Over the Sandstone Curtain: Supporting Rural Aboriginal Young People in the Youth Justice System

Thesis Submitted for Doctor of Philosophy

James Cook University, Townsville, Australia

Luke Butcher

Contents

Principal Advisor: Professor Andrew Day, Indigenous Education and Research Centre, James Cook University

Associate Advisor: A/Professor Garry Kidd, School of Psychology, James Cook University

Advisor Mentor: Professor Debra Miles, Social Work and Human Services, College of Arts, Society and Education, James Cook University

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This publication contains Indigenous knowledge of Aboriginal community members from Dubbo, New South Wales, Australia. This knowledge is informed by traditional language, stories and art. All rights reserved. Dealing with any part of this knowledge for any purpose that has not been authorised by the custodians may breach the Copyright Act 1968 (see Laycock, Walker, Harrison & Brands, 2011). Aboriginal and Torres Strait Islander people should also be aware that this publication may contain the perspectives, stories and direct quotations from people who have passed away.

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i. Abstract

Despite substantial investment in policies, programs and services to address the over-representation of Aboriginal young people in the criminal justice system, little progress has been made over the last decade. Aboriginal young people still make up around half of the custodial population, despite the fact that only 5 per cent of the general population aged 10 to 17 years identify as Aboriginal. On any given day in New South Wales (NSW), Aboriginal youth are approximately 24 times more likely to be in custody and 14 times more likely to be under community supervision than their non-Aboriginal peers. When these statistics are considered alongside data showing that young people from regional, rural and remote areas are also more likely to be in contact with youth justice agencies than their urban peers, the need to understand the ecological and contextual factors that contribute to over-representation becomes apparent. The aim of this thesis is to understand how justice programs might be designed to more effectively respond to the ecological position and needs of Aboriginal young people from a rural community.

The first study of the thesis reports the findings of a quantitative analysis of 6,750 archival records from NSW Youth Justice of young people who offended for the first time between 2013 and 2016. The study examines how the level of risk and need, as measured by a standardised risk and needs assessment, differs across rural and urban settings. Given substantial evidence of rural disadvantage in Australia, it was hypothesised that rural young people would have higher levels of risk and need than urban young people and that this would be further influenced by Aboriginality. The analysis revealed that more Aboriginal young people who were known to have offended lived in rural areas than urban areas. However, contrary to expectations, urban young people had significantly higher risk and need scores in seven of the eight domains assessed, and this was consistent for both Aboriginal and non-Aboriginal young people. It is suggested that these findings highlight the need to investigate those ecological factors that contribute to justice system involvement but which are not considered in the current assessment protocol.

Based on a consultation with an Aboriginal community in a rural town in New South Wales, the second study aimed to understand how responsive programs might be designed in ways that would better meet the needs of young people who offend. Drawing on Indigenist research paradigms – particularly the notion of decolonising knowledge – the study explored: a) the types of knowledge and evidence that is important to community members when designing responsive programs; b) focus areas for programs that the community identify as important for Aboriginal young people who offend; and c) the natural resources and strengths that exist in the community to support program delivery. Eighteen Aboriginal adults participated in interviews over a six-month period, including two people with lived experience of offending as a young person. A qualitative content analysis of transcripts of the interviews identified a number of themes that reflected key community understandings of youth offending, including the need for contextually based, locally informed and community driven solutions.

It is proposed that the main contribution of these two studies is the way in which it demonstrates how Western and Aboriginal community knowledge might be combined to re-define, re-create, and reframe some of the assumptions that are made about how to best meet the needs of Aboriginal young people in rural communities who have offended. The thesis highlights the importance of engaging with local knowledge in policy and program planning, and the need to carefully consider how historical, environmental, ecological, and cultural influences intersect to contribute to the significant over-representation of Aboriginal young people in the justice system. Methodologically, the thesis aims to develop a framework that can be used to guide non-Aboriginal researchers who seek to engage meaningfully and respectfully with Aboriginal communities and non-western research paradigms. It concludes with a discussion of how this approach can be used to support policy makers, program designers and practitioners in planning and providing services and programs for young people who offend in rural communities.

ii. Thesis Structure

This thesis aims to answer two separate, but connected, questions:

1. Do young people, including both Aboriginal and non-Aboriginal young people, from rural communities have different levels of measured risk and need?
2. How might programs be designed to be responsive to the unique contexts of Aboriginal young people from rural communities?

To answer these questions, the thesis adopts the following structure:

Chapter 1 considers the broad over-representation of First Nations and Aboriginal young people within the Youth Justice system, both nationally and internationally. This is then followed by a discussion of those factors that are thought to contribute to the over-representation of Aboriginal people in the Australian justice system.

Chapter 2 highlights the over-representation of young people from rural communities within the Youth Justice system. This chapter highlights some of the challenges in defining rural communities, followed by an analysis of how social disadvantage impacts rural places and spaces. The association between social disadvantage and youth offending is then explored.

Chapter 3 situates the thesis in a policy and service delivery context, by describing the Youth Justice NSW service delivery model - including those current programmatic responses that are available for young people who offend. A review of the evidence for these programmatic responses is then presented, followed by an analysis of some of the particular policy, structural and service delivery challenges that are evident in rural communities in NSW.

Chapter 4 presents a quantitative analysis of 6,750 archival records of young people who have offended for the first time in NSW between 2013 - 2016. This chapter examines how the level of risk and need (as measured by a standardised risk need assessment administered by Youth Justice

NSW) differs between urban and rural young people. The findings of this study not only draw further attention to the vast over-representation of rural young people, but also highlight the need for further engagement with community stakeholders from rural communities to deepen understandings of how ecology influences rural Aboriginal young people's contact with Youth Justice services.

In Chapter 5, drawing from the conclusions of the previous chapter, I begin my engagement with Indigenist research paradigms. This includes an exploration of how research can be conducted as a non-Aboriginal person in a culturally responsive and safe manner. This involves understanding of how knowledge is gathered, valued and legitimatised, used, shared, and owned in an Aboriginal context, and how this differs from the empiricist and reductionist frameworks that characterise other research paradigms. This involved a deep self-reflection, including an appreciation of the limitations of engaging with this approach as a non-Aboriginal person.

Chapter 6 situates the thesis in the context of a rural Aboriginal community in Dubbo, NSW. The chapter presents an overall community profile, including an account of the historical context of the community and Aboriginal people across the region, before exploring how youth justice legislation has been applied to Aboriginal and non-Aboriginal young people. The second part of the chapter discusses the various community engagement bodies that exist in the Dubbo community, and how the researcher engaged with them throughout the research process

Chapter 7 consolidates the learnings from Chapters 5 and 6, and seeks to apply a culturally informed research methodology to design a qualitative research study to inform consultations with members of a rural Aboriginal community to identify key areas of focus for program design. This chapter includes a description of the theoretical framework and methodological orientation that frames the research, as well as a description of the data collection and coding strategies. An analysis of 18 qualitative interviews with community members of Dubbo is then presented, describing a process of community involvement in program design. It reports how the community viewed the

importance of long term, meaningful engagement grounded within local context and community knowledge as essential for successful program design. The community members further highlighted the importance of strengthening identity through supporting young people to locate their place within family and culture. Addressing social factors such as poverty was also seen as crucial for programs to be effective in responding to the needs of young people who offend. The strengths, resources, and resilience of Aboriginal young people, families and communities are also explored.

Chapter 8 concludes the thesis with a discussion of the implications of the thesis for Youth Justice practitioners, policy makers, and researchers. This includes how the findings might contribute to the development of more ecologically-informed program theory. The role that Youth Justice agencies can play in responding to broader social welfare needs is also discussed. This chapter additionally includes some personal reflections on how a non-Aboriginal researcher can conduct research across the cultural interface.

Appendix 1 includes relevant ethical approvals from NSW Juvenile Justice, Aboriginal and Torres Strait Islander Human Ethics Research Committee, James Cook University Human Ethics Research Ethics Committee and Aboriginal and Torres Strait Islander Health and Medical Research Council Human Ethics Research Committee.

Appendix 2 provides letters of support from community members for conducting the research.

Appendix 3 reports the coding tables that relate to the analysis reported in Chapter 7.

Table i below provides a list of tables throughout the thesis

Table i

List of tables

iii. Glossary of Terms

In this thesis a range of terms relating to the experiences of Aboriginal young people from rural communities are used. The following table defines and provides context for some of the terminology used throughout the thesis (Table ii).

Table ii

Glossary of terms

Term	Definition
Aboriginal	A person of Aboriginal descent who identifies as Aboriginal and is accepted as such by the community in which they live (Australian Institute of Aboriginal and Torres Strait Islander Studies [AIATSIS], 2018)
Cultural Knowledge	Cultural knowledge is defined as "an accumulation of knowledge that has been handed down from generation to generation, which might be held by particular individuals or family groups. It includes knowledge about spiritual relationships, relationships with the environment and the use of natural resources, and relationships between people, which are reflected in language, stories, social organisation, values, beliefs, and cultural laws and customs" (Healing Foundation, 2018, para 9).
Indigenous	The term indigenous refers to First Nations people in a global context, as well as Aboriginal and Torres Strait Islander people in an Australian context. Indigenous peoples are those who "self- identify as indigenous peoples at the individual level and accepted by the community as their member, have a historical continuity with pre-colonial and/or pre-settler societies, strong link to territories and surrounding natural resources, distinct social, economic or political systems, distinct language, culture and beliefs, form non-dominant groups of society, resolve to maintain and reproduce their ancestral environments and systems as distinctive peoples and communities." (United Nations, nd., para 4).
Justice Involved	The term "justice involved" describes young people who have a level of involvement with Youth Justice NSW, which may include diversionary monitoring, probation, or detention.
Juvenile Justice	During the course of this thesis, NSW Juvenile Justice was consolidated under the Department of Communities and Justice – Youth Justice NSW. However, historical references and reports will also refer to NSW Juvenile Justice.
Rural	The term "regional, rural and remote" is used to describe areas outside of Australia's major cities (see Chapter 2 for commentary on challenges defining "rural"). For ease of reading, the term "rural" will be used to describe these areas throughout the thesis.
Stolen Generation	"The Stolen Generations refers to the tens of thousands of Aboriginal and Torres Strait Islander children who were forcibly removed from their families and communities between the early 1900s and the 1970s. Stolen Generations children were removed as part of deliberate assimilation policies adopted by all Australian governments. The children were sent to institutions or adopted by non- Indigenous families. They were separated from their culture, family, land and identity and many of them suffered abuse and neglect." (Healing Foundation, 2018, para 3).
Western/Westernised	The influence of cultural, political and economic systems of Europe and North America on countries, people and systems (Lexico, 2020).
Western NSW	A geographical area West of Sydney in New South Wales (NSW), encompassing Bathurst in the east, Broken Hill in the west, Lightning Ridge in the north and Wentworth/Dareton in the south.
Youth Justice – NSW	The statutory NSW government agency tasked with responding to young people who offend.

iv. A Note on Language

The way in which language is used may, explicitly or implicitly, propagate stigma. This may occur, for example, through the depersonalisation and deprivation of individual stories and experiences by defining people and groups of people *as* their behaviour. In this thesis a 'people first' language is used in an attempt to address this problem. Used extensively in the mental health and drug and alcohol fields, people first language involves putting words referring to the individual before those that refer to their behaviour (Broyles et al., 2014). In the context of the thesis, this involves describing young people who are in contact with Youth Justice services wherever possible as "young people who have offended" or "young people" rather than as "young offenders".

v. Research Outputs

The following publication outputs have arisen from this thesis (Table iii)

Table iii

Publications

Chapter Number	Details of publication(s) on which chapter is based	Nature and extent of the intellectual input of each author, including the candidate
4	Butcher, L., Day, A., Miles, D., & Kidd, G. (2019). A comparative analysis of the risk profiles of Australian young offenders from rural and urban communities. *International Journal of Offender Therapy and Comparative Criminology, 63*(14), 2483-2500. https://doi.org/10.1177/0306624X19853110	The authors co-developed the research question. Butcher completed data analysis. Day provided advice on chapter structure and content, and completed regular reviews and editing. Miles and Kidd provided proof reading and editing of the paper
7	Butcher, L., Day, A., Miles, D., Kidd, G., & Stanton, S. (2020). Community engagement in youth justice program design. *Australian New Zealand Journal of Criminology, 53*(3), 369-386. https://doi.org/10.1177/0004865820933332	The authors co-developed the research question. Butcher completed data collection and data analysis. Day provided advice on chapter structure and content, as well as editing. Stanton provided advice on community engagement protocols. Dr Lynore Geia (credited with an acknowledgement in the published paper) contributed the section on cultural safety. Miles and Kidd provided editing.

The following presentations have reported aspects of this thesis:

Butcher, L. (2018, June). '*Beyond the Black Stump: New Approaches to Responding to Youth Crime'*. Crime Prevention and Communities Conference, Melbourne, Victoria.

Butcher, L. (2016, September). *Trapped in the Cycle: When Victims Become Victimisers*. 2nd Australasian Youth Justice Conference. Brisbane. Queensland.

Chapter 1. Aboriginal Youth Offending and Social Disadvantage

1.1 Context for the Over-Representation of Aboriginal Young People

The facts of over-representation of Aboriginal young people in the youth justice system have been well documented. Aboriginal young people are, for example, 17 times more likely to be in custody on any given day in New South Wales (NSW) than their non-Aboriginal counterparts, and have a significantly higher rate of being placed on a supervision order (154 per 100,000 compared to 9 per 100,000; NSW Law and Safety Committee, 2017). Aboriginal young people make up around half of the custodial population (see NSW Ombudsman, 2011a; NSW Law and Safety Committee, 2017; Indig et al., 2011), despite the fact that only 5% of the general population aged 10 to 17 years identify as Aboriginal. These levels of over-representation extend to almost any aspect of criminal justice system involvement for Aboriginal young people. For example, 88% of Aboriginal detainees in NSW have previously been in youth detention, (compared to 60.7% of non-Aboriginal young people), with nearly one in three (29.3%) having 10 or more previous custodial episodes (Indig et al, 2011). Aboriginal young people also have higher rates of reconviction, come into contact with the justice system at a younger age, and those under 13 years of age are twice as likely to be held in detention than their non-Aboriginal peers (see Australian Institute of Health and Welfare, 2012; Indig et al., 2011; NSW Law and Safety Committee, 2017; Smith, 2010; Trotter, Baidawi & Evans, 2015). These statistics are startling, leaving some to suggest that if an Aboriginal young person aged between 10 and 14 years is imprisoned, s/he is almost certain to be imprisoned as an adult (Murphy et al., 2010).

Both nationally and in NSW, it is generally accepted that services, programmatic intervention, and policy responses have made minimal inroads in addressing the incarceration rates of Aboriginal youth. Since 2008, for example, Aboriginal youth incarceration has increased by 10%, whereas non-Aboriginal youth incarceration has decreased by 12% (Australian Institute of Health and Welfare, 2018; Higgins & Davies, 2014). The Aboriginal and Torres Strait Islander Social Justice Commissioner has described these statistics as a "catastrophe", arguing that "we do a better job at

keeping Aboriginal children in prison than in school" (Australian Broadcasting Corporation, 2014, para. 7).

A useful starting point for understanding this issue is the report of the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs (2011) which concluded that the over-representation of Aboriginal young people in the youth justice system is a direct result of the chronic social and economic disadvantage experienced by Aboriginal communities. Although this does not (and should not) negate the considerable strengths evident in many Aboriginal families and communities, other national reports have further suggested that it is the loss of cultural values, norms, and knowledge as a result of colonisation that is inextricably linked to over-representation (e.g., Australian Institute of Health and Welfare, 2012; Milroy, Dudgeon & Walker, 2014). Such explanations are important as they can help to inform any analysis of the context in which over-representation occurs, structuring expectations about the extent of change that might be possible in the short-term, and providing a rationale for political and structural initiatives that aim to address underlying issues of social disadvantage. The aim of this chapter is to examine the two key drivers of youth justice system involvement for Aboriginal young people: a) the social disadvantage experienced by Aboriginal young people who offend; and b) the influence of culturally specific factors in a post-colonial context.

1.2 Social and Developmental Disadvantage Experienced by Aboriginal Young People Who Offend

Aboriginal young people who are involved with the youth justice system have often experienced a higher rate of social and developmental disadvantage than both non-Aboriginal peers and Aboriginal young people in the general community (Indig et al., 2011, Justice Health and Forensic Mental Health Network & Juvenile Justice, 2017; Meurk et al., 2019; Sawyer, et al., 2010; Sullivan, 2012). Broad disadvantages, such as experiences of abuse and neglect, poor engagement with schooling and education, poor mental health, rates of employment and homelessness, have

been repeatedly been shown to have a relationship (though not necessarily a causal relationship) with young people's involvement in youth justice. For example, the association between child protection notifications and involvement with youth justice has been consistently reported in international, national, and state based literature (e.g., Australian Institute of Health and Welfare, 2015a; Corrado, Kuehn & Margaritescu, 2014; Doolan, et al., 2013; Malvaso, et al., 2019). For example, in Canada, Corrado et al. (2014) examined the offence profiles of incarcerated Indigenous young people. As is the case in NSW (see Indig et al., 2011), this study reported that more Indigenous young people had been placed in foster care, had more foster care placements, and been placed in care at an earlier age than non-Indigenous youth. Indigenous young people were also more likely to have a biological parent with a criminal record and have been a victim of physical abuse. Factors such as the family profile of substance use, mental health or criminal records, and foster care were shown to be statistically significant predictors of re-offending.

Though there is no national linked child protection and youth justice dataset in Australia, a consistent association between child protection and youth justice involvement has been reported in studies from all of the states and territories. For example, two thirds of Victorian Aboriginal men who had a child protection notification have been reported to also be subject to youth justice supervision, and one quarter of a Queensland cohort of young people born 1983-1984 who received a substantiated child protection report subsequently offended (Australian Institute of Health and Welfare, 2015a; Doolan et al, 2013). Similarly, in South Australia persistent childhood maltreatment and Aboriginality were found to be a significant predictor of youth justice involvement (Malvaso et al., 2019), and in NSW, Aboriginal young people are known to be nine times more likely to be the subject of a substantiated child protection report and between six and ten times more likely to be subjected to a care and protection order than non-Aboriginal young people (NSW Ombudsman, 2011a; Murphy et al., 2010). In addition, over one third of all out-of-home care placements in NSW are for Aboriginal young people (NSW Ombudsman, 2011a) and Aboriginal young people in custodial settings are also 16 times more likely to be placed into care than non-Aboriginal peers (Davis, 2019;

Indig et al., 2011). In a significant review of the NSW Out Of Home Care system, Davis (2019) describes the over-representation of Aboriginal young people in child protection in Youth Justice as 'care criminalisation' (p. 236). 'Care criminalisation' is a process where disciplinary action normally taken by parents is delivered through a police or criminal justice response young people. This process of care criminalisation operates in tandem with the complex nexus of socio-cultural factors that, by themselves, are associated with criminal justice system including loss of family and culture, untreated mental health issues, significant trauma, intellectual and learning disability and failed restoration attempts (Davis, 2019).

A number of different factors have been identified as associated with young people's involvement in the justice system. For example, Aboriginal participants from the New England area of NSW highlighted the importance of experiences of *parental abandonment, violence* (at the home and in the community more broadly), *neglect, and overcrowding* to their offending pathways (Sullivan, 2012). Notably, most did not see themselves as victims of abuse or neglect, instead describing their experiences as "a bit of a rough run" (p. 109). For example, some of the participants described how food could be located elsewhere within the community, or how good parenting consisted of "food in the cupboard and clothes on your back" (p. 108). The role that agencies play in administering child protection services to Aboriginal communities has also come under criticism for ignoring cultural differences in child rearing. For example, Delfabbro et al. (2010) state that child protection authorities "may look for problems because they expect them to exist" (p. 1419) when engaging with Aboriginal families. Further, the child protection system has come under criticism for being inherently based around western principles of family structure and child rearing, largely ignoring extended family structures that are important within Aboriginal communities (Tilbury, 2009).

Low levels of engagement with schooling and education have been identified as another factor associated with involvement in the justice system. It has been estimated, for example, that

90% of juvenile detainees have been suspended from school (NSW Ombudsman, 2011a), and that over a quarter of Aboriginal young people in custody left schooling prior to year 7 (Indig et al., 2011). It has also been noted that emotional and behavioural problems experienced by young people on remand significantly interfere with their schooling and peer activities (Sawyer et al., 2010). Conversely, there is some evidence that Aboriginal young people who complete year 12 are more likely to report excellent or very good physical health and mental health (Murphy et al., 2010).

There is contrasting information regarding the *mental health* of young people who are held in Australian youth justice facilities. In one study, Sawyer et al. (2010) reported that Aboriginal young people on remand in South Australia had significantly higher rates of externalising problems than non-justice involved Aboriginal youth. A more recent study by Meurk et al. (2019) explored the mental health of justice involved young people in Queensland and Western Australia. They found that justice involved young people reported higher rates of psychological distress than other young people in the general population. The rate of attempted suicide was also much higher for justice involved young people, with 23% having made an attempt on their life, compared to 14% of the general population. However, in this sample, justice involved Aboriginal young people reported better mental health than non-Aboriginal justice involved young people. The study also highlighted that, despite a high rate of mental distress, only one third of justice involved young people had accessed a health service for mental health or behavioural concerns. In contrast to Meurk's findings, however, a New South Wales study by Indig et al. (2011) found that approximately one quarter of all young people in custody experienced a mood disorder, with no differences observed between Aboriginal and non-Aboriginal young people. Nonetheless, one third of all young people in custody were found to have an anxiety disorder, with the majority of diagnoses being for post-traumatic stress disorder. Furthermore, Aboriginal young people in custody were more likely to have been diagnosed with a substance use disorder (58% v 42%) and substance dependence disorder (47% v 32%) than non-Aboriginal young people. Nearly three quarters (70%) of young people in custody were found to have an attention or behavioural disorder, with Aboriginal young people more likely

to have been diagnosed with a conduct disorder than non-Aboriginal young people (66% v 53%), as well as oppositional defiant disorder (18% v 7%). In the 2015 Young People In Custody Health Survey, 83% of respondents met the criteria for at least one mental health disorder, with more Aboriginal than non-Aboriginal young people meeting the criteria for at least two or more mental health disorders (69% v 56.5% for non-Aboriginal youth; Justice Health and Forensic Mental Health Network & Juvenile Justice, 2017).

Youth unemployment is always higher than total adult unemployment as a result of higher rates of turnover, short-term contracts, and the impact of global economic trends such as less entry level positions being created during a recession (see Montoya, 2014). However, Aboriginal young people in custody have been shown to be more likely than non-Aboriginal young people to experience unemployment or under-employment. The Indig et al. (2011) study reported that 84.1% of Aboriginal youth were not working in the 6 months prior to custody, compared to 66.3% of non-Aboriginal youth, less likely to be employed full time (3.4% v 17.5%), employed part time (4.1% v 10.6%), or employed casually (4.8% v 6.3%). These trends were also observed in the 2015 Young People in Custody Health Survey, with Aboriginal participants reported to be less likely to be employed in paid employment than non-Aboriginal youth (15.2% v 39.2%).

Homelessness has been identified as another key risk factor for entry into the youth justice system (Murphy et al., 2010). Although homelessness has been defined in many different ways, the Australian Bureau of Statistics (2016a) define a homeless person as someone who is "living in a dwelling that is inadequate, has no tenure, or tenure is short and inextendable, does not allow them control of, or space for, social relations" (para. 4). Chamberlain and Mackenzie's (1992) seminal definition of homelessness further identifies three categories: *primary homelessness* which is experienced by people who are 'rough sleepers', or living in inadequate dwellings; *secondary homelessness* which is experienced by people who frequently move between friends, family, or 'couch surf'; and *tertiary homelessness*, where people live in accommodation that falls below the

minimum standard such as boarding houses and caravans. In Australia, surveys have shown that 24% of adolescents who are on remand live with a parent, 23% with friends (i.e., secondary homelessness), 18% in an institution, and 17% live 'on the streets' (i.e., primary homelessness; Sawyer et al., 2010). In NSW, over one quarter of the homeless population are young people, with forty percent of all homeless Aboriginal people under the age of 18 (Australian Institute of Health and Welfare, 2014; Murphy et al., 2010).

Though pathways into homelessness are often complex, the primary reason for seeking support from a specialist homelessness service in NSW has been identified as domestic and family violence (30%), followed by relationship breakdown (12%) and alcohol use (12%; Australian Institute of Health and Welfare, 2015b). The majority of young people in NSW Youth Justice Custodial Centres have been reported to live in the family home prior to their offence (79.5%), although Aboriginal young people were more likely to be living with friends (i.e., experiencing secondary homelessness) than non-Aboriginal young people (12.1% v 5.5%), and more likely to experiences housing and accommodation problems in the 6 months prior to custody (Justice Health and Forensic Mental Health Network & Juvenile Justice, 2017). The combination of these factors would appear to contribute to 90% of Aboriginal young people being unable to meet their bail accommodation requirements in the first instance due to housing instability or homelessness (Murphy et al., 2010).

1.3 Cultural Dislocation

In NSW, significantly more Aboriginal youth cite *family reasons* as a causal factor in their offending than non-Aboriginal youth (16.7% v 6.3%; Indig et al., 2011). This draws particular attention to the role of family violence, with Cripps and Adams (2014) conceptualising family violence as multi-dimensional, caused by historical, specific factors that uniquely affect Aboriginal people and communities which continue to impact adversely on social and emotional wellbeing, and compound experiences of violence, dispossession, cultural dislocation, and dislocation of families through removal. Cripps and Adams (2014) further argue that one of the strongest risk factors for

being a victim of violence is alcohol use, although substance use, single parent families and financial distress are also identified as key influences. In addition, Blagg et al., (2015) have identified the normalisation of abuse and social breakdown as a major contributing factor to family violence (see also Aboriginal Child Sexual Assault Taskforce, 2006).

Lateral violence, which occurs when people who are disenfranchised and powerless direct their dissatisfaction inwardly, towards each other and towards those less powerful than themselves, is also seen as an important contributor to offending for Aboriginal young people (Cripps & Adams, 2014). The adverse effects of *victimisation and maltreatment* on the psychosocial development of young people have been well documented (see Dawes & Ward, 2011; Weatherburn & Holmes, 2010), but it is the impact of targeted child removal and assimilation policies that is considered to uniquely contribute to Aboriginal people's contact with child protection services. The ongoing impacts of the Stolen Generation has been shown to contribute to lateral violence within families and communities by disrupting parenting styles, attachment, expressions of love, discipline and cultural identity (Australian Human Rights Commission, 1997).

A second group of casual factors has been identified that relate more broadly to socio-political factors that impact Aboriginal young people. These include marginalisation as a minority group, unemployment, welfare dependency, histories of abuse, maladaptive coping behaviours and addictions, health and mental health issues, and low self-esteem and feelings of powerlessness (Cripps & Adams, 2014). These factors can be interrelated, interdependent, or independent. For Corrado et al. (2014) these factors are critical to understanding over-representation in any Indigenous context. This conclusion is, in part, supported by the findings of a NSW study by Snowball and Weatherburn (2006) which concluded that no differences existed in either the frequency or length of control orders handed down to Aboriginal and non-Aboriginal young people when they were matched on characteristics including bail status, number and type of offences, gender, level of education, employment status and prior criminal record, suggesting that a greater understanding of

the unique factors that affect Aboriginal young people is required, and similarly, identifying the strengths of Aboriginal young people in the context of multi-layered adversity.

1.4 Conclusion

The over-representation of First Nations and Aboriginal young people is a concern, both in Australia and internationally. By presenting a list of areas of social and developmental disadvantage the purpose of this introductory chapter is to begin to highlight how Aboriginal young people who offend will have often experienced multiple disadvantages, including difficulties with schooling and education, poorer mental health and wellbeing, unemployment and underemployment, exposure to family violence, homelessness and housing instability, and higher rates of involvement with the child protection system. All of these factors have been directly associated with subsequent involvement in the youth justice system. Further, the role of cultural dislocation, subjugation and colonisation is also identified as making a significant contribution to the involvement of Aboriginal young people in the youth justice system. At the same time, however, it is also crucial to remember the strengths, resources and resilience of Aboriginal young people, their families, and communities; even though these are not nearly as well reported in the published research literature. This contextual information also needs to be considered in a service delivery environment that is considered to be largely ineffective in responding to significant over-representation of Aboriginal young people. Thus, it is suggested that a reconceptualisation of the pathways that exist into, through, and out of, the youth justice system is required to better account for the nexus of social disadvantage, strengths, and justice involvement. This reconceptualisation would inform the subsequent design of youth justice programs. One particular set of considerations that arises here is the impact of rural disadvantage on young people. This is considered next.

Chapter 2. Rural Disadvantage in Australia

On an average day in Australia in 2016-2017, half of all young people on youth justice supervision lived in major cities, with just over one third (36%) in inner regional or outer regional locations (as classified by the Australian Geography Standard; Australian Bureau of Statistics, 2016c; Australian Institute of Health and Welfare, 2018). This contrasts with the distribution of the general population of young people across Australia, where 70% were living in major cities, and 29% in regional areas. Further, pronounced differences also emerge when we consider that almost half (41%) of Aboriginal young people in Australia under supervision are from outer regional, remote, or very remote communities, while only 8% of non-Aboriginal youth come from these areas (Australian Institute of Health and Welfare, 2018). In other words, young people from regional, rural, and remote communities - particularly Aboriginal young people - are disproportionally represented in the youth justice system.

In Australian criminology, surprisingly little research has been published that examines the differences between those who live in rural communities and those from other parts of the country, with the majority of crime theory being described as urban-centric (Australian Institute of Criminology, 2010; Barclay, Donnermeyer, Scott & Hogg, 2007; Harris & Harkness, 2016). This is despite evidence that a range of experiences, such as substance use, child abuse, and domestic violence, which are associated with young people's offending trajectories (Allard et al., 2017; Atkinson, Nelson, Brooks, Atkinson & Ryan, 2014; Indig, Fewen & Moore, 2016; Malvaso, Delfabbro & Day, 2017) and are also more common in rural areas. The impacts of these experiences are further compounded by a range of other environmental and ecological factors (such as access to services, policy frameworks, transport, drought, climate and social capital) that are also thought to play a key role determining social, health, and justice outcomes for rural communities (Australian Institute of Health and Welfare, 2009; Harris & Harkness, 2016). In order to understand some of the reasons behind the over-representation of rural young people in the criminal justice system, this

chapter firstly aims to describe rural Australia, and then presents an analysis of social disadvantage within these communities that may contribute to youth justice system involvement.

2.1 Defining Rural Australia

Australia is one of the most urbanised countries in the world, with two thirds of its population living in major cities. This means that Australia has one of the lowest population densities outside of major cities in the world (Baxter, Gray & Hayes, 2011). For context, this means that over 90% of the population resides in 0.22 percent of Australia's total land area (Harris & Harkness, 2016). The term "regional, rural and remote" (RRR) is often used to describe the areas that are outside of Australia's major cities, although more precise definition is difficult given the heterogeneity of rural communities in economic function, location (coastal, inland or on state borders), culture, social class and the like (Hogg & Carrington, 2006). For example, some researchers prefer to consider "rural" as not only consisting of a physical and geographical *place*, but also a philosophical and mental *space* where rural identity, world views and ways of being are constructed (Harris & Harkness, 2016; Scott & Hogg, 2016). Nonetheless, the Australian Statistical Geography Remoteness Structure, a place-based definition, is used in Australia for statistical analysis and to inform population health approaches and interventions (Australian Bureau of Statistics, 2016c). This considers five types of relative remoteness (metropolitan, inner regional, outer regional, remote and very remote) which are based on assumptions that larger populations have more access to services, and that road distance from the state capital is a primary factor that is associated with disadvantage. However, this delineation also presents some challenges where, for example, a northern NSW town might be classified as outer regional in terms of distance from Sydney, but it is closer to another state capital, Brisbane (Davie, 2015).

McGregor (2001) has further described three types of small town in rural Australia: *Aboriginal settlements; specialist centres;* and *open service* towns. Aboriginal settlements are those that are characterised as having a strong cultural foundation, but which lack basic services, and

possess little industry apart from that which results directly from public funding. Specialist centres are described as mining towns, where services are provided by the mining companies operating in the areas. Open service towns, or 'hubs' provide services and resources (such as groceries, postal services, goods and services) to farming stations and properties nearby (see also Maru et al., 2007).

2.2 Ecological Factors

It is now well-established that people who live in rural communities in Australia will experience higher rates of social and economic disadvantage than those who live in metropolitan areas (Australian Bureau of Statistics, 2000; Australian Institute of Health and Welfare, 2009; Vinson, et al., 2015). People in rural communities are, for example, less likely to report that they are in good health and more likely to report substance use, child abuse, and domestic violence (Australian Institute of Health and Welfare, 2009; Robinson et al., 2012). It is also the case that poorer health outcomes for people living in rural areas cannot be accounted for simply by the fact that more Aboriginal people live in these communities (see Allard, et al., 2017; Australian Institute of Health and Welfare, 2009). When viewed in a context in which professional support services are often described as lacking (e.g., NSW Ombudsman, 2010; 2011a), the complex layers of disadvantage experienced by people in rural communities come into sharp focus. Thus, it is beneficial to understand the *ecology* of rural communities, which is defined by the relationship between the social, institutional and cultural context of relationships between rural people, their environments and systems which influence them (Stokols, 1992). Importantly, adopting this ecological approach understands that young people's environments are heterogeneous, fluid interconnected and operate simultaneously across different systems, structures and time (Johns, Willams & Haines, 2016). Thus, ecology is comprised of both the physical place that the communities occupy but how rural mental spaces intersect to create pathways into offending for young people.

2.3 Rural Place

Examining the place and rural space dichotomy is helpful in understanding how different components of rural living are associated with offending pathways. In this context, 'rural place' is comprised of those factors that define a community through its community structure and geographical location. The geographical location of these communities further influence which social, health and justice services rural people have access to, and, additionally, the capability of these services to respond to rural people's needs. These are considered next.

2.3.1 Structure of Rural Communities

The main factors that have been associated with the volume and types of crime in rural communities include the size of towns and regional patterns of residence, main economic activity of the town (farming, mining etc.), and population make up - including the proportion of Aboriginal and Torres Strait Islander peoples (Australian Institute of Criminology, 2010). Structural factors, such as social relations within the community and the visibility of certain 'offenders' and offending activities, can be attributed to higher rates of reporting of assault and public order offences. Paradoxically, some types of offences, or offences committed by some people in a community may be condoned and/or unreported (Australian Institute of Criminology, 2010). This may lead to the significant variation in both crime rates and types of crime between towns within the same rural area. For example, Kalgoorlie in Western Australia has different offending rates and types of offences committed than the rest of the Goldfields area (Lee & Clancey, 2016).

Theories such as social disorganisation theory suggest that a community's inability to realise the common values of its residents, combined with high levels of concentrated social disadvantage, heterogeneous populations, and housing instability further contribute to crime rates and offending patterns (Lee & Clancey, 2016; Morgan, 2016). The applicability of this theory to a rural Australian context, has however, been questioned as these factors are not consistent across rural communities; nor are they solely concentrated in rural areas (see Barclay et al., 2007; Morgan, 2016). This is in

contrast to countries such as the United States and the United Kingdom, where disadvantage tends to be concentrated in urban areas (Morgan, 2016), highlighting the need for further analysis of the Australian context.

2.3.2 Equity and Access to Services

The National Strategic Framework for Rural and Remote Health (Department of Health, 2016) highlights the need for services and programs to be adapted to meet the differing needs of rural and remote communities (including geographic isolation, low population density, increased costs associated with rural and remote service delivery and limited infrastructure). There is significant disparity associated with access to allied health services across regional, rural and remote Australia. People who live in outer regional areas, for example, receive less than half the allied health services (as measured by Medical Benefits Scheme billing), whereas those in remote communities receive less than one-tenth of allied health services (Department of Health, 2016). Another example here is that even though young men in rural Australia have the highest rate of suicide (and in general, suicide rates increase with remoteness), less than 8% of young people in rural and remote locations will receive any service from a Child and Adolescent Mental Health service (Crockett, 2012).

