation.

### **Prison climate quality**

Prison quality reflects the nature of relationships between prisoners and correctional staff that are 'formed over time by values, practices, memories and feelings, and by the way they interact' (Liebling assisted by Arnold 2004: 462-463). Prisoners and staff share the same ideas about what constitutes prison quality (Liebling assisted by Arnold 2004). Further, there appears to be a cross-jurisdictional consistency in factors representative of prison quality as indicated in research with prisoners from the United Kingdom and the United States (Moos 1975; Ross et al. 2008). While there is some variation in labelling these dimensions, the overall content consistency suggests they may be indicative of uniquely human factors or needs.

According to van der Helm et al. (2011), existing commonly used quantitative measures of prison climate quality cover a common core of dimensions regardless of ethnicity or gender.



These dimensions are identified as support (staff-prisoner relationship quality), growth (learning opportunities), atmosphere (inter-inmate safety and trust) and repression (includes harsh unfair control, inflexibility, boredom and frequent inmate humiliation). Available research suggests prison climates perceived to be of higher quality can be associated with better outcomes than lower quality climates. Beijersbergen et al. (2014) found procedurally just (fair and respectful) treatment positively predicted prisoner psychological wellbeing. Gadon et al. (2006) linked supportive prison management with reduced numbers of physical assaults and lower rates of inmate homicide. Wright (1993) identified prisoners were more disruptive when climates were more repressive, less supportive and had fewer growth opportunities. Further, prisoners reported less distress in climates that were supportive and provided opportunities for growth than climates that were unsupportive and provided little opportunity for growth. Harding (2014), although acknowledging the lack of direct rigorous research evidence, has recently argued that more humane prison climates could be expected to play a role in reducing recidivism. Ross et al. (2008), however, suggest that the post-release environment would exert independent pressure on the former prisoner's behaviour.

While the social relationships underpinning prison quality are influenced by what occurs within a prison, they are also influenced by dominant ideologies within the wider society and the ideologies of those with direct influence over the prison. Therefore it follows that the relationships fundamental to prison quality and, consequentially, the treatment of prisoners reflect the culture dominating external society (Liebling assisted by Arnold 2004). Consequently, it can be inferred, given historical and ongoing disrespect, disparagement, and violence (whether direct or indirect) towards First Peoples at the hands of the non-Indigenous criminal justice system (Anthony 2013; Blagg 2008a; Cunneen 2008; Tauri and Porou 2014), that First Peoples prison quality would be markedly lower than that of non-Indigenous prisoners. Accordingly, the prison quality-related outcomes for First Peoples prisoners could be expected to be worse than those of non-Indigenous prisoners.

### **Connecting prison climate to First Peoples over-representation**

Australian corrections research is largely deficient in explaining the impact of prison quality on, and its potential relationship with, First Peoples over-representation and ongoing offending. Blagg (2008a) posits that First Peoples prisoners are not shamed by imprisonment and not deterred from reoffending by their experiences of life in prison. Instead, the deprivation consequences of imprisonment for First Peoples prisoners may be reflected by increased defiance and hardening, incorporating the values and behaviours prized in prison into a hybridised version of First Peoples law that valorises violence. On release, this prison-bred culture may be taken into post-release life where, insensitive to sanctions from either non-Indigenous or First Peoples law, violence and antisocial behaviour can be lionised as resistance to historical and continuing oppression. That is, a colonising prison climate may well exacerbate First Peoples societal decay.

The history of Australia's colonisation suggests First Peoples prisoners are imbued with unique importation factors that multiply the impact of prison disempowerment. The consequence of deep colonisation through repeated imprisonment is systemic racism that sustains harm and significantly enhances its debilitating effects on release (Blagg et al. 2005).

Internationally, there is substantial research indicating that a prison sentence is criminogenic (Bales and Piquero 2012). While yet to be tested, a possibly unique cause of that criminogenesis for First Peoples prisoners is the deep colonising effects of a prison's quality. A prison's colonising quality may sustain a self-fulfilling approach that facilitates criminal behaviour through creating frustration, anger and a desire for exciting retribution against injustice authored by non-Indigenous agents of social control which uses an illusion of individual equality before the law as an excuse for what is effectively unequal treatment by the law at a

cultural level (Anthony 2013; Cunneen 2008; Young 2003). Prison quality could, therefore, be implicated in continuing colonisation through inculcation of a prison mind-set that values violence, with the likelihood of imprisonment being little deterrent (Blagg 2008a; Brown 2010). Research on First Peoples convictions and sentencing factors clearly indicates an appropriate strategic direction for a prison targeting reduced First Peoples crime should be to address antisocial behaviours expedited on release such as, poverty, alcohol abuse and community breakdown (Weatherburn 2014). Many prisons provide such programs. However, the extent that a prison environment might successfully contribute to appropriate First Peoples-centred coping capacity on release depends on the prisons' quality in aligning its process to decolonisation and understanding of First Peoples social and emotional wellbeing.

