PARTICIPIATORY ACTION RESEARCH: A TOOL FOR COMMUNITY LEGAL EDUCATION, CRIME PREVENTION, ACTIVISM AND CAPACITY BUILDING

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OUTLINE OF PROJECT

- Purpose of CLE
- What is Participatory Research Action (PAR)
- Objectives of NAAJA’s PAR projects
- History of Lajamanu PAR project
- Methodology
- PAR CLE Activities
- PAR Law Reform Campaigning
- Evaluation
There is no such thing as a neutral educational process. Education either functions as an instrument which is used to facilitate the integration of the younger generation into the logic of the present system and bring about conformity to it, or, it becomes the ‘practice of freedom’, the means by which men and women deal critically and creatively with reality and discover how to participate in the transformation of their world.

Richard Shaull in the preface to Paulo Friere’s *Pedagogy of the Oppressed*, 1972
People also need access to, and desire to share power. They want to participate in the making of decisions that shape their well-being. They want freedom to articulate their views and perceive a right to receive and transmit information.

**WHAT IS THE PURPOSE OF LEGAL EDUCATION?**

- Power refers to relationships with those who control resources such as land, labor, capital, and knowledge or those who have greater access to those resources than others. If community development is about building the capacity for social and economic change, the concept of power is essential.

One cannot expect positive results from an educational or political action programme which fails to respect the particular view of the world held by the people. Such a programme constitutes cultural invasion, good intentions not withstanding.

Paulo Friere, Pedagogy of the Oppressed (1972)
All cultural groups treat information that cannot be corroborated from within their cultural knowledge base as suspect. Therefore new knowledge must build on existing, culturally accepted truths and knowledge.

Richard Trudgeon, Why Warriors Lie down and Die (2000)
WHAT IS PAR?

“...a process that allows ordinary people acting as researchers to explore priority issues affecting their day to day lives, recognize their own resources, produce knowledge and take action to improve their situation, often in solidarity with external supporters.”
“Action research is participative in that those involved contribute equally to the enquiry, and collaborative in that the researcher is not an expert doing research from an external perspective, but a partner working with and for those affected by the problem.”
WHAT IS PAR?

“[PAR] seeks to change the social and personal dynamics of the research situation to enhance the lives of all who participate. It emphasis participation by people who are knowledgeable about the area of enquiry affected by it, and wish to use a research process to take action about an issue. It is a two-way education process between communities and researchers, and PAR can be used as a pathway to empower people to take action about issues.”
One of the primary aims of NAAJA’s legal development projects is to work with Aboriginal communities to increase participants’ confidence and ability to navigate and influence the mainstream legal system.
PAR OBJECTIVES OF EACH TRIP

- Increased Relationships/Social Capital of participants
  + Internal relationships and processes
  + External
- Capacity Building for participants
  + Increased knowledge
  + Increased skills
- Agency/Motivation of participants
  + Community willingness to Act and Participate
  + Proactive initiatives/suggestions from participants
  + Increased participation/attendance
- 2 Way Learning with participants and researcher/facilitator
  + Adapting process engagement to suit community/cultural demands
  + PAR researcher as student: linguistic/cultural/kinship learnings during trip
- Increased Control Influence of Legal Environment by participants
  + Influence of/participation in Legal process community court, court references, meetings with police, magistrates)
Increased control over the legal environment

Practical legal application

Learning through doing, 2-way learning

Adult learning & traditional Aboriginal learning styles

Intercultural communication & bilingual education

Principles of Community development

2-way learning, Move from the known to the unknown

Focus on the process rather than the result, build relationships and capacity
THE PAR CYCLE

Observe

Reflect

Act

Plan
KEY FEATURES OF PAR

- Collaborative – the ‘recipients’ design research and implement actions.
- Respect - acknowledge other types of expertise and the right of others to have alternative views and perspectives.
- Reciprocity – the facilitator is also a learner and shares themselves during the process.
- Emergent – the endpoint is not predetermined; the ‘right’ answers are not pre-empted.
- Learning occurs naturally through the experiential process of reflection and action.
- Research (learning) is producing knowledge for action. Action is for the benefit of the participants.
- Work in cycles – it is not a linear process; this allows for constant reflection and correction.
HISTORY OF LAJAMANU PAR PROJECT