Providing adequate justice services in regional and rural NSW is also challenging, particularly for those who identify as Aboriginal and who are at high risk of reoffending (Coverdale, 2016). Factors such as remoteness, workforce shortages, and the lack of supporting infrastructure contribute to people who offend receiving intervention away from their natural support networks and outside of their communites. An example of this can be found in the case of *The State of New South Wales v Bugmy* [2016] *NSWSC 1128*. This case not only highlights how social and community disadvantage are closely intertwined with offending behaviour, but also draws attention to limitations in providing adequate levels of service in rural and remote communities. For example, Judge McCallum observed that regional and rural Community Corrections staff have been “resistant

to case managing… (Bugmy)… as the remoteness provided limitations to the level of supervision and service provision needed by the inmate" [at 46].

2.4 Rural Spaces

In contrast to rural places, rural spaces are the mental, philosophical, and cultural fabric that assists in defining rural communities.

2.4.1 Drug and Alcohol Use

It has been suggested that drinking alcohol has a high social value within rural Australia, particularly as an expression of masculinity (Allan et al., 2012). Alcohol consumption has also been described as an 'integral' and 'intrinsic' part of rural culture, despite rural Australians experiencing a higher burden of disease as a result of alcohol use than their metropolitan peers (Allan et al, 2012). Alcohol use forms a key part of the rural mental space as it contributes to the formation of new relationships through drinking, and is supported by the perception of archetypal rural people being able to drink high rates of alcohol with no harm. Conversely, rural people consider problematic consumption of alcohol an individual weakness, and as such the individual's responsibility to address, despite alcohol consumption being reinforced by rural mentalities (Allan et al, 2012).The use and abuse of opiate based pain relief in rural communities is thought to be associated with a higher proportion of physically demanding jobs requiring pain treatment, combined with a culture of 'just getting on with it', and poor access to specialist pain services (Degenhard et al., 2016; Tollefson & Usher, 2006). Young people who live on farms have been shown to be more likely to report alcohol use, illicit substance use, inhalant use and binge drinking (Rhew, Hawkins, & Oesterle, 2011). Factors such as boredom and a lack of pro-social recreational activities for farm dwelling youth may be associated with these findings. Similarly, farm dwelling youth were more likely to report poor family relations, and parental attitudes supportive of substance use (Rhew et al., 2011). In the context of youth justice, a study by Indig, Frewen, and Moore (2016), found that young people who offended and were categorised as heavy drinkers were 7 times more likely to be have been

previously incarcerated than their peers. Living in rural locations was also a significant predictor of increased alcohol abuse in youth justice populations in New South Wales (Kenny & Shreiner, 2016).

2.4.2 Violent Victimisation

Women living in rural communities tend to experience domestic and family violence (DFV) at a statistically significant higher rate than those living in metropolitan areas. In New South Wales, nine of the 10 communities with the highest rate of family violence were in regional, rural or remote communities; eight of which are in Western NSW (Bureau of Crime Statistics and Research, 2019). Dillon et al. (2015), for example, report that the lifetime prevalence of DFV was 24.4% for women living in inner regional communities, and 26.1% for those in other rural areas, whereas women living in a major city had a lifetime prevalence of 19.6%. Women living in rural communities are more likely to be physically and socially isolated, lack access to support services, have partners who can access firearms, and experience traditional gender roles that are engrained into rural culture, which all may preclude victims from seeking support (Lee & Clancey, 2016; Wendt, 2009). Young people who are exposed to family violence are also reported to be more likely to use violence on their partners (Spriggs, Halpern & Martin, 2009). In NSW, young people who were charged with a domestic and family violence offence were more likely to be from a rural area and were primarily males who offended against their mother (Freeman, 2018).

2.4.3 Police Relationships with the Community

Rural policing is substantially different to metropolitan policing with rural police having generally closer relationships with communities and a focus on problem solving instead of pure law enforcement, with police generally reporting higher rates of job satisfaction then metropolitan colleagues (Dwyer, Ball & Barker, 2015). However, one study in Victoria, Australia, highlighted farmers choosing not to report farm crime due to concerns of the reports not being taken seriously by police, and 85% of respondents felt not enough was being done to prevent crime in their area (Harkness, 2016). Similarly, law enforcement services in rural areas such as Western NSW have also

been criticised as focusing on crime perpetuated by young indigenous offenders (Hogg, 2005). This is reflected in the rural non-indigenous population in Hogg's (2005) study indicating anxiety about the ability of the police to respond to large Aboriginal gatherings, such as funerals. Further, Aboriginal people in the rural area of North West NSW identified systemic bias within the Justice system, including the varying presumptions of innocence and differences in how people who offend were sentenced (Sullivan, 2012). Further, it has also been reported that there is a disproportionate representation of Aboriginal young people from rural communities in NSW Police's controversial assertive policing program, the Suspect Target Management Program (see Sentas & Pandlofini, 2017). In response to targeted policing, the National Justice Project launched an app in Dubbo, NSW (a rural community) to allow Aboriginal young people to record their interactions with NSW Police, that then would be uploaded immediately onto a cloud based platform (Australian Broadcasting Corporation, 2018a; Copwatch, 2019).

2.5 Conclusion

This chapter situates the studies that follow in a rural Australian context. Rural communities can be described as both physical place and mental space where geographical remoteness and local cultures, customs, and shared values intersect to create rurality. Though rural communities have a range of innate strengths and resilience, they also experience high levels of social disadvantage that contribute to (though do not necessarily cause) young people's offending trajectories (such as child protection, experiences of victimisation, and substance use and misuse). Despite this, little is currently known about *why* young people from rural communities are over-represented in youth justice services, and similarly, how services and programs may be structured to address this over-representation.

Chapter 3. The NSW Justice, Police and Service Delivery Context

In order to understand the over-representation of Aboriginal young people from rural communities in the youth justice system, it is helpful to understand the specific contextual and policy factors that influence the service delivery system. This an important lens to look through, as firstly, it provides an understanding of the evidence base that underpins current models of intervention for young people who offend, and secondly (and more pragmatically) it demonstrates how these models are translated through policy frameworks that guide service delivery at the community level. Therefore, the aim of this chapter is to further situate the empirical study that follows by considering the broad policy and service delivery framework of Youth Justice NSW. This involves a discussion of some of the implementation and program delivery challenges that arise in rural communities. It is argued these structural factors that influence how services are currently provided in rural communities should be considered in any future responses to addressing over-representation.

3.1 Youth Justice NSW Service Delivery Model

The Risk-Need-Responsivity (RNR) model of offender rehabilitation (Andrews & Bonta, 2016) is currently used to manage young offenders in most Australian jurisdictions, including in New South Wales (see Productivity Commission, 2020). The RNR approach requires services to be delivered in ways that are consistent with three overarching principles: the risk principle – matching the level of servicing provided to the assessed level of risk of re-offending; the need principle – targeting those risk factors that are amenable to change through services and programs; and the responsivity principle – delivering services and programs in a way that considers the individuals learning style, cognition, motivation, and cultural needs. The ability to accurately classify young people as at different levels of risk (of recidivism) is therefore critical to the successful implementation of the model (Shepherd, Luebbers & Dolan, 2013; Stockdale, Olver & Wong, 2014). In this context a risk factor can be defined as any “variable that predicts a high probability of

offending" (Farrington, Ttofi & Piquero, 2016, p. 63), and are typically considered to be quite separate from social welfare or other humanistic needs (Ogloff & Davis, 2004). Programs and services are then matched against these risk factors in order to address risk of reoffending.

There is now a relatively large body of international evidence to show that interventions which target specific offence-related (or criminogenic) risk factors can be effective in reducing recidivism (e.g., Baglivio et al., 2018; Hoge & Andrews, 2009; Lipsey, 2009). In applying this evidence to practice, the Noetic Strategic Review of the NSW Juvenile Justice System (Murphy et al., 2010) suggested that comprehensive and complementary primary, secondary, and tertiary risk-based programs to address juvenile offending should be implemented. This model conceptualises intervention as occurring across the three domains identified in public health models of practice: primary (or universal) prevention; secondary (or indicated) prevention; and tertiary (or selective) prevention (Australian Institute of Health and Welfare, 2012).

Primary prevention aims to prevent offending before it occurs, with programs focussing on addressing those social factors that are associated with offending at the community level. There are many examples of primary prevention programs in the youth justice space, although only a small number of these have been formally evaluated (Allard, 2010; Australian Institute of Health and Welfare, 2012; Day & Francisco, 2013). Secondary prevention programs are aimed at those who are known to be 'at risk' of coming into contact with justice services, although once again there have been few formal evaluations of this type of program for Aboriginal young people (a notable exception here is the Youth On Track randomised control trial in NSW; see Australian Institute of Health and Welfare, 2018). Nonetheless, the authors of the RNR model, Andrews and Bonta (2016), express their scepticism that any primary prevention or secondary programs will be successful in addressing offending behaviour if they are not based on RNR principles and, for the most part, these are not provided by youth justice agencies.

Tertiary prevention programs are those which target individuals who have already committed an offence, and explicitly aim to reduce their risk of re-offending. It is the policy of Youth Justice NSW to provide services and programs that directly address the young person's offending risk and need factors through family systems therapy for 10 to 12 year olds who have offended, and for 13 to 18 year olds, cognitive behavioural approaches that include anger management, interpersonal problem solving and cognitive behavioural therapy and skills based homework (Juvenile Justice, 2016). Thus these tertiary intervention programs offer structured focussed treatment designed to address specific offending risk factors, such as the endorsement of attitudes and beliefs that support or promote offending (Day, Howells & Casey, 2003). In his seminal meta-analysis of tertiary programs, Lipsey (2009) found that three main factors were empirically associated with the most effective programs: a therapeutic intervention philosophy; the selection of those who are high risk; and the integrity of program delivery, that is, programs that are delivered as intended. However, relatively few programs of this type have been developed or evaluated that focus specifically on Aboriginal youth offending or on youth offending in rural communities.

There are challenges in establishing clear datasets that support program effectiveness and outcomes in an Australian context. The Australian Government's Productivity Commission (2020) *Youth Justice* report highlights that the incomparable or incomplete datasets across state and territory jurisdictions prevents a comparative analysis of the effectiveness of youth justice agencies, services, and programs. NSW Youth Justice delivers four endorsed programs for young people engaged with their service: *Changing Habits Reaching Targets* (CHART), *My Journey My Life*, *X-Roads* and *Act Now Together Strong* (ANTS) (Productivity Commission, 2020), with CHART being the standard tertiary intervention program that is available to young people (NSW Juvenile Justice, 2012; Productivity Commission, 2020). This program utilises cognitive behavioural treatment methods to promote skill development and is delivered over a period ranging from 16 to 32 weeks (Nisbet, Graham & Newell, 2011; NSW Juvenile Justice, 2012). CHART has been described as 'evidence based' in numerous reports and studies (Australian Institute of Health and Welfare, 2018; Cultural and

Indigenous Research Centre Australia, 2017; Nisbet, Graham & Newell, 2011), however, evaluation data appears to be elusive. The My Journey My Life program is specifically for Aboriginal youth who have committed acts of violence, and although it was reviewed in 2014 (Australian Institute of Health and Welfare, 2017), no program evaluations were found in searches of the published research literature. Similarly, no published evaluations were located for the X-Roads drug and alcohol intervention program. The ANTS program, which focusses on brief, family-based intervention over 6 to 8 sessions for young people and their families, was piloted in Western NSW, a large geographically dispersed rural area, with a recent evaluation finding that completion rates were slightly higher than other offending-focussed programs and that program completion was associated with lower rates of recidivism for both non-Aboriginal and Aboriginal young people. Aboriginal young people who completed the program had a decrease of 77% in the odds of reconviction compared to the state average (see Trotter, Evans & Baiwadi, 2019).

The *Intensive Supervision Program* (ISP) is another tertiary level prevention program that has been offered to young Aboriginal people in NSW. Based on the principles of multi-systemic therapy, it is delivered by clinical psychologists who work intensively with a small number of families and, as such, has been described as both costly and difficult to implement outside of a metropolitan setting (Nisbit et al., 2011). NSW Juvenile Justice indicated in their *Annual Report 2015-2016* that the ISP program was no more effective than standardised supervision in reducing recidivism, and hence, the program has now been withdrawn (NSW Juvenile Justice, 2016). However, an alternative, the *Wraparound* model, has since been piloted in Aboriginal communities in regional NSW. In this model, the service provider does not deliver any clinical intervention, but rather provides linkage between the young person who has offended and the service system; providing a structure for collaboration and case management. A pilot evaluation of the Wraparound model concluded that participation did lead to higher than average levels of engagement, however the sample size (n=4) was very small and limits the portability of these conclusions across contexts (Nisbet et al., 2011). Nonetheless, this approach is in line with the NSW Ombudsman's recommendation that better co-

ordination of services is needed to address the problems that arise from siloed service delivery and to ensure that services in remote Aboriginal communities are better connected (see NSW Ombudsman, 2013). A range of other programs, such as *Aggression Replacement Training* (ART), are also available in other states and territories. ART aims to address pro-violent cognitions and aggressive behaviour and, although an evaluation concluded that it was successful in reducing violent cognitive distortions, Aboriginal youth were reported to be less likely to benefit from the program than non-Aboriginal youth (Stewart et al., 2014). These results led the evaluators to question the cultural suitability of ART program, although once again their conclusions were limited by a small sample size (*n*=32). Overall, these programs illustrate the lack of evaluation of Aboriginal programs as well as raising questions about the extent to which current programs adequately address the needs of Aboriginal young people who offend.

3.2 Human Service and Justice Policy in a Rural Context

The National Closing the Gap policy has been designed to address Aboriginal disadvantage by reducing the life expectancy gap between Aboriginal and non-Aboriginal Australians within a generation, halving mortality rates of Aboriginal infants, providing access to early learning opportunities for Aboriginal children, halving the literacy gap between Aboriginal and non-Aboriginal Australians, halving the gap of Higher School Certificate attainment between Aboriginal and non-Aboriginal youth, and halving the gap of employment outcomes (Coalition of Australian Governments [COAG], 2008). Until mid-2020 there were no Federal targets to reduce Aboriginal contact with the justice system and this, in part, contributed to what the NSW Ombudsman (2013) has referred to as a largely fractured service system that is characterised by poorly co-ordinated justice orientated, and welfare-oriented services, with service delivery compounded by regional and rural challenges. The absence of a clear overarching co-ordination framework outlining the philosophical approach and long-term goals of the complex array of services and programs that are available for children and young people in the New South Wales justice system has contributed to a

confusing system characterised significant duplication of services and programs (NSW Law and Safety Committee, 2017).

Significant criticism has been directed at non-government agencies in their efforts to provide services. Communities have expressed frustration about inappropriate consultation when designing services, the lack of investment in a local workforce, and a lack of input into decisions about which providers are funded (Hunt, 2013; NSW Ombudsman, 2010). Additionally, lateral violence is identified as playing a significant role in the delivery of some programs, as some family groups will not attend services that a feuding group is attending (Australian Human Rights Commission, 2011). A range of other factors has also been identified as presenting challenges for the sector, such as the challenges that arise when trying to attract qualified staff (Blagg et al., 2015), the high proportion of 'drive in/drive out' service providers, and the significant number of service providers in small towns. For example, Toomelah in New South Wales has been reported to have over 70 service providers in a community of only 300 people (Hudson, 2017). Low rates of service utilisation and over-representation in acute services have also meant that many young people do not receive timely support, and that opportunities for early intervention are frequently missed (Hilllin et al., 2008).

The need for more effective service co-ordination has been a recurrent theme in a number of different reviews of justice services and the servicing of rural Aboriginal communities more broadly (e.g., NSW Ombudsman, 2011b; 2013; NSW Housing, 2013). This is a particularly important issue, as there are few examples of programs that have been specifically designed to respond to the regional, rural and remote context (which would include considering issues of interconnectedness and migration between communities as well as how local community capacity can be harnessed to support service delivery). One example of an attempt at service co-ordination in a rural Aboriginal community is the Remote Service Delivery (RSD) initiative which did emerge from the National Closing the Gap policy. This initiative aims to provide co-ordination, engagement and delivery of services in trial sites across the country, with two of these in NSW and both in Western NSW. It

involved the development of 'Local Implementation Plans' that are designed by the local community to articulate service delivery priorities and hold government and non-government services accountable for the delivery of services (National Partnership Agreement on Remote Service Delivery Evaluation, 2013). A review concluded that RSD has achieved mixed results - there are now more providers in communities, with the majority (69%) viewing the initiative as beneficial for the community, but little evidence to suggest that agency practice has changed, and service co-ordination was perceived as more difficult. The Local Implementation Plans also received only limited support at the community level, with only one third of community members being aware of the plans and only half of these reporting that they accurately reflected community priorities. Just one third of service providers felt that they had been successful in bringing about change (National Partnership Agreement on Remote Service Delivery Evaluation, 2013).

The idea of Justice Reinvestment (JR) has gained considerable traction in policy circles. JR has been operational in the United States for over a decade, leading to significant reform in both the corporate and clinical governance of justice services. These reforms include the implementation of standardised risk and need assessments, new sentencing and treatment options for courts, and an improvement in the quality of supervision provided to people engaged in the justice system. JR utilises an outcomes based funding framework, informed by robust data collection and evaluation structures to identify and reinvest savings into diversionary and rehabilitation programs (Willis & Kapira, 2018).

By contrast, Justice Reinvestment is a relatively new approach to justice policy in Australia. Australian models of Justice Reinvestment differ significantly from the United States model by adopting a larger focus on improving both *social and justice* outcomes for Aboriginal and Torres Strait Islander communities. It is through this dual focus that funding otherwise spent in custodial centres may be reinvested and redirected to address structural causes of crime within Aboriginal communities, such as broader care and protection issues for children and families, early

preventative programs for at-risk individuals, and specific programs targeting high-risk offenders (Willis & Kapira, 2018). Further, the principles of JR are also considered to have the potential to strengthen Aboriginal and Torres Strait Islander communities and support self-determination through engagement with Aboriginal cultural leadership and governance structures, thus providing an opportunity to co-design and embrace culturally-appropriate treatment, rehabilitation and diversion programs and services (Willis & Kapira, 2018).

The most established example of Justice Reinvestment in Australia is in Bourke, NSW. JR was instigated as a grassroots social movement, where the Bourke Aboriginal Community Working Party had partnered with the Social Justice Commission to design an appropriate JR model to respond to the specific needs of the Bourke community (Justice Reinvestment, 2015; Willis & Kapira, 2018). The JR approach in Bourke included the development of community and culturally led governance structures to oversee the implementation and co-ordination of JR within the community, the establishment of a community hub that supports multi-disciplinary and integrated case management between government and non-government service providers, and accountability frameworks for addressing disadvantage and financial management plans for long term delivery. This approach was independently evaluated, with data reported showing a significant reduction in young people's involvement with law enforcement, and a 31% increase in year 12 attainment (KPMG, 2018), KPMG (2018) had estimated the gross social impact of JR $3.1 million, with over two thirds of this return on investment coming from justice services and the remaining one third coming from increased economic participation in the surrounding community.

3.3 Conclusion

This chapter has described the service delivery model that is currently used by Youth Justice NSW, including the main intervention programs that are available to support young people who offend in rural communities. A broad lack of peer-reviewed and published evaluations of services and programs is highlighted, as are concerns that the range of social disadvantages associated with

youth offending and commonly experienced by Aboriginal young people are not necessarily addressed through these largely cognitive behavioural programs that aim to address discrete and measurable risk factors. Additional challenges arise in efforts to operationalise service and programs models in rural settings – the service system in rural communities has been described as fractured and uncoordinated, or simply characterised by a lack of services and programs. Other implementation and delivery challenges for services operating in this environment include attracting skilled and qualified staff and the capacity of statutory services to effectively respond to people in crisis. The absence of any empirical data that documents effective programming for rural young Aboriginal people also clearly highlights the need to better understand how specific vulnerabilities associated with rurality might intersect with cultural considerations and, ultimately, with young people's offending. Thus, these opening chapters have attempted to draw attention to some of the main contextual factors that are associated with rural living in Australia – both in relation to the characteristics of young people in the justice system and to the programs and to the services that are currently available to them.

Chapter 4. Study 1: A Comparative Analysis of the Risk Profiles of Australian Young Offenders from Rural and Urban Communities[1]

Australian national data clearly show that young people who live in rural communities are over-represented in the youth justice system, and further, that Aboriginal young people who offend are more likely to come from rural areas, despite the majority of Aboriginal people living in cities (Australian Institute of Health and Welfare, 2018; Creative Spirits, 2018). In light of this data, a significant gap in knowledge emerges when one considers that the bulk of criminological theory and research is based on data collected from metropolitan areas rather than examining the particular factors associated with rural crime and offending (Australian Institute of Criminology, 2010; Dwyer, Ball & Barker, 2015; Hogg, 2005). This is particularly important as there is a large volume of literature indicating that people who live in rural communities in Australia are more likely to report higher rates of substance use, child abuse, poorer mental health, and domestic violence than their urban peers, all of which are shown to be associated with young people's offending (see Chapter 2; e.g., Allard et al., 2017; Australian Institute of Health and Welfare, 2009; Dudgeon, Milroy & Walker, 2014; House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs , 2011; Indig, Fewen & Moore, 2016; Malvaso, Delfabbro, & Day, 2017; Onifade, Davidson & Campbell, 2008). And yet, despite growing interest in how factors such as ethnicity, gender, patterns of risk and a range of different ecological variables influence risk in young offenders (see, for example, Onifade et al., 2008; Campbell et al., 2014), there have been surprisingly few attempts to understand the association between living in a rural area and offending risk. In order to address this gap in knowledge, the aim of this chapter is firstly to examine how rural disadvantage may

[1] This chapter has been published in the following journal article: Butcher, L., Day, A., Miles, D., & Kidd, G. (2019). A comparative analysis of the risk profiles of Australian young offenders from rural and urban communities. *International Journal of Offender Therapy and Comparative Criminology. 63*(14), 2483-2500. https://doi.org/10.1177/0306624X19853110

contribute to specific offending risk in young people and then examine the differences in the risk profiles of urban and rural young offenders in an Australian sample.

4.1 Defining Risk

Chapters 1 and 2 introduce the idea that there are *broad* social vulnerabilities that are associated with higher rates of involvement with Youth Justice services. However, as discussed in Chapter 3, the current (RNR) service delivery model focusses on reducing an *individual's* level of risk of re-offending by addressing *specific* and *discrete* 'risk-need' factors. Sometimes referred to as the Central Eight risk/needs factors, these comprise family/living circumstances, substance use, leisure/recreation, education and employment, anti-social peers, anti-social attitudes, anti-social personality pattern, and prior/current offences (Thompson & Pope, 2005).

There is currently limited information available that documents how these particular risk-need factors may be similar (or different) for rural and urban young people. Nonetheless, the levels of social and structural disadvantage experienced by young people in each of these areas may be proxy indicators of ongoing exposure to offending-specific risk. The next section will discuss how these central eight factors are currently defined in a youth justice context, followed by consideration of whether there is sufficient evidence to expect them to differ between rural and urban young people.

4.1.1 Family/Living Circumstances

Family circumstances is considered an important determinant of risk in young people and is defined, in a youth justice context, as inadequate monitoring, difficulty controlling behaviour, inappropriate discipline, poor relations with father (or step-father), poor relations with mother (or step mother), homelessness and anti-social attitudes within the family (Thompson & Pope, 2005). A review of eight meta-analyses by Andrews and Bonta (2016) indicate that family circumstances has been found to have correlations of between $r = 0.10$ and $r = 0.33$ with criminal behaviour. The review identifies the relationship between hostile emotions, poor monitoring and inconsistent

discipline within the family unit and the development of anti-social and offending behaviours (Andrews & Bonta, 2016). There is also consistent evidence to support the proposition that a history of child maltreatment and neglect are strong predictors of juvenile delinquent behaviour and subsequent contact with the justice system (e.g., Corrado, Kuehn & Margaritescu, 2014; Malsavo et al., 2017; Vidal et al., 2017). For example, one study (conducted in Florida, USA), found that each maltreatment report increased the risk of going into a detention centre by 15% (Yampolskaya, Armstrong & Nesch, 2011). There is evidence across both NSW and Victoria that young people living in rural areas are over-represented in the child protection system (Family and Community Services, 2020; Youth Affairs Council of Victoria, 2013). Given the association between living in a rural place and child protection involvement, it seems likely that this risk factor will be more prevalent for young people from rural communities.

4.1.2 Substance Use

A second recognised risk factor is substance use, defined in a youth justice context as occasional or regular drug use, occasional or regular alcohol use, substance use interfering with life, and substance use linked to offending behaviours (Thompson & Pope, 2005). Alcohol use has a modest predictive association with offending behaviours (r = .09), whereas drug use has a wide range of predictive validity of between r = .03 and r = .42. However, when polysubstance use is considered, predictive validity increases to between r = .17 and r = .34 (Andrews & Bonta, 2016). Substance use and abuse is a particular issue for young people in custody in New South Wales, Australia, with 89% of detainees reporting to have ever used illicit substances, and 78% of detainees found to have been drinking at risky levels. Further, alcohol misuse has an association with youth offending as young people who offend who are also categorised as heavy drinkers were seven times more likely to have been previously incarcerated than their peers (Indig, Fewen & Moore, 2016). As discussed in chapter 2, consumption rates of alcohol and illicit substances are likely to be higher for rural young people. However, the literature does not indicate if substance *abuse* (i.e., use that interferes with a young person's life) is more prevalent in either cohort and there is a lack of

evidence indicating whether not substance use has direct association with offending behaviours in either cohort.

4.1.3 Leisure and Recreation

Concerns in the leisure and recreation domain are defined as no organised participation in activities, could make better use of time, and no positive interests (Thompson & Pope, 2005). Leisure and recreational difficulties have been shown to be predict subsequent reoffending (r = .21; Andrews & Bonta, 2016). Andrews and Bonta (2016) explain that leisure and recreation activities to address recidivism cannot be simply physical exercise but also are required to provide opportunities for pro-social modelling and have an anti-criminal orientation in order to be effective (i.e., based on RNR principles). They do, however, highlight there is marked lack of evidence describing these types of programs. Similarly, the available literature only describes the physical activity of rural and urban Australians, and even then, the evidence is conflicting (Dollman et al., 2015). For example, the Australian Bureau of Statistics (2011b) have reported there are no statistically significant differences in levels of sporting and recreation between Australian's living in rural and urban locations. However, the National Rural Health Alliance (2013) indicates that Australians living in rural communities are 1.16 times more likely to be sedentary than people in urban communities. They suggest a range of issues including transport and access to sporting and leisure activities influence rural people's ability to participate in leisure and recreation. However, Dollman and colleagues (2015) found that rural young people are more physically active than urban young people, and urban young people have more 'screen time' activities. However, participation rates in structured activities were similar across rural and urban young people. There is not enough established evidence to indicate whether this risk factor would be different for rural or urban young people as the extant literature describes physical activity rates (and even then, is conflicting), rather than young people being able to use their time better or having positive interests.

4.1.4 Education and Employment

In the youth justice context, difficulty with education and employment is defined as disruptive school or workplace behaviour, violent school or workplace behaviour, low academic achievement/performing below expected standard for the individual, social problems with peers and co-workers, social problems with teachers/supervisors, truancy and unemployment (if the young person has finished education and is not employed or preparing to be employed; Thompson & Pope, 2005). It is established that rates of delinquency in schools are higher where there are higher proportions of male students, lower socioeconomic status, and less academically inclined students (Andrews & Bonta, 2016). While there is little evidence concerning the behaviour of young people in school settings in rural communities, youth living in rural communities typically experience greater challenges in education and finding employment. In a national review of the Australian education system, Halsey (2018), for example, states "the national statistics show there is a persistent relationship between location and educational outcomes when data for the various measures is aggregated" (p. 4). This relationship means that youth from regional, rural and remote communities are more likely to score lower on national standardised testing: NAPLAN (National Assessment Program Literacy and Numeracy), the Programme for International Student Assessment, and the Trends in International Mathematics and Science Study (TIMSS), and less likely to complete year 12, and less likely to move onto tertiary study. Research by the Brotherhood of St Laurence (2018) further shows that 17 of the 20 postcodes with the highest rates of youth unemployment are in regional or remote Australia.

4.1.5 The Big Four

The final four offending risk factors have been grouped together (and are sometimes referred to as "the Big Four"): anti-social attitudes/orientation, anti-social personality, antisocial peers and prior/current offences. These are considered to be the factors that are most closely associated with offending risk and recidivism (Andrews & Bonta, 2016). Anti-social attitudes/orientation is defined as anti-social/pro-criminal attitudes, defying authority, insensitive to

others, not seeking help and actively rejecting help. Anti-social personality is described as inflated self-esteem, inadequate remorse, poor frustration tolerance, impulsivity, verbal aggression, physical aggression and tantrums; and antisocial peers includes some delinquent friends, no or few positive friends, some delinquent acquaintances, and no or few positive acquaintances. Risk factors for prior/current offences include age at first offence, outcome at first court order, type of offence in first court order (common assault, break and enter and stealing motor vehicle), more than one court order, three or more prior offences, two or more failures to comply, prior control order and three or more current offences. These factors are reported to have a strong predictive association with future recidivism: r = .0.26 (95% CI = .22/.30) (Andrews & Bonta, 2016).

There is no direct evidence to indicate that people in rural or urban communities are more - or less - likely to present with any of these big four factors. However, it has been demonstrated that a range of broader community factors influence offending behaviour. For example, community disorganisation (defined by levels of crime and substance use) has been shown to predict violent re-offending in youth in both the United States and Australia (Edwards et al., 2014; Hemphill et al., 2007; Ohmer, 2016). Conversely, higher rates of informal social control, collective action, and social cohesion (or 'collective efficacy') have also been shown to help keep communities safe (Mercer & Howe, 2012; Verrecheccia et al., 2010). This is likely due to the interactions between an individual and his or her social and cultural contexts. Cultural contexts, for example, family structures, community membership, ethnicity, group memberships, may also facilitate social learning and define acceptable group norms and values (Maunder & Crafter, 2018). This process may describe how living in a community with low collective efficacy may influence or promote the endorsement of cognitions and attitudes that are associated with offending behaviour. For example, low rates of collective efficacy have been associated with young people who have higher rates of callous and impulsive traits (Meier et al., 2008). However, in a study conducted in a custodial environment in NSW, no significant differences in callous/unemotional traits were observed between Aboriginal

status or gender in young offenders, though this analysis did not compare rural and urban young people (Justice Health and Forensic Mental Health Network, 2017).

Barclay et al. (2007) have also suggested that many rural communities experience low social cohesion and collective efficacy as a result of rural migration, low levels of home ownership and high rates of single parent families. Nonetheless, current youth justice approaches to risk conceptualisation are highly individual-specific with apparently little consideration of how environmental and ecological factors influence the development of attitudes and beliefs.

4.2 Aim

The aim of this study then was to establish whether there is an association between living in a rural area, Aboriginality, and the presence of risk factors for re-offending in a cohort of young people involved with the NSW juvenile justice system. Given the higher rates of social disadvantage that may influence risk, it was predicted that young offenders from rural communities in NSW would have higher total scores on a risk assessment measure than those from urban areas, and that this association would apply to both Aboriginal and non-Aboriginal youth. Further, it was expected that Aboriginal young people from rural areas would have higher overall risk scores than non-Aboriginal young people in both urban and rural areas.

4.3 Method

4.3.1 Procedure and Materials.

Ethical approval for this study was provided by three committees: the James Cook University Human Ethics Research Committee; the Australian Institute for Aboriginal and Torres Strait Islander Studies Human Ethics Research Committee; and the NSW Juvenile Justice Research and Evaluation Steering Committee. De-identified data for all young offenders who had a first contact with New South Wales Youth Justice between 2013 and 2016 were provided by NSW Youth Justice from their Client Information Management System (CIMS). This included demographic information, and

subscale scores for the Youth Level of Service / Case Management Inventory – Australian Adaption (YLSI/CMI-AA; Thompson & Pope, 2005), a tool specifically designed to measure a young offender's level of risk of re-offending in Australia. The tool is a 50-item checklist that assesses eight areas of offending risk and is used to group offenders into risk categories associated with their risk of re-offending. The YLSI/CMI-AA has also been shown to have good predictive validity in predicting violent, sexual and general recidivism in youth (Thompson & McGrath, 2012).

Postcode data[2] from the Youth Justice spreadsheet were matched to the *Australian Bureau of Statistics Postcode to Remoteness Area* Excel spreadsheet. This allowed for the classification of postcodes into five areas of remoteness: 'major cities'; 'inner regional'; 'outer regional'; 'remote'; and 'very remote'. For postcodes that occupy more than one remoteness area, overall classification was determined by the area in which the majority of the postcode fell (e.g., 87.8% of postcode 2081 was classified as a 'major city' with the remaining area 'inner regional', and so this postcode was allocated a 'major city' coding). Finally, a dichotomous geography variable was created to differentiate between 'urban' postcodes in the major cities classification and 'rural' postcodes in inner regional, outer regional, remote and very remote areas, as used in population level statistical analysis in Australian contexts (see Australian Bureau of Statistics, 2016c; Davie, 2015). There were two two-level independent variables: Aboriginality (Aboriginal and non-Aboriginal) and Geography (urban and rural), and the dependent variables were the eight domain scores, and a total risk score. Finally, Excel data were imported into SPSS (IBM Statistical Package for the Social Sciences v24) for analysis.

4.3.2 Data Preparation.

A total of 6,889 records were available. These were screened to identify missing data and to remove incomplete entries. Records with no postcode information were removed (*n* = 110), as were

[2] Postcodes are for young person's self-reported usual place of residence at first contact with Juvenile Justice

postcodes that could not be matched to a geographical standard (*n* = 1). A total of 1,207 (17.9%) records did not record Aboriginal or Torres Strait Islander status and so were excluded from Aboriginal/non-Aboriginal data comparisons but included for the purposes of other analyses. A box plot was used to identify dependent variable outliers which were then deleted (prior and current offences, *n* = 16, and family living circumstances, *n* = 6).

4.3.3 Design and Analytic Strategy.

The dataset was considered suitable for parametric analysis using a multivariate analysis of variance (MANOVA). Domain scores and total risk scores were normally distributed, with the exception of the 'attitudes/orientation' subscale which was positively skewed (skewness of 1.00, *SE* = 0.39). As the skewness and kurtosis of all other dependent variables was less than +/- 2, normality of distribution was assumed (see Gravetter & Wallnau, 2014). The assumption of homogeneity of co-variance did not hold for three subscales of the YLS/CMI-AA; accordingly, Pillai's Trace was selected as the preferred MANOVA statistic (given that this protects against Type I errors caused by the violation of homogeneity of co-variance; see Finch, 2005). Finally, the assumption of equality of covariance matrices was met as no variables had corresponding co-variance greater than 3.5 times (Huberty & Petoskey, 2009).

4.4 Results

4.4.1 Descriptive Statistics

Of the 6,750 records that were available for analysis, 4,238 were for males and 1,260 for females. A total of 1,951 records (28% of the total) held data related to young people who were identified as being from an Aboriginal cultural background (of *n* = 3,592, 53% identified as non-Aboriginal and for *n* = 1,207, or 17.9%, cultural background was not recorded, see Table 1). For the whole sample, the age of first contact with the youth justice system was between 10 and 20 years ($\bar{x}$ = 15.35; *SD* = 1.55), with the average age of first contact for Aboriginal young people being 14.82

years (*SD* = 1.66), with the equivalent for non-Aboriginal young people being 15.46 years (*SD* = 1.46). When broken down by rurality, the mean age for those from urban areas was 15.50 years (*SD* = 1.49) and slightly lower for those from rural areas ($\bar{x}$=15.11; *SD* = 1.64). The majority had received a youth justice outcome, and as a result did not have a YLS/CMI-AA completed in line with current youth justice policy (28.7% a remand order, 23.5% a community supervision order, 1% a remand to control order, and 0.3% a control order). All of those under community supervision, remand, or control order had Justice Offences identified as their Most Serious Offence (MSO). The majority of offences (*n* = 5760; 85.0%) were non-violent in nature, as categorised by the Australian New Zealand Standard Offence Classification (Australian Bureau of Statistics, 2011d). Over half of the sample (*n* = 3,549; 58.6%) had a completed YLS/CMI-AA assessment, with total risk scores ranging from 0 to 43 ($\bar{x}$ = 16.91; SD = 8.13). Only those with a completed YLS/CMI-AA and a defined Aboriginal status (i.e., excluding those with "unknown" status) were included for data analysis, leading to a total sample of *n* = 3549. Descriptive information is reported in Table 1.

