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Promising interventions for reducing Indigenous juvenile offending

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Introduction

Indigenous juveniles (those aged 10 to 16 years in Queensland and 10 to 17 years in all other jurisdictions) are over-represented at all stages of the criminal justice system, and their over-representation becomes more pronounced at the most severe end of the system (ie in detention). Recent figures show that Indigenous juveniles are 24 times as likely to be detained in a juvenile correctional facility as non-Indigenous juveniles (Richards & Lyneham 2010).

A variety of explanations for this over-representation have been proposed, including:

- lack of access or disparate access to diversionary programs (Allard et al. 2010; Cunneen 2008; Snowball 2008);
- systemic discrimination against Indigenous juveniles (eg police bias against Indigenous juveniles) (Cunneen 2008; Kenny & Lennings 2007);
- inadequate resourcing of Aboriginal legal services (Cunneen & Schwartz 2008); and
- genuinely higher levels of offending by Indigenous juveniles (Kenny & Lennings 2007; Weatherburn et al. 2003).

A range of measures (including diversion and juvenile conferencing programs) has recently been implemented to reduce the over-representation of Indigenous juveniles in detention, and minimise the contact of juveniles with the formal criminal justice system. Diversionary measures can only have a limited impact, however, and reducing offending and reoffending have been identified as critical factors to address if the over-representation of Indigenous juveniles is to be reduced (Allard et al. 2010; Weatherburn et al. 2003).

While acknowledging that other measures designed to reduce the over-representation of Indigenous juveniles are important, this paper reviews the evidence on policies and programs that reduce offending by Indigenous juveniles in Australia. Where relevant, research from comparable jurisdictions, such as New Zealand and Canada, is also discussed.

Primary prevention

Primary crime prevention measures aim to prevent offending before it begins (AIC 2003; Singh & White 2000). Primary prevention strategies focus on *social* or *situational* factors (AIC 2003). Social crime prevention addresses factors that influence individuals' likelihood of committing a crime (eg poverty or unemployment). Social strategies may be based in a particular institution (eg a school-based initiative encouraging attendance) or may target whole communities (AIC 2003). Situational crime prevention focuses directly on altering the physical environment to reduce opportunities for crime (eg through the design of buildings) (AIC 2003).

As Indigenous juveniles are more likely than non-Indigenous juveniles to begin offending early and belong to the group of offenders that has long-term contact with the criminal justice system (Crime and Misconduct Commission 2009; Livingstone et al. 2008), primary crime prevention strategies, which seek to prevent crime before it begins, are critical for Indigenous communities. Intervening early in life (eg through the provision of community development, health and social services) has been identified as a critical component in breaking the cycle of crime and violence:

'develop[ing] interventions once young people have well established police records, incomplete schooling, and/or problematic peer groups is likely to be very difficult' (Delfabbro & Day 2003: 47).

Although many primary prevention programs exist in Indigenous communities throughout Australia (Crime and Misconduct Commission 2009), only a small number of evaluations of such policies and programs have been conducted. A number of these are described below.

Doomadgee Petrol Project

The Doomadgee Petrol Project, based in Doomadgee, Queensland, aimed to 'reduce the amount of crime and anti-social behaviour within the town by curbing the drug and petrol sniffing habits of youth' (Kennedy 1999: 18). The program's main strategies were:

- removing glue and other sniffable substances from shelves of the local store, and allowing these to be purchased by adults only;
- educating school children about the consequences of substance abuse; and
- involving the children in a competition to design an anti-petrol sniffing logo (Kennedy 1999).

Kennedy (1999) reports that this program had a substantial impact on crime, with a reduction in reported crime of 90 per cent over the 1997-98 period. Although Kennedy does not report the number of crimes in the community before and after the introduction of the program, and it is possible that the recorded decrease in crime may have been impacted by other factors, the approach adopted in the Doomadgee Petrol Project appears promising. Anecdotal evidence from community organisations also suggests the program had an impact in reducing offending by Indigenous juveniles (Kennedy 1999).