To determine the extent that poor prison quality is a deep-colonising agent requires the capacity to determine what prison quality is for First Peoples prisoners. However, existing measures used in evaluation of prison quality are, similar to the institutions themselves, reflections of the cultural milieu in which the prison is situated and what is politically acceptable to measure (Ross et al. 2008). In researching this paper, no measure specifically developed for examination of prison quality from the perspective of First Peoples was located. This should probably not be surprising given the absence of First Peoples' voices that typifies existing measures of psychological constructs, criminal justice issues and Australian society at large. Therefore it is reasonable to suggest that there is a need to develop a measure of prison quality that speaks from their perspective. First Peoples prison quality research is about listening to the voice of First Peoples prisoners in the hope of ensuring prison quality is not in a form that uses identification as a First Peoples person as an additional (to being imprisoned) racially specific punishment. Additionally, the prison quality research cited above suggests the more considered prison climate is to First Peoples issues, the more it could be expected to have positive benefits on release.

### **Potential research methodology**

The primary means of assessing First Peoples prisoners is through actuarial assessments and statistical analysis. Accordingly, statistical analysis has substantial influence over formulation, implementation and justification of treatment of First Peoples in the criminal justice system (Cunneen and Rowe 2014; Walter 2005; Weatherburn 2014). The sentencing statistics previously cited indicate that First Peoples commit more serious crimes that attract imprisonment as a punishment and higher recidivism rates compared to non-Indigenous (Snowball and Weatherburn 2006; Weatherburn 2014; Weatherburn et al. 2003). Research has implicated a range of variables such as abusing drugs or alcohol, being male, being unemployed, associating with antisocial peers, failing to complete high school, experiencing financial stress and living in a neighbourhood with problems, as statistically significant predictors for First Peoples of the likelihood of arrest, charge with an offence, imprisonment or being a victim of violent crime (Hsu et al. 2010; Snowball and Weatherburn 2008; Weatherburn 2014; Weatherburn et al. 2006, 2008). From the perspective of western criminology, these results are not surprising because they are consistent with, and explained by, research substantiating conventional criminological theories developed in western societies (Snowball and Weatherburn 2008). According to the standards of conventional non-Indigenous criminological research these analyses are valid. The interpretations and conclusions reached by the researchers are considered accurate objective representations of relationships between predictor variables associated with the outcome of First Peoples imprisonment.

However, these data should not be considered without due consideration to broader First Peoples issues. The remainder of this section offers a necessarily brief critical overview of the dangers that unthinking application of conventional non-Indigenous research presents to First Peoples (Agozino 2003, 2010, 2014; Anthony 2013; Cunneen and Rowe 2014; Smith 2012; Tauri 2012; Young 2011).

It has been argued that seemingly objective race-blind statistical analyses are inherently politicised (Walter 2010). In particular for First Peoples to fully utilise the value of statistical analysis requires consideration of colonisations impact on the epistemological, axiological and ontological aspects of life (Martin 2008). Research that fails to consider ways of living, learning and knowing when interpreting statistical analysis is potentially an exercise in a culturally shared illusion that conceals what is essentially an exercise in subjective inquiry under an accepted cloak of objectivity (Walter 2010).

In no way is this suggesting that quantitative research is undesirable when examining issues relevant to First Peoples any more than qualitative data are automatically desirable (Walter 2005). Qualitative research conducted from the perspective of the dominant culture would still be conducted with the same mind-set as a quantitative researcher from the same culture. The form of data generated would differ but the same issues remain, along with additional issues that arise when having to actively engage with a culturally distinct people at a more intimate level for what is likely to be a much a longer period of time (for data collection) than is required for quantitative research (Prout 2012; Putt 2013).