Table 1

Descriptive Statistics[a]

		Aboriginal		Non-Aboriginal		Total
		N	%	*n*	%	*N*
Gender	Male	1064	(75.94)	1755	(81.70)	2819
	Female	337	(24.05)	393	(18.30)	730
	Total	1401		2148		3549
Residence	Major Cities	537	(38.33)	1543	(71.84)	2080
	Inner Regional	536	(38.26)	496	(23.09)	1032
	Outer Regional	259	(18.49)	103	(4.80)	362
	Remote	45	(3.21)	6	(0.30)	51
	Very Remote	24	(1.710)	0	(0)	42
Rurality	Urban	537	(38.33)	1543	(71.84)	2080
	Rural	864	(61.40)	605	(28.16)	1469
Justice Outcome	YJC[b]	422	(30.12)	496	(23.09)	918
	Community	444	(31.69)	788	(36.69)	1232
	Remand	502	(35.83)	815	(39.94)	1317
	Remand to Control	21	(1.50)	42	(2.00)	63
	Control	12	(0.86)	7	(0.33)	19
	Total	1401		2148		3549

Note: a – Those with an unknown Aboriginal status are not included in this table; b – Youth Justice Conference

There were more non-Aboriginal young people who were recorded as having offended living in major cities than Aboriginal young people, and more Aboriginal young people who offended in inner regional, outer regional, remote and very remote locations than those living in major cities.

More Aboriginal young people who offended tended to live in rural areas (*n* = 864; 61.40%), whereas non-Aboriginal young people were more likely to live in urban areas (*n* = 1,543; 71.84%). These differences were significant ($\chi 2$ (2, *n* = 6,750) = 618.12, $p < 0.05$).

It was expected that young people who offended from rural communities would have higher levels of risk in the specific domains of substance use, family circumstances, and education and employment. However, an examination of the univariate effects revealed significant differences, with small effect sizes, between YLS/CMI-AA scores for young people from urban areas on all domains of the YLS/CMI-AA and on all of the subscales other than prior and current offences (young people in rural communities scored higher on this factor; see Table 2).

Table 2

Univariate effects of Rurality on YLS/CMI-AA domains

Domain	Rural (n = 1087)		Urban (n = 2080)		*F* (1, 3956)	Partial η2
	$\bar{x}$	*SD*	$\bar{x}$	*SD*		
Substance Use	2.08	1.80	2.36	1.87	21.18*	.01
Family Living Circumstances	2.14	1.59	2.51	1.69	47.47*	.01
Education / Employment	2.51	1.80	2.73	1.92	12.31*	.00
Prior Current Offences	2.53	1.47	2.21	1.45	45.43*	.01
Peer Relations	1.91	1.30	2.08	1.32	16.83*	.00
Leisure / Recreation	1.42	1.10	1.54	1.10	11.72*	.00
Personality	2.36	1.85	2.76	1.91	43.63*	.01
Attitudes Orientation	1.30	1.27	1.42	1.42	78.72*	.02
Total Score	15.97	7.39	17.59	8.27	38.64*	.01

Note: * $p <= .001$

The hypothesis that Aboriginal young people in rural areas would have higher overall levels of risk (as measured by the YLS/CMI-AA) was also not supported. Risk scores were significantly higher for Aboriginal young people in urban areas ($\bar{x}$ = 19.50, *SD* = 8.38) than for those in rural areas ($\bar{x}$= 17.11, *SD* = 7.61). The main effect of Aboriginality was significant, $F(2, 4608) = 36.60$, $p < .05$, with Aboriginal youth scoring higher on total risk score ($\bar{x}$ = 18.03 *SD* = 8.00) than non-Aboriginal

youth ($\bar{x}$ = 16.95; SD = 8.09). However, the interaction effect between Aboriginality and rurality for overall risk was non-significant, $F(2, 45.06) = .71$, $p > .05$. Between-groups *t*-tests (see Table 3) were used to examine whether Aboriginal youth in urban locations scored significantly higher than Aboriginal youth in rural areas across each domain of the YLS/CMI-AA (substance use, family living circumstances, education and employment, prior current offences, peer relations, leisure/recreation, personality, attitudes/orientation) and total score. There were statistically significant differences on all subscales, other than peer relations. Rural youth were scored as statistically significantly higher on prior/current offences.

The hypothesis that young offenders from rural communities would have higher levels of risk than those from urban areas was tested using a multivariate analysis of variance to examine the effects of rurality (urban vs rural) on the eight subscales of the YLS/CMI-AA. A significant multivariate effect was found with a medium effect size (Pillai's Trace = .045, F (8, 3949) = 23.48, p = .00, $\eta 2$ = .05). Power analysis had indicated that in order for an effect of this size to be detected (80% chance) as significant at the 5% level, a sample of 260 participants would be required. Therefore, this analysis was sufficiently powered.

Table 3

Comparison of Aboriginal Rural and Aboriginal Urban Young People's YLS/CMI-AA scores

	Aboriginal Rural (*N* = 1202)		Aboriginal Urban (*N* = 537)						95% Confidence Interval	
Domain	$\bar{x}$	*SD*	$\bar{x}$	*SD*	*T*	*df*	*P*	*d (r)*	Lower	Upper
Substance Use	2.16	1.80	2.45	1.88	2.93	1399	.03*	-0.15 (-0.07)	0.97	0.49
Family Living Circumstances	2.28	1.57	2.90	1.74	6.93	1399	.001**	-0.37 (-0.18)	0.45	0.80
Education / Employment	2.73	1.83	3.20	1.87	4.63	1399	.001**	-0.25 (-0.12)	0.27	0.67
Prior Current Offences	2.70	1.50	2.38	1.49	3.94	1399	.001**	-0.21 (-0.11)	-0.49	-0.16
Peer Relations	2.22	1.27	2.32	1.31	1.47	1399	.141	-0.07 (-0.04)	-0.34	0.24
Leisure / Recreation	1.50	1.09	1.72	1.07	3.63	1399	.001*	-0.20 (-0.10)	0.10	0.33
Personality	2.41	1.81	3.01	1.99	5.77	1399	.001**	-0.32 (-0.16)	0.39	0.80
Attitudes Orientation	1.12	1.30	1.53	1.50	5.41	1399	.001**	-0.29 (-0.14)	0.26	0.56
Total Risk Score	17.11	7.61	19.50	8.38	2.39	1399	.001**	-0.30 (-0.15)	1.54	3.42

Note: * $p < .05$; ** $p < .001$

4.5 Discussion

Rural young people are known to be over-represented in Youth Justice systems across Australia (Australian Institute of Health and Welfare, 2018). In NSW, slightly over one quarter (26.01%) of young people aged between 10-19 years live in a rural community (*n* = 239,096; see HealthStats NSW, 2018). However, over 40% of young people who offended (in this sample) are from rural areas, and Aboriginal young people who offended were statistically more likely to come from rural areas ($\chi 2$ (2, *N* = 6750) = 618.12, $p < 0.05$). The primary aim of this study was to establish

whether there is an association between living in a rural area, Aboriginal cultural identification, and the presence of risk factors for re-offending in a cohort of young people in NSW who are involved with the youth justice system. The hypothesis that young people who offend from rural communities would have higher levels of assessed risk than those from urban areas was, however, not supported. In fact, urban young people had significantly higher levels of risk across seven of eight different areas of assessment (substance use, family living, education and employment, peer relations, leisure and recreation, personality, attitudes). This was unexpected and suggests that it is factors not measured by the risk assessment tool (the YLS/CMI-AA) that may predominantly contribute to rural youth involvement in the Youth Justice system.

Onifade et al. (2008) have suggested that between-group variation in YLS scores may be associated with differences in environmental and system level factors that are not directly measured, such as crime rates, actual and reported crime and differences in policing, with these factors only having a small influence on the individual-level risk factors measured by this assessment tool. Factors such as differences between rural and urban policing may also contribute to the higher rates of justice involvement for rural young people. Rural policing is widely considered to be substantially different in practice to urban policing, with rural police having generally closer relationships with communities, and a focus on problem solving instead of pure law enforcement (Dwyer, Ball & Barker, 2015). Other compounding factors may include the greater visibility of young people who offend in rural communities, particularly Aboriginal young people (Barclay et al., 2007; Shirley, 2017) and the differential introduction of specific policing programs. For example, the controversial NSW intensive policing surveillance program, the Suspect Target Management Plan (STMP), has been criticised for its disproportionate focus on both young people (44.82% of total individuals) and Aboriginal people (44.1%). Further, the three rural Local Area Commands have been reported to have been responsible for 42.2% of people on STMP (see Sentas & Pandlofini, 2017). It is possible that risk of re-offending is affected by the migration of Aboriginal young people between communities, given that nearly one in three (30.8%) Aboriginal young people aged between 15 and

24 years are known to have moved either to a capital city or a different regional area in the past five years (Australian Bureau of Statistics, 2011c). Conversely, factors such as urban sprawl and the push to fringe urban corridors may negatively impact Aboriginal young people's ability to connect with their culture and with land, and this may translate into increased risk. For example, in urban communities, large proportions of Aboriginal residents are socio-economically and spatially separated from the more affluent areas in their communities and often placed in high concentrations in fringe urban corridors (Atkinson, Taylor & Walter, 2008). It has been suggested that socio-economic and spatial distance, coupled with high concentrations of people within socially isolated and stigmatized locations, contribute to rates of lateral violence for Aboriginal communities. It is also possible that people in rural communities have a range of strengths and protective factors that were not assessed but serve to buffer against the intensity of risk factors (see also Cunneen & White, 2007; Thompson & McGrath, 2012). Nonetheless, Spivakovsky (2009) is highly critical of reductionist approaches to risk and need assessment in identifying the needs of Aboriginal people who offend. She highlights that complex interrelated experiences of loss and dispossession cannot be reduced to a series of simplistic, identified and predictable attributes and risk factors. Similarly, Lockwood and colleagues (2018) highlight that there is a range of factors inextricably linked to colonisation and dispossession that affect Aboriginal young people and that is not adequately identified in actuarial risk assessment approaches such as the YLS/CMI-AA. However, they also warn against using Aboriginal specific factors in risk assessment tools, as they may be utilised for increased surveillance or oppression of Aboriginal youth.

The findings of this study clearly indicate that further research is needed to better understand the risks experienced by rural young people, particularly Aboriginal young people that lead to contact with the Youth Justice system. These findings are particularly important when it is considered that the NSW Government "makes no apology for using detention to protect the community from those who commit serious, violent crime, even when they are juveniles" (NSW Government, 2010, p.1). This research shows that Aboriginal young people from rural communities

are over-represented in NSW Youth Justice, despite having lower levels of assessed risk and are also more likely to be non-violent offenders. There are also implications for how young people are assessed as the YLS/CMI-AA is currently used to determine which programs and services are offered to young people in NSW. This is particularly important if services and programs are to be developed that can impact on rates of youth justice over-representation. Cunneen (2006) highlights that using data without proper conceptualisation and grounding of the issues surrounding Aboriginal offending, research can be inherently simplistic and superficial, and unlikely to address complex issues such as over-representation. This suggests the need to take a step back and employ qualitative research methods that are grounded within a culturally informed methodology to develop a better understanding of these issues that surround rural Aboriginal young people's over-representation in the youth justice system.

4.5.1 Limitations

This study analysed data from the risk-need assessments of young people who had their first contact with NSW Youth Justice between 2013 and 2016 to establish the impact of rural location. A limitation of the study was the way in which rurality was measured, as the method of classification may not have been nuanced enough to identify instances of rural and urban migration, and some postcodes were classified in two geographic locations, meaning they were coded in the majority location. Furthermore, risk-need data were not available for a large proportion (41%) of the sample as the assessment was not completed for those who had been referred to a diversionary program, Youth Justice Conferencing. This introduces the possibility that there are systematic differences between those who have been assessed and those who have not, potentiality masking the effects of rurality. Further, the YLS/CMI-AA measures offending risk and need through a westernized, deficit based "medical model" (Freiberg & Carson, 2010, p. 155). Therefore, this tool may not accurately measure and stratify offending risk and need in a culturally valid and responsive manner for Aboriginal young people from rural communities. A final limitation concerns the absence of re-offence data, as this means that it is not possible to determine whether rural young people remain

in contact with the youth justice system at a higher rate than their urban peers (despite differences in the initial assessment). Nonetheless, this data offers sufficient evidence for the need to pursue further research into understanding the environmental and ecological drivers of youth offending.

4.6 Conclusion

This study provides further evidence that Aboriginal young people from rural areas are over-represented relative to their presence in the Australian community in the youth justice system. However, there is no consensus about the reasons that underpin this over-representation, especially when we consider this study demonstrated rural young people have a higher rate of contact with Youth Justice NSW despite a lower level of assessed risk. There are, of course, a range of ecological factors that potentially contribute to contact with youth justice services which are not included in current risk assessment protocols (see Lockwood et al., 2018; Onifade et al., 2008; Spivakovsky, 2009). However, the challenges associated with defining 'rurality' including the heterogeneity that clearly exists between rural communities (see Chapter 2) creates difficulties in simply including a rural variable in current assessments. In fact, this could contribute to net widening- that is, resulting (albeit unintentionally) in higher rates of surveillance of Aboriginal young people resulting in more contact with the justice system (Cunneen, 2006; Lockwood et al., 2018; Spivakovsky, 2009). This might suggest that strategies designed to effectively address the over-representation of rural young people should be more sophisticated and cognizant of the unique context and structure of each community, rather than adopting a broader population health style approach to justice policy. Given that Aboriginal culture and, indeed, rural communities are not static and homogenous entities, it has been suggested that research into effective interventions should be based on evidence that is "localised, grounded and specific" particularly as "everything cannot work everywhere" (Blagg et al., 2015 p. 3; Cunneen, 2006; Gray & Hetherington, 2007). Without this, evidence drawn from outside of a cultural and community context is likely to ascribe incorrect meaning to the available data, thus constituting an inappropriate evidence base from which subsequent intervention and solutions can

be derived (Cunneen, 2006; Gray & Hetherington, 2007; Kendall et al., 2011). This highlights the limitations of relying solely on quantitative population level data, viewed through a western research lens, to inform potential solutions to address over-representation. Therefore, if researchers are to deepen their understanding of the reasons *why* Aboriginal young people from rural communities are over-represented in youth justice, data must be grounded in a specific local context, inclusive of the experiences of Aboriginal community members. One way to achieve this is to adopt a research approach that is informed by Indigenist research paradigms and scientific methods. This begins by privileging the knowledge of local Aboriginal people - without displacing it through the pursuit of western science – through a process usually described as decolonising research (Gray & Hetherington, 2007; Keikelame & Swartz, 2019; Laycock et al., 2011; Nakata & Nakata, 2011; Russell-Mundine, 2012).

Chapter 5. Engaging with Qualitative Methodology

5.1 Decolonising Research Methodologies

Research in Aboriginal communities has a troubled history; either casting indigeneity as a problem to be solved or ignoring the perspectives of Aboriginal people in matters that affect them (see Day, Nakata & Howells, 2008; Gray & Hetherington, 2007; Nakata & Nakata, 2011; Russell-Mundine, 2012). Historically, research data have often been interpreted, analysed and legitimised by non-Aboriginal researchers who make sense of findings through their own world views and frames of reference (Nakata & Nakata, 2011; Russell-Mundine, 2012). This has been a particular issue in both psychological and criminological research paradigms, which have both been criticised for having their roots firmly placed in ethnocentric practices, colonialism, and imperialism (Blagg & Anthony, 2019; Dudgeon & Milroy, 2014; Teo, 2015) as well as relying upon knowledge production and knowledge translation systems that are largely owned by Western institutions and scholars. This has been argued to result in indigenous knowledges being either ignored or discounted as being unscientific (Tauri, 2017). In addition, much of the available research has been criticised for relying, inappropriately, on individualistic and reductionist explanations of human behaviour (Dudgeon & Kelly, 2014; Pillay, 2017; Tauri, 2017).

A key argument presented in what are referred to as 'decolonising research methodologies' is that western epistemologies and ontologies are in opposition with local Indigenous practices, moralities and sources of knowledge (see Keikelame & Schwartz, 2019; Laycock et al., 2011; Tuhiwai-Smith, 1999). As a result, and as Gray and Hetherington (2007) have argued, knowledge itself needs to be de-westernised and decolonised. This involves understanding knowledge as fluid, contextual, dynamic and organic, with researchers moving away from simplistic notions of cultural awareness to embracing and utilising Indigenous thinking, views, and practices. It is in this space that decolonisation, as a postmodern research method, rationalises the world as open to interpretation

and meaning, and recognises that terms such as ‘best practice’, ‘effectiveness’, and ‘success’ will inevitably mean different things to different groups of people (Gray & Webb, 2009).

Pillay (2017) has suggested that there are two main approaches in decolonisation research – the first is *denaturalisation*, which occurs when the researcher draws on local knowledge and experience as an epistemic and legitimate resource to re-frame knowledge and dominant discourses. This requires researches to become, what Rowe et al. (2015) describe as an “allied other” (p. 297) – or colloquially, a ‘white critic’ of ‘white academia’. The second approach is *indigenisation,* where the locally grounded researcher uses local knowledge to change standard practice to be more responsive to a local reality. This means directly considering Indigenous methods of knowing, interpretation, language and meaning in research design; and having the point of reference for research based within the local community. In this way indigenising research strategies mitigate against the risk of non-local or non-Aboriginal researchers using different structures to interpret data than people within the community (Gray & Hetherington, 2007; Kendall et al., 2011).

The decolonisation of research is considered both a political action and a political outcome (Datta, 2017; Nakata & Nakata, 2011; Ndvolu-Gatsheni, 2019; Pillay, 2017). Decolonisation directly challenges the West’s dominance in the political and academic landscapes which is supported by social and research movements in societies such as Australia, New Zealand, and Canada that challenge the assumption of the State’s claim of undisputed sovereignty (Blagg & Anthony, 2019). At its core, decolonisation seeks to be emancipatory from dominant cultural paradigms, and can support social movements by “speaking truth” (Ndvolu-Gatsheni, 2019, p. 483) about the experiences of Aboriginal peoples. The utilisation of broader human rights interests to support an indigenous research agenda also inherently leads to the politicisation of knowledge (Nakata & Nakata, 2011). Pillay (2017) further argues that through taking a political stance and using “short term resistances” (p. 136) against systems of power and privilege that is present in psychological training, research and practice will force psychology as a discipline to become more responsive and relevant.

5.1.1 Cultural Competence in Research

Closely related to current thinking about the development of research methodology is a body of work that considers the cultural competence of the researcher. Cultural competence has been defined as:

> A commitment to engage respectfully with people from other cultures. [It] encompasses and extends elements of cultural respect, cultural awareness, cultural security and cultural safety. A set of congruent behaviours, attitudes, policies, that come together in a system, agency or among professionals, and enable that system, agency or those professionals to work effectively in a cross-cultural situation (Dudgeon, Milroy & Walker, 2014, p. 543).

Table 4 below details a spectrum of cultural that includes at its lowest level intentional destructiveness through unintentional ignorance to finally cultural proficiency. In order to work towards cultural competence, the researcher must not only value, respect and privilege the voice of Aboriginal people and sources of knowing, but also undergo a lengthy process of self-reflection and challenging core beliefs that underpin his or her cultural assumptions, values and beliefs throughout the research process. This includes developing an appreciation of the impact of colonial practice, recognition of difference and heterogeneity, and the need for Aboriginal people to determine culturally relevant and responsive models of intervention (which may also include what is considered non-clinical or quasi-professional interventions in a western context; Dudgeon & Kelly, 2014). The notion of achieving cultural proficiency has, however, been contested, with Gray and Hetherington (2007) arguing for a 'lack of competence' approach to cultural engagement. They reason that cultural proficiency is unlikely to be achieved, as one cannot become an expert in another's culture, but rather cultural competency is engaging with other cultures in respectful and on-going negotiation, learning, knowledge sharing and creation.

Table 4

Spectrum of Cultural Proficiency (adapted from Jackson & Waters, 2015).

Level of Proficiency	Behavioural and Attitudinal Indicators
Cultural Destructiveness	Intentional practices, attitudes and policies designed to subjugate individuals or cultures
Cultural Incapacity	Lack of capacity to help people from other cultures due to paternalistic and biased beliefs regarding those from another culture
Cultural Blindness	The belief that methods of helping of the dominant culture are acceptable regardless of cultural belief. This approach ignores strengths and promotes assimilation
Cultural Pre-Competence	The desire to delivery culturally competent services, including recruiting culturally diverse teams, however little consideration given to how culturally diversity interfaces with organisational objectives and often leads to tokenism
Cultural Competence	Acceptance and respect for different cultures, attention to dynamics of difference and adaption of services to best suit the needs of diverse populations
Cultural Proficiency	Holding culture in high esteem, seeking to add knowledge to cultural competence in practice through research, service design, improving relationships between cultures

For research and programs to be considered culturally competent in Aboriginal communities, there needs to be an explicit recognition across levels (including research, policy and practice) of the distinctive attributes, qualities, contexts and values of people and communities in which the programs are planned to be delivered (Robinson et al., 2012). To achieve this, community engagement is vital; as reflected in the National Medical, Health and Research Council [NMHRC} Guidelines for Ethical Conduct in Aboriginal and Torres Strait Islander Health Research (see Esgin et al., 2018; Martin, 2003; 2006; NMHRC, 2018; Stanton, 2014).

5.2 Cultural Safety in Community Engagement and Research

Intrinsic to the understanding of culturally competence is that of cultural safety. Cultural safety is an emerging discourse in Australian government sectors; equally, it is entrenched in practice in the Aboriginal community sector. Cultural safety is an Indigenous knowledge construct of Maori nurse Irihapeti Ramsden that originated in early 1990s New Zealand (Papps & Ramsden,

1996). Ramsden's (2002) cultural safety model addresses issues of power, gatekeepers of power in knowledge and other related resources and inherent power relations. Ramsden argued that health care provision for all human beings should recognise, and work with, a person's unique culture and "the way in which people measure and define their humanity" (p. 79). Cultural safety thus applies to all relationships, focuses on understanding of self, the rights of others, and the legitimacy of difference, and aims to enhance service delivery through a culturally safe workforce. The influence of the idea of cultural safety now extends beyond nursing in New Zealand, with widespread acceptance in other research fields such as immigration, working with marginalised non-Indigenous groups and in Australian Indigenous education (e.g., Baker, 2007; Bin-Sallik, 2003; Blanchet-Garneau et al., 2017; Fernando & Bennett 2019).

The commitment to cultural safety in the Australian context is now bipartisan across governments (COAG, 2008). Williams' (1999) seminal appraisal of including cultural safety in Australian public health practices continues to be highly relevant, and sheds light for a pathway forward: Williams argued that *"*the issue of cultural safety cannot be avoided. Programs and practices will continue to perpetuate assimilationist practices if this critical issue is not dealt with upfront*"* (p. 214). This is clearly a work in progress, but by far the emerging critical discourse on cultural safety is compelling government and their service providers to reflect on their judicial culture and the obtrusive impact it has had on Aboriginal politics, policies and practices both in the past and in the present. This has resulted in the current implementation of cultural safety policies and practices at national peak body levels (e.g., Australian Health Practitioners Regulation Agency, 2020) and, as various government sectors engage with culturally safe bureaucratic practice, relationships with community begin to shift. This involves a translation of power by recognising the legitimacy of Aboriginal heterogeneity and through supporting the community's cultural knowledge and authority. In addition, space emerges for Aboriginal people to include their unique culture and holistic ways of 'being and doing' (Martin & Mirraboopa, 2003) in the development of local Aboriginal community initiatives to community problems. In this way the broadness of the cultural

safety construct empowers Aboriginal community control, ensuring a safe environment of engagement for Aboriginal people to participate in collaborative pathways of shared respect, meaning, knowledge and experiences with non-Aboriginal service providers, and provides clarification of the role of non-Aboriginal people in service workspaces (see Williams, 1999).

Cultural safety is also important in terms of individual consultation with service users and also to corporate partnerships between community members and stakeholder bodies. This helps to ensure the development of appropriate community consultation mechanisms and governance structures within each Aboriginal community (Kendall et al., 2011). It is considered to be especially important that relationships with key community members are established from the very start of research and program design, as the significance of establishing trust with Aboriginal communities cannot be overstated (see Esgin et al., 2018; Martin, 2006; Stanton, 2014). Therefore, culturally safe practice is considered to be an essential pillar to any research and community engagement approach, particularly in program development with Aboriginal and Torres Strait Islander communities (Australian Human Rights Commission, 2018). It shifts the power from hegemonic practice to privileging the position of the Aboriginal community as holders of legitimate and valuable knowledge (Rigney, 1999; Stanton, 2014).

5.2.1. Understanding Evidence

Indigenous world views are considered to be largely absent in the critical social work, critical criminology, and critical psychology literature, with Indigenous academics arguing much of the current body of research is based firmly within Eurocentric and culturally-blind practices (Rickwood, Dudgeon & Gridley, 2009; Rowe, Baldry & Earles, 2015; Tauri, 2017; Teo, 2015). For example, Dudgeon, Rickwood, Garvan and Gridley (2009) have argued that the history of the psychology shows that the discipline “has been complicit in the colonising process, and, as a dominant discourse, has a documented past that has been ethnocentric and has objectified, dehumanised and devalued those from culturally different groups. Furthermore, psychology has often been enlisted to

enact or justify processes of assimilation and oppression" (p. 39). These comments highlight the importance of a researcher understanding the fundamental principles and world views, or paradigms, which relate to knowledge development in research. A research paradigm comprises four tenants: ontology – how the nature of reality is understood; epistemology – the nature and validity of knowledge; axiology – morality, values and ethics that guide research and methodology – the tools and processes used to understand and describe the world (see Rowe et al., 2015). Table 5 below describes these tenets in an Indigenous paradigm and critical psychology paradigm.

Table 5

Indigenous Paradigm and Critical Psychology Paradigm

Philosophy of Knowledge	Indigenous Paradigm (Geia, 2012; Rowe et al., 2015)	Critical Psychology Paradigm (Teo, 2015)
Ontology	Connected to the natural world and kinship groups Physical and spiritual worlds connected Deep listening	Comprised of *mechanistic* (stimulus – response and behaviourism); is *atomistic* (focuses on isolated parts of the human mental experience); and *reductionistic* (segmented and small parts explaining the condition of human experience).
Epistemology	Understanding of diverse and unique ontology, Indigenous people are experts in their own lives, experiences including a synthesis of mind, spirit, body, emotions and will. Turning away from internalised dominant world views. Relationality is essential.	Concepts are operationalised as variables, and research examines the functional relationship between variables.
Axiology	Knowledge is not value-neutral, and provided in the context of relationships. Research is not value neutral, with consideration of relational obligations and accountability, self-determination, and empowerment central.	Neutrality as a value. Considers 'fact' (what is) and 'value' (what ought to be) are separate phenomena.
Methodology	Researcher and researched are partners, recognition of distinctiveness of Aboriginal world views as central to survival, considers historical, social and political positioning of Aboriginal people through research framework and governance and include emancipation as a research outcome.	Methodology has primacy and the subject matter is secondary. Without methodological rigour knowledge cannot be generated and following methodological rules will automatically generate knowledge.[3]

[3] see Levitt, Motulsky, Wertz, Morrow & Ponterotto (2017).

This table highlights the substantial differences between the two paradigms. For example, Teo (2015) suggests that psychology's reliance on methodologism ignores the research participant's socio-historical-cultural position and, as a result, fails to be emancipatory; that is, bringing empowerment to oppressed groups by exposing inequalities, giving voice and speaking truth, which ultimately leads to positive social change. This is considered a central factor in conducting Indigenist research and, indeed, a political outcome of the decolonisation approach (e.g., Teo, 2015; Tuhiwai Smith, 1999). This, of course, presents significant challenges for any non-Indigenous researcher seeking to work in an Indigenous context. It not only requires awareness of both the colonisation and decolonisation of knowledge, but also challenges disciplinary assumptions about the nature of evidence and the provision of services and programs that are described as 'evidence-based'. Evidence based practice (EPB) is a key construct in youth justice and has been defined as "the conscientious, explicit and judicious use of current best evidence in making decisions" (Gray & Webb, 2009; p. 172). The four tenets of evidence-based practice are that "evidence can be found to inform practice; certain evidence is stronger or better than others; effectiveness of interventions can be established; and interventions can be replicated" (Gray & Webb, 2009; p. 174). Table 6 below describes the four theoretical paradigms that influence engagement with the scientific method (Gray & Webb, 2009).

Table 6

Theoretical Paradigms of the Scientific Method

Paradigm	Description
Positivist	The Positivist approach is influenced by the physical sciences, and the ability of social work to achieve measurable outcomes. Knowledge is accumulated from meta-analysis and robust, gold standard research paradigms which can measure the effectiveness of a proposed intervention
Pragmatic	The pragmatic approach is influenced by the practice landscape of social work. Pragmatists seek on identifying useful evidence to support informed clinical decision making. Philosophically, the relevance of the research is not as important as the scientific method; research must be translatable into practice
Political	The political approach acknowledges power differentials and influences between groups. This includes the acknowledgement that the political landscape affects how social concerns are identified, how research and programs are funded and evaluated. The Political world view engages evidence-based practice to strategically gain resources for their service users, organisation and practice framework. Additionally, this world view recognises the voices of less powerful groups are not held in equal weight with other sources of evidence
Post Modern	A postmodernist views the world as open to interpretation and meaning, which is created through the use of language.

These different paradigms are enshrined into what is referred to as an “evidence pyramid” which is a hierarchy of what constitutes legitimate knowledge in research design (Figure 1). This is commonly used in medical and clinical settings and research, but has also been imported to other more socially-focussed areas. The different levels or research designs are as follows, along with an observation about the relevance to cross-cultural research:

1. *Systematic Review and Meta-analysis:* This research design is considered to reflect a positivist paradigm. It involves gathering the largest number of reports and selecting the articles considered to be most valid and attempt to reconcile contradictory reports on a common statistical measure to gain a determination on the statistical significance of treatment effectives. Adopting this approach in cross cultural research would not consider Aboriginal world views, perspectives and methods of knowledge, knowing and helping, and assume homogeneity of Aboriginal experience across cultures and locations. Arguably, this approach lends itself towards the *colonisation of knowledge*, that is, that Aboriginal knowledge needs to be legitimised through Western constructs;
2. *Randomised Controlled Trials:* Randomised Control Trials (RCT) seek to categorise individuals into one of two 'treatment' conditions, without the individual (and researcher in the case of double blind) knowing what type of treatment they are being subjected to. Research participants are often not those that are seen in 'clinical' practice due to stringent recruitment criteria to obtain a homogenous sample;
3. *Case Series and Case Reports*: Case Series and Case Reports provide a narrative of clinical practice, which identifies presentation, progression and treatment of individuals or groups of individuals. The objective of case series and reports is to present materials to other clinicians on management of patients and are incapable of hypothesis testing (Rosner, 2012). Case Series and Case Reports again would be an ineffective research paradigm in cross cultural research as it casts research participants as passive subjects and a problem to be solved as opposed to understanding and respecting the individuals own system of knowledge and identity.

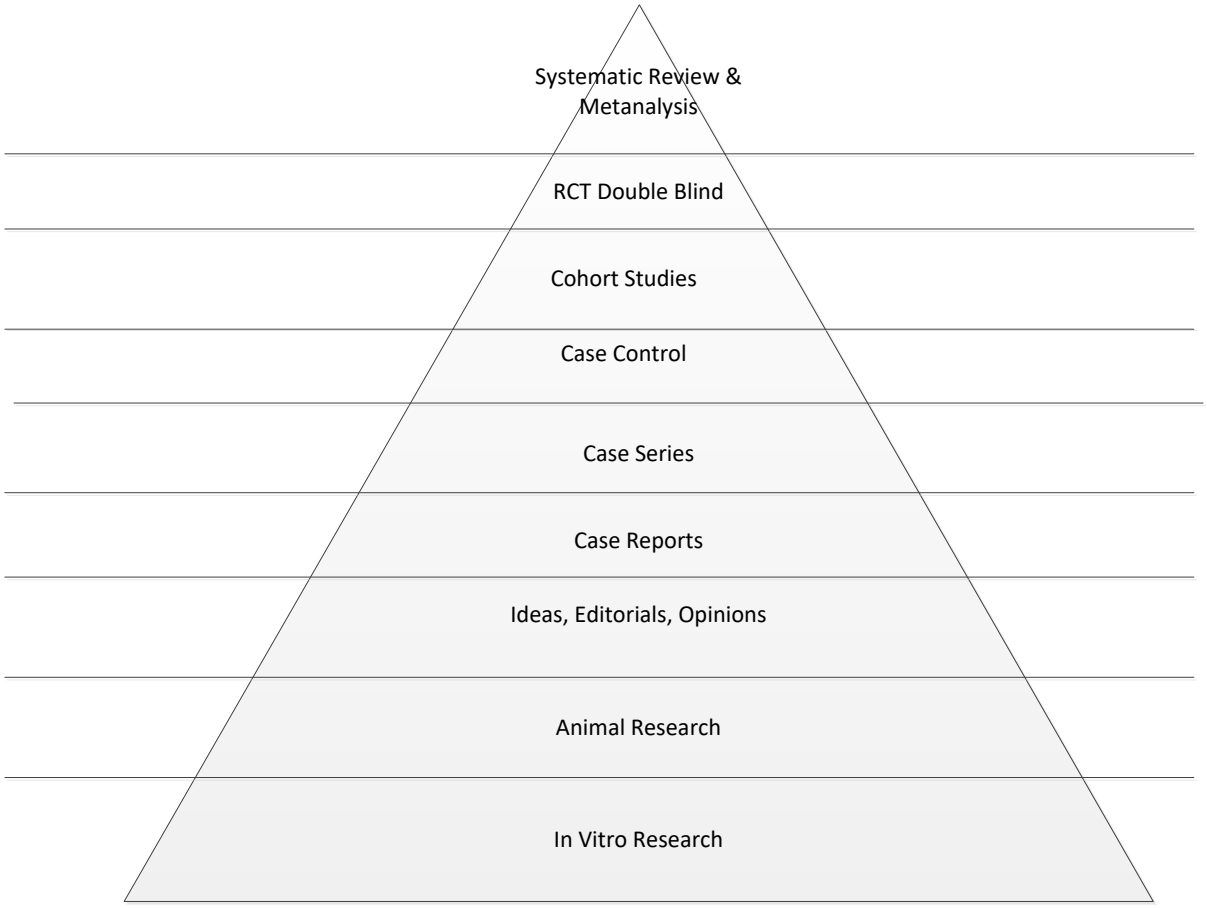


Figure 1

The Evidence Pyramid (Rosner, 2012).

How evidence is collected, particularly in cross-cultural work, is particularly problematic. If one of the key assumptions is that some evidence is more valued than others, different world views about what is considered evidence and knowledge will have a significant impact on research and notions evidence based practice. Rosner (2012), for example, indicates that three elements must be factored into evidence-based decision making: external evidence; the judgement of the professional; and the empowerment of the participant in the decision-making process. Abandoning the evidence pyramid, Rosner (2012) proposes the “evidence house”, considering the values of the participant and the researcher, epidemiology, case reports and health services research. Here, research activity focusses on the comparative effectiveness of one treatment over another which allows consumers, clinicians and policy makers to then make more informed decisions around treatment options.

However, this approach still appears to have its roots within a medical model of clinician-researcher expertise that is founded within a positivist paradigm.

5.2.2 Indigenous Research Protocols

Research protocols for use with Indigenous communities are often concerned with the preservation of traditional knowledge, and protection from exploitation of Aboriginal people's cultural and intellectual property and heritage. These issues are considered particularly important as indigenous knowledge has, in the past, been used against community interests – or otherwise commodified as exotic and marketable (see Russell-Mundine, 2012; Tauri, 2017). Therefore, indigenous research protocols explicitly seek to uphold and protect Aboriginal rights and interests, whilst also facilitating cross cultural engagement in the contested space between Indigenous and western sources of knowledge. In short, there is a requirement to ensure that Aboriginal knowledge is not used merely as supplementary information to be included in westernised research (Martin, 2008; Nakata & Nakata, 2011) and that research is not about casting Aboriginal people as passive recipients of research, but as partners and collaborators.