Opal Fuel Initiative

Under the Opal Fuel Initiative, which was one component of the Australian

Government's Petrol Sniffing Strategy, the governments of South Australia, Western Australia and the Northern Territory replaced standard fuel with Opal Fuel – which does not result in intoxication when sniffed – in roadhouses, petrol stations and fuel outlets in sniffing-affected communities (Ray & McFarland 2010).

An evaluation of the initiative (d'Abbs & Shaw 2008) conducted in 2008, which collected qualitative and quantitative data from 20 of the 74 communities in which Opal Fuel had been introduced, found that the initiative had had a positive impact on these communities. Specifically:

- the prevalence of petrol sniffing had declined in 17 communities;
- across the whole sample, there had been a 70 per cent decline in the number of people sniffing petrol; and
- in nine communities, there no longer appeared to be any petrol sniffing.

In most communities, the evaluation found a decrease in both the *prevalence* of sniffing (ie the number of people sniffing) and the *incidence* of sniffing (ie the frequency with which people sniff) (d'Abbs & Shaw 2008). The evaluation revealed a statistically significant relationship between the distance from each community to the nearest unleaded petrol outlet, and the size of the decrease in the prevalence of sniffing in each community.

This suggests that the introduction of Opal Fuel has played a role in reducing the prevalence of petrol sniffing. Although the impacts of the initiative on rates of juvenile offending have not been reported, given the well-documented links between substance misuse (including petrol sniffing) and juvenile offending, it appears promising.

Halls Creek alcohol restrictions

An evaluation of alcohol restrictions in Halls Creek, Western Australia found 'strong improvements in school attendance rates, higher numbers of kids taking the bus to school, and a strengthening of

parental engagement in school activities' (Kinnane et al. 2010). This suggests that alcohol restrictions could in turn contribute to reducing juvenile offending. There may, however, be limitations to these measures. For example, strategies such as the Opal Fuel Initiative, the Doomadgee Petrol Project and the Halls Creek alcohol restrictions are most appropriate for communities in regional or remote locations, in which the supply of substances can be closely regulated. Furthermore, some programs may produce a displacement effect. The evaluation of Halls Creek alcohol restrictions (Kinnane et al. 2010) found that both adults and young people had moved from Halls Creek to nearby Kununurra, where restrictions are not in place, with an increase in crowding, anti-social behaviour and violence.

Pathways to Prevention Project

The Pathways to Prevention Project aims to promote children's positive transition to school through a variety of means including communication and social skills programs at preschools, play groups, behaviour management programs for parents, family support groups and community development initiatives (Homel et al. 2006). Although this project was not designed exclusively for Indigenous juveniles, the area in which it was based (the Brisbane suburb of Inala) has a relatively high Indigenous population (approximately 7%).

Evaluation of this program demonstrated that children's communication skills improved, their levels of difficult behaviour decreased and there were fewer children at risk of severe behavioural problems. The evaluation used the Juvenile Justice Simulation Model to show that the reduction in the number of children at risk of severe behavioural problems would result in a 21 per cent reduction in juvenile offending in the target community (Homel et al. 2006).

Kowanyama and Palm Island Community Justice Groups

Kowanyama and Palm Island Community Justice Groups were first introduced in 1993 in response to high levels of drug abuse, family violence and property crime in remote Indigenous communities (Cunneen 2001; Gant & Grabosky 2000). The program involved the development and implementation of community justice groups (consisting of Indigenous community members and a community development officer, and involving community consultation) to deal with justice issues by way of customary practices. Community justice groups undertake a variety of roles, including primary prevention activities such as conflict resolution, conducting night patrols, and settling family disputes.