The implication of the above discussion for prison quality research is that not all non-Indigenous research methods successfully translate to understanding and interpreting the behavioural consequences of epistemological, axiological and ontological approaches of First Peoples. For example, the disparity between clans and skin groups makes the purported objectivity and generalisability inherent in quantitative research data less rigorous, and arguably more dangerous, to First Peoples (Walter 2005). Further, failure to norm or adapt quantitative assessment instruments initially developed for non-Indigenous for First Peoples research is methodically inappropriate (Andersson 2008). Clan and group differences are further ignored through the use of a general Aboriginal yes/no identifier variable because such macro labels fail to capture the diversity of experience within each group. However, the alternative of not collecting 'race' as a demographic predictor may serve to statistically erase First Peoples as a distinct people through subsumption into various aggregated indicators of social disadvantage (Blagg 2008a).

The Australian National Health and Medical Research Council (NHMRC) guidelines for the ethical conduct of research involving First Peoples requires that research ensures reciprocity, respect, equality, responsibility, survival and protection, and spirit and integrity. When considering First Peoples prison research, the NHMRC guidelines are of critical importance. Research should therefore be mindful that ill-considered First Peoples to non-Indigenous comparisons based on generic actuarial instruments potentially sustains settler society notions of success or wellbeing and may not acknowledge the possibility that First Peoples have different concepts of social success and wellbeing (Prout 2012). Flawed assessment fails to capture the impact of the First Peoples experience as a member of a distinct, rich, living culture, surviving despite being forced to continuously adapt to (and resist) the depredation of almost 230 years of colonisation (Blagg 2008a). Fortunately, the deficit of appropriately normed or developed quantitative assessment instruments for First Peoples populations currently appears to be addressed (Adams et al. 2014).

The potential for prison quality research to be a colonising agent may be negated through consideration of factors distinguishing First Peoples research methodology from conventional western research methodology. The distinction is drawn here between method (quantitative, qualitative or mixed) and methodology. Walter (2010) contends that methodology consists of three interconnected elements: standpoint, theoretical conceptual framework and method. She considers standpoint (the subjective epistemological, axiological and ontological assumptions governing the conduct of research) the most important point of delineation between non-Indigenous and First Peoples methodologies. Research including First Peoples conducted from the western standpoint has the potential to perpetuate colonisation. For example, control over



research questions, how knowledge is invalidated, racial identity of participants and researchers, control over result interpretation, appropriation of First Peoples knowledge by non-Indigenous researchers, and implementation of research based policy (Durie 2005; Walter 2005) reinforce the colonial perception of First Peoples. This perception is, specifically, as an inferior problematic 'Other' in need of (and desirous of) assistance in becoming indistinguishable from members of the 'inherently superior' settler culture (Agozino 2014; Blagg 2008a; Walter 2010).

Alternatively, an appropriate research approach cognisant of and applying due attention to First Peoples epistemology, axiology and ontology can be a decolonising force of mutual benefit to First Peoples and non-Indigenous alike (Durie 2005; Smylie et al. 2003). Martin (2003) has stated four fundamental principles of First Peoples methodology. These principles are altered slightly from the original text by use of 'First Peoples' in place of the word 'our' in acknowledgment of the author's non-Indigenous status:

- Recognition of First Peoples worldviews, their knowledge and realities as distinctive and vital to their existence and survival;
- Honouring First Peoples social mores as essential processes through which they can live, learn and situate themselves as Aboriginal people in their own lands and when in the land of other Aboriginal people;
- Emphasis of social, historical and political contexts which shape their experiences, lives, positions and futures;
- Privileging the voices, experiences and lives of Aboriginal people and Aboriginal lands.

One means of conducting research that accords with the above principles is to interface traditional methods of knowledge sharing with western research practice in a form that places First Peoples voice to the fore of other concerns (Smylie et al. 2003). One First Peoples form of knowledge acquisition and sharing capable of being utilised in the production of rigorous research (albeit requiring researchers to develop skill sets and attitudes generally absent from research methods courses in Australian universities) setting is referred to as 'yarning' (Bessarab and Ng'andu 2010; Dean 2010).

### **Yarning as a research tool**

When non-Indigenous Australians use the word 'yarn' in reference to conversation (that is, telling a yarn or yarning), they are likely to be referring to a rambling pointless story of questionable veracity. To First Peoples, the word 'yarning' has a very different meaning. Yarning 'reflects a formal process of sharing knowledge that is reliant upon relationships, expected outcomes, responsibility and accountability between the participants, country and culture ...' (Dean 2010: 6). Traditionally, yarning was a form of oral communication, though written and video documentation can also be considered yarning (Bessarab and Ng'andu 2010; Towney 2005). Yarning may appear to be casual general conversation due to its collaborative non-directive nature, yet it is always purposeful (Dean 2010) as indicated by the existence of distinct different yarn types. For example, Bessarab and Ng'andu (2010) identified social yarning, research topic yarning, collaborative yarning and therapeutic yarning. More recently, Walker et al. (2014) added family yarning and cross-cultural yarning to the four types identified by Bessarab and Ng'andu (2010).