Working within this framework, Martin (2006) outlines a set of key protocols that can be applied in cross cultural research, including: access to a skilled facilitator; the absence of scientific agenda; recognition of Aboriginal people as co-researchers; working within established community decision making processes; engagement not being focussed on the extraction of information; and working with existing community programs. Martin explores the concept of "Quanadamooka ontology" – ways of knowing, ways of being and ways of doing as an Indigenous research approach:

1. *Ways of Knowing* is learned and reproduced through observation, oral histories, exchanging, sharing, conceptualising, modelling and applying. It allows for information to be taught in certain contexts, certain ways and certain times (Martin & Miroboopa, 2003). Each person within the community has certain gender specific roles, directed by a life stage;

2. *Ways of Being* is the method in which identities are established, interests and connections to determine someone's relatedness including claiming and declaring genealogy, ancestry and position as a researcher, which allows participants to identify any types of relationships that may exist (Martin, 2006; Kendal et al., 2011). This is how people demonstrate "proper forms of conduct" taught from Elders (Martin & Miroboopa, 2003);
3. *Ways of Doing* is the articulation of identity – of being and knowing, through ceremony, social organisation, social control, languages, art and imagery.

Martin's model describes eight areas of research design using this framework as outlined below in Table 7.

Table 7

Martin & Miroboopa's (2003) Quanadamooka Ontology Research Design Process.

Research Process	Rationale
Research Assumptions	Understanding the researcher's world view and assumptions and how this may impact the research process
Research Question	Emphasise different aspects of the phenomenon being explored and seek solutions
Literature Review	Seeking sources of information from people and entities of a location or country. This includes understanding the relationship between individual, family, community, environment and spirituality.
Research Conduct	Ensuring that methodological assumptions do not erase important data, and that power imbalances are managed
Data Analysis	Deeply connected to the world view of the researcher – and how the researcher aims to analyse the dataset
Data Interpretation	How the researcher connects patterns in the research. The role of connectivity, spirituality and knowledge systems also play a role here
Reporting and Dissemination	This includes asking permission, using a preferred language, terms and expressions and maintaining relationships.

The ownership of data in cross cultural research is a particularly challenging area, given the two different value systems underlying ownership, rights and law. Whereas Western law focusses primarily on personal ownership, commercial activities, and material items, Aboriginal lore focuses on group custodianship (Laycock et al., 2011). As a result, legislation such as the Copyright Act, provides minimal protection for cultural knowledge. Indeed, the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) Human Research Ethics Committee actively discourages researchers from including that Aboriginal people retain intellectual property rights in their informed consent form, as technically, this is legally incorrect. It is suggested a range of ethically and culturally

responsible solutions are adopted, including explaining copyright and ownership, considering shared authorship (and respecting it by asking permission before sharing participant stories in academic settings), and using notices to indicate there are customary laws governing the research (Laycock et al., 2012). To address this, the Lowitja Institute have argued that Indigenous people have the right to: own and control Indigenous cultural and intellectual property; ensure that any means of protecting Indigenous cultural and intellectual property is based on the principles of self-determination; be recognised as the primary guardians and interpreters of their cultures; authorise or refuse to authorise the commercial use of Indigenous cultural and intellectual property according to customary laws; control the recording of cultural customs and expressions, and the particular language which may be intrinsic to cultural identity, knowledge and skill (see Laycock et al., 2012).

5.3 Applying Decolonisation as a Non-Indigenous Researcher

In this thesis, the development of the methodology is based upon adherence to the following five principles (following Kendall et al., 2011; Martin & Miraboopa, 2003; Martin, 2006):

1. An epistemological reframing of knowledge to ensure that Aboriginal cultural knowledge and sources of knowledge and knowing are valued;
2. Recognition of a relational model of ethics;
3. An understanding of ethics including intellectual property, safeguarding cultural knowledge;
4. An understanding of Indigenist research protocols and research design;
5. An understanding of appropriate community consultation mechanisms and governance structures. In an applied sense, this includes identifying Aboriginal communities, people and services who need to be involved in determining strategies for accessing research data.

These principles require agreement from the outset about the ownership of research results, and to whom and how results will be disseminated. Clear identification of the level of community control over the research results and discussion research findings with the community is also mandated (Australian Institute of Aboriginal and Torres Strait Islander Studies, 2012). It is also expected that the researcher will declare his or her own ancestry and socio-cultural position and examine how this influences the research directly and indirectly. This is usually achieved through the writing of a positioning statement (Martin, 2006; Kendall et al., 2012). At its core, this requires the researcher to undergo a process of reflexivity, requiring the researcher to challenge the fundamentals of the framing of, and validating, knowledge in a westernised system. If these core-beliefs are not examined and challenged, it is suggested that the research that follows can lead to the silencing of Aboriginal voices (Russell-Mundine, 2012)[4]. The researcher should, therefore, aim to embrace Aboriginal thinking and practices, be aware of bias in what data is collected, how data is interpreted, and how data is verified. Therefore, my positioning statement will situate myself in context of the research through my ancestry, family and local context, followed by a discussion on the importance of not culturally appropriating, or co-opting, indigenist research paradigms as a non-Aboriginal researcher.

5.3.1 My Ancestry, Family, Sociocultural Position and Local Context

At the time of writing this position statement, I am a 33 year old non-Indigenous male. I grew up in the Hunter Valley in NSW. My parents are both non-Aboriginal Australians, with my mother's family being Irish and English. According to our family tree on ancestry.com my maternal second great grandfather arrived to Australia on a passenger ship the *Dunbar Castle* in 1878, and my maternal grandmother's father arrived in Australia from Ireland in 1881 on the *Fame North*. My father was adopted, and little is known about his family of origin.

[4] This is a particularly salient point for psychological research, as it is grounded in Western culture and value laden practice (Dudgeon & Kelly, 2014).

I completed undergraduate training in psychology from the University of Newcastle, before travelling west to gain employment in the not-for-profit sector. I started my career in Orange, in the Central West of NSW, managing a community mental health program, and an Aboriginal housing and homelessness program. The organisation's regional management for this program was located in Dubbo, and I was required to travel there at least weekly. It was during this early stage in my career that I started to develop a rudimentary appreciation of the experiences of Aboriginal people in Western NSW, and also the challenges that Aboriginal people had working in services, providing support to their own community. I met my wife during this time, and we moved to Broken Hill, in the NSW Outback to progress my career within the same organisation.

In Broken Hill I was responsible again for managing mental health programs, and also managed child protection, youth and family support services programs. On reflection, I feel I began to develop a deeper engagement with the experiences of Aboriginal people, participating in two-way learning on long drives with Aboriginal staff between Broken Hill, Wilcannia, Menindee and Dareton. This learning was characterised by respectful interactions, where I took on the role of a novice, or, as Gray and Hetherington (2007) describe, understanding and being comfortable with my own lack of competence in cross cultural interactions. During this time, I am proud to say I increased the number of Aboriginal employees within the service, and feel I developed connections with key community groups across a range of communities. I particularly learnt during this time the importance of taking time to build trust and relationships with community members. During our time at Broken Hill, my wife, Stacey, and I had our first child.

After 18 months, Stacey and I relocated to Dubbo, to be closer to home, and I started managing a range of youth justice programs, including community-based programs, and a drug and alcohol residential rehabilitation service. It was at this time that I completed a Master's degree in forensic mental health, and Stacey and I had our second child. The experiences in Dubbo started to frame the research project, and as such, have become the local context for the thesis. One of the

driving influences for this thesis was, as the manager of the residential drug and alcohol rehabilitation service, I was responsible for ensuring the delivery of quality clinical and intervention programs. A challenge emerged with over 90% of the clients accessing the service identifying as Aboriginal - and there were limited services and evidence-based programs available to address the particular needs of these young people. As the thesis started to take shape, it became apparent there was little published about the needs of rural Aboriginal young offenders, let alone published evidence on effective program design.

During the course of this thesis, I relocated to be closer to home in the Hunter Valley, but still travelled at least weekly (sometimes several times a week) to Dubbo as I was still responsible for managing programs in this region. I also continued my connection with members of the Aboriginal community through regular informal meetings over coffee or lunch, as well as formal meetings with men's groups. This is particularly important as Martin and Miroboopa (2003) indicates establishing the connections within relationship is essential at the outset, and it was important for me to develop these relationships to establish safety and commitment to the members of the community.

Recently, Stacey has undertaken family tracing, discovering her maternal grandmother's brothers and sister were members of the Stolen Generation, and has been able to reconnect with her Aboriginal family who are Gomeroi. This means that both our children are Aboriginal and we are supporting them to connect with their culture in a respectful manner. During the end stages of this thesis, I have changed my employment, now working in the public service managing, amongst other things, an Aboriginal mental health service. I still maintain regular contact with my networks in Dubbo.

I am aware that my professional practice experiences may impact the relationships I have formed within the community, as there may be an inherent power imbalance in these relationships (particularly where I have had relationships with staff who have moved onto other organisations). I am also aware that having a primary connection to Dubbo through an organisational context may

also mean that any issues or experiences the participants have had prior with the organisation may also be projected onto me. In order to overcome this, it is essential for myself to display a close personal value – authenticity – throughout these relationships. This value means that I need to conduct myself in manner that is true to my character, spirit and personality, rather than formulating relationships based on the extraction of information as Martin (2006) indicates.

My training in psychology has also meant that I started this thesis with a particular view on what good evidence is. For me, this was seeing that quantitative, randomised control trial research was the gold standard approach to any research, and that statistical data was more valuable than other sorts of data. A shift in this thinking occurred when I was tasked with a project from the organisation I worked for looking at the value that lived experience of mental illness could play in enhancing mental health services. As I immersed myself in this literature, and undertook some research with the University of Newcastle, I developed an understanding of the richness of information that came with appreciating people's lived experience, and how this knowledge can be integrated with traditional research approaches. It was through this work that I became particularly interested in writings on decolonising research – and commenced a process of "learning and unlearning" the contested cross-cultural research space (Datta, 2017, p. 13).

5.3.2 A Caution of Cultural Appropriation

A key risk in conducting this research is that, as a non-Aboriginal researcher, I do not co-opt or culturally appropriate Indigenist research methodologies. Cultural appropriation "refers to the use of the stories, styles, motifs etc of a particular group by outsiders of that group" (Mattes, 2019, p. 1003). For example, specific Aboriginal methodologies such as yarning, or deep listening techniques, such as Dadirri (Ungunmerr-Baumann, 2002) must be used with caution, and there needs to be explicit recognition that the metaphysical aspects of the decolonisation approach (see Martin & Miroboopa, 2003; Martin, 2006) are unlikely to be fully realised. For example, Christie

(2006) cautions non-Indigenous academics who seek to engage with Indigenous research knowledge in the following way:

> It is important to be clear about Indigenous knowledge and academic research, because much is at stake for Indigenous people whose knowledge traditions continue to be colonised, appropriated and marginalised by academic research traditions. Non-Indigenous academics can ignore, smooth over or blur the fundamental differences between knowledge systems, or make claims to which they have no right (p.78).

Some critical Indigenist scholars have expressed concern about non-Aboriginal researchers engaging with Aboriginal knowledges and ideas of decolonisation in a research context. These concerns relate to non-Aboriginal researchers being positioned as experts in matters that affect Aboriginal communities and thus, put in a position to speak *for* Aboriginal communities which diminishes Aboriginal voices (Oxley, 2020). Similarly, concerns have been raised about non-Aboriginal researchers utilising and exploiting cultural artifacts and ways of knowing, being and doing for personal gain, or cast Aboriginality as a problem to be solved (Oxley, 2020; Tauri, 2017; 2018).

I am acutely aware, that as a non-Aboriginal person I do not have a right to claim whether it is 'right' for non-Aboriginal researchers to engage with Aboriginal knowledge in a research paradigm. This research describes a process how and where a non-Aboriginal researcher may work in partnership with a community to "promote the voices, knowledge, social justice aspirations of the community" (Cunneen & Rowe, p.23) in improving outcomes for young people engaged with the Youth Justice system. This included an explicit consideration of asking permission, understanding what knowledge would be (and would not be) shared, by who, and how it would be interpreted in a process of two way learning (Althaus, 2020).

For eminent Indigenous scholar Lester Rigney (2006), non-Aboriginal researchers have a significant role to play in supporting research within Aboriginal communities. Though, like other critical scholars, he cautions against non-Aboriginal researchers becoming experts and promoting “Aboriginalism”, he also highlights that non-Aboriginal researchers have a place in supporting research in partnership with Aboriginal communities:

> Indigenist research and indeed the social movements of Indigenous Australians are indebted to the research contributions of non-Indigenous Australians. However, many non-Indigenous researchers have built their academic careers on being 'experts' in all things Indigenous, essentially reproducing them as opposed to according the right of Indigenous peoples to speak for themselves and engage in self-reflection in research. Given the colonial nature of ‘Aboriginalism’ research and the skewed distribution of power between Indigenous and non-Indigenous people in Australia, it becomes the role of non-Indigenous researchers and universities in fact to support the work of Indigenous communities and their researchers to create avenues to facilitate such support. Non-Indigenous researchers do have a role to play within the research futures of Indigenous communities. Indigenism and its writings provide both the Indigenous and non-Indigenous researcher with principles and parameters of engagement with Indigenous communities written by Indigenist scholars and their communities. (pp. 41-42).

Further, as a non-Aboriginal researcher it is evident that the political processes, outcomes, and benefits associated with decolonising research (including contesting hegemony and cultural subjugation in Australia) are unlikely to be fully achieved. Rather, the aim here is to demonstrate how non-indigenous researchers can engage with Aboriginal communities to reconceptualise responses to justice involved young people. As Ungunmerr-Baumann (2002) has observed: “we still wait for the white people to understand us better. We ourselves had to spend many years learning about the white man's ways” (p. 3).

A further challenge in using this approach is navigating the tension that arises between 'good science' and honouring knowledge transfer between Aboriginal and non-Aboriginal researchers and participants (Saunders, West & Usher, 2010). This is particularly salient as this research forms part of an examinable doctorate. Simply put, this research cannot be a transcript of what community members have told the researcher; nor should Aboriginal knowledge and perspectives be interpreted and legitimised through Western structures. As a researcher it is important that I do not displace the knowledge, stories and experiences of Aboriginal people in the pursuit of academic convention and so, as part of this process, it became important to understand both Indigenist and Western Psychology research paradigms.

During the course of this thesis, I was very fortunate to be supervised by a highly experienced, and very responsive, academic supervision team. In addition to this traditional research supervision, I regularly participated in cultural supervision with a local Aboriginal person from Dubbo for over seven years who I have known professionally and personally. The cultural supervisor, Steve Stanton, is a proud Gamilaraay man, and is a former director of Indigenous Allied Health Australia and has held numerous executive roles in health and human services both in Western NSW and nationally. Steve has been a member of Gunnedah, Goodooga, Dubbo and Orange communities. Steve's children were born in Dubbo, where he has strong cultural and family links. Steve also has experience advising research programs examining how culturally informed approaches can assist psychiatric treatment of Aboriginal people in Western NSW. Cultural supervision was added to this research to ensure that community engagement protocols were respected, ensuring the research was aligned and useful for the communities needs and understanding Aboriginal stories were not displaced throughout the research process (Wilson, 2017). This cultural supervision also assisted the research being grounded within the local context and provided an opportunity for engaging in critical reflection. This included critical discussion on cultural safety, language and approaches used. For example, Steve and I had lengthy discussions regarding the use of the word 'yarning' and how yarning, has at times, become synonymous with *any* conversation between an Aboriginal and non-

Aboriginal person, and has therefore lost the true meaning of the a process that involves deep listening and connection. With Steve's guidance, we explored the use of the 'yarning' term, and whether it was fit for purpose to describe the research process, including whether words such as consultation, engagement, semi-structured interviewing, discussion, narrative interviewing where similarly suitable, particularly as they also infer respect to the research participants' position as knowledge holders. This is included an exploration and appreciation of how engagement with Aboriginal knowledge holders is quite different to service user consultation approaches. Steve also supported me to understand that deep listening principles and concepts are locally relative. Other items discussed in the cultural supervision partnership were the appropriateness of data analysis and interpretation, and how best present the data back to the community participants for approval, particularly in the context of COVID-19. Steve had also supported on-going engagement with community participants and has also invited senior bureaucrats and socially responsible corporate organisations to consider the possibilities for this research to contribute to practice and social change. Further, additional support was provided by an Aboriginal and Torres Strait Islander academic who provided assistance in reviewing a paper from the thesis and provided expert advice on understanding and applying the decolonisation methodology and Indigenist research paradigm.

5.4 Conclusion

This chapter is an important one for this thesis. It has explored the importance of grounding research activity within the local context, and describes key aspects of a decolonised approach to conducting research that impacts on Aboriginal communities – including the need to incorporate traditional sources of knowing and knowledge into research design. It has considered the importance of developing culturally safe relationships with stakeholders, based on trust and respect, and being non-extractive. This chapter situates myself, as an non-Aboriginal researcher, within this paradigm by articulating the origins of the thesis, unpacking covert assumptions around science and practice, and the narrative of learning and unlearning. It presents a discussion of the challenges that

arise when engaging with decolonised methodologies as a non-Aboriginal researcher, including understanding the risk of culturally appropriating or co-opting Aboriginal research paradigms and the need to ongoing supervision, support, and reflexivity.[5] The work of Linda Tuhwai Smith (1999) has proved particularly important in highlighting that cross cultural research is not about excluding non-Aboriginal researchers, but challenging them to give up power and privilege, and challenging educational institutions to take on non-Western ways of knowing.

The conclusion from this chapter is that inappropriate interpretation and meaning will be applied to research data unless there is efforts to ensure the explicit embedding of cultural competence into research design and methodology. The absence of cultural competence would lead to conclusions and recommendations that are, at best, ineffective, and, at worst, oppressive and dehumanising. Any researcher in this area is inevitably positioned across the intersection of political, pragmatic and postmodern spheres of evidence-based practice (Gray & Webb, 2009). The research that is described in the next chapters is describes a process of a non-Aboriginal researcher engaging with the ideas of decolonising research methodology in conducting a culturally relevant and informed piece of research in partnership with a local Aboriginal community, including a critical analysis of the limitations of this approach as a non-Aboriginal person.

[5] Support from the local community for undertaking this research is evidenced by letters of support in Appendix 2.

Chapter 6. Community Context and Involvement

The setting for this research is the rural city of Dubbo, approximately five hours drive west from Sydney, the state capital of New South Wales (NSW). This chapter provides a profile of the community demographics and history, including an overview of the specific legislative history that has impacted Aboriginal young people in order to locate and contextualise the research. This is followed by an analysis of methods of community engagement and how this might inform youth justice program design, followed by a description of how I engaged with Aboriginal governance structures and consultation mechanisms within the Dubbo community.

6.1 Community Profile

Dubbo operates as a service hub for the Orana and Far West region of NSW. In the 2016 census, the population of Dubbo was recorded as 71,632. Fifteen percent of census respondents identified as Aboriginal and/or Torres Strait Islanders, higher than the state average of 2.2%, and over one third (32%) of the population were aged between 0-25. Dubbo has a very heterogeneous Aboriginal community, with Aboriginal community members commonly moving between Dubbo and smaller towns further west (Shepardson, 2015; Stewart & Allan, 2011; Sullivan, 2012). The rate of Aboriginal youth over-representation in the justice system in Western NSW is particularly high. In an area where Aboriginal people make up approximately one quarter of the total population, 80% of all juvenile detainees are identified as Aboriginal (NSW Ombudsman, 2013; Murphy et al., 2010).

According to the Australian Bureau of Statistics Index of Relative Social Disadvantage and Advantage, Dubbo is ranked in the lower 30% of postcodes within Australia for people having access to “material and social resources, and [an] ability to participate in society” (Australian Bureau of Statistics, 2011a, para 5.). The average personal income of $43,185 (Australian Bureau of Statistics, 2016b) is mainly derived from employment in the healthcare and social services, retail, education, logistics and government industries (Dubbo Regional Council, 2020).

There is little published data describing the specific needs of young people in Dubbo, although the Western NSW Primary Health Network (PHN) Community Needs Assessment highlights numerous challenges for young people living in Western NSW (Western NSW Primary Health Network, 2017). These include significant migration to regional and metropolitan centres to engage in tertiary study and employment and pervasive community disadvantage. Further, Aboriginal people from this region experience a higher prevalence of mental health and behavioural disorders than non-Aboriginal people. For example, Aboriginal people die at a rate seven times higher than the state average as a result of mental health and behavioural disorders associated with alcohol consumption. Fifteen to 24-year olds present to hospital at a higher rate than the state average for non-suicidal self-injury. Further, there is a high prevalence of risk factors for 4- to 15-year olds to develop behavioural disorders. For example, a significant minority (16.6%) of children in Dubbo were considered to be developmentally vulnerable in one or more domains of physical health and wellbeing, social competence, emotional maturity, language and cognitive and communication skills, and/or general knowledge (Torrens University, 2020).

6.1.1 Historical Context

The profile of the contemporary Dubbo community should be understood in relation to the historical context in which it has emerged. A brief account of significant events in Dubbo's local history since the early days of colonisation is explored next.

After crossing the Blue Mountains, the Europeans had begun settling the land around Bathurst, east of Dubbo, part of Wiradjuri country. Though Governor Lachlan Macquarie appeared to maintain an amicable relationship with the local Aboriginal population, he was replaced by Thomas Brisbane, who advanced an expansionist agenda which resulted in displacing Aboriginal communities from their lands leading to on-going conflict. This expansion led to homesteads being established on traditional Wiradjuri camp sites in order to be safe from environmental factors such as flooding. The creation of homesteads bought towns that relied on the natural resources provided by the

environment (Australian Broadcasting Association, 2018b). The Gold Rush to the south in Bathurst, and east in Mudgee and surrounds served to further force the Wiradjuri off their ancestral lands, pushing family groups to live in fringe communities on the river system. However, the Wiradjuri people were able to preserve parts of their culture (such as seasonal moving, child rearing by relatives, and decision making by consensus) during this time (Bathurst Heritage Matters, 2015).

From 1883 onwards saw the emergence of Aboriginal reserves. Aboriginal people were forced to leave camps and properties and come under the remit of a reserve that exercised a range of state control mechanisms including restrictions on income, property ownership, education, and ability to leave the township. The operation of these reserves was legislated in 1909 under the NSW *Aborigine Protection Act*, which was overseen by a Protection Board. *The Aborigine Protection Act (1909)* made particular provision for the removal of children and young people and for placing them into services (Find & Connect, 2015). The Act, for example, gave the Protection Board the power to take children as an apprentices, as long as the "the child of any Aborigine, or the neglected child of any person apparently having an admixture of Aboriginal blood in his veins" (*Aborigines Protection Act 1909, Section 11*). The Board was legally required to operate under *the Neglected Children and Juvenile Offenders Act (1905);* however, it has been recorded that this was not followed in practice (Find &Connect, 2015). In 1939, the Board amended the Act to allow removal of children, before finally being repealed in 1969. Reserves, or 'missions' are still identified geographically in Western NSW communities such as Wellington, Wilcannia, and Walgett.

6.1.2 Historical Context of Youth Justice Legislation

The *Aborigine Protection Act (1909)* intersected with the child protection and youth justice legislation of its time. Various key Acts and other legislation that have disproportionally affected Aboriginal people within this region are outlined in Table 8 (below). It can be argued that this history describes racist application of legislation to young people based on their Aboriginal status and draws

particular attention to the removal of Aboriginal young people (including those young people who may have offended) from their family units.

Table 8
Youth Justice legislative history (adapted from https://www.humanrights.gov.au/publications/rightsed-bringing-them-home-8-laws-new-south-wales).

Laws Applicable to Aboriginal People & Definitions	General Laws
Aborigine Protection Act 1909 - was in place to "to provide for the custody, maintenance and education of the children of aborigines'" Neglected child - a child found by the court to be neglected under the *Neglected Children and Juvenile Offenders Act 1909* 'Every Aboriginal male under the age of 14 years, and every unmarried Aboriginal female under the age of 18 years shall, when so required by the 8manager, reside or take his or her meals and sleep in any building set apart for such purposes	*Neglected Children and Juvenile Offenders Act 1905* Neglected child is defined as "a child having no visible means of support or no fixed abode; who sleeps in the open air; who without reasonable excuse is not provided with sufficient and proper food, nursing, clothing, medical aid or lodging; whose parents are habitual drunkards; or who is living under such conditions as to indicate that the child is lapsing into a career of vice and crime." "A 'neglected' or 'uncontrollable' child may be apprehended and brought before a court which can release the child on probation, commit the child to an institution until the age of 18 years or to the care of a willing person."
Aborigines Protection Amending Act 1915 This amendment removed the requirement that an Aboriginal child had to be found to be neglected before removal. Additionally, working conditions ceased to be covered under the Apprentices Act 1901.	*Child Welfare Act 1923* Similar powers "as in 1905 Act to commit a 'neglected' or 'uncontrollable' child. All children committed to or inmates of an institution in the custody are under the control of the superintendent of the institution until they attain the age of 18 or are discharged, removed, apprenticed or placed out. A child may be adopted if the child's parents or guardian consent. Consent may be dispensed with if the court is of the opinion that the parent or guardian has deserted or abandoned the child".
Aborigine's Protection Act 1936 Court may order the removal of an 'aborigine' who is 'living in insanitary or undesirable conditions' to a reserve or a place controlled by the Board or to the State from whence he/she came.	*Child Welfare Act 1939* The definition of "neglected child" is expanded to include destitution, whose parents are unfit to parent the child or child who does not attend school regularly. Where a child is found to be a "neglected child" options include parental responsibility to the Minister or commit to the care of an institution. The Minister is able "direct the removal or transfer of any ward, remove child from any charitable institute"

The *Aborigine Protection Act* was repealed in 1969 and a number of different pieces of legislation were then applied to both Aboriginal and non-Aboriginal people, as described below:

1. *Neglected Children and Juvenile Offenders Act 1905.* The Act's full title was 'An Act to make better provision for the protection, control, education, maintenance, and reformation of neglected and uncontrollable children and juvenile offenders; to provide for the establishment and control of institutions and for contribution by near relatives towards support of children in institutions; to constitute children's courts and to provide for appeals from such courts; to provide for the licensing and regulation of children trading in streets and in certain places open to the public; to amend the State Children Relief Act, 1901, the Children's Protection Act, 1902, the Infant Protection Act, 1904, and the Crimes Act, 1900; to repeal the Reformatory and Industrial Schools Act, 1901; and for purposes consequent thereon or incidental thereto'. This Act introduced the Children's Court and the probation system. The probation system allowed a child convicted of an offence or of being neglected to be returned to their family, under the supervision of Probation Officers. Though this legislated was effective in reducing the numbers of children entering institutions, it did mean that some families were scrutinised closely by welfare authorities (Find&Connect, 2015);
2. *Adoption of Children Act 1965.* The welfare of the child was paramount consideration for placements in out of home care;
3. *Children and Young Persons (Care and Protection) Act 1987.* This replaced the term 'neglected' with 'behaviour that harms the child, and "child in need of care – where provision is not being made for the child's care; the child is being or is likely to be abused; or there has been an irretrievable breakdown in the relationship between the child and parents';
4. *Young Offenders Act NSW 1997.* The Young Offenders Act 1997 provides the legislative mechanism to respond to young people who offend. It aims to:

> "(a) to establish a scheme that provides an alternative process to court proceedings for dealing with children who commit certain offences through the use of youth justice conferences, cautions and warnings, and
>
> (b) to establish a scheme for the purpose of providing an efficient and direct response to the commission by children of certain offences, and
>
> (c) to establish and use youth justice conferences to deal with alleged offenders in a way that:
>
> (i) enables a community based negotiated response to offences involving all the affected parties, and
>
> (ii) emphasises restitution by the offender and the acceptance of responsibility by the offender for his or her behaviour, and
>
> (iii) meets the needs of victims and offenders, and
>
> (d) to address the over representation of Aboriginal and Torres Strait Islander children in the criminal justice system through the use of youth justice conferences, cautions and warnings" (NSW Young Offenders Act 1997, Section 3).

This examination of historical youth justice legislation, and its intertwinement with child protection legislation that contributed to the Stolen Generation, provides further context for understanding the experiences of Aboriginal families and young people under a colonial law and justice framework. Understanding this context is essential to inform how an Aboriginal community may engage in subsequent design of justice programs, which is discussed next.

6.2 Aboriginal Community Involvement in Justice Programs

It is evident that Aboriginal communities have their own unique context that emerges from both the historical and current socio-cultural position of Aboriginal people and communities and the impacts of on-going intergenerational trauma as a result of colonisation. Understanding and engaging with this context is of critical importance when designing youth justice programs, as the literature consistently describes that when services operate from a purely westernised framework, they either do not meet the needs of Aboriginal people, or, at times, can create harm (Black, Frederico & Bamblett, 2019). Similarly, one of the reasons minimal inroads have been made in addressing rural Aboriginal young people's overrepresentation is that justice responses are largely not responsive to this context, and thus, have poor ecological validity (Butcher, Day, Miles & Kidd,

2019). In this context, ecological validity describes the 'goodness of fit' of programs to the contexts, needs and experiences of program recipients; in this case, rural Aboriginal young people (see Blagg, et al., 2015; Gray & Hetherington, 2007; Lavery, 2018). Programs that typically suffer from a low level of ecological validity include those that are directly imported from other areas of the country (or world) and where program theory is based upon universal and reductionist explanations of human behaviour divorced from context and environment, and thus, do not address the specific needs of the local population (see Blagg et al., 2015; Dudgeon & Kelly, 2014; Lavery, 2018).

The idea of ecological validity highlights the critical importance of engaging with local community knowledge holders, governance and decision making groups to ensure community involvement at the outset of research, including the identification research questions and outcomes. It also helps to ground the research, data collection and analysis within the unique history, contemporary position and context of the local community. Adopting this approach when designing youth justice programs is likely to increase the ecological validity of programs, and identify new knowledge and new ways in which the needs of young people who offend might be met. This does represent a departure from current models of youth justice program design, where an agenda of empirically evaluated and reductionist evidence based practice models has led to the importance of community involvement in program design being largely overlooked. Next, this chapter explores a justice and human services policy framework that supports a community involvement approach, followed by a description of the local community engagement mechanisms that were used in this research.

Recently, judiciary and government have called for greater service-user involvement in the design of human service programs which, in itself, is thought to strengthen ecological validity (e.g., Council of Australian Government Health Council, 2018; Dickinson, Gardner & Moon, 2017; NSW Law and Safety Committee, 2017). More specifically, in order to enhance the ecological validity of programs in an Aboriginal context, the involvement of Aboriginal community leaders and knowledge holders in the dual process of identifying the issues that affect their community, and in co-

developing a community response is considered essential to the contextual collection and interpretation of evidence to inform key decisions by policy makers (Gray & Hetherington, 2007; Kendall et al., 2011). This is clearly illustrated in NSW, particularly in recognition of a system of service delivery that has historically failed to meet the needs of Aboriginal communities. For example, the Law and Safety Committee Inquiry into the Adequacy of Youth Diversionary Programs (2018) recommended the importance of "partnerships with the Aboriginal community in the design and delivery of diversionary programs" (p. xvi). Similarly, significant policy changes are demonstrated in recent Out of Home Care reforms (NSW Communities and Justice, 2020) which identify the need for support programs to be designed with local Aboriginal communities. Furthermore, the Australian Fifth National Mental Health Plan (2018) also upholds the argument that "service recipients are seen as critical partners in service design, planning, implementation and evaluation" (Coalition of Australian Governments Health Council, 2018, p.14). Therefore, it is important to consider how the design of youth justice programs, in this case in a rural community in New South Wales, might be informed by engaging and consulting key stakeholders from the local community.

6.2.1 Approaches to Community Involvement

There are a number of different ways to engage communities when designing programs, including service user consultation, co-design, and collective impact (Australian Institute of Family Studies, 2017). Although some of these, such as collective impact, focus more on systems integration than on directly engaging with service users and communities (Cheverton & Janamian, 2016), such approaches have value in enabling a cross sector problem-solving process towards finding local solutions. They also require on-going stakeholder commitment to building relationships with community, particularly in an Aboriginal context (Demant, 2018; Kania & Kramer, 2011; Sagrestano & Finerman, 2018).

For non-Indigenous program designers, engaging with Aboriginal and Torres Strait Islander communities can be complex and there are varying degrees of local socio-political negotiation that require skill and knowledge. In this context it is helpful to conceptualise the community engagement process as operating on different levels. At the lowest level, decision making power is situated within external parties who provide information about problems, opportunities, and solutions. The next level involves various approaches to consulting, and collaborating with community representatives, with the highest level involving engagement approaches that are empowering to the community (International Association of Public Participation Australasia, 2014). Each level is differentiated by the way in which power is shared between policy or program decision makers and the community. Therefore, higher levels of community engagement involve fuller collaboration between service systems and communities, with empowerment occurring when: a) community decisions are fully adopted in program and service responses; and b) on-going partnerships are formed and committed to ensure that community values and perspectives continue to shape the service system (Moore et al., 2016). A direct result of effective and committed community engagement is a greater sense of ownership and higher levels of participation with services that, in theory, results in programs that are better tailored to the unique context, aspirations, concerns and values of the community (Moore et al., 2016). Furthermore, effective community engagement is able to generate new types of evidence about the ways in which programs affect the interests of stakeholders (Lavery, 2018).

A clear example of an approach to community engagement is the ‘place based’ model. This is where the joint action of partners seeks to address causal factors associated with entrenched social disadvantage in geographically defined areas. The approach can be characterised by local decision making, the co-designing and implementation of services, capacity development, and community involvement in exploring flexible approaches to funding and organisational support (Jesuit Social Services, 2017; Papatraianou et al., 2018). Place based concepts of community engagement contrast with more traditional service development models that focus on population-

level change, based on program design that involves the imposition of centralised key performance indicators and prescriptive, 'evidence-based' program models (see Moore et al., 2016).

As discussed earlier in this thesis, the Justice Reinvestment approach has been identified as a good example of a successful place based approach, where the community identified serious justice issues and led the initiative to find local solutions. The program was independently evaluated, with the authors of the evaluation concluding that "justice reinvestment initiatives build local capacity and empower community to develop local solutions to local issues" (Riboldi & Hopkins, 2019, p. 50), with a consequent reduction in youth involvement with law enforcement for the Aboriginal community (KPMG, 2018). There have been some valuable key learnings from the justice reinvestment process. One key is that the community felt empowered and safe to take on the leadership role where government initiatives failed. The issue of safety, both cultural and environmental safety, in the context of working with an Aboriginal community is critical for successful program and service delivery.

6.3 Mechanisms to Support Community Involvement in Dubbo

This section describes the various community engagement and governance bodies in the Dubbo community, and how I engaged with this various bodies throughout the research process.

6.3.1 Community Working Parties

In 2003, the NSW Government released a policy initiative "Two Ways Together" in order to change the way it consulted and worked with local Aboriginal communities (NSW Auditor General, 2011). This policy was underpinned by partnership with communities to improve social, economic and cultural wellbeing. CWP's are tasked with addressing, address seven target areas, including justice, and change the way in which government and non-government worked with Aboriginal communities (NSW Auditor General, 2011). Although the results of this initiative were mixed, the Auditor-General argued that it promotes a clear recognition that communities understand their own

needs and are responsible for their future. In practice, the aim is for the governance bodies that emerged from this directive to "…bridge the gap between those who need services and those who deliver services" (NSW Auditor General, 2011, p. 2). The Auditor-General also suggested that the program gives Aboriginal people a strong voice in planning and designing how their needs and aspirations are met. In response, Aboriginal Affairs indicate that 21 of the 40 selected communities have been recognised as official consultation mechanisms (by government and community), including Dubbo (NSW Auditor-General, 2011).

In order to become a recognised CWP, the following needs to be demonstrated (NSW Auditor General, 2011):

> Members are Aboriginal people who are part of their community and have been accepted as community members in accordance with local cultural protocols; Demonstrating that its membership reflects the diversity of the community; Showing that its delegates are chosen in a fair, equal and transparent manner; Developing Terms of Reference; Demonstrating how they will seek the views of the community on important issues (p.20).

