Moderator: Jessica Simpson, Project Coordinator, Modern Treaty Implementation Research Project

PANNELIST 1: Jennifer Jansen, Tsawwassen First Nation
- Jennifer Jansen has been working with the Tsawwassen First Nation (TFN) since 2010 and recognizes the importance of data quality to make well-informed, economic decisions.
- In her role as Information Management Coordinator, Jennifer supports information implementation in TFN by working with staff to identify what the community needs the system to do and working with IT to determine whether there is an existing product on the market to serve this need. The majority of their products are created for municipalities so while they work, they do not entirely align with First Nations structures.
- The primary purpose of any system is to make lives easier by minimizing the effort to use the system. As well, if employees are undertaking work that is duplicated, they are less motivated and inclined to ensure that the data is accurate, creating data quality issues. There are several challenges that accompany information governance implementation:
  o Requires long-term strategic planning and is often not at the top of the agenda
  o Difficulty in ensuring systems are compliant with legislation
  o Consultation fatigue
  o Data protection and privacy
  o Shift in the way that employees do their jobs, resulting in decreased productivity in the short-term
  o Differences in status and non-status members
- There are also several challenges that come with working with vendors, which include:
  o Terminology is not universal making it difficult to communicate
  o Work arounds are needed to align systems to First Nations structures, institutions, and capacities
  o Hidden costs
  o Time spent educating vendors on the unique circumstances of working with First Nations.
- It is important to manage expectations to dispel the myth that IT systems are unicorn systems.
- Further, IT systems are complex and take time to implement making it difficult to address immediate issues through longer-term solutions. Within this, it is imperative to establish achievable, short-term deliverables and recognize that it is not possible to achieve everything at once.

PANNELIST 2: Hannes Edinger, Managing Director, Big River Analytics Ltd.
- Big River Analytics works collaboratively with First Nations communities to provide statistical and analytical capacity that will support the community to solve practical issues.

- There are a number of challenges Big River Analytics faces in supporting data sovereignty in First Nations communities, which include:
  o Expectations that First Nations will build costly, complex, data bases to comply with Federal and Provincial legislation/regulations
  o Cost of compliance is increasing because fewer people are doing it
  o First Nations do not use third party management tools such as Adobe and Google that are subject to the United States *Patriot Act* and personal data is transmitted outside of Canada
- The cost of software is decreasing with time and cloud software is becoming more affordable.
- This presents an opportunity for First Nations to have servers located on their territories and a back-up on a neighbouring territory, to ensure data sovereignty by eliminating third party management. It is important to note that there are several risks associated with this option.
- First Nations communities are increasingly leveraging data analytics to their advantage. For example, for large nations like the Nisga'a Nation, the Census is a powerful tool that has support program and service delivery to negotiate with the Government to make informed policy decisions.
- Big River Analytics is working to work collaboratively with Indigenous individuals who are interested in quantitative research. This initiative will provide fully funded research positions for four individuals over three years, and is intended to assist researchers in developing their skills and voice to engage in projects that are valuable to their communities.

SPEAKER 3: Paul Kishchuk, President, Vector Research
- Paul Kishchuk speaks to the differences in traditional, top-down and bottom-up worldviews of data collection, reporting, and relevance.
- The top-down approach, traditionally used by the Government and Western societies more generally, looks to bring the population to an external standard by gap-filling. This provides comparisons across Nations, allows for standard language through the fiscal policy process and established best/effective practices. This takes an indicator-first approach, which establishes the gap and the indicator that has been used to describe whether or not a gap has been filled.
- This is contrasted with the bottom-up approach, or the context-grounded worldview. This is a place-based approach which seeks to identify what makes the most sense at the community level. When using an outcomes first approach it is necessary to identify what the community values most and how community members view success, which sets the stage for the development of indicators and data collection.
- Example: School A has a graduation rate of 85% and school B with 65%. The top-down approach would use School A as the target indicator and the difference between the graduates is the gap that needs to be filled. A bottom-up approach would collect data on the number of school days and number of land days (with Elders, family) to better match what success looks like in a community. There are three important elements to consider when taking a bottom-up approach:
  o Existence: Are people able to see themselves in the data?
  o Activity: Can the community observe what is going on at the local level?

