

Indigenous people in Australia and New Zealand and the intergenerational effects of incarceration

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I. Introduction

Indigenous Australians are imprisoned at the highest rate of any people in the world (Anthony, 2017) and at a rate 16 times higher than non-Indigenous Australians (Australian Bureau of Statistics, 2018). Meanwhile the Māori in Aotearoa New Zealand are imprisoned at 7 times the rate of the general population (New Zealand Department of Corrections, 2019). These disproportional rates of imprisonment lead to disproportional impacts on Indigenous and Māori children. In Australia, studies have estimated that 20% of Indigenous children experience paternal imprisonment in both New South Wales (NSW) and Queensland (Dennison, Stewart, & Freiberg, 2013; Quilty et al, 2004), while 20% of Indigenous children in Western Australia experience maternal imprisonment (Dowell, Preen, & Segal, 2017). Māori children are also disproportionately impacted, with an estimated 40% of children between ages 6-14 experiencing a parent serve a custodial or community sentence (Ball et al, 2016).

Experience of parental incarceration compounds existing adversities in the lives of many children whose parents offend and is associated with an increased risk of antisocial behaviour and imprisonment, mental and physical health issues, substance use, academic difficulties, and social marginalisation or exclusion in offspring (Murray, Bijleveld, Farrington, & Loeber, 2014; Wildeman, Goldman, & Turney, 2018; Besemer & Dennison, 2018). These impacts hold true for Indigenous children who are also more likely to experience residential instability, abuse and neglect, and poverty (Ball et

al, 2016). The effects of parental imprisonment may extend from birth to death, and across multiple generations and kinship networks. In this research brief, we review existing research and interventions for improving outcomes of Indigenous children who experience parental imprisonment. Supporting children and their families is one way to disrupt the intergenerational impacts of incarceration. We identify the types of programs and policies required to reduce the impact of parental imprisonment on Indigenous children.

II. Intergenerational effects of parental imprisonment: Local and international findings

Children with a parent in prison often face multiple adversities before parental imprisonment occurs. Giordano and Copp (2015) adopted the term 'packages of risk' to describe child exposure to parental substance use/criminality, familial and residential instability, poverty, abuse/neglect, loss of a parent, exposure to violence and other adverse events that frequently accompany parental imprisonment. These adversities may become compounded by parental imprisonment, exacerbating the severity and chronicity of trauma and deprivation. Over time, these 'packages of risk' may worsen developmental, health, educational, economic and social disadvantages for those experiencing parental imprisonment (Hughes et al, 2017). Family units within communities with high incarceration rates are also further disadvantaged from disrupted social bonds and social capital, and the removal of role models (Wildeman & Wakefield, 2014).

The effect of parental imprisonment on children may operate differently depending on whether the mother or father is incarcerated (or both). Paternal imprisonment is more likely to result in economic deprivation, ongoing paternal absence, and maternal hardship and is more common due to higher offending and imprisonment rates by men (Braman, 2004). In contrast, maternal imprisonment can impact children prenatally and postnatally and may lead to potentially stronger effects (Dowell, Mejia, Preen, & Segal, 2018; 2019). Postnatal maternal imprisonment increases the risk of children's placement in foster care and/or adoption and loss of a primary caregiver. There is evidence these mothers have often experienced substance use and domestic violence to which their children may have also been exposed (Arditti, 2015). Parental imprisonment has been found to have similar effects in recent studies of Indigenous populations, with a potentially greater effect when both parents experience imprisonment (Bell, Bayliss, Glauert, & Ohan, 2018; Tzoumakis et al, 2019).

Local research on the effects of parental imprisonment on Indigenous populations demonstrates exposure to childhood traumas and adversities. Māori children whose parent receives a custodial or community sentence are more likely to experience related childhood adversities that include child abuse or neglect, extended spells of poverty, and exposure to family violence (Ball et al, 2016). Using Western Australia administrative data, Dowell and colleagues (2018; 2019) found that a prenatal history of maternal imprisonment increases risk for low birth weight, while both prenatal and postnatal maternal imprisonment increases risk of child mortality and social services contact. Comparing Aboriginal and non-Aboriginal children ages 5 to 6, Bell et al (2018) found that both maternal and paternal imprisonment is associated with poor physical, social, emotional, communicative, and cognitive developmental outcomes. Other research using NSW administrative data, including Indigenous and non-Indigenous children, linked parental offending to conduct problems in grade six (Tzoumakis et al, 2019). While lacking longitudinal data, the similarities of local research with international studies suggest that Indigenous children may experience a range of health, justice, educational, and social disadvantages as they progress through adolescence and adulthood (Murray et al, 2014; Wildeman et al, 2018). For Indigenous children who experience parental imprisonment, increased risk for mental health and developmental issues may coincide with increased risk of offending into adulthood, creating complex needs and issues that police, justice and corrections systems must address (McCausland, McEntyre, & Baldry, 2017).