The NSW Auditor General reported that members of the CWP felt that this governance structure allowed community members to have a strong voice in planning for community issues, as well as providing an avenue for government and others wishing to work with communities to meaningfully engage with community members and leaders. Jeffries and Menham (2011) argue that CWPs have become the decision centres for community. The CWP's primary governance function is coordinating and managing community business and "enacting and protecting community's assets" – including natural, human and socio-cultural (Jefferies & Menham, 2011, p. 92). In western NSW, the chairs of each CWP meet on a quarterly basis as part of the Murdi Paaki Regional Assembly. The Assembly is tasked with ensuring: Aboriginal sovereignty, Aboriginal community control, Aboriginal values, Aboriginal spirituality, Aboriginal culture, elders and healing processes (Murdi Paaki Regional

Assembly, 2015). The objectives of this research have been discussed with the chair of the Murdi Paaki Regional Assembly, in particular the need for the research into different responses to young people who offend within Western NSW, who provided verbal support for this research. The chair was also invited to attend the PhD pre-completion presentation at James Cook University, via Zoom.

6.3.2 Local Decision Making

Building on the *Two Ways Together* approach is a recent policy from NSW Aboriginal Affairs referred to as Local Decision Making (LDM). LDM is aimed to "set out a pathway for communities to have more control in the delivery and coordination of government services, and for government community identified priorities…it directs the way government works with communities (Aboriginal Affairs, 2014 pp.3). As a new policy directive, it seeks to build on the strengths of existing CWPs, with Central West being one of the selected regions (Aboriginal Affairs, 2014). However, at the time of this research, the Community Working Party in Dubbo was inactive.

6.3.3 Indigenous Affairs Group – Prime Minister and Cabinet

The Office of Prime Minister and Cabinet Indigenous Affairs Group is tasked with ensuring Aboriginal programs and services are being delivered in a co-ordinated fashion to ensure effective engagement with Aboriginal communities through the delivery of key strategic activities ranging from policy advice and co-ordination, support and advice, and contract management (Australian National Audit Office, 2018). The Indigenous Affairs Group is a national network of 12 geographic areas, which include Western NSW and Dubbo. The researcher had engaged the Indigenous Affairs Group in scoping the need for the research, community mapping and identifying key community stakeholders. Written support for this research was provided by the Dubbo Network (attached in Appendix 2)

6.3.4 Existing Youth Justice Consultation Mechanisms

In response to the NSW Ombudsman's Inquiry into Juvenile Detention Centres, NSW Youth Justice have established an Aboriginal Community Consultative Committee to provide community advice into the management, planning and programming within the Orana Juvenile Justice Detention Centre – located in Dubbo. The committee function is to provide cultural advice on the rehabilitation of Aboriginal young people who offend in the areas of employment, education and cultural development, provide advice on specific cultural issues that affects the day to day operations of the centre, provide a link to community resources, and increase the wider communities understanding of the centres purpose, procedures and programs (personal communication).

6.3.5 Men's Groups

Dubbo also has several Aboriginal men's and women's group that provide support, leadership and community development for Aboriginal people within the community. An example of these groups is the Gagamin Aboriginal Men's group. Gagamin is an Aboriginal led men's group, specifically supporting men who have a history of offending to reintegrate back into the community by supporting social inclusion, employment and restorative justice. The executive of the men's group is comprised of men who have a history of offending behaviour, and backbone organisational support and governance is provided by a range of government and non-government organisations. The Gagamin Men's group has provided written support for this research to take place (see Appendix 2).

6.4 Conclusion

This chapter has explored the social and historical position of Dubbo. It, albeit briefly, has outlined how the impact of early colonial law and approaches to justice has affected Aboriginal communities in the region through displacement and legislated removal of children from their families through the establishment of Aboriginal reserves and missions. These factors have contributed to Dubbo becoming a rather heterogenous community, with many Aboriginal

community groups represented in the current population. Connection and migration between Dubbo and other areas in Western NSW have also been discussed, both as a traditional activity and as a necessity due to colonisation that assist in sustaining connection to country and culture (Stewart & Allan, 2012). Engaging with the unique social, historical and political position and context of each community in program design is argued to be of critical importance. This chapter has further explored the current thinking related community engagement approaches in the justice space, before considering the specific community consultation mechanisms that are available in Dubbo, with a brief description of how these community consultation bodies were engaged in the development of this thesis.

Chapter 7. 'Tea and Talk' Community Consultations[6]

7.1 Introduction

As has been noted in earlier chapters, research in Aboriginal communities has a dark history; with Indigeneity often cast as a problem to be solved and the perspectives of Aboriginal people often ignored. Non-Aboriginal researchers have been criticised for interpreting, analysing and legitimising findings to fit their own world view (see Chapter 5; Nakata & Nakata, 2011; Russell-Mundine, 2012), with social scientists receiving particular criticism for working in ways that are embedded in ethnocentric practices, colonialism, and imperialism. Typically, this results from a disciplinary reliance on universal explanations of human behaviour that are individualistic and where 'data' are divorced from culture and context, and thus, the design of programs that have poor ecological validity (Butcher et al., 2020; Dudgeon & Milroy, 2014; Tauri, 2017). It has been suggested that these problems are compounded when Indigenous knowledges are either ignored or discounted as unscientific in a context in which methods of knowledge production and knowledge translation are regarded as largely owned by Western institutions and scholars (for example, Weatherburn, 2014).

Arguably, the best example of the application of this general approach when applied to youth justice is the importation of the Canadian Risk – Need – Responsivity (RNR) model of service delivery. As the preferred model for offender management across Youth Justice in New South Wales, implementation of the RNR model involves the assessment of universal risk factors for re-offending in isolation of any consideration of other potentially important environmental, ecological

[6] [6] This chapter has been published in the following journal article: Butcher, L., Day, A., Miles, D., Kidd, G., & Stanton, S. (2020). Community engagement in youth justice program design. *Australian New Zealand Journal of Criminology, 53*(3), 369-386. https://doi.org/10.1177/0004865820933332

and relational factors (see Chapter 3). Tauri has described this as being "wedded to the conceptual, policy and legal frameworks of the State" (2017, p. 775), arguing that fundamental aspects of an Aboriginal world view (see Chapter 5; Rowe et al., 2015) are important to the design and delivery of a fairer and more effective criminal justice system. The aim of this study is to identify and describe key aspects of this world view that might be relevant to the design of youth justice programs. The study has been designed to privilege the perspectives of Aboriginal community members in Dubbo in relation to their understanding of the experiences of young people in this community, how the rural context influences any understanding of risk, and provide suggestions and advice about solutions to meeting the needs of young Aboriginal people who offend in this community.

7.2 Methodology

7.2.1 Theoretical Framework

As discussed in Chapter 5, this study aims to embrace a decolonisation framework which reconstructs the knowledge base that underpins policy, practice, and programs in a more locally grounded and responsive manner. This immediately situates this study, and indeed the entire thesis, in a place that has been described in the research literature as 'the borderlands' (Saunders, West & Usher, 2010); where the researcher finds him or herself "crossing cultural discourses, ideologies and institutional boundaries" (Clandinin & Rosiek, 2007 p. 59) to uncover new learning. The researcher is required to not only develop a thorough understanding of research methodology but also an understanding of critical theory and of how Indigenist research paradigms have emerged in academia (see Chapter 5; Saunders, West & Usher, 2010).

Another significant concept for this research is intersectionality. This is a term used to describe how multiple social categories (e.g., race, ethnicity, gender, sexual orientation, socioeconomic status) 'intersect' at the level of individual experience, reflecting different systems of privilege and oppression at the macro or social-structural level (e.g., racism, sexism, heterosexism; Bowleg, 2012). It has been defined by Crenshaw (2000) as "structural and dynamic consequences of the interaction between two or more forms of discrimination or systems of subordination" (p. 9) and

is specifically concerned with the manner in which "racism, patriarchy, and economic disadvantage and other discriminatory systems contribute to create layers of inequality that structures the relative positions of women and men, races and other groups" (p. 9). Although the notion of intersectionality was originally developed to describe the experiences of non-white women, it has been subsequently applied to understanding any overlapping forms of discrimination including ethnicity, socio-economic status, sexual orientation or geographical location (Victorian Government, 2018). For example, Collings et al.(2017) have recently used intersectionality to explain how Aboriginal parents with an intellectual disability are twice as likely to be investigated by child protection authorities over concerns about their parenting capacity; thus highlighting the impact of being Aboriginal *and* of having a disability. Intersectional theory has also been applied to efforts to understand inequalities, including through a social determinants of health framework (e.g., Gkiouleka et al., 2018). It is used within this study as a broad framework to understand how social stratification is shaped by a range of socio-political factors that impact Aboriginal people's lives and to explore the salient contextual factors, such as rurality, within this stratification. Thus, it is argued that intersectional disadvantage for Indigenous peoples exists across multiple domains, including class, gender, geography, disability and legal rights (Marmont et al., 2008). In this study there is an explicit focus on both cultural concerns and rurality as potentially key contextual factors that influence the involvement of young people in the criminal justice system. This is premised on the assumption that intersectional disadvantage exists for Aboriginal youth across their experiences as members of a non-dominant cultural group, as members of a rural community, and as a minority group within the Aboriginal population (given that a majority of Aboriginal people in NSW live in urban settings), and their status as young people.

7.2.2 Methodological Orientation

A Participatory Action Research (PAR) approach was selected as a culturally responsive methodological orientation for this study given the emphasis on collective inquiry and the grounding of knowledge in participant experiences and social histories. PAR posits research is done with

people, not on them; nor is it merely done in communities (Baum, McDougall, & Smith, 2006; Reason & Bradbury, 2008). Furthermore, a PAR orientation was selected as it allows for the exploration of some of the assumptions underpinning evidence-based practice and is considered supportive of the decolonising framework, (notwithstanding the challenges of fully applying the decolonising methodology as a non-indigenous researcher as discussed above) by breaking down power imbalances, and hands control of the research process to participants (Bergold & Thomas, 2012; Madden et al., 2014). Further, PAR is recognised as an emancipatory research framework that allows for the understanding of social policies and practices that sustain power imbalances and is particularly useful in exploring how various aspects of disadvantage intersect (in this case, Aboriginal and rural disadvantage; Kramer-Roy, 2015). The principles of PAR research are focussed on social change, participation, power of knowledge and communal learning, and collaboration. Further, the action research component of PAR provides a vehicle to jointly identify problems, analyse data and uncover factors to bring about social or service delivery changes in ways that are consistent with previous social research in Australia (see, for example, Harry et al., 2016; Harry et al., 2017; O'Reilley-de Brun et al., 2017). PAR was preferred over other qualitative research methods, such as Grounded Theory, as arguably knowledge and expertise remain the domain of the researcher in these approaches (Hussein et al., 2014). Bainbridge et al. (2012) have also highlighted inconsistencies in the literature regarding the appropriateness of Grounded Theory when used in a cross-cultural context.

As PAR is an orientation rather than an analytic method, data analysis was performed using qualitative content analysis, which was deemed appropriate as it allows analysis when little is known about a topic (in this case the paucity of the available literature about ecological validity of programs for rural Aboriginal youth), and where categories and themes are required to be completely extrapolated from the data (Elo & Kyngas, 2008; Vaismoradi et al., 2013). This is achieved through a process of inductive reasoning, allowing for the interpretation of manifest and latent meanings from verbal, visual and written data to support the development of conclusions that are linked to context

and environment (Bengtsson, 2016; Graneheim, Lindgren, & Lundman, 2017). This situating of the data analysis and subsequent conclusions in a contextual local environment aligns with the orientation of decolonised research methodologies. This is achieved through the application of qualitative content analysis to further explore language in order to develop shared meaning and understandings through a meaningful process of talking and deep listening. Deep listening allows for a deeper understanding of the experiences of participations through exploring states of being and is achieved by watching, listening and acting, and an understanding that each individual belongs to the community. The importance of deep listening in decolonising and Indigenist research paradigms has been repeatedly described in the literature as central to culturally safe research design (Laycock et al., 2011). However, it is also important to identify that, as a non-Aboriginal researcher, it was evident that the political processes and benefits associated with decolonising research otherwise were unlikely to be fully achieved. This had led to many questions regarding the role that non-Aboriginal researchers have in both supporting research in Aboriginal communities and engaging with concepts such as decolonising research. Despite these limitations, the value of the research for the local community was confirmed by the cultural mentor, community governance structures, and research participants at the outset, throughout the research process, and at its conclusion. As the research was seen as valuable and supported by the community, it was deemed appropriate to continue.

To ensure that the gathering, collection and analysis of the data was culturally and locally informed, a local cultural mentor was engaged to provide advice on appropriate consultation mechanisms and to support critical reflection on the research process. This included providing support to myself in navigating community governance structures, identifying potential participants, assisting in data interpretation and the appropriateness of any conclusions or interpretations that followed so as not to displace Aboriginal perspectives. Importantly, the involvement of the mentor was not simply to provide an Aboriginal voice in research governance (though this is undoubtedly important), but rather to ensure the understanding, interpretation and presentation of community

members voices were safeguarded throughout the research process. Secondly, the cultural mentor assisted supporting research translation back to the community participants by critically reviewing the draft research findings and supporting their dissemination to community members for final approval.

A list of semi-structured research questions was developed to explore three broad topics of: a) the types of knowledge and evidence that is important to the community in designing responsive programs; b) focus areas of program work that the community see as important for Aboriginal young people who offend; and c) the natural resources and strengths within this community that can support program delivery. The questions were reviewed and approved by the cultural mentor before being used to guide a series of interviews using a critical narrative interviewing approach. The narrative interviewing process involves engaging with people's stories about their experiences and is useful in understanding an individual's life path and by attempting to understand the participants' words, rather than predicting or explaining them (Anderson & Kirkpatrick, 2015; Giovanna et al., 2019). This approach allows for the exploration of experiences and situations to uncover new meanings for the interviewer and participant (Hickson, 2016).

The narrative interviewing approach was informed by the interviewer's understanding of 'yarning', described by other researchers as a culturally responsive and rigorous methodology. Although the term 'yarning' has been previously used by non-Indigenous researchers to share power, respect ways of knowing, being and doing, and to ensure accountability and responsibility to research participants (e.g., Leeson, Smith & Rynne, 2016; Tubex, Rynne & Blagg, 2020), and it was preferred to describe the approach used here as a form of critical narrative interviewing (Hickson, 2016), to avoid any cultural misappropriation.

7.2.3 Procedure

Prior to the research commencing, a series of meetings took place with key groups in the community (including men's groups, Aboriginal community agencies, and peak bodies) to ascertain

whether the community saw value in this research, how they would like the research shaped, and whether I was an appropriate person to be conducting the research. The research questions and semi-structured interview scripts were approved by the cultural mentor to ensure cultural appropriateness. This included advice on how to situate myself within the research framework to the research participants, how the interviews should take place, how the questions should be posed to community members and importantly, how the research findings will be provided back to the community. Once this was completed, the study was approved by James Cook University Human Ethics Research Committee and the NSW Aboriginal Health and Medical Research Council Human Ethics Research Committee

Research participants were identified through local community groups that were involved in the initial meetings and from the researcher's personal and professional relationships (and their relationships; a method described by Miller et al., 2015). Research participants were also invited to identify others who might be interested in the study (a form of snowball sampling; see Kumar, 2014). In some situations, this included the participants explicitly "vouching" for the researcher; a process where an Aboriginal person provides positive (or negative) impressions of a non-Aboriginal person to other members of the community to establish cultural safety (see Westerman, 2004). For example, one participant had described this process as a transfer of trust to someone who did not know me, and he would be required to vouch for me prior to myself making contact with a participant.

An office space was provided to host the interviews (if required) and catering was provided in recognition of the time that the community members took to participate in the research. Five interviews were conducted over the telephone, at the participant's request, and 13 were held face to face. Each interview commenced with a social conversation to develop rapport between participants, followed by a discussion about informed consent to start the research, and signing the consent form to participate in the research. Verbal consent was recorded for the participants who

opted for a telephone interview. Each participant was asked to provide a perspective as a community member, rather than as a member of a service delivery agency if s/he was employed as such. The participants were asked to situate themselves in this context as the research was concerned with understanding the perspectives of community members. Each participant was asked about their willingness to meet again to discuss the findings, and regular updates were provided to participants via email, conversation or text messages. The interviews were audio recorded and professionally transcribed and field notes also taken. The average length of the interviews was 42 minutes.

The transcribed interviews and field notes were uploaded on the NViVO software for qualitative content analysis. The qualitative content analysis started with reading the text several times and completing *open coding*. In this process, I wrote my thoughts, reflections and comments to support familiarisation with the text (see Vaismoradi, Turenen, & Bondas, 2013). Following this, the transcripts were *condensed* using unique nodes in NViVO that shortened the version of the text, but still conveyed the essential meanings. The condensed units were then grouped into *meaning codes,* which identified connections between several condensed units by assigning one or two words denoting what the condensed unit is about. Meaning codes were then sorted into *categories* of who/what/when/where, which were short and factual (see Erlingsson & Brysiewicz, 2017) from which themes were abstracted. Finally, these data were collated into coding tables (see Appendix 3) which were then reviewed and approved by the research supervisors and the cultural mentor for triangulation and attempt to strengthen confidence in the analytic method (Bengtsson, 2016). An example of a line from the coding table is below in Table 9.

Table 9.

An extract of a line from the coding tables

Verbatim Text	Condensed Unit	Meaning Code	Category	Theme
The older ones, are the 20-30 year olds, actually half of them don't know who their actual clans are or where they're from, they're still looking, trying to search.	Aboriginal people looking for family and clans	Loss of Place in Family	Family Factors	Cultural Influences and Needs

7.2.4 Participants

A total of eighteen Aboriginal people over the age of 18 (6 male and 12 female) living in, and members of, the Dubbo community volunteered to participate in the study. Two of the participants had lived experience of the youth justice system and all of the participants had cultural and family connections across Western and Far Western New South Wales (numerous traditional cultural groups were represented including Wiradjuri [the country in which the interviews took place], Gomeroi, Ngiyampaa and Barkindji [Paakantyi]).

7.3 Analysis

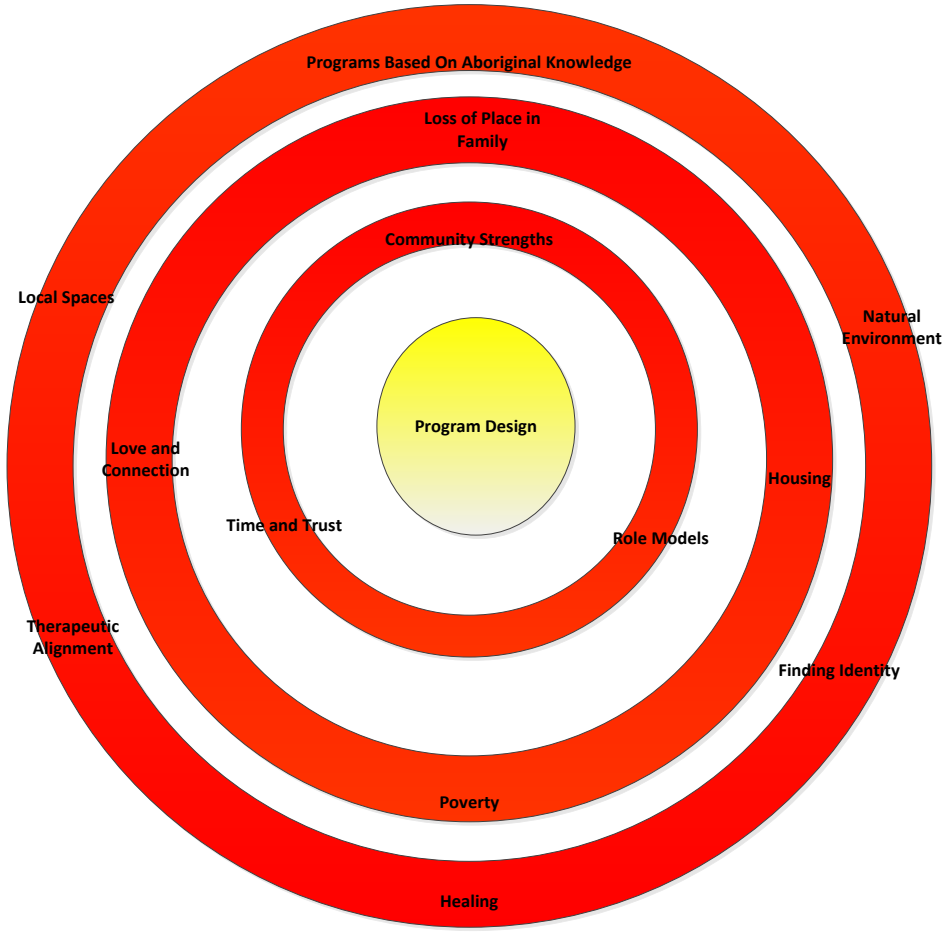
Figure 2 below shows a model of how themes that were identified in the interviews are drawn together to inform program design. The outermost circle provides a representation of the themes that contributed to *types of knowledge and evidence that are important to the community in designing responsive programs*. This provides a brace around the entirety of program design, as it draws attention to the foundational knowledge and evidence that are be drawn upon to inform subsequent understanding of the needs of young people. The next circle represents themes related

to *focus areas of program work that the community see as important for Aboriginal young people who offend*, followed by another concentric circle *identifying the strengths and resources that can be harnessed to support program delivery*.

In what follows, verbatim quotations from participants are presented to demonstrate the themes and meaning codes that were assigned to each category, in line with the PAR orientation and qualitative content analysis of this study. Appendix 3 provides more detail around coding tables, demonstrating how each line of text was abstracted into condensed units, meaning codes, categories and themes.

Figure 2

Concentric circles depicting key themes.



7.4 Types of knowledge and evidence that is important to the community in designing responsive programs

7.4.1 Programs Based on Aboriginal Knowledge

Developing an evidence base founded on Aboriginal knowledge was identified as key for effective programs. Community members found the importation of westernised programs frustrating and such programs were poorly adapted for use in an Aboriginal context. To illustrate, one community member felt that Aboriginal people were better off when they were connected and were part of family and community. The perceived importance of designing programs based on Aboriginal knowledge is highlighted in the following quote:

> And I think we've created, we've got that westernised framework, and so then we've tried to adapt it to make them that Aboriginal way, where in reality we should have just turned it up on its head and just wiped the slate clean. This is what will work, and I think it doesn't help from a - like, as a contract manager, that we have, we're really descriptive in our contracts, and we keep going to these evidence-based models. I'll argue the point every day, like, don't get me wrong, most of those evidence based programs are built from other countries, and we're not building our own evidence base, and I say to people, you know, as long as it's underpinned by evidence, like, we know that young people, or Aboriginal people, feel connected, are part of, and all of that, the evidence tells us that you're better off, and so I'm saying create something using our own evidence but having it underpinned by a strong body of research. It doesn't have to be a prescribed program that's been developed in America or in Canada or something (Participant 17, female).

These concerns were also echoed by other participants, who felt narrow definitions of evidence based and prescribed programs often overlooked important individual contextual factors associated with young people's offending pathways:

> They're fitting a young person within these lines because that's what we need to do with this particular young person because they're in custody, rather than looking at the young people as an individual and go "Your needs are actually – you're actually quite staunch in who you are and where you're from, but you idolise your dad who's been locked up your whole life. Maybe we need to look at that in particular. And that's a bit outside the box when it comes to the program that make the shelf stuff that you've got, doesn't it? So I think we spent too much

> time trying to fit the kid to the program, rather than fit the program to the kids. Which again, probably opens more questions than answers (Participant 12, male).

Similarly, several participants felt offended that ineffective programs had been imported from other First Nations countries, while ignoring the local Aboriginal context and not appreciating the differing experiences of colonisation between First Nations people:

> So it's quite insulting that they keep doing this, and they keep giving First Nation people programs that have been delivered, been developed in First Nation countries for First Nation people, but what they are forgetting is they have been colonised for 800 years, some of them, and they're still not better off (Participant 17, female).

These quotations highlight the value that participants ascribe to locally informed and responsive programs which have high rates of ecological validity. The participants saw the critical importance of programs having a strong evidence and research base to inform design, however, stressed that this evidence and research needed to be grounded within a local and contextual Aboriginal knowledge system if they were to be effective.

7.4.2 Local Places

The need for local responses to local problems was emphasised, with community members highlighting the importance of viewing rural communities as heterogeneous; each with their own strengths, needs and cultures, despite, at times, being in close proximity to one another. The participants were unanimous about the need to understand local issues and local context when designing youth justice programs. Likewise, members also commented that the importation of programs from other broader population level areas such as rural, urban, western and north western locales had little ecological validity:

> A policy that works in Dubbo isn't going to work in Narromine, I can tell you that. And Narromine is 35kms from Dubbo! So, it's true that it's going to work in Dubbo, they'll work out of Wilcannia, they'll work out of Broken Hill, or work up in Walgett. But that's what I'm saying. You need to start looking at the communities as individuals. So if you can look at a community as an individual, and sort out a case plan for that community, you're going to be fine. But don't force a program from south Sydney, metropolitan area, onto an outreach location, because they are very, very different issues, and they are different communities.

> Don't see them or label them as one. That's basically the point, or that – out of everything, that's what I want you to take away most from this conversation (Participant 2, female).

Another participant described how not only culture, resources and needs differ *between* rural towns, but also differ *within* community. Similarly, place was also seen to be intrinsically connected to culture and cultural identity, and that program responses needed to be cognisant of this fact:

> You need a good understanding of that particular's child's background or the – just say, for example, the neighbourhood where I grew up in West Dubbo, each neighbourhood got its own culture, each household's got its own culture and so forth, and I think if you can sort of understand where people are coming from and what they've been through, what their experiences and all that stuff are, you can connect with them better (Participant 13, male).

7.4.3 The Importance of the Natural Environment

Several respondents described the importance of connecting with the natural environment, both in supporting cultural practice and overall wellbeing, but also understanding and respecting the knowledge that came from within the natural environment as described below:

> And, that's the clans and whatever where I come from, but there's a lot of knowledge out there too, where people can go down and camp and all that stuff (Participant 4, male).

For another participant, the ability to engage with cultural knowledge through the natural environment was paramount to supporting young people:

> To go bush with people who have got cultural knowledge and they get in touch with their culture. So what Aboriginal culture meant at its core, which is spirituality and connection to our land and mother earth. That's something I actively do, and it's a massive gap for young people, and we need more people with that cultural knowledge and we need more kids to be going out bush and connecting with their country (Participant 11, male)

Participants generally maintained that programs developed with local Aboriginal knowledge provided a more therapeutic framework for service delivery by embedding cultural connectedness for young people.

7.4.4 What Does Therapeutic Mean for Aboriginal Young People?

A second theme that was identified was around how a culturally responsive therapeutic alignment could be incorporated into youth justice programs. For the community, 'therapeutic' was largely conceptualised as being culturally connected and secure in their identity as an Aboriginal person. This was in contrast to westernised and cognitive behavioural approaches that are common in existing youth justice program paradigms.

7.4.4.1 Finding Identity

Providing a platform for the young people to explore and realise their Aboriginal identity through their culture, as an individual, and also within family and community was deemed an important process in supporting young people who offend.

> And in my research, in my lived experience, and in my professional experience, it's really clear that that's the most important thing for Aboriginal people, and particularly for young people, because that's when we're developing, that's when we're establishing identity, who we are and where we sit in society. But there's also what is more dominant than pathological illnesses, is the notion of social and emotional wellbeing. People often use that term and don't really understand what it means. It's understanding of who you are and where you're from, and that's the basis for their identity. (Participant 6, male).

Participants described the complexities associated with Aboriginal identity, including gender roles, cultural responsibility and cultural values. Some participants described young people experiencing a 'warped sense' (Participant 15, female) of Aboriginal identity, and that this was magnified in rural areas, particularly for young men. A participant describes a gap in programs for Aboriginal men within this particular community:

> There are more programs and the women seem to have more than the men, and that's not the women's fault, that's good on the women. And they've grabbed the reins and actually they've gone with them for many, many years. (Participant 5, male)

Conversely, several Aboriginal women reflected on the experiences of Aboriginal young women, also feeling there was a lack of gender specific support, with the majority of programs either being focussed on young men's sport or teaching young women to start a family, rather than supporting connection and aspiration:

> The fact is that the boys are off school, they go off, they are playing footy, they do a good game. And a lot of women I know, who are my age, were actually older than me – so still only teenagers themselves – they're already on their 13th because they're taught to start a family…I was quite lucky myself because I had a mother who made sure I knew. (Participant 7, female).

Several participants discussed the importance of having a role within community, and that these roles had a major contribution to cultural identity. Another participant made specific reference to the existence of responsibilities as significant protective factor for Aboriginal people prior to colonisation:

> You think about before white man came here and it was just Aboriginal people. We had social workers and psychologists and all those things. They didn't have a doctorate. They didn't have a bachelor's degree, but everybody had a role mate. Everybody had a role and those people lived and existed in our communities back then, surely. And they had the tools that worked, and they had the tools that worked without universities and it was connectivity to their country and land and understanding what that meant. (Participant 7 – male).

The importance of having a role, and thus, cultural responsibilities, was seen as central to Aboriginal identity. Examples of more successful programs, in this respondent's view, supported young people to locate their cultural identity and responsibilities:

> They're [young people] also learning identity, they're also getting exposure to culture. And then, what they do when they leave some of these programs is – and it's not 100% success rate, but it's pretty high – they leave with a level of responsibility. They leave with a level of responsibility, but also cultural accountability which is saying "Now I know all of these things, now I know a little bit of my culture, I can't focus on doing all those things that I used to do. I've got to now go and take my cultural responsibilities. 230 years ago, these things were called ceremonies, and then you'd have a new set of responsibilities….I think the biggest thing is creating those leaders from people who have gone through the system and now are successful on their own, or culturally successful. (Participant 16, male)

Importantly, custodial environments were seen to sever this cultural responsibility. As one participant with a lived experience of being a young person who offended describes:

> And there's no responsibility when you're locked up, mate. I was one of those kids: between the ages of 13 and 23 I spent nine and a half years locked up behind bars. I think the biggest part for it was there's no responsibility, all you've got to do is eat, sleep and shit. But obviously what you're paying for it, like the cost of that, is you lose your connection with your family. (Participant 13, male)

7.6.4.2 Healing Through Social and Emotional Wellbeing

Community members were clear on their understanding of social and emotional wellbeing from an Aboriginal context, which was in stark contrast to the Western biomedical and psychological models that rely on clinical treatment expertise. In the quote below Participant 6 expresses his understanding of Western interventionist models, suggesting that Aboriginal people are looking for models that maintain meanings of connection to culture and identity and being healthy in terms of spirituality; aspects that were considered to be often overlooked or even dismissed in a Westernised program models:

> But I think when we're talking about therapies, we talk about intervention, we talk about political intervention, we talk about social interventions, like social housing, all of those things. Aboriginal people, in my opinion, we understand that, we understand what it is. We're saying, a lot of the time, 'We don't need that. We're not looking for that.' But who's the first point of call when you're feeling unwell? We all go and see a GP. Generally the GPs are non-indigenous GP that rarely -and the AMS' [Aboriginal Medical Services] was set up to combat this. I'm not sure that it has done that particularly well. Again, because it is controlled by government - is the notion of what is social/emotional wellbeing about against being clinically unwell. So you never go to a GP and say, 'Look, I think you've really got some - my concerns are more around your social/emotional wellbeing, your connectedness to community?' They won't, they will say, 'I think you need to see a counsellor or a psychologist'. And when you access them, having trust in it, and ensuring that you get the right support. And I think it's still seen as gobbledygook; cultural identity, culturally spirituality is still seen by non-Aboriginal doctors, particularly white Australian doctors more so. (Participant 16, male)

Healing was also identified as an important component of any wellbeing model, with many participants discussing the importance of programs having a healing orientation that extended to culture as well contemporary understandings. Interviewees spoke of the importance of community leaders taking responsibility for educating young Aboriginal people about their culture and lore, and highlighted the healing that was needed in this space:

> But there's also a fractured element to all of that too, in terms of Aboriginal communities can sometimes be divided by what that actually mean, what culture is and what it means to them, things like lore, L-O-R-E is. There's a lot of healing to be done in that space as well. And Aboriginal people…we need to take some responsibility as well for doing that, providing that platform for our children – (Participant 16 – male).

Similarly, another participant highlighted the therapeutic benefit of connecting with cultural leaders or knowledge holders and being attached to culture:

> I can see as someone who actively connects with cultural lore-man in my community and goes bush with those guys, I understand that that's the story we're telling out there. These kids need to get out, they need to be attached to this stuff. This is the stuff that works for us. You can't write it in a book either. It just doesn't work like that. (Participant 11, male).

7.5 Areas of Focus for programs Aboriginal Young People Who Offend

The community described several cultural and social unmet needs for Aboriginal young people within this community. These unmet needs or areas of focus for intervention could be addressed through programs that are built upon Aboriginal knowledge and evidence base, including engaging with local spaces and environment and having a therapeutic orientation that supports identity and healing.

7.5.1 Loss of Place in Family

The loss of place in family was considered to be a significant need for Aboriginal young people who offend. The impact of colonisation and the Stolen Generation significantly fractured Aboriginal family and communities, meaning many Aboriginal young people have lost their place or position within family and community, as described below:

> The older ones, are the 20-30 year olds, actually half of them don't know who their actual clans are or where they're from, they're still looking, trying to search. (Participant 4, male)

This loss of place in family led to feelings of powerlessness, abandonment and disillusionment within the family unit. Supporting young people to connect with their family

heritage was seen to have significant benefits for young people – but it was also recognised the immense difficulty young people would have in navigating this space own their own. For example:

> From an absolute personal level, it would be very hard for anyone to stand up and say: 'Will you accept me?" (Participant 8, male).

7.5.1.1 Attachment, love and connection

The Stolen Generation has further influenced how love, discipline and support are expressed in family units. Some participants spoke about how they had to grow themselves up, felt they had no one to rely on, or had felt they had not received affection from their parents. However, the participants understood these experiences in the context of their parents' intergenerational and continuing traumas (including forced removals). A participant with a lived experience as an Aboriginal young person who offended reflected that they sought love and connection from their peers in the absence of a strong connection with their parents:

> Obviously, I had my parents but I just didn't rely on them. They only people I relied on was my friends…Yeah just felt – all sort of felt like family. We were just friends but it felt like family, all doing the same thing. So, if one of us got caught, we were all going to get caught, all going to do the same. (Participant 11, male).

Conversely, participants described the importance of love and attachment to parents as a significant protective factor to their wellbeing:

> We had the best life because you know what we had? Love from our parents and discipline – (Participant 18, male)

Numerous participants described the impact of the Stolen Generation, and how the unresolved traumas often meant that young people's parents were struggling with a range of challenges such as mental health, substance use, and incarceration, meaning that grandparents often took on responsibility for raising children. Several participants described this as having a "missing generation". This following quote highlights the importance of love for young people in this context:

> I think there's still a loss, yeah because even though it may be their mum and dad that's not coping and drinking or drugging or whatever, it's still their mum and dad where you hold your nan and pop in a different – you still love them as much but it's a different way – not a different way but you love them as much as you love your mum and dad but there's no bond like a mum and dad, and then there's no bond like a nan and pop, either. – (Participant 6, female).

The participants saw the importance of providing natural opportunities for love and connection for young people as essential in breaking cycles of offending. This was particularly important in the face of unresolved and on-going intergenerational trauma that impact Aboriginal families, where relationships with between young people and their parents may be impacted by a range of trauma, psychosocial stressors, mental illness or substance use.

7.5.2 Poverty

The poverty experienced by Aboriginal people was uniformly reported as one of the major concerns for Aboriginal young people who offend. Poverty was seen as a major contributor for young people being unable to participate fully in community, school and recreation. Participants discussed Aboriginal young people being unable to meet their basic needs, and as a result, at times, resorted to theft:

> I can honestly say when I was at JJ's [Juvenile Justice] 80% of the kids locked up was for social offences, not criminal. You look at a lot of the kids I come across – actually are locked up for stealing food, now that's social, not criminal. (Participant 18, male).

This was further supported by another participant, who identified poverty and disadvantage as a major contributing factor to young people's offending behaviours, often driven by the need to survive in the face of significant disadvantage, rather than necessarily having a "criminal" element:

> You know, there's – poverty drives a lot of disadvantage, and a lot of the vulnerabilities that go hand in hand with that, and so I think that's another layer. Because most of the young people that I've ever worked with or that I know of, they're not really criminals under that – well, they don't have the criminal – I don't know the terminology, but the criminal mind in the sense that its calculated, planned and done. It's usually a survival element – (Participant 17, female).