Evaluation of the program involved interviewing those involved with the justice groups and the wider community and analysis of police and corrections records. The interviews – and to a lesser degree police statistics – determined that the groups were generally effective in reducing crime in the Kowanyama and Palm Island communities. In particular, Kowanyama police statistics indicate a substantial decrease in juvenile charges (Gant & Grabosky 2000). Break and enters fell from 207 in 1993 to 37 in 1994. In the same period, stealing charges fell from 123 to 11, and receiving stolen goods charges fell from 179 to two. Charges against juveniles fell from 40-50 per month for each month prior to March 1994 to four charges in April 1995. Charges on Palm Island declined from 1,060 in 1992 to 738 in 1994. The number of court appearances in both places also fell significantly between 1993-4 and 1996-7 (Gant & Grabosky 2000).

Night patrols

Night patrols are an important tool for Indigenous communities to address a range of issues, including juvenile offending. The literature emphasises that the primary purpose of night patrols is to prevent crimes by intervening early in situations and minimising

the need for police involvement (Blagg 2003). As Higgins and Associates' (1997: 142) report on best practice in night patrols found, 'preventative work which involved peacekeeping, settling family disputes, diffusing potentially violent situations, mediation, and dispute resolution ...were the most important outcomes'.

An overview of night patrols in Australia (Blagg 2003: 77) found 'encouraging' – albeit 'patchy and anecdotal' – evidence for night patrols preventing offending. Lui and Blanchard (2001) also found that night patrols had 'a positive effect on reducing juvenile involvement in the criminal justice system'. Although more recent evaluations are not available, improved data collection has recently been identified as a priority for night patrols in the Northern Territory (Attorney-General's Department 2010), and an improved performance and reporting framework will be introduced in early 2011.

Secondary prevention

Secondary crime prevention strategies are those that seek to address existing problem behaviour: 'they may also target the reduction or avoidance of crime before it reaches the notice of the authorities or becomes more serious' (Singh & White 2000: 23). Most secondary strategies are aimed at individuals regarded as 'at high risk of embarking on a criminal career' (AIC 2003: 1). They may consist of an early intervention (eg youth programs) or operate more generally within a community (eg neighbour dispute centres).

A small number of evaluations of secondary crime prevention policies and programs that reduce offending by Indigenous juveniles are outlined below.

Panyappi Indigenous Youth Mentoring Project

Although mentoring programs for Indigenous young people are in place in Western Australia (RAW), Victoria (Kalay Wartee), Queensland (Cleveland Mentoring Program)

and South Australia (Panyappi Indigenous Youth Mentoring Project), only Panyappi has been the subject of a published evaluation.

The Panyappi Project was implemented in Adelaide in 2001 in response to the problem of large numbers of Aboriginal juveniles becoming involved in a range of crimes in the inner city area (Stacey and Associates 2004). The program aims to:

- intervene in pathways of offending behaviour;
- decrease juveniles' contact with the justice system;
- promote self-discovery and self-determination; and
- work with relevant agencies to help juveniles.

The program matches an Indigenous mentor with each juvenile, an approach that reflects Indigenous cultural traditions: 'it is compatible with the cultural tradition of older people in the community providing guidance and transferring knowledge to younger members' (Stacey and Associates 2004: 11-12). Mentors work intensively with juveniles, primarily by connecting them with relevant local services.

An evaluation conducted in 2004 revealed declines in offending among most Panyappi participants. It should be noted, however, that the offending records of just 15 juveniles were able to be analysed, and no comparison or control group was used. Qualitative data demonstrated that a range of other benefits had resulted from the Panyappi program, including stronger family relationships and better connections with school.

Delfabbro and Day's (2003) review of programs for minority juveniles in Australia and New Zealand found that mentoring is a promising strategy in reducing offending. However, the review cautions that it may be more effective as one element in a broader intervention strategy, and/or as an early intervention 'before the young person establishes peer relations that reinforce, or that are conducive,

to the development of anti-social behaviours'. Furthermore, the limited research evidence on mentoring programs means that there is little evidence regarding their long term impacts (Wilczynski et al. 2003).