III. Policy and programs

Locally and internationally, there is a lack of rigorous, long-term evaluations of policies or programs addressing the intergenerational impacts of incarceration. This may be partly because programs are short-lived, lack funds for evaluation, or because families of prisoners are a hard-to-reach population for researchers and service providers. The needs of children experiencing parental imprisonment are also complex and varied (Arditti, 2015). Interventions targeting children who experience parental imprisonment often need to address the multiple comorbid traumas and issues that children experience in a comprehensive manner (Roettger & Dennison 2018).

In this section, we identify five key areas that must be addressed to support Indigenous families impacted by incarceration. Notwithstanding the dearth of empirically rigorous program evaluations, we have analysed a number of Australian, New Zealand, and international studies that address these key areas. Significantly, potential programs need to address cultural disempowerment, social marginalisation, and unique risk and resilience factors for Indigenous peoples and how this may compound or create unique effects for parental imprisonment that are not captured in international research (Doyle & Hungerford, 2014). These studies should serve as the basis for future policy and program responses aimed at reducing the intergenerational effects of incarceration among Indigenous populations.

A. Working with Indigenous Peoples

When working with Indigenous peoples, the design and implementation of interventions and policies benefit from being Indigenous led and should be prioritised. Imported programs also benefit from Indigenous management, participation and input wherever possible (for discussion see Gilbert & Wilson, 2009). Policies and programs must consider individual, structural, and socio-economic factors in supporting Indigenous parents and families to deal with the complex traumas and issues associated with parental imprisonment. To be effective, policies need to draw on a strengths-based model, consider the families holistically, and include Indigenous services and communities that use cultural values to support parents and children. Brough, Bond, and Hunt (2004) provide an excellent example of how key socio-cultural resources, based on relationships and community support, could successfully promote health in an urban Indigenous community. These principles are transferrable and particularly relevant for disrupting the negative impacts of intergenerational incarceration. Overall, policies and programs that uphold principles of self-determination and cultural values should be prioritised.

B. Reducing incarceration

Reducing incarceration rates would eliminate the issues that arise from parental incarceration. Sentencing statutes in Australia and New Zealand include the principle that imprisonment should be a sanction of last resort. Numerous national reports and commissions of inquiry document that these statutes have not been effectively applied and have been unsuccessful in reversing rising Indigenous imprisonment rates over the past three decades (see Australian Law Reform Commission, 2017). Promoting the use of community-based sentencing options whenever possible has potential to benefit both parents and children (Gelb, Stobbs & Hogg, 2019). For example in the general population, shifting from incarceration to community-based sentences has been found to reduce child delinquency and the risk of imprisonment (Wildeman and Anderson, 2017).

Initiatives that prevent initial contact with the criminal justice system and reduce the use of detention have the potential to reduce the impact of parental imprisonment on children substantially. For example, Justice Reinvestment is a strategy that shifts corrections budgets into low-income community investments such as education, employment, and health. Schwartz, Brown, and Cunneen (2017) describe how international initiatives that have increased commitment to community development have lowered incarceration levels. Significantly, Indigenous peoples have supported the introduction of Justice Reinvestment for opportunities of partnerships, community investment, and the overarching aim of reducing incarceration. Furthermore, Morgan (2018) estimated that non-custodial sentences result in an average saving of \$95,000 per offender over a five-year period (~\$19,000 per year), which could finance Justice Reinvestment initiatives. Initiatives could include addressing existing 'packages of risk' in young people's lives. Such redirection of savings has the potential to improve parent and child outcomes and reduce intergenerational imprisonment.