Yarning within a research context (which would involve social, collaborative and research topic yarn types at a minimum) can inform research design and planning, as well as be utilised for data collection in an overall process consistent with Martin's (2003) principles of First Peoples research (Bessarab and Ng'andu 2010; Dean 2010; Fredericks et al. 2011; Walker et al. 2014). For example, during the research design and planning phase, yarning requires researchers to

engage with potential First Peoples participants and important informants in a relational collaborative process (Dean 2010). This level of engagement is more akin to First Peoples cultural values (Cunneen and Rowe 2014) than conventional western research practice where power flows down from the researcher to compliant participants (Walker et al. 2014). In practice, the goal of yarning in a research interface is to create collaborative research utilising a form of data endorsed by First Peoples participants (Penman 2006) as active empowered partners in terms of nominating research topics they believe would be directly beneficial to themselves and articulating any concerns that may exist with regard to the research process (Dean 2010). As the quality of the research produced by yarning is influenced by the quality of the relationships between those involved (Bessarab and Ng'andu 2010), the actions and reactions of the researcher during this phase could determine the quality of the final research product.

Interface research 'recognises the distinctiveness of different knowledge systems, but sees opportunities for employing aspects of both so that dual benefits can be realised and Indigenous worldviews can be matched with contemporary realities' (Durie 2005: 301). Therefore, if yarning is to be interfaced with other non-Indigenous research methods, it is crucial that it is not subsumed or misappropriated by non-Indigenous researchers as merely another empirical data collection method. Failure by non-Indigenous researchers to be respectful of the cultural importance and gain Elder, Respected Person, and participant approval prior to engaging First Peoples participants via yarning contributes to ongoing colonisation and cultural exploitation.

While yarning is empowering and a culturally safe approach to planning research with First Peoples, there are also significant benefits for the researcher in addition to delivering outcomes considered useful by First Peoples (Dean 2010; Fredericks et al. 2011; Penman 2006). Three possible research benefits include, first, that the research process will be consistent with NHMRC ethical guidelines specific to conducting research with First Peoples communities. A second benefit is that the principles and mechanics of conducting research from a First Peoples perspective can become more widely known within the research community than through the usual methods of non-Indigenous knowledge exchange via direct experience and dissemination through journals (Bessarab and Ng'andu 2010; Dean 2010; Fredericks et al. 2011; Walker et al. 2014). A third benefit is that First Peoples and non-Indigenous Australians can learn about each other from each other on terms equitable and agreeable to each group (Durie 2005).

Social yarning was identified by Bessarab and Ng'andu (2010) as a necessary precursor to research topic yarning. Social yarning has the appearance of being an informal free-ranging conversation about matters unrelated to the research, but is actually where the participant decides on the amount of trust that should be placed in the researcher which influences the content and amount of information that would be shared by the participant.

Yarning, as a data collection process, requires non-directive questioning where the participant provides the answers they deem most appropriate from their perspective. A particular strength of data collection through yarning is that it is culturally safe. Yarning is a familiar form of knowledge sharing, where the participant controls what knowledge is shared and with whom. Further, yarning empowers through placing First Peoples voice and values at the centre of data collection and analysis, while ensuring the researcher remains accountable in terms of following the negotiated research process (Bessarab and Ng'andu 2010; Dean 2010; Walker et al. 2014).

A yarning data collection approach is not without its challenges. For example, rather than being in control of the entire data collection process, the researcher may find they have to adopt a follower/learner role at times (Dean 2010). Rather than attempting to maintain distance from participants (to lessen the likelihood of biasing research through emotional or social involvement), researchers will find they have to engage in a mutually trusting relationship (Bessarab and Ng'andu 2010; Dean 2010; Walker et al. 2014). Non-Indigenous, and possibly

First Peoples researchers working with participants with different ways than their own, will be required to learn and respect local First Peoples' protocols. Unlike traditional western research methods, the yarning process can be time consuming and unwieldy. Consequently, during data collection the data may appear initially irrelevant to the research topic and untidy (Bessarab and Ng'andu 2010; Walker et al. 2014). What appears at first glance to be unwieldy or irrelevant data can, however, prove to be exceptionally valuable. At the transcription and analysis phase, yarning can provide rich, insightful and relevant outcomes, even if expressed indirectly at first (Bessarab and Ng'andu 2010).

