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## TERMS OF REFERENCE

**Inquiry into the high level of involvement of Indigenous juveniles and young adults in the criminal justice system. (With a particular focus on prevention and early intervention)**

A large number of Indigenous juveniles and young adults grow up in environments that do not nurture and value them. Many have grown up in families/communities who/that do not provide the appropriate foundation for positive engagement. Many of our young people have adopted negative behaviours and lifestyles, but find this as a way to deal with their issues. Positive and negative patterns of behaviours are adopted or copied. When you look at contemporary society a lot of our children and young people are growing up fatherless. This fatherless society has become a social norm for past generations and future generations. Prevention strategies need to encourage father son, father daughter relationships to exist. Many Indigenous fathers have been or are incarcerated. Many have already been a part of the juvenile justice system themselves. The trend has been incredibly high and is not slowing down. The trend for Indigenous women incarcerated is also on a fast track.

Indigenous juveniles and young adults are currently growing up in a community/society that does not know how to include them in positive ways. In some cases, you could say that they just do not want them. Many do not fit into the lifestyle of some families, due to high rates of drug and alcohol misuse, unemployment, mental health issues, child abuse and domestic violence. Many do not fit into a community, simply because they are Indigenous. They have no positive role models and culturally relevant programs/service that engage them.

Many of these Indigenous juveniles and young adults are then growing up with isolation, systemic failures, lack of culturally appropriate programs and services, lack of appropriate and cultural education, no skills, no positive role models, no future guidance, lack of appropriate accommodation, lack of appropriate household goods, lack of nutrients and nourishments, lack of positive parenting, fatherless, motherless, and the lack of appropriate grief and loss and mental health support.

My framework, "Making a Public Pledge in a Journey to Healing" (Pledge Project/Project), identifies strategies that aim to take on prevention and early intervention approaches by generating positive behaviour change in Indigenous individuals and the whole community. When we look at what is considered "social norms and behaviours" for Indigenous Juveniles and young adults, we must give consideration to the past and the present and identify generational and sustainable strategies that are driven by the people for the people. The Pledge Project framework has been developed for Indigenous people and communities to take on the challenge of changing negative behaviours and to work towards developing healthy relationships free from violence and crime. The framework gives the responsibility back to the people and the whole community. They must be responsible for change.

Whilst the Pledge Project has been developed from the approach of men taking on the challenge to stop family violence, it also includes the women, young people, elders and the whole community. It acknowledges sustaining cultural wellbeing networks. Therefore, the reengagement of Indigenous people who are incarcerated back into community and the reengagement of young mothers/parents back into community are part of the whole Project.

The aim of the Pledge Project is to provide an opportunity that will generate positive behaviour change, decrease and eradicate the levels of family violence and other offending behaviours. Not

every Indigenous community is the same so the approach in the delivery of the Project to communities can be slightly different, but with the same outcomes.

The Project targets Indigenous men, particularly perpetrators of violence against women and children, to take on the challenge of stopping offending behaviours and strive towards families and communities without violence and crime. It gives Indigenous men the opportunity to take back their roles and responsibilities to raise healthy happy children and communities. This is what needs to become the social norms and behaviours that Indigenous juveniles and young adults have a right to. Our men become positive role models for young people and nurture them and teach them and walk beside them. The Pledge Project provides strategies around the reengagement of our youths and men whilst incarcerated and their positive transition back into their communities by way of developing mentoring processes in and out of detention centres.

The other important part of the Project is that women take on the role as a support to their partner/grandfather/uncle/brother throughout their journey towards healing, whilst going through their own healing process. These women are likely to be current or former victims of family violence and they will be supported by way of appropriate programs and strategies that work towards healthy relationships. Both men and women/children and young people will participate in weekly programs/activities that encourage behaviour change and healing from past and present traumas.

I believe that any appropriate strategy developed and adopted must engage Indigenous juveniles and young adults as they are a part of the whole community. It is the "whole of community" approach that is the key to developing prevention and early intervention strategies.

Refer to Recommendation 6 of the Government Report, "We Can Do It! The needs of urban dwelling Aboriginal and Torres Strait Islander Peoples", tabled in Parliament in September 2001, which supports community capacity building projects. Please find attached.

Our Indigenous families and communities must become well and deal with past and present traumas in order to be at a point where they can provide positive social norms and behaviours that are adopted by Indigenous juveniles and young adults.