C. Minimising trauma from separation

Correctional centres can support families by providing opportunities to maintain or re-establish parent-child bonds when a parent is incarcerated. Notably, there are inconsistent findings across studies measuring the effectiveness of visits due to individual-level differences and variability in the quality and accessibility of visits. Mitchell, Spooner and Zhang's (2016) meta-analysis of 16 studies found that visits lead to modest reductions in recidivism (by 26%), but this was significantly moderated by gender, visit type, and known factors related to recidivism. Although there is variability, specific characteristics of visits have been identified. In-person contact has been linked to benefits for both the parent

and child (Markson, Losel, Souza, & Lanskey, 2015). Parent-child visits support parental attachment, which reduces the negative impacts of separation on the child. In-person visits also motivate incarcerated parents, resulting in fewer disciplinary reports and leading to increased participation in programs. Parents who receive more in-person visits have also been found to have lower rates of recidivism (for discussion see Cramer, Goff, Peterson, & Sandstrom, 2017; Poehlmann, Dallaire, Loper, & Shear, 2010). There is only anecdotal evidence regarding whether video contact reduces the impacts of parental incarceration (McLeod & Bonsu, 2018). However, programs such as the Family Video Contact Program in NSW show promise in improving contact by addressing issues such as distance, financial hardship, and health issues that may restrict physical visitation for Indigenous families. Future evaluations should account for the costs and benefits of such programs, including accessibility, family bonding, technology limitations, and minimising the risk of trauma to children.

Numerous studies have focused specifically on the experiences of Indigenous people. Dennison et al (2014) interviewed 41 Indigenous Australian fathers in Queensland prisons, finding that the most significant barriers for maintaining relationships in prison were travel times, the expenses of visits, and the cost of phone-calls. Though reimbursement initiatives are available in some jurisdictions (e.g, NSW), delays in reimbursements can create financial hardship or a disincentive to visit. In addition, Dennison et al (2014) reported that more than two thirds of fathers discouraged their children from visiting due to the anticipated emotional trauma of the end of the visit and the intimidating environment. Kendall et al. (2019) found similar experiences with Aboriginal mothers in NSW, who shared their experiences of trauma and maternal separation due to incarceration. This may be reflected in the NSW Justice Health Survey (Justice Health and Forensic Mental Health Network, 2017), where child non-visitation rates were significantly higher for Aboriginal men (56.3%) and women (59.4%) compared to non-Aboriginal men (49.6%) and women (38.3%). Overall, research demonstrates that creating a hospitable environment and facilitating meaningful and nurturing visits can substantively improve visit quality, while access to in-person visits should also be a consideration for policy and program development.

Another initiative to maintain parent-child relationships are residential mother and baby units, where facilities provide for babies and toddlers to live in prison with their mother. The underlying principle behind these units is that the development of positive mother-child bonds in the early years leads to positive social and emotional development

(Shlonsky, 2016). While such Initiatives are intended to be in the best interests of the child, little is known about the effectiveness or long-term impacts on children.

In Australia, units are in all states and territories except South Australia. In a recent review of residential programs, Walker, Baldry, and Sullivan (2019) identified the lack of co-ordinated programs, policies or best-practice models available to manage mother-baby units in Australia. These deficiencies led to uncertainty for mothers and correctional staff, prevented the development of positive parenting practices, failed to address the criminogenic needs of mothers, and did not provide an environment or support systems for the child's developmental needs. Their recommendations for improvement mirror the practices that occur in the three mother-baby units in Aotearoa. Aotearoa's Mother with Babies Unit is a coordinated program with specialised employees that supports positive parenting practices, and provides rehabilitation and reintegration plans (NZDOC, 2014). Although an evaluation was not available of Aotearoa's units, the components and principles of their programs have been evaluated in other countries and have contributed to reducing the impacts of separation outlined in this brief (see Walker, Baldry, & Sullivan, 2019).

D. Parenting skills interventions

Custodial-based parenting programs aim to support parents through the challenges of parenting while in prison as well as increase general parenting skills, attitudes and behaviour. There are numerous parenting programs implemented worldwide, resulting in six meta-analyses and reviews to date, with considerable variation between outcome studies. Armstrong et al.'s (2017) meta-analysis identified 16 studies. They found that parenting interventions had a small to moderate positive effect on the quality of parent-child relationships and also on improving parenting knowledge and skills compared with 'treatment-as-usual' programs or no program. However, they found no improvement on parent-wellbeing or long-term effects on any of their three measures. Ultimately, the highly localised programs varied between content, duration, format, and aims, limiting recommendations for program and policy development.