In summary, data collected via a yarning-based method is more relevant, accessible, acceptable, and actionable to the First Peoples participants than many western data collection approaches. Further, it has participant and community credibility, something not normally associated with more traditional research methods in which First Peoples find themselves with little connection except as suppliers of raw data (Fredericks et al. 2011). Use of a yarning process has a capacity to build relationships that could reduce the level of generalised distrust First Peoples have developed towards researchers, which benefits communities, participants and researchers (Dean 2010; Geia et al. 2013; Martin 2008). Yarning also provides a professional and personal development opportunity for First Peoples and non-Indigenous researchers (Durie 2005). Specifically, researchers trained, supportive, and conversant in conventional western research methods would have an opportunity to critically reflect on the epistemological, ontological and axiological assumptions that influence First Peoples research approaches.

### **Research paradigm, method and yarning**

Yarning is seemingly a powerful data collection approach that is acceptable to First Peoples, amenable to building First Peoples social and emotional wellbeing, and thus de-colonising. However, of itself, yarning does not provide the framework or research paradigm to guide empirically-based outcomes in penology. The inclusion of yarning as a data collection method requires that it fits into an overall research method and theoretical paradigm. Bauwens et al. (2013) argue that criminology research decisions and behaviours be guided by an appropriate theoretical paradigm (that is, 'a coherent set of assumptions that guide research actions') (Bauwens et al. 2013: 34). The paradigm should communicate the ontological, epistemological and axiological positioning of the researchers methodological approach. As will be indicated, yarning as a data collection method fits neatly into the action research paradigm approach of Appreciative Inquiry (AI). Appropriately constructed, AI identifies and prioritises First Peoples values, knowledge and fundamental assumptions about reality without defining First Peoples as intrinsically deficient and problematic (Blagg 2008b; Murphy et al. 2004; Penman 2006).

Appreciative Inquiry is a strengths-based research approach under the action research paradigm that has been successfully adapted to prison quality research (Elliott 1999; Hulley, Liebling and Crewe 2012; Liebling assisted by Arnold 2004; Liebling Price and Elliott 1999). Appreciative Inquiry was designed from the outset to collect, cultivate and use knowledge from all social strata (within a social system) for the purpose of understanding, challenging and changing the social world from one that is oppressive to one that promotes and nurtures human potential (Zandee and Cooperrider 2008).

The strengths-based approach of AI means neither situation nor people are identified as problems. The focus is on strengths and successes, the best experiences (past or present) and what is the best possible future from the perspective of each individual stakeholder (Elliot 1999; Liebling et al. 1999). If ever a population was in desperate need of relief from oppression and empowerment of social and emotional wellbeing through recognition of strengths, it is Australia's First Peoples.

Accordingly, AI is suggested as an appropriate research method under the action research paradigm for use with First Peoples prisoners within the context of prison quality research for two reasons. First, although originally developed for facilitating change in organisational settings, there is a strong evidence base for the success of AI to facilitate positive change in highly challenged communities and individuals. For example, the AI approach has been successfully applied with Saharan nomads, and for evaluation of an African program for street children and of First Peoples community-based projects in Australia. Moreover, AI is built around a research philosophy and process that Australian First Peoples have identified as desirable from their perspective (as participants) and has been used in previous prison quality research (Blagg 2008b; Elliot 1999; Liebling assisted by Arnold 2004; Murphy et al. 2004; Penman 2006). This suggests AI is highly applicable in extreme and challenging environments including determining prison impacts for First Peoples. Second, the action-based paradigm of AI relies on participants 'telling their story'. Accordingly, the method lends itself to yarning-based data collection. The combination of an action-based paradigm and yarning provides a research method highly compatible with research as a decolonising agent. The rationale behind this assumption is demonstrated in the following description of the five dimensions of AI as stated by Zandee and Cooperrider (2008).