Gwich'in Outdoor Classroom

The Gwich'in Outdoor Classroom, which was implemented in two First Nations communities in Canada's Northwest Territories, was a culture-based crime prevention program that targeted First Nations children aged six to 12 years, who were at risk of, or already engaged in, early cycles of criminal activity. It involved an outdoor camp, a morning breakfast program, an in-school program involving Elders and teaching life and communication skills, and traditional learning (Public Safety Canada 2007).

An evaluation of the program, using a pre- and post-test design and a comparison group, found statistically significant differences in school achievement levels, and increased school attendance among the children. Although it was not possible to measure impacts on criminal activity among the children (as they were below the age of criminal responsibility), school attendance and achievement have been linked with lower levels of criminality among young people: 'any programs that can enhance young Indigenous people's interest in schooling are of critical importance' (Delfabbro & Day 2003: 46). Although it appears that there have been no evaluations of similar Australian programs, the Gwich'in Outdoor Classroom has been recognised as an example of best practice by the Western Australian Department of Indigenous Affairs (nd) and the Australian Human Rights Commission (Calma 2008).

Ngaripirliga'ajirri (Exploring Together)

The Ngaripirliga'ajirri (Exploring Together) program was offered in three Tiwi Island primary schools between 2000 and 2004 (Robinson & Tyler 2008). The ten-week group program offers social skills training for children and parenting training for adults, and is targeted at children

displaying behavioural and/or emotional problems. An evaluation found statistically significant reductions in children's problem behaviour (as reported by teachers), and improved communication between parents and children. The improvements were sustained after six months (Robinson & Tyler 2006). Although this program is not designed to reduce juvenile offending directly, outcomes such as reductions in aggressive behaviour and better family relationships may have this effect.

Tertiary prevention

Tertiary crime prevention seeks to reduce reoffending by 'intervening in the lives of known offenders' (AIC 2003: 1). Examples of tertiary crime prevention strategies are restorative justice measures (such as youth conferencing schemes), community-based sanctions, and treatment and rehabilitation interventions (AIC 2003; Singh & White 2000).

Some tertiary crime prevention measures that reduce offending by Indigenous juveniles are described below.

Multisystemic Therapy

Multisystemic therapy (MST) is "an intensive family- and community-based treatment program that focuses on the entire world of chronic and violent juvenile offenders — their homes and families, schools and teachers, neighborhoods and friends." (Multisystemic Therapy website). Its principles for intervention include: focus on strengths, increase responsible behaviours among all family members, make action oriented and developmentally appropriate interventions, and require the family to make daily or weekly efforts. Therapists are available 24 hours a day, seven days a week and meetings take place in the young person's home. The ultimate aim is to develop the parent / caregiver's skills to help the young person reduce their problematic behaviour, and to strengthen the family's natural support network. MST is a program distributed under licence and a

non-profit company has been established to ensure that MST providers are trained and that program integrity is maintained.

Curtis and Heiblum (2009) have noted that reviews of research have identified MST as "a treatment program of choice for antisocial behaviour in youth", and that seven randomised controlled trials have shown positive results, including decreased numbers of arrests and increased school attendance. They also reported on a study of 65 youths (including 6 Maori) referred to MST programs in Christchurch, Hamilton and Wellington (New Zealand). The youths were aged between 8 and 18 years and had manifested significant antisocial behaviour problems. There was a high rate of treatment completion (98%). After program completion, the youths were attending school more often, were removed from their home less often, and the frequency of their offending behaviour was reduced. No control group was used, but benchmarking indicators showed that this MST program was as effective as MST delivered in randomised controlled trials conducted in the United States.

On the other hand, in a randomised controlled trial of MST in Ontario, Canada, the MST group were equally likely as the control group to commit a new offence. In fact, the MST group were more likely to be sentenced to custody and to receive a longer sentence (Centre for Children and Family Services in the Justice System 2002).

A trial of MST, known as Intensive Supervision Program or Family Intensive Teams, was conducted in Western Australia between 2004 and 2009. However the Attorney General recently announced that the funds for the program would be redirected, as it had not successfully engaged with families and had not achieved the results expected (Government of Western Australia media release, 9/9/2010).