Intergenerational poverty was seen as a major concern, with factors such as parental unemployment and the changing nature of rural work and automation of farm and rural jobs disproportionally affecting Aboriginal families. Numerous participants described challenges families

faced in providing school uniforms and materials for their children to attend school, and the significant shame that accompanied this. Intergenerational and community poverty was also seen to intersect across a wide range of other needs as highlighted below:

> And, if you don't know who you are, you don't know your identity, your sense of self, you don't see a long term plan because why would you have aspirations in a job where no one can get to towns and the majority of people you know have been in overcrowded houses or struggling to overcome homelessness. It's not a big secret why our numbers are the way they are (Participant 14, female).

Another participant described poverty as significantly contributing to experiences of neglect through not only as missing out on material goods such as food, but also in poverty of emotion and mental stimulation:

> When it comes to neglect of children, it's just not the lack of activities. It's literally neglect in mental stimulation, emotionality. That's why you find children, when they do shut down, because they're missing emotional need from home, they're missing it in food, and clothes on their backs – (Participant 6, female).

Some community members expressed frustration that poverty was outside the scope of justice services, and were sceptical that any behavioural change program would be effective while these basic needs went unmet:

> Its literally if you lay criminogenic needs- what the criminogenic needs are and if you lay them next to Maslow's Hierarchy of Needs, the four high criminogenic needs are ones we should address most as per our mantra to address offending behaviour, sit so high on that Hierarchy of Needs that we would, in theory have to address all of those other things before we address offending behaviour. So, the two theories don't agree with each other, you know what I mean? (Participant 11, male).

7.5.3 Housing and Homelessness

Housing and homelessness was considered to be a significant social need of young people within this community. Factors such as overcrowding, the lack of crisis accommodation and rental shortages were of particular concern to the participants. Further, housing policy, such as the closure of the Gordon Estate, a public housing estate, created significant displacement of Aboriginal people within their community as mentioned in the quote below:

> I'm probably thinking more now of the Gordon Estate when it was pulled to pieces, the families in those areas knew where they could go and get the cup of sugar or the cup of flour from until the next payday, and women knew where they could get away from the violence for the night or whatever. So, when that's taken away from that network that they'd built over there and then all the houses were placed around town, spot purchased, so that was for the purpose of breaking up all the welfare in one area, it never took, and I think it's the word, social fabric with them. (Participant 5, female).

The dispersion of Aboriginal families throughout Dubbo also created fractures and lateral violence within the community as some families were moved into more affluent parts of Dubbo, whereas others were moved to other public housing estates, as outlined in the quote below:

> I grew up in that suburb, but I know for myself and some other people were moved to white estates. And we experienced a lot of racism through anonymous letters, and so everybody was fearful it was a repeat of the Stolen Generation and we have people wondering why they were moved out of Gordon and why the person that used to live next to them in this suburb were everybody was equal, everybody there was poor and black. You go from living next door to someone who you see as your equal, and then they are moved into a brand new house or one of the white areas (Participant 14, female).

7.6 Natural Resources Within Community

The participants also described the significant strengths and resources present in both in the community broadly, and young people specifically. These strengths and resources were critically important to include in any program design work.

The participants unanimously described the importance of locating local community role models and mentors. Importantly, the community role models were described in the context of a natural supports, rather than a service response. Community role models were seen as champions who can navigate the space between the Aboriginal and non-Aboriginal worlds, and often someone with a lived experience of the youth justice system and has 'made good' (Participant 12, female), rather than someone with clinical treatment expertise. A particular role model was described as someone who could offer the young people love and connection:

> He's a role model. He doesn't drink, he doesn't smoke, he doesn't fight, he doesn't carry on and be stupid. He's a family man, so straight away they connect to that because that's what they want, but they haven't got that at home (Participant 18, male).

The interactions between these community role models and young people were seen to be incredibly valuable for the young people, and have significant impacts to the young people in several areas of their life:

> Once a week could be what they look forward to which could be what improves their home life, education life, social and peer life. (Participant 2, female).

7.6.1 Community Strengths

The participants also described the significant strengths present within the Aboriginal community in Dubbo. The community network was seen to provide a buffer against the poverty and disadvantage experienced by Aboriginal people. The participants had expressed sympathy for non-Aboriginal people who did not have access to a similar style of support network:

> The unique thing with Aboriginal families is that we've got – as crazy as our families are we have got a big family and social and community network, and that compared to isolation would be – I don't think – you know, a lot of non-Aboriginal families who are disadvantaged in their own rights, they're isolated and they don't have that broad, crazy, family community to share it with. (Participant 17, female).

The resilience of the Aboriginal community, and ability of the community to rally around and support each other, was also called out as a key strength highlighted below:

> I think Aboriginal people coming together in adversity is probably one of its greatest strengths, and in our population group we have the ability to – whether you're still living at a disadvantaged, low socioeconomic area, or whether you have had the opportunity to bring yourself out of that, is the ability – and one of the greatest strengths. I think particularly…in Dubbo specifically, is the ability to address these issues as they come up and demonstrate unity around that (Participant 16, male).

7.6.2 Time and Trust

Most of the participants highlighted the challenges that service providers and community members face in building relationships. These typically arose in a context characterised by high levels of distrust resulting from the community's previous experiences with government and human service providers. Building trust with the community was paramount, and community engagement was inhibited by service providers working to short time frames to demonstrate that their programs were effective. These were seen by participants as not respectful of the trust building process required to engage with and work within these communities, as encapsulated in the following quote:

> You could go into some communities that you need to work with for 12 months before you're fully operational, because you need to get the trust and the respect of the community. You need to get out who you are. You need to communicate to the community who you are. But the second part of that is getting them back in. That's where you have to build that trust and that respect foundation of having them be able to come to you. Where a lot of services, they've only got a three to six-month time limit to show that it's working. Then they're – that time limit needs to be extended to 12 to 24 months because a lot of other communities, they take a long time to get into, and that's because there's a distrust of government and other services who have previously screwed them over, and that's just a reality (Participant 2, female).

Another participant commented:

> And we don't give people time, you know? Healing takes time and engaging and having really good relationships with someone takes time, and we don't recognise that from a contract management perspective, or a program delivery (Participant 3, female).

Many participants also described the need for trust and relationship building in reference to the on-going impact of the Stolen Generation, reflecting on their own experiences growing up either seeing family members or friends being removed or having been told by family members to run if they saw service providers in town. For example, one participant commented:

> Mum always taught us – so, when we seen strangers we'd take off and run because that's what you had to do. So this big black car pulled up … and we all bolted and ran for the bushes, but he too slow so they got him and took him away. (Participant 18, male).

Similarly, several of the participants spoke about the frustration of government and human service providers when Aboriginal services set the engagement and program delivery agenda. The participants felt that engagement with Aboriginal communities was often viewed as "unproductive" by government agencies. Another participant discussed how place-based programs were not providing immediate results, and that time was required given the context of 230 years of colonisation:

> Through Maranguka [Justice Reinvestment] and things like that they're trying to do some of that, and it frustrates a lot of people because they're not seeing the results immediately, but I don't think we're giving them the time that's required to do it. We're expecting miracles overnight, and let's face it, it took 230 years to get in this mess (Participant 17, female).

Community members also raised the challenges of delivering services and programs in a 'top-down' manner (as is typical in a competitive tendering environment), particularly where set funding contracts specified prescriptive program models and pre-determined key performance indicators, rather than relying on a 'bottom-up' place based approach which focusses on identifying problems and solutions jointly:

> We've got a program that fits to the kid and not makes the kid fit to the program," and they're like, "Alright, what's the KPIs?" And we're like, "We don't know yet. We've got to wait until we see the kids." "Alright, if we don't know what your KPIs are -next submission. Sorry." Straight away. So, we've got the people that are going to be able to help us do this i.e. funders. The government orgs that fund our different programs that we tender for and submit for. They want to see rock-solid, yes/no, black and white answers straightaway – (Participant 12 – male).

7.7 Discussion

The aim of this study was to identify how the ecological validity of youth justice programs might be enhanced for Aboriginal young people from rural communities. It was clear from the analysis that the Aboriginal community members who participated in this study were cognisant of the current

Western frameworks and the challenges these present to building strong relationships and partnerships with the community. However, the analysis also demonstrates the community's tenacity in working within these non-Indigenous program models and bringing their voice to the fore; merging their unique Indigenous knowledge in seeking a more appropriate way of meeting the needs of the young people. Specifically, it was suggested that new approaches to program design, that involve extensive consultation with community members are required.

Several main conclusions can be drawn from this study that can inform both program design and program content in future youth justice program initiatives. Firstly, participants were unanimous in their desire for long-term, meaningful engagement with service providers. This was seen as critical to the development of trust between the community and justice agencies, in a context in which high levels of distrust have existed. Secondly, this particular community saw little validity in approaches to the planning of services and programs that rely on applying broader population-level data. This was because each rural community was regarded as unique - with its own challenges and particular history of service delivery. As such, centralised planned program responses - which inevitably overlook local factors - were considered to be unlikely to lead to any significant change. Rather there was an identified need for effective community involvement in all aspects of program design and delivery in order understand how each unique community ecology influences program effectiveness. Thirdly, and related to this, participants felt strongly that programs should be built on Aboriginal knowledge supported by a strong locally derived research base, rather than rely on the importation of 'evidence-based' programs from other parts of the country or the wider world. This includes making use of existing work that highlights the importance of *connection* for Aboriginal people's social and emotional wellbeing; with connectedness relating to culture, to spirituality, to cultural roles and responsibilities, and to the past. Fourthly, the participants were unanimous in identifying poverty as a major contributing factor to young people's offending. It was the opinion of the many that Aboriginal young people offended to survive and to meet basic needs, and that it logically follows that addressing the complex intergenerational poverty will be essential to the success of any

efforts to reduce the level of contact that Aboriginal young people have with Youth Justice agencies[7]. Fifthly, the community members who participated in interviews consistently emphasised the importance of understanding the complex cultural positioning that has emerged from experiences of colonisation, intergenerational and on-going trauma, cultural subjugation and on-going displacement. This displacement was described as multi-factorial – from culture, family, community and physical place. A second layer of trauma becomes apparent when culture is defined through both *space* and *place* (see Chapter 2; Blagg & Anthony, 2019; Gray & Hetherington, 2007). The displacement from physical space, for example, the closure of the Gordon Estate, was traumatic for Aboriginal people as it displaced and destroyed community, through both physical removal and integration with white parts of town, and created lateral violence by giving some community members more resources (such as new houses) than others. Further, the ability to engage with places through the natural environment was seen as essential for both the learning and sharing of cultural knowledge, and hence, critical to Aboriginal social and emotional wellbeing.

For those who participated in this study, these interrelated factors resulted in a loss of cultural identity for many young people which was identified as a key determinant of contact with the justice system. The formation of identity has been described as being linked to the particular position an individual has within their life stage, and thus is both developmental and contextual (Paternoster et al., 2016). This is particularly relevant in an Aboriginal world view, with participants in this study describing how, in an Aboriginal context, transitions amongst life stages are signaled through ceremony and the earning of cultural responsibilities. A strong cultural identity was uniformly seen as a significant protective factor for young people as it locates them within family and place, and thus, combating the effects of displacement. Furthermore, the process of reclaiming

[7] This perspective is, at least in part, supported by NSW data, showing that the majority of Aboriginal young people's offending (85%) is classified as non-violent (see Chapter 4).

cultural identity has been widely described as a healing process (e.g., Hundleby, Gfellner & Racine, 2007).

The two areas where, in the views of participants in this study, interventions should be directed, cultural identity and poverty, are not currently addressed in endorsed Youth Justice programs in this locality and do not necessarily align with current the Risk Need Responsivity approach of justice service delivery (see Chapter 3). Thus, an obvious challenge for youth justice agencies arises in how they might structure current interventions to support Aboriginal young people to re-claim, re-discover and re-define cultural identity and address social welfare needs such as poverty. Importantly, community members also argued that many of the resources needed to support young people in their social and emotional wellbeing were already available in the community and could be accessed through the engagement of knowledge holders and community leaders. These findings provide an example of how approaches to program design can be re thought, both in terms of program design and program content, if researchers engage and work with communities differently.

Chapter 8. Future Directions for Policy, Practice and Research

The two studies reported in this thesis, in different ways, both highlight how a broader ecological approach can be used to improve current understandings of those factors that influence pathways into, and potentially out of, youth justice services. Drawing on a 'western' understanding of youth offending and risk, the first study (chapter 4) highlights how a standardised assessment tool is sensitive to environmental and ecological variation at the population level. The analysis shows that rural Aboriginal young people have consistently lower levels of risk and need than their urban peers, despite being significantly over-represented, and thus draws attention to other non-individually specific and contextual factors that are likely to influence contact with youth justice services. A key observation made here, however, is that the scope of youth justice program interventions is restricted to directly addressing levels of risk and need as determined by these assessment protocols (Andrews & Bonta, 2016; Ogloff & Davis, 2004; Lockwood et al., 2018) and, as such, responding to the ecological drivers of youth offending is not currently possible.

The second study illustrates how a non-Aboriginal researcher engaged with knowledge shared by members of a rural Aboriginal community to understand how programs might be designed to be more meaningful and responsive to the needs of young people who offend. This community clearly described the importance of designing programs that draw upon Aboriginal knowledge, framed within the context of colonisation and its impacts on individuals, families and community, and its subsequent impact on the loss of cultural identity and place. Further, in order for programs to be effective, they additionally need to have the capacity to respond to broader issues of social disadvantage and poverty. Again, this perspective is in contrast to many current program approaches which rely on individually targeted interventions based on a program theory that explains human behaviour in largely universal and reductionist terms. This helps to demonstrate, in my view, how the adoption of decolonised research methodologies can have an outcome that supports the *reframing* of research questions and research problem statements to uncover new

learning and new conceptualisations. In this respect it is helpful to reflect on the work of Tuhiwai Smith (2012) who argued that reframing is a process of situating social problems, and solutions, within Aboriginal communities in their local social and historical context and ecology. In doing so, reframing can help to overcome some of the problems that arise from attributing offending behaviour to individual deviance or pathology:

> … governments and social agencies have failed to see any indigenous social problems as being related to any sort of history. They have framed Indigenous issues in the 'Indigenous problem' basket to be handled in the usual paternalistic manner….many issues such as mental illness, alcoholism and suicide, for example, are not about a psychological or individualised failure but about colonisation and a lack of self-determination. Many community health initiatives address the whole community, its history and wider context as part of the problem and part of the solution. The problem of definition is important in this case because it affects funding, but the constant need to justify difference is experienced by many other communities whose initiatives are about changing things on a holistic basis rather than endorsing the individualised programme emphasis of government models. (pp. 255-256).

The main aim of this concluding chapter is to consider the implications of the two studies for different stakeholder groups and audiences. It begins with a general discussion of the implications for Youth Justice practitioners and policy makers, considering how the findings of this thesis might contribute to the development of more ecologically informed program theory and evidence-based practice. This is followed by a discussion of the role youth justice agencies can have in addressing the broader social welfare needs that traditionally sit outside justice responses. Next, a reflection is provided on the contributions of this thesis for researchers who are interested in strengthening the evidence-base to support the delivery of different youth justice programs. This includes a discussion on the role of non-Aboriginal researchers who work in a cross-cultural environment, including the challenges that inevitably arise when engaging with Indigenist research methods.

8.1 Implications for Youth Justice Agencies

This thesis began with the observation that Aboriginal young people from rural areas account for at least 40% of young people in contact youth justice services in both NSW and across Australia – a proportion that is significantly higher than the distribution of young people in the general population. It is also noted that the rate of Aboriginal young people in contact with youth justice has not diminished in the last 10 years, despite the fact the rate has decreased for non-Aboriginal young people. When these statistics are considered alongside several reviews and research studies that report that community knowledge holders see current intervention approaches as having little ecological validity, a picture emerges to suggest that there is a need to reconsider current approaches to program design. This is particularly important for Youth Justice NSW in a translational research environment as it seeks to build "an evidence base about what works (how, when, where and why) with young offenders in NSW" (Youth Justice NSW, 2017, p .5).

8.1.1 Contribution to Theory and Program Development

The articulation of an ecologically informed theory of change not only provides evidence to describe *how* and *why* programs work, but also provides important contextual evidence on *when*, *where* and for *whom* are programs are likely to be effective. Aboriginal young people from rural communities sit at the intersection of a range of overlapping social, political and structural disadvantages and, although this may go some way in providing explanation of *why* there is significant over-representation of these young people in the youth justice system, does little to describe *how, when* and *where* interventions might best be structured to support young people to move towards offending-free lifestyles. Thus, this research describes how an ecologically informed theory of change might be developed, by engaging with Indigenist research protocols, to answer these questions of *how, when, where*, *for whom* and *under what conditions* are programs likely to be successful.

A theory of change specifies “a range of changeable predictors that not only describe, explain and predict change but can also be used to design an effective intervention that will produce exact changes in behaviour which are predicted by a relevant theory” (Casey et al., 2011, p. 76). Whilst this is considered a pre-requisite for program development, the articulation of a theory of change to guide program development is not routine in the youth justice sector. Instead, current programs rely more on descriptions of specific therapeutic modalities, such as group-based cognitive-behavioural programming (which may not be appropriate for Aboriginal young people; see Casey et al., 2011; Dudgeon & Kelly, 2014). Likewise, there are limited examples of specific culturally-informed theories of changes reported in the literature, despite recent calls for offence-based behaviour change programs to be grounded within more culturally informed and culturally safe frameworks (e.g., Hovane, Dalton & Smith, 2014). In the second study of this thesis, the community identified some crucial principles that could contribute to the development of a theory of change that can be used to guide subsequent intervention delivery. These are mapped against some existing psychological theories of behaviour change outlined in Table 10 below in order to highlight the connections that exist between the community perspective and western cultural perspectives on change. The table not only illustrates the individually specific nature of current psychologically driven behaviour change theories which underpin current policy and practice, but also consider how concepts of connection and belonging, cultural values, community role models and community responsibilities might contribute to the development of future theories to underpin practice

Table 10

A description of important components and gaps within current theories of behaviour change

Behavioural Change Theory	Components the community saw as important	Gaps within the current theory
Self Determination (Deci & Ryan, 1985; 2000; 2008)	• Notion of competence and mastery may potentially include developing competence in, and mastery of, cultural practices • Notion of relatedness aligns to sense of belonging	• Individual autonomy focusses on individual's own interests and values and falls short of describing how broader community cultural values and responsibility influence the formation of cultural identity • Places self, and self-improvement, as primary motivators for behavioural change, with little consideration of the importance of community wellbeing (that has primacy in the cultural values system of this community).
Social Cognitive Theory (Bandura, 1997)	• Knowledge as a pre-requisite for behaviour change, which may potentially include cultural knowledge sharing • Mastery is achieved through experiential learning, which the community saw as important for young people's learning styles.	• Ability to bring about change focussed on the individual's core belief in their own ability to bring about change • Focus on individual goal attainment, rather than development roles and responsibilities within the community • Minimal focus on social and emotional wellbeing and connectedness to identity, family, community or place
Self-regulation Theory (Baumeister & Heatherton, 1996; Carver & Scheier, 1982, 1998)	• Self-regulation being achieved through attending to information beyond an immediate stimulus potentially aligns with key Aboriginal ways of being including calmness, stillness and deep listening	• Computational model with minimal focus on social and emotional wellbeing

Cognitive Behavioural Therapy (Dobson & Dozois, 2010)	• Potential understanding how culturally informed schemas influence behaviour and behaviour change • Potential for spirit and mind to be linked (Hovane et al., 2014)	• Limited description of how it may align with social and emotional wellbeing and secure cultural identity

The Healing Foundation's (2019) recently published theory of change model is of particular interest here as it does not rely on psychological explanations of behaviour change, but rather describes a healing approach to address the trauma that results from a legacy of colonisation and a subsequent failure of government policy and intervention. This theory identifies three core strategies to support change, which must be implemented alongside initiatives to address disadvantage and poverty, such as employment, education and opportunities for economic participation:

1. A programmatic response requiring the delivery of quality evidence and theory-based healing programs supported through community-led and developed initiatives;

2. The development of sustainable healing networks, champions and organisations within community, state and national levels; and

3. A supportive policy framework that allows for the co-design and co-production of programs based within Aboriginal decision making, leadership and knowledge structures, and a policy framework that "promotes truth telling" (p. 8) regarding the experiences of Aboriginal people.

There are other calls for justice-oriented programs to move towards more holistic and integrated approaches to supporting behaviour change. For example, Day (2020) has recently suggested that to more effectively support offence-free lifestyles, programmatic interventions should develop ways of strengthening both the human capital and the social capital of participants. He suggests that the development of human capital can be achieved through current programs and interventions which focus on improving problem awareness and the provision of psycho-education skills-based training. However, the strengthening of social capital relies on the maintenance of relational supports, which in this context could include strengthening cultural identity formation and reformation through the maintenance of cultural roles and responsibilities (see Lui, Pickett & Baker, 2016), and addressing social welfare needs, such as poverty, housing and homelessness.

The community perspective reported in this thesis aligns both with the Healing Foundation's (2019) and Day (2020)'s recommendations for justice programs to be based on a more holistic

theory of behaviour change. The findings in both the reported studies draw attention to the critical importance of developing a *reframed* theory of change, that moves away from individual disorder and pathology-based understandings and interventions to a theory of change that:

1. is informed by local ecology and knowledge shared from knowledge holders in identifying the needs of young people;
2. supports engagement with culture in a post-colonial context, including a clear understanding of the heterogeneity within Aboriginal culture;
3. understands the relationship between the culture, identity, wellbeing and physical place and socio-cultural space,
4. acknowledges, engages and mobilises existing community strengths and resources
5. provides a response to the poverty and social disadvantage experienced within particular communities, and importantly;
6. acknowledges the truth of the historical and current trauma and experiences of Aboriginal people as a result of colonisation.

8.1.2 Evidence Based Practice in A Youth Justice Context

A key learning from this thesis is the importance of critically reflecting on nature of evidence and knowledge, and how these concepts translate into evidence-based youth justice practice. For example, one of the more significant catalogues of evidence-based program interventions - the Washington State Institute of Public Policy – categorises program interventions on a spectrum comprising of 'evidence-based', 'research-based' or 'promising practice'. In order for a program to be considered evidence based (the highest level of the spectrum), the program evaluation must include comparison between treatment and intent-to-treat groups, have been conducted across multiple sites and be scalable (Washington State Institute of Public Policy, 2015). Similarly, Axford and Morpeth (2013) have suggested that programs can only be considered to be evidence-based when they have been evaluated through randomised control trials (RCT) or quasi experimental

designs, and found unequivocally to have a positive effect on one or more relevant outcomes (see Chapter 5 for discussion on evidence based hierarchies). More locally, the New South Wales Government Program Evaluation Guidelines (NSW Government, 2016) indicate that experimental design/RCT approaches to program evaluation are considered to be gold standard and provide the most robust evidence of program effectiveness. Little weight is provided to descriptive or observational studies or studies that rely on qualitative data alone, particularly as these studies cannot demonstrate causal links. However, the community highlighted the importance of local knowledge, and programs based on the 'Aboriginal way'. For many, it is this that determines what makes an intervention successful, and thus leads to positive outcomes.

The tension that exists between community and government views of what constitutes effectiveness and the idea of evidence-based service delivery is highlighted in a recent study by Blatch et al. (2020). They examined the re-offending rates of Aboriginal and non-Aboriginal men from rural and urban communities who completed a standardised domestic violence intervention program between 2007 and 2010, using an intent-to-treat group comparison design. Their data showed that Aboriginal men were less likely to go on to re-offend than non-Aboriginal men, and thus were more likely to benefit from this particular program. This led the authors to conclude that positive outcomes can be achieved for Aboriginal people *in the absence of any culturally informed, community involved or healing approache*s, as long as programs are based on theoretical and evidence-based models that respond to criminogenic need. They also discussed whether having Aboriginal specific programs could, in fact, be detrimental to Aboriginal people by promoting "cultural helplessness" (p. 27). These conclusions are problematic in the context of the findings of this research. Here, it is suggested that the Blatch et al. (2020) study is an example of a dominant view of service delivery in a justice context, where some types of knowledge assume primacy over any other types, and thus potentially result in inappropriate conclusions. For example, the mainstreaming of Aboriginal offenders into culturally uninformed programs dismisses the cultural needs, cultural experiences, and the broader socio-political contexts of Aboriginal people in

preference of individual deviance framed interventions (see also Weatherburn, 2014). Blatch et al. (2020) also reported that rural Aboriginal men had similar program commencement rates but higher dropout rates than urban Aboriginal men. This is important as the authors argued the therapeutic benefit of the program was only observable for program completers. They postulated that program dropout for rural men might have been a result of transport problems or "cultural or structural factors" (p. 23) present in rural communities, but this highlighting of the impact of ecological factors is somewhat paradoxical given their stance that universal or mainstream programs are the preferred intervention modality. In summary though, the suggestion that there is a need to embed justice responses in an ecological context is often contested. For example, Weatherburn (2014) has also argued that there is limited evidence that colonisation has contributed to the sustained high rates of Aboriginal incarceration, and similarly, that there is a lack of evidence that systemic racism or bias contributes to the over-representation of Aboriginal people in the criminal justice system.

One of the main conclusions of this thesis is that the lived experiences of Aboriginal people are clearly different. The participants in study 2 vividly described how on-going trauma and impacts of colonisation and the Stolen Generation unequivocally contributes to Aboriginal involvement with justice services. Similarly, one does not need to look further than social movements, such as Black Lives Matter, to see Aboriginal perspectives on similar issues. This thesis highlights the importance of gathering qualitative evidence that provides the opportunity to 'speak truth' (Healing Foundation, 2019; Ndvolu-Gatsheni, 2019) about the needs of Aboriginal people in truly evidence-based youth justice program design. Taking a more ecologically informed approach to program design would, it is suggested, add a level of sophistication to developing evidence based programs, making program designers consider not only whether programs work or not, but under what conditions do they work, and for whom are they successful (Lavery, 2018).

There are also implications for program implementation. The conclusions of this thesis invites a departure from the delivery of manualised, 'evidence based' programs that typifies current

justice program responses. It suggests that the delivery of programs in isolation of context can even be detrimental, connecting with arguments raised in the psychotherapy literature about the importance of flexibility in treatment. As Moore (2016) states:

> Adherence to a treatment protocol, in psychotherapy at least, is not related to better outcomes: therapists who stick to the treatment, regardless of how the client responds, have poorer outcomes, and it is those who flexibly provide a treatment who achieve the best outcomes (Wampold & Imel, 2015). As we shall see later, flexibility would seem to be one of the key features of effective practice: unless programs incorporate some element of flexibility as an essential feature (as some do), the requirement to implement programs in an unvarying way can be problematic (p. 12).

Similarly, the purchasing in of manualised programs with little community involvement may lead to significant over-servicing leading to poor service utilisation, program drop out or poor outcomes. Hudson (2017) cites two examples of this. First, Roebourne in Western Australia has a population of 1,150 and over 400 funded programs delivered by 67 service providers. A similar example of Toomelah, New South Wales was provided in chapter 3, with 70 service providers providing services to a community of just 300 people. These statistics alone highlight the need to adopt a thorough and collaborative local needs assessment of the communities in which services are provided to ensure that relevant and appropriate programs are being designed and delivered.

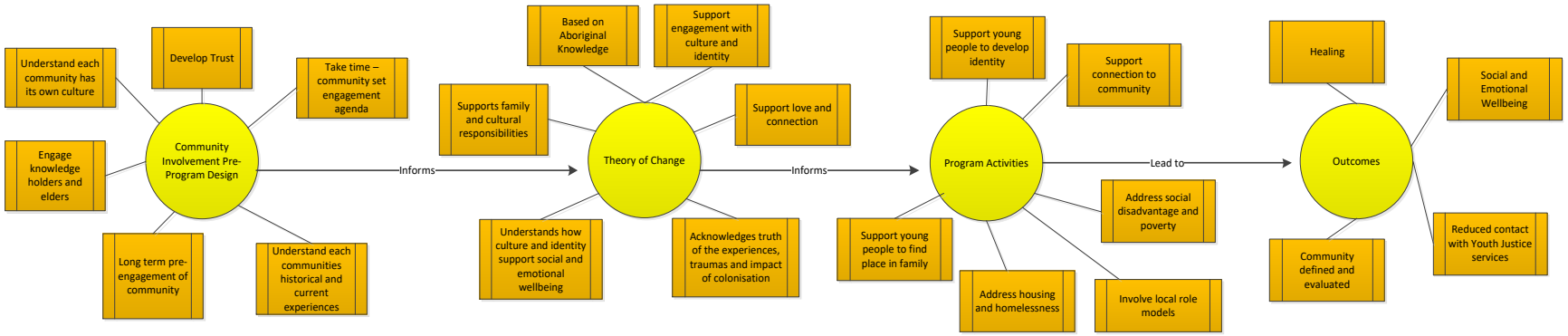
The community members who participated in this research did also appreciate the challenges associated with applying community knowledge and evidence to program development in what is a highly bureaucratic and regulated funding environment. They described the “bravery” (see Appendix 3) needed by policy makers to develop their own evidence base to inform program design. This highlights the potential for youth justice agencies to consider expanding their criteria for endorsed interventions to engage with other types of evidence and incorporating broader perspectives on evidence-based practice.

8.2 Contribution to Practice Development

A significant implication of this research for practice in youth justice is the need to address factors that are not considered to be criminogenic, yet still exert influence on young people's pathways into youth justice, including the loss of cultural identity and poverty. The proposed reframed theory of change was presented to the research participants, along with a broader program model, for their input, correction and validation. As a result of the COVID-19 pandemic, the ability to participate in face to face engagement with the participants was not possible, but the cultural mentor assisted in developing a 'community one pager' document that explained the model and research findings which was circulated via email, with follow up phone calls provided to participants. Encouragingly, the participants saw the model as having value in supporting the change process for young people who are involved in the justice system, and many reiterated the importance of having a locally designed and led program to support ecologically informed interventions. Some of the community participants were also interested in applying this research outside of the context of this thesis, with a particular focus on developing specific actions that will sit underneath the program actions. The final model is presented in Figure 3.

Figure 3

An ecologically informed program model



8.2.1 Identity Based Programs

The proposed reframed theory of change highlights the importance of supporting cultural engagement in a post-colonial context whilst understanding the relationship between culture, identity, wellbeing and physical space and sociocultural space, and utilising community resources to support this cultural engagement. For many of the participants, supporting young people to engage with their culture and to find and develop their cultural identity was seen to have a significant therapeutic benefit. Numerous theories are, of course, available that highlight the importance of identity to the continuation and cessation of crime (e.g., Pastnoster et al., 2016; Rocque, Posick & Pastnoster, 2016; Stone, 2016). However, the literature is relatively sparse regarding the association between the presence or absence of a strong Aboriginal cultural identity and offending behaviour. Nonetheless, one recent study by Shepherd et al. (2019) involving incarcerated Aboriginal men in Victoria did identify an association between cultural identity, cultural engagement in custody, and violent behaviour. The authors suggested that a strong cultural identity supports cultural engagement, and likewise cultural engagement supports cultural identity. However, it was cultural engagement by itself, and not cultural identity, that was shown to be associated with lower rates of reoffending. Shepherd and colleagues argued that those individuals with a less secure cultural identity might be afforded to the opportunity to engage with culture in a custodial setting but might not have the cultural resources or knowledge to connect with culture outside of the custodial environment. This proposition is, at least in part, supported by community members in Dubbo who noted that the challenges faced by young people seeking their place in a community which they may not belong were almost insurmountable - if attempted by themselves. Importantly, Shepherd et al. (2019) used an abbreviated version of the Aboriginal and Torres Strait Islander Identity Scale to define and measure identity, whereas the Dubbo community described identity differently; primarily in terms of connection with family, place and exercising cultural roles and responsibilities. Nonetheless, the Shepherd (2019) study does offer a description of a possible modality of change,

whilst also highlighting the need for future programming to have a comprehensive program theory that explains mechanisms of change, given the complex relationship between cultural engagement, cultural identity, and recidivism. How cultural identity and cultural strengthening programs are positioned in the current service delivery framework will be crucial. However, for the respondents in the community, developing cultural identity was positioned as a crucial and legitimate behavioural change target, rather than as a responsivity enhancement as it is currently conceptualised. Several respondents also described supporting cultural identity and development as the role and responsibility of local knowledge holders. In doing so they drew attention to the role the community can play in responding to young people who offend, and how youth justice agencies may be able to partner with natural supports within the community.

8.2.2 Addressing Social Disadvantage

Social welfare factors (such as neglect, boredom, parental substance use and poverty) are not assessed in the standardised Youth Justice assessment tools and thus are explicitly excluded as valid areas of intervention in the current practice framework (see Ogloff & Davis, 2004). These social welfare factors were, of course, seen as essential by the community to any adequate justice response for Aboriginal young people. For example, the poverty experienced by Aboriginal young people and families was universally seen as a causal mechanism in offending behaviour, with participants consistently describing the majority of Aboriginal young people as offending for survival and to meet basic needs. It is with noting here that the role that socio-economic disadvantage plays in contributing to Aboriginal involvement with the justice system has been extensively considered in sentencing review studies (see Anthony, Bartels & Hopkins, 2015) and is supported by evidence showing that 85% of Aboriginal young people come to the attention of Youth Justice NSW for non-violent offending and that housing instability is the leading cause of Aboriginal young people not being able to meet bail requirements (see Chapter 1 and Chapter 4).

Although statutory youth justice agencies may continue to see their role as a tertiary service provider that provides offence-focused rehabilitation programs and interventions, frameworks such as Social Determinants of Health (Marmont, 2005; World Health Organization [WHO], 2017) offer a relevant, and theoretically informed, reference point on how youth justice services can interface with these social welfare levers as part of a comprehensive crime prevention and crime intervention response. The need to better understand the interface between justice and welfare programs is particularly salient when we consider both the NSW Ombudsman and the Noetic Strategic Review of NSW Juvenile Justice, which have drawn particular attention to the lack of co-ordination between justice and welfare services in rural and remote settings (see Chapter 3; NSW Ombudsman, 2011a, 2013; Murphy et al, 2011). This is considered next.

8.2.2.1 Social Determinants in an Offending Context

The theory of Social Determinants of Health (SDoH) provides a framework from which social and ecological poverty and disadvantage can be explored is a starting point for any structural understanding of the social determinants that are associated with offending behaviour. The WHO (2017) defines the social determinants of health (SDoH) in the following way:

> "The circumstances in which people are born, grow up, live, work and age, and the systems put in place to deal with illness. These circumstances are in turn shaped by a wider set of forces: economics, social policies, and politics" (para. 6).

Implicit in this definition is an understanding that inequalities in health, for both individuals and communities, are influenced by the unequal distribution of socioeconomic resources including income; employment; housing stability and education. Disjointed social policy and program responses, as described in chapter 3, are also thought to influence inequality in health outcomes (Commission on Social Determinants of Health [CSDH], 2008). The SDoH approach is, however, concerned not only with relieving poverty, but also with improving the circumstances in which people live and work (whilst acknowledging that those affected by poverty are often also affected by

social exclusion and structural inequalities; see Marmont, 2005). Importantly, these socially controllable factors sit outside - but significantly influence - involvement with the traditional healthcare system (Preda & Voight, 2015).

Central to any understanding of SDoH is the concept of the social gradient. The social gradient posits that population health is graded against socioeconomic status, whereby those who have less resources, income, goods and services will be more likely to experience poor health than those who are socioeconomically more advantaged (CSDH, 2008). The social gradient occurs not only *between* countries (in relation to socioeconomic status; SES), but also *within* countries; those who are of lower SES in affluent countries are lower on the social gradient. There is evidence, for example, that people of low SES in affluent countries have poorer health outcomes than those in lower SES countries (CSDH, 2008). In countries such as Australia, low socioeconomic status means a lack of education, amenities, safe and secure housing, and poor working conditions, all of which were experiences reported by participants in the community consultation study. The Australia's Health (2020) report clearly highlights additional social determinants of health that impact rural Australia including: lower levels of income, employment and education; higher risk employment, such as farming and mining; geographical isolation and travel distance; limited access to services; and limited access to fresh food (Australian Institute of Health and Welfare, 2020). Again, all of these were salient factors for community members in this thesis (see Appendix 3).