Past and present traumas, substance abuse, child abuse and family violence have had huge impacts on the lives of Indigenous juveniles and young adults.

Health and justice authorities need to become more creative in the way they deliver services to the Indigenous people and our young people. Holistic approaches need to be adopted and services need to work together more collaboratively within a cultural context. All issues that impact on Indigenous juveniles and young adults are likely to belong to one or more service and/or organisation. More prevention and early intervention programs and strategies need to be developed to prevent the ongoing issues that impact on young people. The strategy needs to include positive engagement of our current Indigenous juveniles and young adults. In my experience many of these young people want to change but don't know how too. I established and facilitated the "Healthy Youth, Future Leaders" Group (HYFL) in Bourke, NSW and they established many positive strategies and ideas that could support their needs and curb offending behaviours. They utilised their peer status to demonstrate their desire to live a more healthy and positive life, to both younger people and their families.

Services and their workers need to ensure that their own paradigms around working with Indigenous juveniles and young adults and communities, do not continue to influence the past and present failures of service delivery.

The whole community need to own the issues that impact Indigenous juveniles and young adults and need to work as a whole to provide more positive environments. The Pledge Project provides the opportunity to do this by ensuring that young people and juveniles are inclusive in the process.

Relevant, age appropriate programs need to be delivered in all schools at all grades. Programs such as looking at Life Skills, Healthy Relationships, domestic violence, human and legal rights need to be delivered during school time. Programs such as these need to have an added component of ensuring that appropriate counsellors, etc. should be available to assist in the identification of children/students in need of support and perhaps early intervention. The Education system has to start providing relevant programs that support the needs of our young people. The Education system may need to consider utilising much of school curriculum to have more of a focus around providing not just education but also intervention and prevention strategies that deal with negative behaviours. When you consider how much time a child spends at school in their life, this is obviously a time that care and support can be provided and the needs of young people captured. All schools need to be equipped with the appropriate supports to be able to achieve this. Indigenous families and communities need to also be given the opportunity to develop relationships with schools and their children's education. Participation from Indigenous families and communities in the Pledge Project will encourage this to happen.

The Government must look at determining what "is the best way forward" for children growing up in contemporary society and adapt to meet the needs of this modern culture. Education is important and should be the catalyst for positive change for our young people. The education system should be supported in providing more opportunities that benefit young people with particular focus on Indigenous young people. Indigenous student support services in schools and in the classroom should be made more available. It should ensure that the ratio between them and student/s has an equitable and workable balance.

Children must want to be at school. School should be seen as an environment where education is an opportunity not just a pre requisite to Government expectations. Schools should be given the opportunity to provide a nurturing environment where Indigenous juveniles feel confident and supported.

A lot of Indigenous young people often feel alienated by the current Education system. Encouraging positive participation encourages a sense of belonging, acceptance and more importantly a desire to attend school with the desire to learn.

People studying to become teachers, should not only go through "Cultural Awareness" Training, but more importantly, Cultural Competency Training and Assessment, such as the one offered by Tracey Westerman, an Indigenous Psychologist who established the Indigenous Psychological Service in WA. This training would give potential teachers of Indigenous students, not only awareness into an Indigenous cultural student, but also better insight as to how to deliver education from an Indigenous perspective for Indigenous students.

The "learn or earn" concept can only be maximised if appropriate life skills and work skills can be nurtured and developed. Students need to be able to reach a point of commitment to learn and

complete tasks. These tasks must be achievable and delivered in the most cultural way by utilising cultural processes and the community. Parents/families should be encouraged to participate in their child/s learning. We need to explore why this approach is not working to full potential. The school/curriculum needs to engage the cultural student and their families and utilise cultural life practices and traditional forms of educating (education from a caring foundation).

The Pledge Project aims to ensure that environments that our children grow up in are supportive of the needs of Indigenous juveniles and young adults to attend school and learn. The Project will encourage parents/family members to participate in the education of children and young people. Issues around family violence, alcohol and drug misuse will decrease and therefore will provide more positive and stable social and emotional wellbeing networks around the young person.