In contrast, a similar program has recently been trialled in New South Wales. As of May 2010, 87 families had entered the program, with 90 per cent successfully completing it

(New South Wales Legislative Assembly 2010). Preliminary research on the program found substantial decreases in rates of offending by juveniles (New South Wales Legislative Assembly 2010).

MST has also been used in Te Hurihanga (turning point), a residential program for 14 to 16-year-old male offenders who are at high risk of reoffending and who live in the Hamilton/Waikato region of New Zealand. A preliminary evaluation found that of the 17 boys who had entered the program, four had completed, five exited early and eight remained in the program. Although it was too early for a consideration of outcomes, the report found that the juveniles, their families and other stakeholders were confident that they had made positive changes (Centre for Research, Evaluation and Assessment 2009).

Restorative justice processes

There is some evidence to suggest that restorative justice conferencing can reduce offending by juveniles, although the evidence is somewhat mixed. Luke and Lind's (2002) study of 590 juvenile first-time offenders who attended a conference and 3,830 juvenile first-time offenders who attended court found that the risk of reoffending was 15 to 20 per cent lower among juveniles sent to a conference than among those who went to court, regardless of Indigenous status. An evaluation of the Te Whanau Awhina conferencing program in New Zealand, which deals primarily with young Māori offenders, also found that reconviction rates were lower among participants than among the comparison group (Sallybanks 2002). Conversely, Allard et al.'s (2010) study of 8,236 juvenile offenders born in 1990 found that diversion to caution or conference in Queensland did not reduce the likelihood of recontact among Indigenous juveniles (or non-Indigenous male juveniles).

Although the evidence is currently limited, it appears that restorative justice processes may be more effective for non-Indigenous than

Indigenous juveniles. Future research into reasons for this, and into which aspects of restorative justice influence reoffending behaviour among Indigenous juveniles, is therefore important.

It is often noted that diversionary programs are scarce in non-metropolitan areas, but there are two reports of promising programs in remote areas. Clough et al. (2008) reported on a program in a remote Indigenous community in the Northern Territory, where juveniles were diverted into a conference and other interventions including counselling, community work/activities, training/education, restitution and apology. The program has high completion rates and anecdotal evidence indicates that only one of 28 clients reoffended within the 34 month observation period. In South Australia, changes to juvenile diversion policies in the Far North and Mid West Local Service Areas have increased the number of juveniles diverted from court to informal caution, formal caution or family conference (Blandford & Sarre 2009). South Australia Police are now required to divert Indigenous juveniles away from the criminal justice system by way of caution or family conference wherever practical. Although there has been no formal evaluation to date, preliminary data suggest that the policy has facilitated a reduction in juvenile offending and reoffending.

Principles for prevention of offending by Indigenous juveniles

As this paper demonstrates, there is a lack of high-quality evidence about what works to prevent offending by Indigenous juveniles. The programs described in this paper have been evaluated and/or suggest positive outcomes in terms of preventing juvenile offending. In addition, the body of literature on policies and programs that aim to reduce offending by Indigenous juveniles indicates that in some cases, policies and programs that appear to have been successful, but have not been evaluated, share some similar

features. These are outlined below. Although these features should not be taken as evidence of programs' effectiveness in reducing offending by Indigenous juveniles, they might be taken into consideration alongside the research evidence outlined above. In addition, future research in this area could consider evaluating their effectiveness.

Community based strategies

The literature highlights the importance of community involvement in the design and delivery of programs. Such involvement can ensure that the program addresses the particular needs of a community, and that the program is culturally appropriate. Community involvement also avoids the perception that the program is "another government imposition on communities" (Calma 2008) and thus increases the acceptability of a program. Community involvement should go beyond consultation, and move towards community ownership and control, thus contributing to empowerment and self-determination (Cunneen 2001). Research in New Zealand indicates that incorporating extended family (whanau) and traditional knowledge (tikanga) improves the effectiveness of interventions (Singh & White 2000).