- Location
  - 560km southwest of Katherine
  - 900km south southwest of Darwin
  - 120 km south of Dagaragu/Kalkarindji (Wavehill)
  - 600 km north of Yuendemu

- History of formation of Lajamanu
  - 1948 Native Affairs Branch
  - Trucking Warlpiri people and walking back to country

- Demography Warlpiri
  - On Garindji land
  - Garindji/Warlpiri negotiations

- Population 1000
  , social infrastructure

- Law and Justice Groups History
  - 1998 Department of Aboriginal Affairs LJ project
  - 2005 finally defunded

- 2009 Approach of NAAJA employees by elders

- 20010-present PAR project
KURDIJI MEETING TO WRITE PSR REFERENCES

- Social Capital Growth
  - Internal
  - External - Courts, Police, Corrections, CWO sites
- Knowledge and Skills Development (Capacity Building)
- Increased Control of Legal Environment
- 2 way learning
- Agency/Motivation
Responded to requests by Kurdiji to teach kids about Warlpiri culture. Concern that school wasn’t teaching this after the sacking of the assistant teachers and the introduction of the first 4 hours English only policy.

The idea emerged from the Kurdiji following exploration of discussion of separation of powers using both Warlpiri and Western/Kardya examples.

Convinced school the benefit of cross-jurisdictional analysis of this in terms of literacy and civic studies.

There had been vexed relationships with the community since the introduction of the English only during first 4 hours. This was a way to partially get around that policy.
KURDIJI TEACHING BOTH SYSTEMS AT THE SCHOOL

- Increased Relationships/Social Capital of participants
  - Strengthened relationship with school
  - Consolidate/reinforce relationship/authority of kurdiji among children
- Capacity Building for participants
  - Skills and confidence in presenting to children
  - Skills in teaching kardya/whites about Warlpiri systems
  - Knowledge of kardya legal system
  - Preservation of cultural knowledge within community
- Agency/Motivation of participants
  - Proactive initiative of kurdiji to run this session
  - Kurdiji member planned and co-presented session
  - Increased participation/attendance
- 2 Way Learning with participants and researcher/facilitator
  - Mutual learning of respective legal systems and terms/vernacular
  - Cross jurisdictional/cultural analysis of legal systems
  - PAR researcher as student: linguistic/cultural/kinship learnings during trip
- Increased Control Influence of Environment by participants
  - Education environment. Trojan Horse against 4 hour rule.
KURDIJI PARTICIPATION IN MAWUL ROM CROSS CULTURAL MEDIATION PROJECT

- Increased Relationships/Social Capital of participants
- Capacity Building for participants
  - Increased knowledge of Yolngu dispute resolution ceremonies
  - Increased cross cultural skills
- Agency/Motivation of participants
  - 11 Males and females attended 1\textsuperscript{st} year.
  - 6 females attended the 2\textsuperscript{nd} year of the Mawul Rom program
  - Suggestions from participants to include Mawul Rom style learning forums in Lajmanu Milpirri festival
- 2 Way Learning with participants and researcher/facilitator
  - Adapting process engagement to suit community/cultural demands
  - PAR researcher as student: linguistic/cultural/kinship learnings during trip
- Increased Control Influence of Environment by participants
  - N/A but potential in future to get mediation incorporated as conditions in bonds and suspended sentences.
VISIT BY UN HIGH COMMISSIONER FOR HR

- Social Capital Growth
  + Relationship with UN HC for HR
  + Relationship with Concerned Australians
  + Relationship with other Indigenous Leaders

- Knowledge and Skills Development (Capacity Building)
  + Briefing given
  + Presentation skills and knowledge development

- Agency/Motivation

- Increased Control of Legal Environment
  + Participation in debate about compliance
OUR VISION
True Justice, Dignity and Respect for Aboriginal People
KURDIJI RESPONSE TO SPORTS CARNIVAL FIGHTS