The first dimension is that the researcher should move away from research as a mechanistic objective process attempting to isolate one truth to a position where life is appreciated as mysterious, the world as wondrous, and the researcher is willing to be surprised and to embrace curiosity. The second dimension is the 'questioning of taken for granted realities' (Zandee and Cooperrider 2008: 194). This is essentially a constructivist perspective wherein perception of the world is interpretative rather than an objectively true factual record; in other words, many coexisting constructions and stories are possible (reflected in memory which is malleable depending on momentary need) (Elliot 1999; Reed 2007; Zandee and Cooperrider 2008). The third dimension is envisioning new possibilities. Words and imagery are powerful tools that can be used to motivate thinking, feeling and acting in new, better ways. Research topics are defined and questions are developed which use the power of imagination and language to connect past and present strengths to the best possible future (Elliot 1999; Liebling et al. 1999; Zandee and Cooperrider 2008). The fourth dimension is creating knowledge in relationship which requires researchers to adopt an egalitarian collaborative practice that includes as many participants as possible to gather as many viewpoints as possible from within a given social system (Reed 2007; Zandee and Cooperrider 2008). Central to socially created research is the sharing of positive stories, which are valued due to connections with memory, imagination and positive emotional responses to research that increase commitment to the research (Liebling et al. 1999; Zandee and Cooperrider 2008). Being cognisant of positives shifts attention from a reality notable for failure to one where strength and success is possible (Reed 2007). The fifth dimension is 'enabling just and sustainable coexistence' (Zandee and Cooperrider 2008: 195). This dimension reflects a belief that all facets of human existence, including the conduct of research, require acknowledgment of embeddedness in an interconnected ecological system. For human beings and our endeavours to prosper, the wider ecological system must be nurtured and likewise allowed to flourish (Zandee and Cooperrider 2008).

In summary, the five dimensions of AI in an action research paradigm have a *prima facie* overlap with the conduct of decolonising research as has been demonstrated internationally and in Australia. Appreciative Inquiry demands a collegiate relationship between the researcher and the participants. Research cannot proceed without permission from the participants and without negotiation of terms of conduct that satisfies the participants. These facets of AI mean that ownership of the research process and any knowledge revealed during research resides with First Peoples. Appreciative Inquiry is strength-based rather than deficit-based, avoiding presentation of First Peoples as problems. Thereby AI is not an exercise in knowledge appropriation or First Peoples 'Othering', unlike what has been experienced by many First

Peoples research participants (Durie 2005). The role of the researcher is to work with the truths held by the participants (Liebling et al. 1999) rather than strive for an objective snapshot of reality from the perspective of the researcher. Yarning is consistent with the high value AI places on memory, history, storytelling and relationships (for research design and data collection) thus making the method a culturally safe mode of research. Appreciative Inquiry also shares a holistic view of the relationship between humans and the ecological system wherein the health of one is intertwined with the wellbeing of the other. Therefore AI is more compatible with First Peoples research methods and assumptions about reality than research conducted under a positivistic research paradigm. Furthermore, as pointed out by Blagg (2008b: 8), AI 'is consistent with the fundamental principles of research in Indigenous communities as set out in NHMRC guidelines'.

## **Conclusion**

The purpose of this paper is to present AI as an approach worthy of consideration for conducting interfaced prison quality research when First Peoples are participants. The growing literature demonstrating the importance of a prison's quality for positively impacting on institutional behaviour and post-release potential indicates societal and individual value can be gained through understanding the determinants of prison climate or quality. In the Australian context, however, prison quality and its possible impacts on recidivism is relatively unexplored and certainly not well understood when partialled by indigeneity. Occidental Australian prisons are not generally designed to accommodate or account for issues specific to imprisoned First Peoples, or until recently considered this fell within their remit. These issues include over-representation of First Peoples in prisons, trauma incurred through negotiating the intersection of First Peoples and non-Indigenous worlds, and significant heterogeneity within the broader group of First Peoples prisoners (in comparison to non-Indigenous counterparts). Further, there is a history of colonisation through research participation that First Peoples are well aware of. Accordingly, prison researchers should be cognisant of the potential prison dysfunction and community harm that naïve research may elicit.

Ensuring the research process and outcomes do not unintentionally facilitate further colonisation requires compliance with principles characterising a First Peoples research methodology. Yarning represents a traditional method of knowledge generation and transmission that can be used for data collection. The authors have proposed that yarning for research purposes is intrinsically compatible with the AI research paradigm, an approach to research with demonstrated utility in penology. The strength-based AI method, modified in consultation with First Peoples researcher and prisoner input, is proposed as a research methodology wherein First Peoples prisoner participants can be respectfully and appropriately engaged by both First Peoples and non-Indigenous researchers. Use of an AI method will enhance prison outcomes through collecting prison quality data drawn from the multiplicity of voices within the population of First Peoples prisoners on terms negotiated with the participants.

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