Building on existing strengths

Indigenous individuals, families and communities have a unique range of strengths on which to draw in addressing problems such as juvenile offending. For example, Homel et al. (1999) found that Indigenous people have high levels of resilience, child-rearing practices that produce self-sufficient young people, and high levels of self-esteem. Blackshaw and Walker (2002) argue, furthermore, that Indigenous community strengths that could be drawn on include kinship systems, cultural identity and spirituality, and community knowledge (eg of Elders). Research in New Zealand has also indicated that incorporating extended family and traditional knowledge can improve the effectiveness of interventions with juveniles (Singh & White 2000).

Other international literature on preventing offending by Indigenous juveniles has identified that the cultural traditions of Indigenous peoples could be considered a key strength on which to build. Sanchez-Way and Johnson's (2000) overview of prevention programs for Native American juveniles argues, for example, that enhanced identification with Native culture is correlated with decreased use of alcohol and drugs, since substance abuse is usually inconsistent with tribal values. The extent to which cultural identity can protect against offending by Indigenous juveniles has not, however, been well-expounded in the research literature. As argued by Nathan et al. (2008), Indigenous juveniles and their families may inhabit a diverse range of positions on the 'cultural comfort zone'; that is, they may have varying levels of engagement with their traditional culture and/or different cultural priorities or values. This is an important area for future research.

Addressing juvenile offending in a holistic way

The literature suggests that programs may be more effective if they address multiple issues that lead to juvenile offending, including drug and alcohol misuse; unemployment; and lack of education. Calma (2008: 23) argues that 'interventions are more likely to be effective if they target multiple risk factors'. Research in the United States has indicated, furthermore, that both targeting multiple risk factors and enhancing multiple protective factors can be an effective strategy in reducing violence among juveniles (Hart et al. 2007). It is unclear, however, whether any Indigenous juveniles were participants in this research.

Addressing juvenile offending through collaborative approaches

Collaboration across agencies (government and non-government) and between Indigenous and non-Indigenous individuals and communities (Calma 2008; Stacey and Associates 2004) has been highlighted in the literature as good

practice. For example, Simpson et al. (2009) argue that collaborative approaches result in increased access to resources and increased service delivery capacity.

The literature also highlights the strategy of 'collaborating' with juveniles themselves; that is, where possible, including juveniles in the design and implementation of initiatives aimed at reducing their offending. For example, the Doomadgee Petrol Project described above involved collaboration among agencies, with Indigenous and non-Indigenous stakeholders in the community, and involved juveniles in the delivery of the program (Kennedy 1999).

Conclusion

This paper has examined the evidence about primary, secondary and tertiary crime prevention strategies to highlight what works in policies and programs designed to prevent offending by Indigenous juveniles. The preliminary evidence available suggests that a number of policies and programs in this area have been effective. The previous section identifies some general factors that may have contributed to the efficacy of these policies and programs. Similarly, the following features emerged from the evaluation literature:

- focusing on issues of specific relevance or concern to Indigenous communities (eg petrol sniffing) may help address the issue and secure support from the community;
- increasing the level of involvement from members of Indigenous communities in crime reduction strategies (eg involving young people in crime prevention activities) may help to strengthen cultural and social structures and optimise self-determination (eg the Kowanyama and Palm Island Community Justice Groups);
- intergenerational, family and cultural support (or mentoring) mechanisms within Indigenous communities (eg those included in the Panyappi, Gwich'in

Outdoor Classroom interventions and Family Intensive Teams strategies) have been shown to have positive outcomes that may contribute to reducing juvenile offending; and

- where appropriate, focusing on younger juveniles rather than older juveniles to maximise early intervention into juvenile offending trajectories (indicated by the Gwich'in Outdoor Classroom and Family Intensive Teams interventions).

It will thus be important for policies and programs designed to prevent offending and reoffending by Indigenous juveniles to build on the existing evidence presented in this paper. In addition, more rigorous evaluations to further identify successful measures for preventing offending by Indigenous juveniles are vital.

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