The Pledge Project offers a strategy around mentoring incarcerated Indigenous juveniles and young people back into community. This mentoring also continues back in the community to monitor positive change and develop healthy behaviours. Diversion is made more practical when it is delivered by parents and other community members back in the community as a prevention mechanism and then in the detention centres and then in the transition back to community. Once again the Pledge Projects offers life changes that will contribute to the prevention and early intervention of Indigenous juveniles and young adults from entering the youth justice system. The Project provides the opportunity that is sustainable and generational. It provides the opportunity for our men to take on positive family roles and positive community roles. This includes using their status as "Pledge Bearers" to demonstrate leadership, responsibility and self determination. "Pledge Bearers" assume all tasks around the prevention of violence against women and children and will, in time, eradicate the need for detention centres as the crime level decreases. Fathers/men will be providing positive role models ensuring that communities are safer and happier for Indigenous juveniles and young adults and the next generation.

I believe that communities that adopt the Pledge Project will be better able to identify culturally appropriate programs that are more likely to work. These programs/strategies would also provide support for Indigenous juveniles and young adults in the justice system. The Pledge Project aims to empower elders, men, women, young adults and the whole community. It provides a mechanism that encourages looking at negative and offending behaviour to adopting positive healthy lifestyles and relationships. Participants of the Project will reach a point in their own healing process to be able to provide support throughout the juvenile or young adult's involvement with the justice system to ensure that appropriate family support and relationships are developed.

The "Making a Public Pledge in a Journey to Healing" Project I have developed so that it can be adapted to individual Indigenous communities. It is not limited by location or jurisdictions and has a strong capacity to improve health and emotional well being of Indigenous juveniles and young adults. It has the capacity to avoid gaps and duplication because it targets individual needs and accepts the challenge of individual needs processing with inclusion of working with the family and the whole community. Indigenous concepts of social and emotional well being, is based on the foundation of connectedness to land, environment and each other. Indigenous youths have special needs and they are constantly evolving. When engaging with Indigenous juveniles and young adults, it is important to stay focused on their transitional needs from childhood to adulthood. Youths have a whole different social and emotional environment that impact on them, such as peer pressure, learning and seeing, adopting behaviours, and information technology. Youths and their opinions are not being heard and taken seriously. They should

be inclusive in making their own decisions for themselves. I have long believed that gaps are often created because of categorising and labelling issues and behaviours. This process tends to create pools of needs that work with individuals rather than encouraging the whole community to own all issues and work together to deal with the issues and support each other in the process. Indigenous communities need to be given the opportunity to own the solutions and the process and actually make it happen themselves as a whole. My Pledge Project provides this opportunity and will address all issues leading to and ensuring that Indigenous juveniles and young adults will regain their right to growing up in healthy nurturing environments.

Gaps are created because no one is delivering a strategy that actually identifies all issues as belonging to the whole community and have therefore isolated issues with programs rather than a community need as a whole. Indigenous communities need to own the issues and then to adopt the appropriate strategies that capture this process. In Indigenous communities, one issue often affects the whole community and one person's loss or grief or mental illness affects the whole community. Traditional society for Indigenous people allowed them to work as a team for the good of the whole community. Everyone had roles and responsibilities and each member was valued. If one person is not well, the whole community is not well. To ensure Indigenous juveniles and young adults stay out of the juvenile justice system and from reoffending they and the whole community must get well. Communities need to have the opportunity to address the issues regarding our young people and young parents. This will allow communities to strengthen their decision processes that is inclusive of the needs of young people by also including their voices in decision making and having their needs met. The Pledge Project provides an opportunity that offers community driven strategies that work towards healthy relationships and healthy communities. This is inclusive of Indigenous juveniles and young adults and their wellbeing.

By way of engaging relevant services/organisations, the Pledge Project provides the opportunity for Government and Non Government services/organisations to make "Pledge Commitments" to participate to the cause of the Project delivery with attainable outcomes. Couples and community members will also sign up to participate on nominated "Pledge Commitment Days". Public Pledges will then take place on an annual basis either on "White Ribbon Day" or other nominated "Against Domestic/Family Violence" events. These dates would also be held annually and would be determined by the location of the community and the season. An evaluation would take place after the first two years, once "Pledge Bearers" have had the opportunity to demonstrate their roles and responsibilities and have developed positive role model status within the community. They would also be responsible for recruiting new Pledge Project participants and maintaining peace and order in the community.

In closing, whilst the "Making a Public Pledge in a Journey to Healing" comes from the main approach of Indigenous communities tackling family violence, it encompasses all issues pertaining to Indigenous people, inclusive of juveniles and young adults, with the long term aim of providing real sustainable and generational changes.