- o Progress: Is the activity helping the community move toward success?
- There are several challenges that Indigenous communities face in establishing bottom-up approach indicators, which include:
  - o Smaller communities lack the capacity to collect data
  - o It can be difficult to know where to find data
  - o Statistical sample sizing is predicated on having a big enough population to extract a sample size
- There are several types of data collection that can be useful for developing community-level indicators, which include qualitative, quantitative, administrative, and financial data. Administrative data out of a system like AIS can be used for reporting if it is repackaged and repurposed. Transaction financial data can also be used from the general ledger or the financial accounting system. Much of the data that is needed already exists, it is just a matter of thinking past the inferential statistics (e.g., survey) approach and harvesting data already being collected within the Indigenous government.

PANNELIST 4: Jonathan Dewar, Executive Director, First Nations Information Governance Centre
- The First Nations Information Governance Centre (FNIGC) is by FNs for FNs. FNIGC is accountable to communities through their governance system. It supports FN communities through regional and national partnerships to support the development of information governance and management, with data sovereignty being central to its work. This centre was created with the recognition that there has been and, in some cases, continues to exist, a legacy of unethical research including extractive research and overall, poor relationships with FN communities.
- The 1990s saw many FN communities left out of large Canadian population and in response, their governance system and its principles were established through OCAP; ownership, control, access, and possession. During this period, a regional health survey was developed which was the first of its kind for FN communities.
- The FNIGC has evolved its mission statement to reflect that it upholds free prior and information consent and Nation-to-Nation relationships with FNs. Its goal is to achieve data sovereignty for all FNs through a distinctions-based approach to ensure it aligns with their unique worldviews. The FNIGC core strategic objectives include:
  - o Community-driven and Nation-based to drive decision-making
  - o Data is inclusive, meaningful, and relevant
  - o Tools are effective, accessible, adaptable
- The FNIGC supports FN communities across Canada through its national surveys (regional health, early childhood education & employment, labour & employment development), research, research, and education and training. There is a free online OCAP course that provides a deeper dive into understanding the principles of OCAP and how it has established a mutually-beneficial framework for respectful research.
- The 2019 Federal Budget announced ongoing funding for the FNIGC to supports the development of an FN national data governance strategy. The FNIGC have spent the last 18 months consulting and will deliver a report with the first phase of the strategy on March 1, 2020.

Questions:

1. This is more a comment than a question, but I am challenging the language that you used around gap-filling. This feeds into the "white-mans burden narrative" that Indigenous Peoples are lagging behind non-Indigenous Peoples in socio-economic categories.
   Paul Kishchuk
   o The federal approach and language use gap-filling, this is a direct reference to what is used in the collaborative fiscal policy process.
   o I agree with your comment, that this type of language is pejorative. It also limits communities by establishing the standard as the limit and does not provide consider how communities could exceed this limit.
   o This highlights how the two worldviews collide and that there are differences in how success can be measured.
   Jonathan Dewar:
   o An Indigenous woman shared with me a different way of thinking about gap filling. She explained that the way that she viewed the gap was the difference in the life that you are living now and the life that the Creator expected you to achieve/embody.

2. How do status Indians as registered under the *Indian Act* apply within a Self-Governing Nation?
   Jennifer Jansen
   o The TFN took control of its membership in 1987 but when the modern treaty came into effect, the Federal government required that the FN could not just transfer the existing band list to the enrollment.
   o Each member had to register to be enrolled under the Treaty, whether they were non-status or status Indians under the *Indian Act*.
   o This creates differences in the delivery of services as status members receive health and education benefits and the TFN has tried to balance this disparity. This has not always been possible as the TFN faces budget constraints and affordability challenges in ensuring there is not a two-tier system.

3. Did you run into issues implementing and integrating systems that are just not compatible?
   Jennifer Jansen
   o Most of the systems implemented are geared towards municipal type functions which makes them able to meet many of the TFN's needs. As well, some of these systems are owned by the same company, so they are designed to integrate.
   o It takes time to build up data sets in order to fully integrate the system. For modular systems, they are designed for all systems to be integrated they are inherently compatible.

4. OCAP is 20 years old, do you believe it needs to be updated to reflect changes in Indigenous research ethics?

   Jonathan Dewar
   - o The core principles will remain but there are several other pieces, including Canadian law (i.e. custom laws, understandings of collective rights), require updating.
   - o Within the space that OCAP exists, there is a lot of work to do for oversight and monitoring of those who claim to maintain OCAP compliance when it does not exist. As well, there are still FNs that do not have access to tools for data sovereignty.