- Members of both final teams attended the ‘Top Springs’ hotel and purchased significant amounts of beer and spirits with the cash prize money and returned to the drinking spot on the edge of community.
- Lajamanu is a dry/prescribed community.
- Kurdiji members convened a public meeting to which the fighting families members were asked to attend with family representatives and avoidant relationship representatives.
- The issue was ventilated and a traditional mediation conducted to which parties were asked to propose solutions.
- Kurdji resolved that vouchers to the store not cash prizes be given at next year’s carnival.
RESPONSE TO SPORTS CARNIVAL FIGHTS

- Increased Relationships/Social Capital
  - Consolidate/reinforce authority of Kurdiji among community
  - Consolidate/improve internal decision making ability in planning meeting

- Capacity Building
  - Skills and confidence in dispute resolution/mediation
  - Consolidate skills in conducting traditional dispute resolution
  - Preservation of cultural knowledge within community bc public
  - Has led to the identification of Lajamanu as site for further Mediation Training CJC Mawul Rom

- Agency/Motivation
  - Independent initiative by Kurdiji to conduct mediation.
  - Demonstrates confidence of community to act in crime prevention and dispute resolution

- 2 Way Learning
  - Kurdiji explained the traditional ADR methodology to the PAR facilitators

- Increased Control Influence of Environment by participants
  - Crime prevention measure ie may have prevented further fighting/assaults and payback in the community
  - Reinforced the validity of culturally relevant alternate dispute resolution
OTHER ACTIVISM BY THE KURDIJI GROUP

- Kurdiji Establishing Protocols for Visitors
- Lobbying Police Commissioner to cease phone diversions
  + Letter to Police Commissioner
  + Media Release
  + Media
Example: Selection of Design of the Kurdiji emblem

Social Capital
- Internal support and unity (used on shirts)
- Respect among police, corrections and magistrate. Led to meetings
- Governance: decision making to select

2 Way learning

Strengths Based

Increased control of legal environment
NEED TO EVALUATE PAR PROJECTS

- Firstly what are we trying to achieve
  - Refer back to Goals
  - Measures of social capital
  - Measures of capacity building
  - Measures of confidence/agency
  - Measures of control of legal environment
  - Measures of 2 way-learning
NEED TO EVALUATE PAR PROJECTS

- What is it possible to measure?
- Outputs (Quantitative)
  + Number of connections made with other groups (external social capacity)
  + Number of meetings (internal social capacity)
  + Number of sessions run on different topics (capacity building)
  + Number of skills/knowledge acquired (capacity building)
  + Number of references considered (control of legal environment)
  + Number of Words of Warlpiri learned (2 way learning)
NEED TO EVALUATE PAR PROJECTS

- Outcomes ie have PAR goals been met
  + Qualitative
    - Surveys – central land council example
    - What does will do?
    - Questions on state of goals
      - Connections with others and each other
      - Confidence in each other
      - Understanding of law
    - I.E. To what extent have goals been met
NEED TO EVALUATE PAR PROJECTS

- Quantitative
  - Community Safety
    - Crime Rates
      - Variability of local member/OIC
    - Women’s Safe House Data
    - Night Patrol data
    - DVO numbers
    - Break in rates
Total Offences Lajamanu 1995-2012 Court Lists

Years

No. Offences

Series1
Assaults - Lajamanu 1995-2012 Court Lists

No. Offences

Years


No. Offences:

Series2
Resisting Police Lajamanu 1995-2011 Court List

No. Offences

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Refuse Police Orders - Lajamanu 1995-2012 court lists

No. Offences

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Breach of Court Orders Lajamanu 1995-2012 Court Lists

No. Offences

Years

No. Offences

- 1995
- 1996
- 1997
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- 2010
- 2011
- 2012
Firearm-Weapon Offences Lajamanu 1995-2011 per Daily Court Lists
Dishonesty Offences - Lajamanu 1995-2012 per daily court lists

No. Offences

Years

Series 2