8.2.2.2 Choice, Equity, and Fairness

The notion of how individual choice influences concepts of fairness and inequality is contested within the SDoH field (see Preda & Voight; 2015). Though proponents argue that social determinants are unfair by their very nature, critics argue that the ability (or inability) of individuals to make a choice determines the level of fairness. Central to this argument is whether the ability to make a choice is voluntary - involuntary choices may not necessarily be fair, whereas voluntary choices are fair. Therefore, it is argued that if an individual can make a voluntary choice regarding

health behaviour (e.g., choosing to smoke) their health status may be *unequal* to others, this is not *inequitable* and so it is not *unfair*. Though Preda and Voight (2015) concede that not all individuals will have the ability to fully exercise choice (and thus be subjected to unfair health outcomes), they argue that "the quick move from social patterning of health behaviors to the absence of individual responsibility, makes the conclusion [of SDoH] vulnerable by making it dependent on an implausible but unnecessary claim about determinism" (p. 32). Further, they challenge the assumption that social factors have a causal relationship with health outcomes as health behaviours often vary between and within groups of people. They go on to provide examples of how the "social inequalities in health have persisted and in some cases even widened, even where expansions of the welfare state have reduced inequalities in income and wealth" (p. 33).

The notion of choice is significant if this approach is to be applied to a youth justice program response. Once again, particular attention is drawn to the innate tension that exists between the Westminster and Western approaches to crime and rehabilitation that are based on individual choice and responsibility and behaviour change, and Aboriginal cultural world views of connectedness, and community and cultural responsibility. Contemporary theories of behavioural change also highlight the role that individual agency and choice play in offending behaviour, and thus seek to address the cognitive permissions, distortions and justifications for offending behaviour to reduce risk (Casey et al., 2011). However, when people are subjected structural disadvantage and subordination (as Aboriginal young people from rural communities clearly are), the concept of choice can easily translate into "consent to prevailing norms" (Baker, 2008; p. 58) rather than informed decision-making. This highlights the structural *inequity* (and thus, *unfairness*) that, arguably, drives the over-representation of Aboriginal young people within the youth justice system. As such the extent to which young people are viewed as making rational choices about offending behaviour is identified as a critical foundational assumption that will guide the selection of what are considered appropriate policy and practice responses. This is particularly important as the community respondents consistently described young people's offending behaviours as being

necessary for survival in the face of significant poverty (driven by structural inequity), rather than being motivated by criminality (see also Appendix 3).

8.2.1.3 Policy Responses

There is little guidance available for those who seek to develop policy that addresses the range of factors implicated in a social determinants framework (see Baum et al., 2013; Embrett & Randall, 2014). For example, Baum et al. (2013) interviewed 20 Australian Health Ministers, asking them to identify those factors associated with the slow utilisation of SDoH principles. The Ministers argued that current health policy responses often focus on increasing health status, rather than reducing inequalities within the health structure and noted that the political landscape significantly influenced whether or not SDoH were adopted as a policy platform. Those Ministers who were more likely to adopt a SDoH approach were likely to see health outcomes as influenced by factors outside of individual control.

The fact that social determinant drivers (such as employment, education, poverty, homelessness) sit outside of the health portfolio contributed to the limited the application of SDoH in health policy. Notwithstanding this, SDoH ideas appear to be gaining traction in the professional arena. For example, the Australian Psychological Society has recently developed a suite of resources to support clinicians in their efforts to adopt SDoH principles into their practice (Australian Psychological Society, 2017), and there has been some discussion of the application of this approach to the criminal justice arena (Day, 2017). In applying the approach to youth justice programming, a *social determinants of offending* approach would seek to address causal social determinant levers associated with poverty and disadvantage that traditionally sit outside of the justice system (in the same way they sit outside of the health system), but which are causally related to young people's offending. So, factors such as housing and homelessness, family violence, food and material security, would become legitimate targets for intervention. Importantly, these factors may not be directly addressed by Youth Justice as the tertiary service provider, but these agencies (co-ordinated with

other agencies) might engage in innovative targeted program commissioning approaches in partnership with local Aboriginal communities. For example, the NSW State Government's commissioning policy highlights that commissioning "should focus on improving outcomes and delivering quality services, regardless of organisational boundaries and constraints…[by putting the community] at the centre with greater integration of services and improved end user experience [and that] agencies should consider their role as a policy maker, commissioner, regulator, and provider and whether separation of roles would be of benefit within service design" (NSW Government, 2018, p. 3).

8.3 Implications for Research

This thesis provides some key learnings for non-Aboriginal researchers who are interested in conducting research with Aboriginal communities. These include how research theory and research approaches can be enhanced through the engagement with Indigenist research paradigms, particularly in the context of justice services. This is considered next, followed by a critical reflection on the role and challenges that non-Aboriginal researchers may have when engaging with decolonising research methodologies.

8.3.1. Contribution to Theory

This thesis has, in different ways, explored the contested cross-cultural space of knowledge and evidence. It draws attention to the value-laden nature of evidence that is used to inform policy and programs. This relates to recent calls for Australian public policy and administration bodies to engage more thoroughly with Aboriginal knowledge when designing what is referred to as *contextual- and evidence-based policy* (Althaus, 2020). The approach and methodology described in this thesis provides a framework for supporting researchers and policy makers to navigate this cross cultural space by situating knowledge and solutions, drawing on the idea of the 'cultural interface' (Nakata, 2002) - the space in which Aboriginal knowledge and western knowledge meet that

provides a space for learning from people from both cultures. As a non-Aboriginal researcher, the cultural interface provides a way to understand that there is an alternate knowledge system available across Australia, and to further understand that all knowledge is culturally relative (see Gray & Oprescu, 2016). Arguably though, it is through the agenda of evidence-based policy and practice that we experience the collision of Westernised and colonised models of knowledge and indigenous sources of knowledge (see Day, Tamatea & Geia, 2019; Gray & Hetherington, 2007). This has resulted in programs that appear to have limited ecological validity, that are not transferrable across contexts, and which has arguably lead to limited and relatively stagnant program responses. To address these shortcomings, a more pluralistic approach to criminal justice research is required involving qualitative approaches that engage community values, knowledge, moralities alongside practice wisdom and traditional research knowledge to inform program design and subsequent evaluation. It can be expected that this approach will be more likely to lead to more robust program offerings that are responsive to the need of those who offend. Indeed, where human services and Indigenous communities have been working in close proximity, discourse has evolved beyond multi-culturalism and culturally sensitive practice towards embracing indigenous thinking and practices (Gray & Hetherington, 2007; Nakata, 2002). This has allowed researchers to move away from considerations such as 'culturally appropriate' and 'culturally competent' into thinking seriously about what is means to be decolonised and Indigenized. Importantly, researchers might reflect on the notion of cultural competence, as it often used in ways that assumes that culture is static, defined within boundaries, enduring and transferable across contexts. Culture, as discussed throughout this thesis, is fluid, dynamic, living and locally specific, grounded within a point of reference in local community, context, values and systems of knowledge (see also Blagg & Anthony, 2019; Gray & Hetherington, 2007). Therefore, real questions arise about whether one can be truly competent in another's culture. Gray and Hetherington (2007) have inverted this understanding to argue for the adoption of a "lack of competence" model; this approach calls upon the use of lived experience expertise, a pivot away from traditional scientist-practitioner research models that

permeate psychological research at least. Through the dialogue between researchers and traditional knowledge holders, research questions are reframed with previous ideas and interpretations challenged, and, as a consequence, knowledge is redefined.

For Bala and Joseph (2007), the separation of Indigenous knowledges from pseudoscience or anti-science is critical. The acknowledgement of different systems of knowledge, such as western and Indigenous knowledge, requires an understanding that both systems are "testable and both of which are concerned with understanding and guiding practical activity within the same domain of phenomena" (Bala & Joseph, 2007, p. 42). They argue that through dialogue between western and traditional knowledge holders, multicultural understanding of science emerges for researchers, rather than the adoption of a postmodern anti-science. However, this approach to research and program design in a translational research environment is not without risk, as most criminal justice program accreditation processes would not provide this type of program with an 'evidence based' status. Nonetheless, an opportunity arises for researchers to continue to research new approaches and to advocate for the use of multicultural and pluralistic types of evidence to inform subsequent program research and evaluation. The community consultation study reported in this thesis is an example of this, providing a framework of how a community might be engaged in a process of program development by engaging with local knowledge and values through the matching of personal experience of professionals, the lived experience of communities, and those who have offended *and* the existing literature.

8.3.2 Future Research Practice

A significant story that emerges from this thesis is how, as a non-Aboriginal person, I attempted to engage with non-Western ontologies, axiologies, epistemiologies, and methodologies to uncover new learning that may inform responses to Aboriginal young people from rural communities engaged in the justice system. Engaging in this space has not been without its challenges, which has often required deep self-reflection on whether it is 'right' for a non-Aboriginal

person to be undertaking research in Aboriginal communities at all. This often raised the question of whether it is appropriate for a non-Aboriginal person to even attempt to engage with Indigenist research paradigms, particularly as a non-Indigenous presence in this research space may inadvertently invade, colonise and occupy an area of knowledge and research which non-Aboriginal researchers have no right to participate in. This final section of the thesis offers some observations about my position as a non-Aboriginal researcher working within this space and some considerations that other non-Aboriginal researchers may wish to consider, before and during, undertaking similar research.

In Australia, Aboriginal and Torres Strait Islander academics have long called for non-Aboriginal researchers to examine their explicit and implicit alignments to western research and contribution to the ongoing colonising practices of research (Krusz et al., 2020). This requires researchers to do more than simply provide a space for Aboriginal voices, but rather for researchers to own and challenge their white privilege. Crucially, it is through this process - of challenging and being challenged - that non-Aboriginal researchers can meaningfully engage with themes and ideas of colonisation, post-colonialism, and decolonisation. This is considered important, as the ownership and responsibility for reflection falls upon white researchers, rather than requiring Aboriginal academics and colleagues to support this critical reflection by providing direction on navigating cross cultural spaces. This is a particularly relevant point for me, as I was recently reading a review of Gray, Coates and Yellowbird's (2008) book 'Indigenous Social Work Around the World' (Gray's writings, a white South African, helped shape my early thinking; see my positioning statement). An Indigenous reviewer described her experience of being asked to review the book in the following way:

> I had to refrain from acting in my usual manner, which starts with an internal dialogue about 'dumping' so aptly described by Susan Gair, Chapter 5 author, as the expectation that Indigenous educators will be cultural experts and help raise awareness about Indigenous cultures (Dominelli, 1989). (Momper, 2009, p. 540).

In some ways, I may be guilty of the approach that both Momper (2009) and Krusz et al. (2020) caution against. Throughout this thesis, I have attempted to make sure that the voice of Aboriginal people is bought to the fore (and the research is not something that was done on participants, but rather with them through a process of two way learning and taking a lack of competence position), and have benefitted from the advice of a cultural supervisor. This process has, to some degree, placed the responsibility of critical reflection, and navigation of the cross-cultural space onto the cultural supervisor, even though he was brought on board to create cultural safety for participants and to ensure that Aboriginal voices were truly heard, honoured, and understood. This recognises my lack of competence in the cultural space and this supervision and reflection arrangement was viewed favourably by ethics committees. However it is interesting to reflect on alternative perspectives of this arrangement, and how this thinking might inform how future research is conducted.

In terms of research practice, this thesis describes one way in which non-Aboriginal researchers might engage in a process of 'decolonising allyship' (Krusz et al., 2020, p. 207) by understanding how academia is not value neutral and has long been involved with colonised practice. These revelations forced me, as a researcher, to attempt to 'do things right' by engaging with Indigenist research methodologies. This quickly brought my attention to whether being in this space was appropriate, requiring myself to sit with a level of discomfort throughout the entire research process. At the same time, I am aware that critical scholars do however see a role for non-Aboriginal researchers in decolonising research. Non-Aboriginal authors such as Blagg (see Blagg, 2008; Blagg & Anthony, 2019) have, for example, applied decolonisation frameworks to criminology and crime prevention to seek to improve outcomes for Aboriginal communities in the Kimberley's in Western Australia. For Gray and Oprescu (2016), non-Aboriginal researchers have an important role to play in advocating for the adoption and implementation of culturally safe practices within institutions and service delivery settings. Similarly, Krusz et al. (2020) state, from their perspectives as non-Aboriginal researchers, that holding oneself in the uncomfortable space of decolonisation

through understanding histories, power and privilege may - in and of itself - be a significant contribution that non-Aboriginal researchers can offer research decolonisation.

Research is likely to be of most benefit for communities when it is local and qualitative, empowering, and practical in its application (Gray & Oprescu, 2016). Future research might consider how combining and adapting Western qualitative research methodologies through the cultural interface (as this thesis has) can lead to the creation of new theories (or the *reframing* of old theories), and further develop culturally safe research approaches (see Gray & Oprescu, 2016; Stewart, 2007). Ahenakew (2016) describes this as a process of grafting. Though not necessarily ideal, grafting is inevitable, particularly when considering how Indigenous knowledges can be adopted within academic settings. And, for Ahenakew (2016), grafting is only problematic when it is not recognised or visible. To make it more visible, it is suggested that research claims must be written and described as "contingent, contextual, tentative and incomplete" (p. 333), disrupt sense-making through metaphor or poetry to decentre western reasoning, and provide a critical reflection on our own cultural frames of knowing. This thesis represents my attempt to graft.

8.4 Conclusion

Drawing the two studies that are reported in this thesis together, it can be concluded that the ecological validity of justice programs for Aboriginal young people who offend can be improved in several ways. Firstly, it is critically important for researchers to meaningfully and respectfully engage and involve community members throughout the program design process and, rather than look to broader population level interventions, consider how program design might support local communities in developing local solutions. This will, of course, not be a quick process in a rural Aboriginal community, given high levels of historical distrust of agencies and the repeated failures of previous programs and service delivery. Secondly, the development of a local and contextually informed theory of change will undoubtedly increase the ecological validity of programs. Both of these conclusions are considered inter-dependent or as critical success factors in a context in which there is increased demand from funders and government agencies for programs to be effective. The limited progress that has been made in reducing levels of Aboriginal youth contact with the justice system in rural areas of Australia suggests the need for researchers, practitioners and policy makers to do things differently.

Above all, this thesis illustrates the importance of community engagement in uncovering new learnings about how to meet the justice-related needs of young Aboriginal people who live in rural communities. It has tried to combine Western knowledge with that of local Aboriginal people to re-create, re-define and reframe assumptions in how programs can respond to the needs of a group who are vastly over-represented in youth justice systems across Australia. The thesis highlights the considerable challenges that arise in providing universal and individually specific programs that are based principles of individual deviance to Aboriginal young people. It draws attention to the need of those who are seeking connection with culture, identity, family and place in the context of a range of structural and intersectional disadvantages, whilst also highlights the innate strengths, resilience and resources of Aboriginal people and community, and the openness

the community and its commitment to better outcomes for young people. The thesis will conclude with a quotation from Dr R. Marika, which exemplifies some of the possibilities that emerge from this research:

> A river of water from the sea (Western knowledge) and a river of water from the land (Aboriginal knowledge) mutually engulf each other upon flowing into a common lagoon and becoming one. In coming together, the streams of water mix across the interface of the two currents and foam created. The foam represents a new kind of knowledge. The forces of the stream combine and lead to a deeper understanding and truth. Essentially, Ganma is a place where knowledge is (re)created (cited in Laycock et al., 2011., p. 50)

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10. Appendix 1 – Ethics Approvals

This appendix provides copies of the ethics approvals for both studies reported in this thesis.

10.1 Ethics Approvals for Study 1 (Chapter 4)

10.1.1 James Cook University Ethics Approval

This administrative form has been removed

10.1.2 Australian Institute for Aboriginal and Torres Strait Islander Studies (AIATSIS) Ethics Approval

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10.1.3 NSW Juvenile Justice Ethics Approval

This administrative form has been removed

10.2 Ethics Approval for Study 2 (Chapter 7)

10.2.1 James Cook University Ethics Approval

This administrative form has been removed

10.2.2 Aboriginal Health and Medical Research Council Ethics Approval

This administrative form has been removed

11. Appendix 2. Letters of Support

This appendix provides letters of support from Gagamin Aboriginal Men's Group, a community member, Dale Towns and the confirmation of the cultural mentor/supervision relationship with Steve Stanton. The Indigenous Co-ordination Centre and Family and Community Services (now Department of Communities and Justice) have also provided letters of support.

11.1 Gagamin Men's Group

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11.2 Support Letter Dale Towns

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has been removed

11.3 Support Letter Steven Stanton

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11.4 Prime Minister and Cabinet – Indigenous Co-ordination Centre

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11.5 Letter of Support Family and Community Services

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12. Appendix 3 Coding Tables

This appendix provides the coding tables for Chapter 7. It reports the condensed unit, code, subcategory and category that were finally abstracted into themes. Arrows are provided in the tables to show the relationship between blocks of condensed units and how they formed codes, then how these codes formed subcategories and finally categories. These coding tables are reported below alphabetically by theme. In line with the qualitative content analysis methodology described in chapter 7, themes were entirely extracted from the available data.

Table A3.1

Theme: Accessing Support

Condensed Unit	Code	Subcategory	Category
Too proud to access support Shame is also about people who are proud of who they are When hungry too proud to ask for help Families shame when going into meetings – won't ask for help Aboriginal people don't ask for help Shame and embarrassment getting in the way of asking for help Aboriginal people don't want to be in the box of dole bludging Centrelink jokes – Aboriginal people avoid it Don't dare ask for help, pride and a roof over my head Huge thing to say I need help Proud culture ask for help	→ Pride		
Culturally it takes a village Grit and bear or ask extended family	→ Family and Friends		
Shame and distrust I've never known an Aboriginal person to ask the principal for help Will get help from brothers and sisters, but not white fella in school – not confidential Aboriginal families won't talk to people they aren't comfortable with Lack of respected agencies in Dubbo Hard to view Juvenile Justice as help Chinese whispers might be added to stories	→ Distrust		
Missed generation getting support Where do you go to get support? I don't think we did Exposed to more support now Not confident in accessing support – mightn't have anything happen before Families don't engage with other services, need to develop trust	→ Availability of Support		

Why would you seek help from someone who stole your kids all your life			

Table A3.2

Theme: Attachment, Love and Connection

Condensed Unit	Code	Subcategory	Category
Kids end up in the system that haven't been removed, its about attachment Kids might not get enough attention from family or extended family Sad they have to resort to crime to feel attention and love You wouldn't mess up to try and get someone elses attention A lot give something to get something in return – see he does love me	→ Attention Needing		
When love isn't there, who do kids turn to? Mates. Mates already disconnected from family Kids get to mates to get love. Never had anything, but now at least I have something Kids from the bush tend to keep their own little group Kids stay where they fit in, becomes family I had to grow myself up, couldn't rely on mum and dad, mates where the only people I could rely on Friends all were doing the same thing as me It felt like family – if one got caught, we all got caught and went through it together I had blokes in custody with me, not family but they were like my family – gave me what I didn't get from family Always comes back to the kid, if I am at home, no one loves me and I feel like shit, I'll go out with my mates At home I'm not going to feel loved.	→ Peers as a source of love and connection		

Table A3.3

Theme: Community Role Models

Condensed Unit	Code	Subcategory	Category
Need an influential person that takes an interest in kids			
Role models are family men, because that's what kids want and connect to straight away			
Kids can sit down and talk to these role models – positive people			
Dubbo has lots of services, but for kids further out west need role models			
Connect with positive role models at an early age – if mum and dad are on the piss might go see role model			
Some role models are already in paid roles, its about training and support			
One on one contact with community role models what people look forward to			
Having a consistent role model could be what improves their life			
Community role models aren't a service	→		Community Role Models
Always find in community one person holds respect and that's where kids will go			
Need a push from a friendly face in the right direction			
Aboriginal role model needs to be self esteem based and community based			
We have boys that have been in rehab in Dubbo now starting to role model			
Aboriginal people surround themselves with people that have been through the same thing			
Need a role model with traditional knowledge and has been in two worlds			
Need your Gummies and Keithy's that have grown up with their parents			
A mentor isn't someone with three degrees – its someone who has been there and made good			

Table A3.4

Theme: Community Strengths

Condensed Unit	Code	Subcategory	Category
Aboriginal families big social network, compared to isolation of non-Aboriginal families Community bands together as its shared issue Strength opposed no social network of non-Aboriginal families	→ Buffer against Poverty		
Communities are heavily resilient Resilience and caution of external people have saved Aboriginal community Kids are resilient and resourceful on their feet Kids have experienced a lot of that many won't experience in their lifetime and be the best they can be Strength and resilience of Aboriginal community Aboriginal people are highly resilient, values of family and kinship Aboriginal people coming together one of its greatest strengths Hope in Aboriginal communities	→ Resilience		
Community like neighbourhood watch on steroids Never going to get kicked out of family Aboriginal community sticks together	→ Community looking out for each other		
Family is a big strength for Aboriginal people Young people have strengths, connection to country and culture	→ Uncoded		

Table A3.5

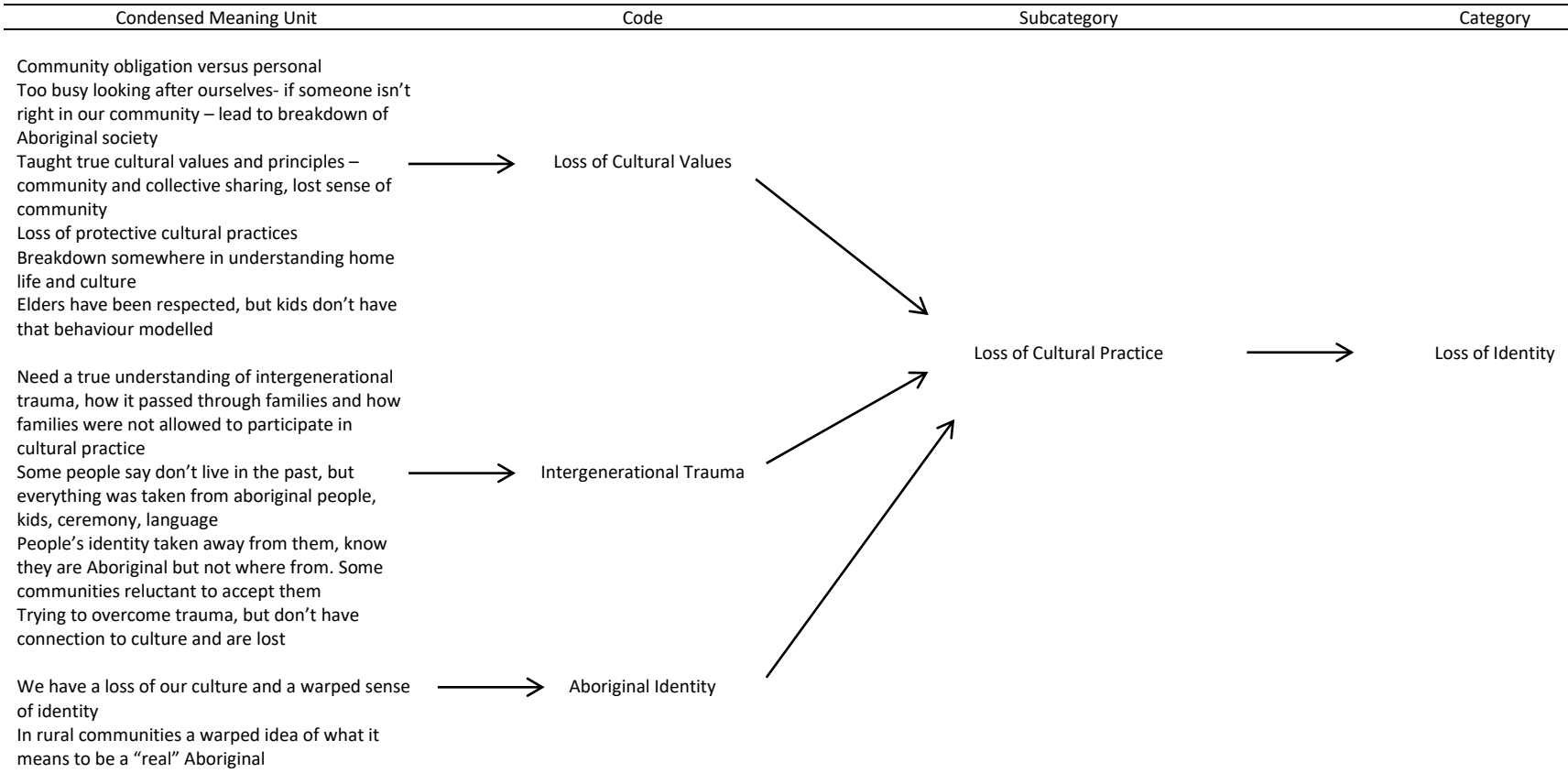
Theme: Cultural Influences and Needs

Condensed Meaning Unit	Code	Subcategory	Category
Elders passing on knowledge onto boys and girls Elders passing down knowledge to children I was always told you can't go with that person or marry that person, its still in the old people out there Older generation isn't used enough for our young people You get family members that say I don't want you in here [custody], try to get elders to say this isn't the right path Find the right elders – the ones that want to pass on knowledge Wellbeing comes from people who are connected and knowledgeable	→	Passing on Knowledge	Role of Elders
Transport an issue for elders Elder groups would put their hands up Humility at the top of the Aboriginal values – people aren't shouting they are elders or loremen Local Elders do some things for NAIDOC – very surface level Aboriginal elders are a community strength – particularly through circle sentencing Elders groups give an idea of who is where, what families are located as a starting point Some leaders are disconnected culturally, as we have become more colonised idea of an Aboriginal elder has changed Need to find and attach to elders or loremen	→	Engaging Elders	

Theme: Cultural Influences and Needs (cont)

Condensed Meaning Unit	Code	Subcategory	Category
Drug and alcohol making kids feel like they are big men 15 year olds almost adults African American gangster influence because there isn't enough connection to culture Kids not comfortable in identity and culture will shy away from things Kids have never seen how people lived years ago Grew up a lot younger, on my own and grew myself up	Growing Up		
Boys go off to play footy Boys are taught to start work and play footy Harder for men to find their identity People missing home, return to life of drinking alcohol and beating women 14 year old, mum has drug and alcohol problems, dad in gaol. Wants to prove to dad he can be a man Going to hang with boys, dad going back to gaol, wanting to prove a point to dad Men in community saying we weren't born to be gangster, we were born to be warriors Kids growing up saying I was man of the house A lot of kids can't read and write but need to look like big men When kids started playing up, being attracted to women were taken out bush and went through rite of passage In traditional times enforced responsibility to be better young men	Male Identity	Gender	Loss of Identity
Girls taught to start a family Programs designed for a gender – girls miss out a lot Girls don't have the same opportunity as boys Girls lacking support and know how, taught to be a young mum Sit back quietly and suss people out – like mum used to Send a card after a funeral, like mum used to. Don't know if white people do that.	Female Roles		

Theme: Cultural Influences and Needs (cont)



Theme: Cultural Influences and Needs (cont)

Condensed Meaning Unit	Code	Sub Category	Category
Knowledge in the Environment Take kids out bush to learn trees and out bush Rite of passage to undertake traditional activities with your family – find wild honey A lot of kids today don't know how to put a worm on a hook Each community needs to bought correct information in regards to Aboriginal history and what happened along the rivers	Cultural Knowledge	Environment as social and emotional wellbeing	Importance of Natural Environment
People's spirits up with the river Rivers affecting Aboriginal people across Bourke and Menindee Rivers down, people are down Go bush with people who have knowledge, spirituality, connection. Massive gap for young people Used to live on a barter system, catch a fish and have a garden with veges, but now river has to be running			
St Theresas showing little ones the bush, but when they leave it all falls apart Introducing environment at schools to lift attendance Ancient sites people normally don't see – take the little ones out camping Environment really important because you have games and tele in the modern world Rivers up, when down its one less things for kids to do Aboriginal people are outdoors people	Connecting to the Environment		

Theme: Cultural Influences and Needs (cont)

Condensed Meaning Units	Code	Subcategory	Category
Elders dying out Elders gone in smaller communities Older people are dying who were backbone of family and created protection Loss of knowledge when elders pass	→ Elders passing away		
Slang showing what home or town from Aboriginal history not taught in schools – basics of body language and sign language Body language important in engaging aboriginal people – over 700 languages Aboriginal kids find it hard if teachers aren't using the same lingo People can get over enthuastic with lingo with Aboriginal kids	→ Locating through language		

Theme: Cultural Influences and Needs (cont)

Condensed Meaning Units	Code	Subcategory	Category
Different cultures and different believes in metro areas Lots of different cultures in the city – koori kids out of their zone A lot of different cultures have their own foods and smells – Asian, muslim, Aboriginal	Multiculturalism		
Pop culture and black lives matter how much do we know whats going in our community Down in Sydney you've got Sudanese, indigenous Americans, all different cultures. In Dubbo your black or white			
Teach Aboriginal kids the world around them Haven't taught kids what its like to fight for, forgetting people still suffering Choice to attend uni, whereas traditionally went to school and had babies Creation of a middle class black Australia – forgotten values around community Haven't taught how to work that fine line between two worlds Young people haven't had to wait for anything, live in an immediate world Traditional values aren't monetary wealth For young people with lighter skin told world is black or white, and grey area doesn't exist Toxic idea to be smart and successful you need to be white Have to be able to walk in community and traditions, then the main street of Dubbo Pressure from today's society and tradition stuff, have to work in two worlds Non-Aboriginal world is more technology, get lost in that Get lost in what's traditional and a right of passage, then want to be part of society with all its modern stuff Its hard to walk in two worlds, pay mortgage and rent and have cultural responsibilities			Being in Two Worlds

Theme: Cultural Influences and Needs (cont)

Condensed Unit	Code	Subcategory	Category
People still trying to find their family Aboriginal people looking for family and clans Hard thing to do is put your hand up and ask will you accept me People who are most connected to their culture know where they are from. The hardest thing is that disconnect Kids might think they are from one mob but in actual fact they might be Wiradjuri or Wongegong I ask what is your traditional family name – could be irish or Scottish. Doesn't mean you're not Aboriginal Men and women in first fleet married into other families, and that's part of your family.	Searching for Family	Loss of Place in Family	Family Factors
Need to work with families – families greatest teachers, kids get disempowered when put back in the same context People not knowing where they fit in family dynamics You have worklife, homelife, schoollife and family life, priority always homelife, and kids don't understand that	Where to fit in		
Families involve uncles and aunties before making a decision Aunties are the growlers Niece wanted belly button pierced, all part of our lives so all decide what to do with that part of our life Aboriginal families move between extended family just like being at home There might a kid not doing too well, go to aunties and stay with her a little bit I moved to my aunties, went down a different path broke away from my friends Obviously love parents but had to argue to go to my aunties house to try something different	Family Decision Making		

Theme: Cultural Influences and Needs (cont)

Condensed Unit	Code	Subcategory	Category
Mum had that discipline, it was because she grew up in that area when children were removed Sometimes trauma is an excuse for people's behaviour. We aren't traumatised from what happened to mum Mum told us we need to be moving on, acknowledge but move on	Maternal Experiences	Stolen Generation	Family Factors
Women palm babies off to nan Younger elders are part of the missed generation Missed generation means grandparents are raising grandchildren Missed generation reared by nan and pop A lot of children being raised by grandparents, mum might be in custody Parents haven't had parenting off their own parents A lot of people haven't had role models in their lives – grandparents but not fathers Not only until police come knocking do grandparents know what their children have been up to Majority of kids in criminal justice system live with grandparents, parents aren't home Minimised ability to parent – stemming from intergenerational trauma "At the end of the day, I've exhausted all my tools – you give it a go" Young people raised by extended family because parents are fighting their own issues Missing generation at the moment – grandparents trying to raise grandkids Parents might be drinking, grandparents trying to keep kids safe I had a really supportive nan that never gave up on me No parents at home, being cared for by grandparents	Grandparents Raising Grandchildren		

Theme: Cultural Influences and Needs (cont)

Condensed Unit	Code	Subcategory	Category
Stolen generation affecting Caucasian and other communities in rural areas Stolen generation still occurring Western area had stolen generation across the board	Ecological Impacts of Stolen Generation	Stolen Generation	Family Factors
Just a kid playing any of us could be taken We could have been taken any time of day We weren't allowed to go to Sunday school knew all the songs but were never allowed down there A friend taken at tennis. Mum always said if you see a car you run Distrust starts very young Distrust also starts at home watching police interact with their families "Here they come, hide" Its hard to connect with people outside of your community – strangers have done the wrong thing People come in with the best of intentions, nothing seems to happen because of no trust	Distrust as a result of stolen generation		
Children from stolen generation becoming parents and grandparents Neglect at home means disruptive within yourself Missing generation came along when the trauma was happening, unable to survive in it let alone raise children in it Generation being raised by a generation that has experienced so much trauma A lot to do with Aboriginal trauma Trauma leads to trauma – incarceration or mental illness Its not just addressing trauma for kids, but what happened generations before hand Negativity gets carried through and so does ability to trust People say stolen generation happened so long ago, but it was in the 60s – seeing this is what white people did Its multifaceted due to intergenerational trauma	Unresolved trauma		

Theme: Cultural Influences and Needs (cont)

Condensed Unit	Code	Subcategory	Category
Mum and dad choked from the grog the night before Middle generation likely to turn to alcohol or violence See parents behaviour, I'll drink piss and smoke yarndi If you're a parent and bonging on, whats your kids going to do Will kids get off drugs if dad is a big pisspot Being open about recovery is good, particularly for kids who have parents with substance use Drug and alcohol suppressing parent trauma Kids go back to same old lifestyle again – setting them up to fail Go home to Bourke or Bre and mum and dad are down the river drinking	Parental Substance Use	Stolen Generation	Family Factors
Love and discipline from parents meant the best life Parents not knowing how to express love. I never had a cuddle Kids trying to seek attachment and belonging I know myself I say I am ok, I'm safe back to family when I travel Kids feel a loss for mum and dad, love grandparents but in a different way	Love		

Theme: Cultural Influences and Needs (cont)

Condensed Unit	Code	Subcategory	Category
Unable to heal from trauma driving family violence Might be invited or not invited to be part of someone's journey. Enter with caution particularly with trauma and disadvantage Aboriginal kids like to feel secure before they do anything Its like walking in someone elses yard, what are they trying to steal from me If I am brave out there people might leave me alone Kids are missing life skills, more streetwise as a result of trauma We need to look under the bandaid of substance use	Young people's trauma		Culturally Informed Engagement
Live for the day What are you doing tomorrow, what are you doing next week Most Aboriginal people think about today	Sense of Time		
Get booted up the rear end by Ronnie Steers and family Need to know respect level in the community - running on word of elders Respect for elders out the window Kids respect black kind, but not white kind. There are issues if a walk in comes in	Respect		

Theme: Cultural Influences and Needs (cont)

Condensed Meaning Unit	Code	Subcategory	Category
How do you know people aren't caring for kids? How do you know that 15 people didn't stay the night before? Its nothing to pull out a mattress and put it on the floor, but it would be looked down upon if someone saw it Want to see rock solid black and white answers – overlayed onto grey which is people Try to keep assessment as subjective as possible, understanding context around If we say white way of caring is giving your kid five meals a day and always having them in sight, Aboriginal way of caring is different. Doesn't mean one is better than the other Comes down to no understanding or respect of Aboriginal ways of caring. The white way is the right way Instead of looking at areas of kinships. Aboriginal kids may be at aunties house, whereas for non-Aboriginal this would mortify I grew up in a 2 bedroom unit with 12 kids – all had to line up for baths	White people not understanding cultural responsibility		Responsibilities
The ancestors took young people away at a certain age and gave them tools to participate in community Old ways had culture and purpose, a way of doing things and a responsibility of everyone Everyone had a role traditionally, everyone had purpose No responsibility in custody – all you do is eat, sleep and shit How do you know what wellbeing looks like if you haven't been exposed to culture. Responsibility of people my age Bring cultural values back in, responsibility of parents and community 230 years ago responsibilities were called ceremony, and you gained responsibility	Traditional Responsibility		

Table A3.6

Theme: Developmentally Informed and Early Intervention Approaches

Condensed Unit	Code	Subcategory	Category
Need to see children and children			
Role model and discipline at an early age, otherwise they run riot			
Police and schools have a huge role in supporting children			
Being older would understand what help is needed			
All starts from preschool, why didn't they learn that back down the line			
It all kicks off with trauma, unbelievable its not addressed earlier			
Its not a 9-3 problem. Need early intervention for 7-14 year olds			
Kids want to fit in and they can't – all different maturity times			
Diversionary programs in Out of Home Care, support kids to develop responsibility			