In Australia, there are a number of custodial-based parenting programs that have shown positive participant and employee feedback, but lack long term or objective outcome evaluations. Mothering at a Distance supports aims to enhance the mother-and-child relationship and reduce trauma due to incarceration. Rossiter et al (2015) found mothers that completed the program valued the acknowledgement of their role as a mother, as well as the practical knowledge gained in learning about ways to engage

with their child while incarcerated. Similarly, Rossiter et al. (2017) examined the views of 28 imprisoned Indigenous men in Australia who completed the Babiin-Miyagang program, a parenting program adapted for Indigenous fathers in a custodial setting. Participants valued the culturally appropriate ways of learning in the course and the safe learning environment. The involvement of Elders in the program was also important. Both programs incorporated components that have been found effective in outcome evaluations and reviews; including providing parents with opportunities to interact with their children, practice skills, and obtain feedback, while also demonstrating the need for culturally appropriate content and ways of interacting.

E. Wrap-around services

An important observation in the meta-analyses of custodial parenting programs was the difficulty in addressing the complex and extensive risks faced by incarcerated parents and their families. Although strengthening relationships is important, a breadth of issues must be addressed. Addressing mental health problems and alleviating poverty better enables the parent to meet the needs of their child, while addressing health, behavioural, and parenting issues should improve child outcomes (Arditti, 2015; Roettger & Dennison, 2018). Likewise, community and cultural ties can reduce social isolation and exclusion that commonly occur following re-entry (Besemer & Dennison, 2018; Markson et al, 2015). This has led to a growing body of evidence supporting the use of trauma-informed wrap-around services for high-risk families (Day, Geia & Tamatea, 2019; Gilbert & Wilson, 2009; Niccols et al, 2012). Optimal programs use a highly individualised approach that addresses a participant's specific needs and are usually managed by a case worker who liaises with a team of different professionals (for example, see Niccols et al, 2012). Wrap-around programs would be beneficial during incarceration, and particularly during the re-entry of the parent to their community, where there is a significant shift in the support network.

The demand for culturally appropriate wrap-around services for Indigenous peoples post-release has been identified as a priority for decades. Baldry (2009) ran a focus group with 17 incarcerated Aboriginal mothers in NSW as well as multiple service providers. The women identified a range of needs relating to stable housing, relationships, trauma, and childcare. However, the women also reported the lack of available or easily accessible support or coordination of services as problematic for them and their children. While a full overview of wrap-around services is beyond the scope of the brief, Gilbert & Wilson (2019) provide a useful overview.

IV. Conclusion

There is a significant lack of evidence-based policies and programs to address the needs of Indigenous children impacted by parental imprisonment. Nevertheless, we have identified some clear and well-informed program and policy recommendations:

1. Whenever possible, Indigenous peoples should be involved in the design, implementation, and evaluation of programs and policies in custody and the community.
2. Services in the community that prevent contact with the criminal justice system should be supported.
3. At sentencing, community sanctions should be prioritised over imprisonment whenever possible. This includes having appropriate resources and opportunities to facilitate community-based sanctions.
4. Individualised support for children should commence at the time of parental arrest and continue through sentencing, incarceration and the re-entry of the parent into the community.
5. Correctional services should strive to provide access to contact that promotes the positive development of the relationship between children and incarcerated parents. This includes developing evidence-based programs that improve visits, communication, and bonds between parents and children.
6. Parental skills programs should be run in conjunction with wrap-around services that can manage the multisystemic and complex needs of families impacted by parental incarceration.
7. Evidence is still lacking in this area. All policies and programs implemented need to incorporate rigorous monitoring and evaluation processes – particularly innovative interventions. Evaluations need to have Indigenous perspectives, methods, and methodologies embedded to ensure practical outcomes. Due to the highly contextual nature of parental incarceration, outcome measures should aim to understand for whom, how, when, and in what context the interventions are beneficial. This requires sustained support to allow time for measuring effectiveness, the recruitment and follow-up of a sufficient number of participants to conduct evaluations, and have an inbuilt culturally appropriate method for data collection and evaluation.

Disrupting the intergenerational effects of incarceration of Indigenous peoples is a critical justice and societal issue. A multi-pronged approach is required to address the interlinked and complex needs associated with intergenerational trauma, disadvantage and incarceration to improve the wellbeing of Indigenous peoples significantly.

V. References

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¹The term Indigenous is used, respectfully, in this Brief to refer to First Nations peoples of both Australia and New Zealand, recognising the considerable diversity that exists both within and between different groups.

²For example, the Reintegration Puzzle is an annual conference which rotates across Australia and New Zealand to provide opportunities to hear the latest information concerning programs and services which aim to assist people to successfully reintegrate back into the community after prison. See <http://www.reintegrationpuzzle.com.au>

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