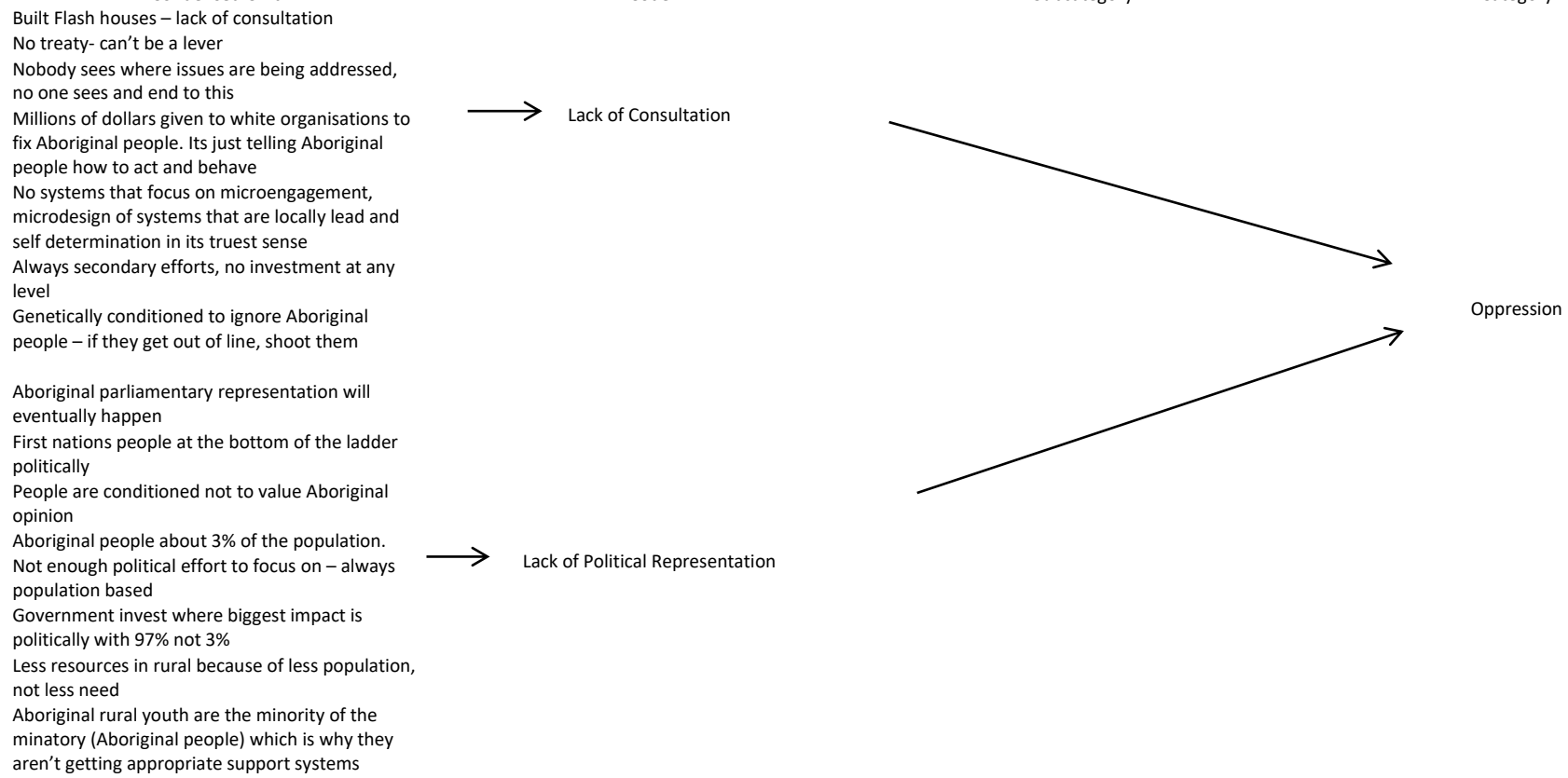
Table A3.7

Theme: Intersection of Aboriginality and rurality

Condensed Unit	Code	Subcategory	Category
Life cycle of poverty Nothing out there – no income, impacting on children CDEP used to provide money to mum, dad, aunt flo to gets the kids what they wanted Young girl had no shoes, I had to buy, mother very thankful Bad crowds, no role models, limited opportunity Neglect in mental stimulation, no clothes on their back I ended up being a mum with a lot of kids as an AEA, sorting food and clothing Kids from out of Dubbo can see a difference in clothes, and single mums Things to do aren't targeted at low socioeconomic kids in contact with JJ A lot of grandparents do the job of parenting, feeding kids off their income but not reporting it If you don't know who you are, where you are from, why would have aspirations to get a job in a town where no one can Aboriginal poverty keeping people down and quiet Middle class not wanting for anything – don't offend	→ Poverty	→	Aboriginal Rural Poverty
Lack of rural infrastructure doesn't affect non-Aboriginal as much – parents send kids to boarding school, connection to land not as strong Stopped putting infrastructure into smaller communities In a small town a couple of pubs, schools and that's it. Schools in Dubbo are poor schools, can tell the difference by looking in the playground Its not justice – its social economics, if you haven't got a job there is nothing for you to do.	→ Lack of Infrastructure in Rural Areas	→	

Theme: Intersection of Aboriginality and rurality (cont)

Theme: Intersectional Factors



Theme: Intersection of Aboriginality and rurality (cont)

Condensed Unit	Code	Subcategory	Category
Home life is crappy, need for survival Poverty driving disadvantage, not a criminal mind but a survival element 80% of kids locked up for social not criminal offences Aboriginal kids need to prove they are big and strong If you've never been given an opportunity to earn, you learn to take Learned from big brother, only way to survive is take because no one will give you a go Kids have survival behaviours, not criminals Kids get more things in custody than they would at home Someone said at least they get a bed and feed in juvie Welfare dependence entrenched in Aboriginal families	→ Survival	→	Offending to meet basic needs
Kids might steal a bottle of drink because they are thirsty Kids locked up for stealing food Kids getting into trouble to get their needs met Offending behaviour stems from poverty – stealing from IGA Some women use money for drugs, then steal to feed their kids Stole food, drinks, clothes, dvds. Just minor stuff If I wanted to get stuff, the only way I could, its bad, but I stole it	→ Offending for Food and Drink	→	

Theme: Intersection of Aboriginality and rurality (cont)

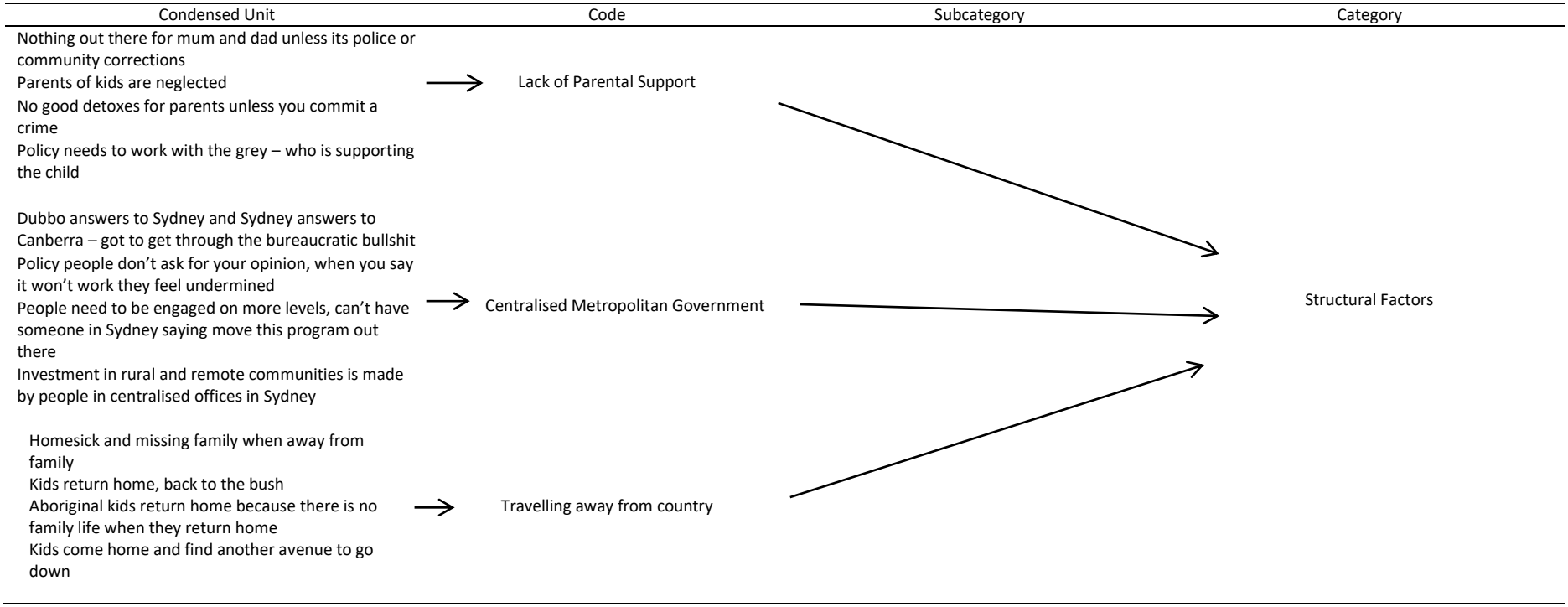


Table A3.8

Theme: Policy and Political Landscape

Condensed Unit	Code	Subcategory	Category
Funding in election cycles geared towards what suits the space, rather than people Range of systems that have been designed without understanding microlevels in Aboriginal communities People in the system want things changed, but going to take more than a handful of non-Aboriginal people in positions of authority Bourke a perfect example of self determination To fully participate in culturally led self determination a system must understand it from the top of government Social services need to be decentralised, like Primary Industry, to respond to need Instead of asking community what they want, are told this is what you need Have to swallow your pride a minute, your millions of dollars isn't worth anything when it comes to opinion on community Often hear system design isn't responsive To understand you need empathy, and for empathy you need perspective Aboriginal communities need to co-design, issue is it doesn't fit the procurement box	Non-Responsive System Design		Ecological validity
Need to think of communities as individuals, not just "out bush" Different issues in north-west, specific to that area Its not identifying kids from out bush – its western or northern NSW Programs fail because all designed for one area Program back to basics get messed up – no guarantee it will work next community over A brave government would need to develop its own evidence based programs Each town has different culture and morals Each community so different so hard to have something that applies to everyone Policies in Dubbo won't work in Narromine or Broken Hill Each community different – Bourke to Broken Hill	Local places		

Theme: Policy and Political Landscape (cont)

Condensed Unit	Code	Subcategory	Category
Juvenile policy based on punishment not rehabilitation Broad strategy need for early intervention and prevention JJ need to prevent kids coming in, not just ones in their sights Magistrates and solicitors need to take social issues into account Juvenile Justice officer is a parole officer at the end of the day Magistrates didn't really understand circle sentencing Circle sentencing was effective because didn't want to let peers down Circle sentencing not white man's culture – really good We might see a behavioural child, but what's going on at home? Programs needed to support parents while kids in custody	Approach to Justice		
Client didn't sit with me to do program because they were hungry – couldn't report to JJ as not in scope Scope of JJ practice too narrow – not looking at welfare issues Can't go into beliefs and attitudes if hierarchy of needs aren't addressed If welfare based issues are secondary, and lead agency pays no mind, are you getting into beliefs and attitudes? Criminogenic needs sit so high on the hierarchy of needs you need to address social factors before offending factors Can't change a person's belief system without addressing other needs	Poverty outside the scope of justice		Justice Policy
Government setting up lateral violence in communities with funding programs Community was equal then some moved into new houses in a white area, lost network, while others into housing estates Funding causing factions – millions to health services, millions to land councils Always undercurrents in land councils	Lateral Violence		
Recommendations from Deaths In Custody and Richmond Report never followed Now trying to fix resettlement policy People need to look at this differently – otherwise creating more trauma Need to work across systems for young people to participate in community	Undoing Previous Policies		

Table A3.9

Theme: Program Design

Condensed Unit	Code	Subcategory	Category
Services only have 3 to 6 months to show they are working, needs to be extended by 12-24 months Time not recognised from a contract management perspective – healing takes time Aboriginal programs get frustrated because they aren't seeing results – but it took 230 years to get in this mess	→ Time and trust		
Don't force a program from south west Sydney onto an outreach location as difference communities with difference issues Bastardisation of programs to adapt what we think fits Insulting that it is thought that one brush fits all Need to see everyone as an individual and work in the grey Lots of grey areas in services Juvenile Justice have all their eggs in one basket with CHART. Be all and end all of programming Narrowminded in approach with four programs Need to look at young person as an individual Too much time fitting kids to programs as opposed to programs to kids If we ask for a program to fit the kid, and don't know what KPIs are until we start, we won't get funded People are grey matter, and we overlaying black and white on them Needs to be subjective with information at hand Psychologist coming out once a quarter, doesn't fit with the offender Can't have one formula, everyone's needs and experiences are different	→ Need for ecologically informed approaches		

Theme: Program Design (cont)

Condensed Unit	Code	Subcategory	Category
Therapeutic is cultural and calming Calming is missing for Aboriginal people Need more approaches that are culturally informed	Calming		
Teenagers love to know where they are from Someone from their community doing therapeutic work Family tree could be therapeutic Finding belonging and self belonging Family trees, mum shows the kids where they are Self belonging leads to happiness Not belonging is very important Young offender with nan, but brothers and sisters are with dad. Wonders why this is Whos your mob, where you from? Need to normalise Kids need to be attached to cultural story telling More camps and cultural and traditional stuff Its really clear for Aboriginal young people to establish who we are and where we sit Social and emotional wellbeing means understanding who you are, where you are from and identity	Finding Identity		What does therapeutic mean for Aboriginal people
Not a formulated way, giving a feed and a row Not ashamed of whats going in family we'll discuss it Getting support from different places, not one source Talk about whats going in your life with friends and mob Talk to another Aboriginal person, make sure right one, to pass on wisdom Build rapport with my clients, tell them my story and not tick boxes Kids open up, I've been there, lets go down a different path I related to kids, tell them my story and show them I moved away from that lifestyle Share stories who you are and where you're from For indigenous kids its about kinship, if they need something on weekend, they will call you. Its very different When there is an issue at home they will yarn because Gummy has been there Need to understand how people got there mentally and spiritually	Ways of helping		

Theme: Program Design (cont)

Condensed Unit	Code	Subcategory	Category
If mum and dad have issues, may be able to have more contact with uncle Stay with uncle and kids may never look at JJ again Need to work with whole family in a broad context Can always find one person in the family group who is the backbone Grandparents and uncles always pick up the slack If family circle is out of whack, the child is going to have some issues	Working within extended family network		
Western psychology label and tranquilise, not getting to root strengths of the person Kids not going to sit down infront of a counsellor Before whiteman came, everyone had a role without university – supported by connection to land and country What old people did back then was working, what we are doing now isn't working Connecting people to traditional way of life always worked Its about healing the spirit, not a piece of paper on the wall GPs unlikely to say I am concerned about your social and emotional wellbeing Pathologisation and medicalisation of trauma a massive issue Needs to be a balance of seeing Aboriginal people as not having disease of the mind but loss of connectivity Cultural identity seen as gobblegook from doctors	Finding identity		What does therapeutic mean for Aboriginal people
Accepting story of pain and not remaining a victim Healing through telling stories Programs need to be based on education and healing not token No cultural intervention for people in crisis Precolonisation we only knew spiritual illness When you start to heal spirit is when you get well Have to connect to our past and help kids heal Culture is healing Its about healing spirit – like any faith based religion Trauma informed care – help people heal	Healing through social and emotional wellbeing		

Theme: Program Design (cont)

Condensed Unit	Code	Subcategory	Category
Most evidence based programs from other countries – not building our own evidence Contracts highly descriptive for evidence based models Doesn't have to be a prescribed program First nation programs come from other colonised countries, no better off When Aboriginal people feel connected, evidence tells us you are better off, use our own evidence Trying to adopt a westernised framework to work in the Aboriginal way Bare bones quite simple programs can work	→	Based on Aboriginal knowledge	

Table A3.10

Theme: Risk Need Understanding

Condensed Unit	Code	Subcategory	Category
Aboriginal kids having a natural talent for sport Getting kids into sport is positive Sick of playing footy and end up offending On the coast can go surfing when you are bored of footie Sport is another resource for young people and sporting clubs	Sport and Recreation		
School curriculum wrong for Aboriginal kids Aboriginal kids don't need to fill in a lot of sheets, mightn't know how to write own name Could share my stories with teachers so they could adjust their way of teaching	Aboriginal Ways of Learning		Education
Not a lot of families believe in education Got to have a gentle feel, different kids operate differently			
Make boxer shorts and doonas out of this young person – was a legend Labelled and shamed, I'm going to be bigger, meaner, tougher lawbreaker Take imposed image to a whole other level At some point security checks are going to stick in your brain Find common ground – I don't care what you did, you didn't ruin your life	Self fulfilling prophecy		Cognitions and emotions
Offending from a sense of powerlessness Little man of the house, dad said he had to be the man of the house Young People and families feel powerlessness whether conscious or unconscious Offending might be to get power back in their life	Powerlessness		
Kids shut down or become highly violent No where in between for Aboriginal kids, quite or off the scale Kids show emotion well, boys not afraid to cry Bought up to hide emotion, good or bad It started at home for me, low self esteem and thought material things would make me feel better Its with things like domestic violence campaigns, unwire and push the slab clean	Emotional health		

Theme: Risk Need Understanding

Condensed Meaning Unit	Code	Subcategory	Category
Kids getting released back to the same environment Unreal what kids go back to Give kids strategies to cope but going back to home environment Need to work on the family when the young person returns home Kids from out west may know jack shit, go down slippery slope when they go back home I hope family are doing right be encouraging him	→ Going back to same environment		Family circumstances
Get JJs kids some sort of family interaction IF kids playing up for dad, can we connect him with uncle or someone Need to work with the whole family From an offending perspective, involve parents to support child Without family or community you aren't going to address it	→ Connecting to Whole Family		
Respect is earned, if that's yours, that's yours Offending like see saw, back and forth, that's how life is Most people on a pathway, sometimes look off that pathway Don't want to look like a pussy in front of my mates	→ Attitudes and Beliefs		
Feel strong links between Aboriginal young people, substance use and incarceration If you strip substance use back its just a bandaid Substance use takes away responsibilities of young people	→ Young people's substance use		

Table A3.11

Theme: Rurality

Condensed Meaning Unit	Code	Subcategory	Category
Boredom, a lot of drug and alcohol issues Petrol sniffing rife because of boredom Drugs rife in rural communities Rural people swinging to whatever is easiest, substance use Drug and alcohol in small towns – there is nothing to do Kids are bored, lack of opportunity, use drugs If mum and dad are in the pub, you'll get bored and find yourself trouble	Substance Use		
Kids end up in JJ from neglect or boredom No one at home, loneliness and boredom Kids on the street because they are safer on the streets than in their own homes Its boredom, not a lot to do Families been this way for years, safer for kids on the street than being at home at night	Being on street safer than at home		
Why wouldn't they smash up a house or fight A lot less to do in an outreach western area Not much to do after dark or on weekends Out west not many opportunities to keep kids occupied Not a lot of opportunities in places like Bourke half the shops of Sydney Sydney people have much more in their mircoworld – popculture Lack of resources, kids don't have enough to do Kids outside of Dubbo don't have access to sporting clubs or teams Smaller towns one football team, no other sport or youth club Go make own fun which could be getting up to no good "lets take a long – not break and enter, exploring" Used to go through old trucks in the quarry. Wasn't stealing, was bored When dad got out of gaol, got bored and went through paddocks with mates. Was trespassing Kids walking the streets out of boredom Kids need a routine, go to bed at 8.9,10 rather than 1,2,3 Kids struggle in rural areas, say they are fucking bored If you grow up in a rural area and aren't a farmer, you break the law to make your own fun	Lack of Prosocial Opportunities		Boredom

Theme: Rurality (cont)

Condensed Meaning Unit	Code	Subcategory	Category
Family group has name and prejudice against them Once you have been labelled you are a target in smaller communities Names been tarnished so not getting a job in the papershop Kids have their names with the police Kids under surveillance due to parent's behaviour One family member might make the family become a watched unit, from FaCS, Police, NGOs If parents known to the police, kids are targeted as well Main thing is last names. If you and your family are bad you get tarred with the same brush If you have been in trouble once, add in different cultures, no one going to give you a go	→	Judged from Family Connections	Rural Surveillance
People in rural communities know exactly what you are doing – can't hide Visibility to Police Gone to shop with aunt and friend who is dark skinned, security following us around Kids in rural communities more visible to police In smaller communities everyone knows you and you can't hide	→	Visibility	
Targeting in rural communities moreso than metro Aboriginal people being hyper aware of eyes on you Aboriginal people in rural areas are definitely more targeted Kids targeted in Dubbo Police targeting family members and kids pick up on this Police harassment, was walking and pulled over asked where we were going Get picked up just walking because known from family A lot of targeting of Aboriginal kids in Dubbo, and efforts to stop targeting	→	Aboriginal targeting	

Theme: Rurality (cont)

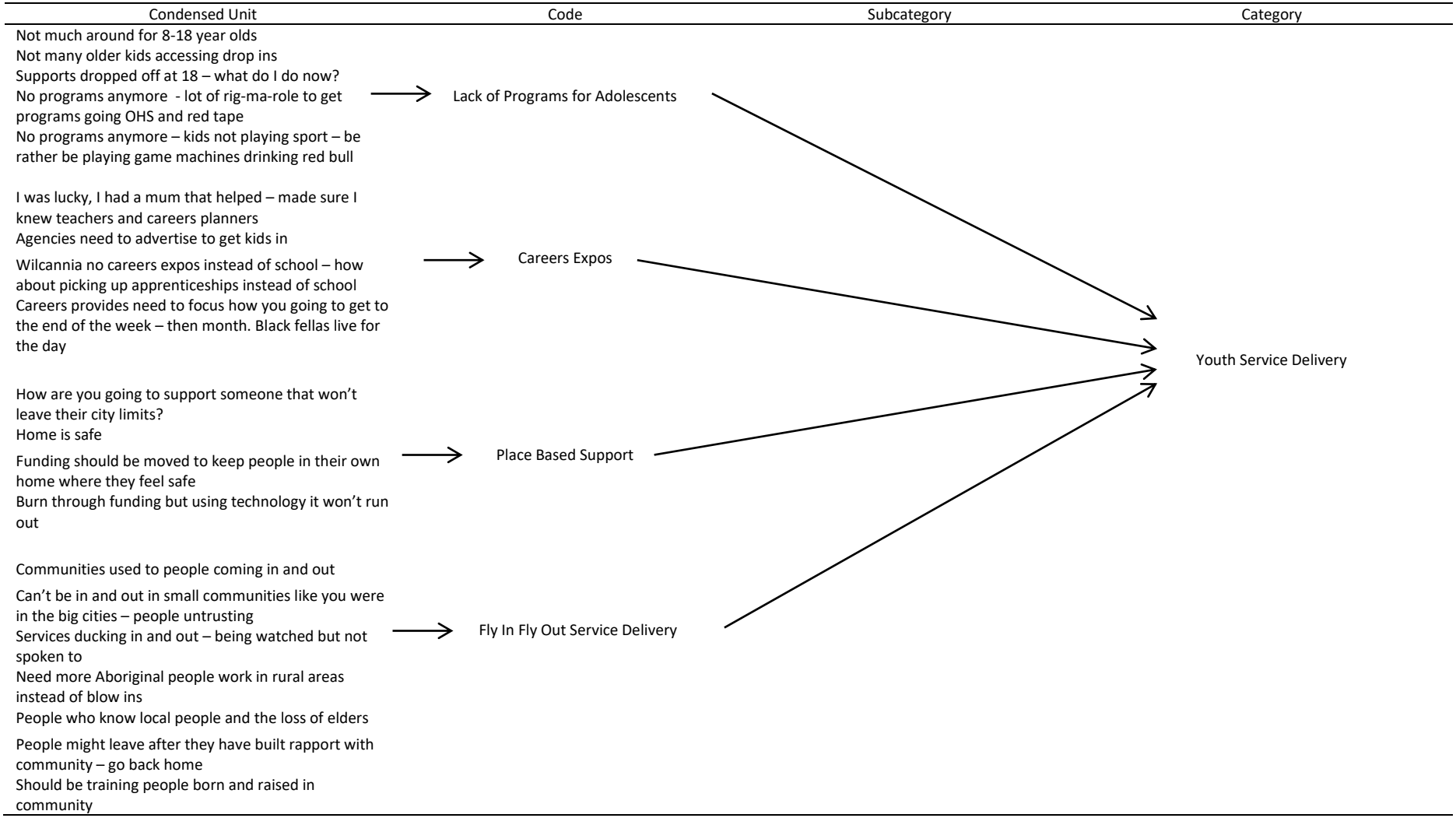
Condensed Unit	Code	Subcategory	Category
How are you meant to access services 400km away? Technology and teleconference to get support services Lack of transport could be a barrier to seeing family Train leaves Redfern hourly but Coonabrabran weekly If bank doesn't operate in small community, got to go to next town to get a feed Difference is rural people don't have as much access to technology/service range makes it hard to keep in contact Families in Bourke may struggle to stay in contact with no finances or transport	→	Distance	
Services in rural area, not just support services, are expensive – food and grocery IGA owner buying icecream for $4 and selling for $9, a loaf of bread for 90c and selling for $5.40 $10 a watermelon in Wilcannia is a joke Cost of living in rural areas, saw someone buy a carton of milk and a packet of biscuits at a Caltex was $12 Petrol a 1.75or $1.79 a litre. Forces people to live together People pool to do their shopping because IGA's carry a lot more stuff Wilcannia IGA not fully stocked. A few easter eggs and one frozen chook. More than one family in town People who get paid on pension day get left overs as those who get paid wages get paid earlier, shop earlier	→	Access to Food	
Different population make up – stats going to be higher in rural areas Dubbo is a city for kids from way out west, like Sydney a city for kids in Dubbo Non-Aboriginal people own their own home, might be a company house and know their rights You might see one white kid to 20 black kids JJ diversionary program only has one non-Aboriginal kid	→	Population make up	

Theme: Rurality (cont)

Condensed Meaning Unit	Code	Subcategory	Category
Used to be lots of opportunity for work in rural NSW now that's all changed Used to be thriving economy, now machines have taken the jobs of 10 men Lack of employment in the bush Big fencing contracts used to be 6 or 7 black fellas putting up fences Technology changed, tractors driving themselves, gyrocopters Technology stopped people getting jobs in the bush Used to be work all year round, fruit picking, labour force When shearing finished always something to do Rural work different now, not really anywhere to go when kids leave school Had brothers in the shearing industry, always had your back	→	Changing Nature of Rural Work	
Aboriginal kid in Bourke may be couch surfing, kids in the city have a refuge Lack of services in rural communities Lack of services, never saw the PCYC open Not like our PCYC where kids can communalise after school, don't have a service in town If PCYC's opened, kids mightn't get along with who is running it	→	Access to Services	
More resources for Aboriginal kids in the city Kids out west more hands on, stories and participation in things	→	Urban Differences	
Eight month wait for paediatrician Need to access health services in rural communities Got to drive four hours for a service, don't worry about it I'll be right, I'm not that sick instead of travelling distances	→	Access to Health Services	

Table A3.12

Theme: Service Delivery factors



Theme: Service Delivery factors (cont)

Condensed Unit	Code	Subcategory	Category
Find mentors by doing homework Always a good copper in each town, find and connect Gain respect by approaching elders before going there Doing research in each community before you go there Go to community and get some perspective on how community works	→	Community Mapping	Relationship building between services and community
Aboriginal kids clinging to what is safe Help young people form a routine Not possible for all families to visit, but stay in contact on phone Having family connection severed like cutting a lifeline No concerted effort post release – very hard in small communities Kids need to connect with family, get sad when they haven't had contact I feel bad when kids haven't had contact, survive and go Kids want to connect with family then issues changing numbers or finding numbers Having no family contact is like a double punishment Parents might be ashamed, but one less mouth to feed Really sad kids get more contact when locked up then when they are out A lot of kids come into custody and speak to mum every day, but not when they return home Some kids reoffend to come in because it's a better life	→	Custodial Environment	
Police play a huge role in changing kids lives Police inspector taking kids down the road for a yarn Police officers have respect for kids in Dubbo – get it back At least some of the youth liaison might take me down the road and do something fun Kids try to mouth off and stay staunch – cops doing their job A few really good policemen who have a chat with the family Police in Dubbo actively engaging kids to try and close the gap	→	Positive Policing	

Theme: Service Delivery factors (cont)

Condensed Meaning Unit	Code	Subcategory	Category
Make sure the person has support to look after the child Whoever has that child should receive support and the system doesn't support that person Give parents a go but put the child in the right situation No one to support mum when child has been removed Child removal traumatic for mum as well No one there to help mum get her kids back If kids are in extended family unit it will put kids in the outer Mum might loose all her family connection If you are going to remove the kids, work with mum to build her back up	→ Parental service delivery		
Connect services to each other – how does AMS have a role in Justice No services link to each other because they see it as a different thing Bringing in more services creates more division in Aboriginal communities Was in a meeting with 30 people in a room and not one service knew the other Secret business for kids out west, how did you get into that program "if its not our service problem to address, then we aren't going to address it" Small communities very secular, no one talks Problems are two or three pronged, only address one prong If the clients are the kids, they are the clients Need same worker for clients and family If I need to clear my spreadsheet its about fitting the program to the person	→ Uncoordinated and siloed service delivery		

Theme: Service Delivery factors (cont)

Condensed Unit	Code	Subcategory	Category
Services come into place and hover over the top Kids need to be in the drivers seat I'll share things with the boys, but there stories are their stories Need to understand where kids come from Every program for indigenous kids should have indigenous people or elders informing practice Every program should be trauma informed When its time for people to be in the drivers seat shouldn't people know how to drive We've got no idea what's going on for these kids because we have never lived it	Person Centred Practice		Effective Clinical Practice
Kids come up when they see you downtown and give you a big cuddle Take kids down the river, throw in a fishing line Get so much more out of kids in a comfortable environment All about delivery to engage kids Age and gender difference matters for engagement How you talk to kids its about being respectful Kids will never engage without a personal relationship	Engaging Young People		

Table A3.13

Theme: Social Needs

Condensed Unit	Code	Subcategory	Category
Dubbo lots of family groups have created another mission Moving people to Apollo Estate and they want to stay out west People from all over living in Dubbo now, used to be lots of fighting between groups Resettlement program, move for jobs and houses, just created housing areas with huge disadvantage All the kids in the Bronx run amok, so need to run amok to fit in Parents could be driven but child is off track because of family group in the Bronx Lowest socioeconomic area, people dealing with whatever they are dealing with Special housing suburbs demolished in Dubbo ten years ago Gordon Estate Displacement bought up a lot trauma in people – still trying to transfer back Each community has similar stories, effects being felt by parents and grandparents today When Gordon Estate pulled down, took social fabric People relocated to estates where they knew no one People over east are suffering, tormented by the house on the corner with drugs	Housing Estates		Homelessness and Housing
A lot of Aborigine family members living in the same household Lower rental percentage than the rest of the state, hard to get a house Not enough housing, which is why its overcrowding. Aboriginal people see that as a way of life	Overcrowding		
Poverty driving most of it – assumption was we were savages that didn't know how to use appliances Bought up with no running water in a tin humpy 8ks out of town	Mission Housing		
In Dubbo homelessness issue is crazy Best you can do for a homeless young person is a hotel for the night There is a place in Sydney for kids to go if they don't have a bed Where do you take a kid out west that can't go home at night? Housing waiting lists for months Most people look for where they can get a house, then transfer back because of no support	Homelessness		

Theme: Social Needs (cont)

Condensed Unit	Code	Subcategory	Category
Families surviving on Centrelink, won't change Less ability to engage kids in things that keep them busy – rugby league very expensive Embarrassed to say we can't afford things – let kids do something else I can't afford $120 for him to play football, so to save face lets pursue something else Not being able to afford things, downplayed at the get go Lower socioeconomic kids mightn't stay with family because they have had enough Kids don't have money for computers at school No school uniform, crappy shoes, gets bullied No child should miss out on school because they don't have shoes Cohort of kids get excluded because of no clean clothes, but what if they had no washing machine? Right clothing help kids be part of the school community Kids go weeks without a new pair of shoes with no one knowing what's going on for them Young people who come into contact with Juvenile Justice come from a low socioeconomic background	→	Family Poverty	
If you are in the criminal justice system you are impacted by all these issues in your community Have to wait years for help with house and job When I changed towns I grew out of that lifestyle People might see better opportunities away from home and leave People are aware and talk – town is very opinionated on crime In Dubbo we have an epidemic with ice You need a good understanding of each neighbourhood, each neighbourhood has its own culture Where I grew up 1 in 10 on the block worked and 9 out of 10 were coming out of gaol Young people live in environments of lateral violence and trauma	→	Ecological influences on crime	

Theme: Social Needs (cont)

Condensed Unit	Code	Subcategory	Category
Babies having babies Mum and dad had children at a young age Kids raising kids, got money from baby bonus Young parents wanting to go out every weekend, little kids at home Parents are teaching cultural values because of being young	→ Young parents		
Drug and alcohol bring on family violence Family violence an issue too	→ Family Violence		
They go look dad wasn't around much but was in gaol but I got to see him A lot of the time people will go into custody and see their brother or cousin Not scared of custody, my dad is in here, brother in here, uncle in here	→ Gaol not as a deterrent		
Young man came to knock down walls, never worked a day in his life, said can't talk to white fellas Our cleaner was supported to get on methadone, if no one gets you a go, you're never going to get employed	→ Unemployment		

Table A3.14

Theme: Systemic Racism

Condensed Unit	Code	Subcategory	Category
I feel that Aboriginal families are looked upon harder than any Caucasian child Aboriginal kids get flagged higher in child protection than Indian or Caucasian Stereotyping Aboriginal kids than other races System blaming parents, and parents blaming the system In child protection put Aboriginal kids with white families – be like going from Disneyland to the zoo	→ Child Protection		
metro areas with large Aboriginal populations come into contact with the justice system Main driver racism, and lack of understanding from justice Police go to houses weekly to check on curfews When walking with an Aboriginal client have more contact with police than a non-Aboriginal client Young people disrespect police, learnt trauma Indigenous cops get a better outcome than white cops Aboriginal families holding onto past enforcement policies Young people inherent poor relationships from past generations Intergenerational trauma and fear of police passed onto younger generation Police where there to enforce Aboriginal people – two sets of rules We don't come into contact with boys in blue – it's the government man that stole our kids away Police targeted Aboriginal youth – campaign to stop targeting Campaign for police interactions to be automatically uploaded to the cloud in Dubbo	→ Policing		
Constant rise in Aboriginal descent Get bogged down in negatives we forget the positives More people aren't controlled by drug and alcohol, family violence – lots of strengths Lots of kids put down as Aboriginal because of living with Aboriginal people. Not actually Aboriginal Aboriginal kids entering out of home care as Aboriginal, find out they aren't Aboriginal and exit as non-Aboriginal. Data is skewed Data we have is just as important as the data they require Data used to be collected for mental health but not drugs. Ice caught everyone off guard	→ Are population statistics telling the truth?		

Theme: Systemic Racism (cont)

Condensed Unit	Code	Subcategory	Category
Aboriginal lady in woollies kid got some free fruit – was asked to leave Aboriginal man asked to leave the pub; don't bludge smokes. Never asked for anything In the bush ask if she is black if you apply for work In shops, hear security to this section – don't hear it for white people Very opinionated town, you hear security checks when you go to the shop 12 year old son got searched at Aldi – was told all bags were searched, but mine wasn't.	→ General Public		
Aboriginal kids used to be sat at the back of the classroom Kids should be learning more about culture at school, not just Aboriginal kids	→ Education		
Some people were moved into white estates, experienced racism through letters, feared another stolen generation Loss of social network – didn' t know what it meant to be Aboriginal until moving into a white estate Gordon estate demolish is being reported as successful economically	→ Housing		