

**Submission to Standing Committee on Aboriginal and Torres Strait Islander Affairs;
Inquiry into the high levels of involvement of Indigenous juveniles and young adults
in the criminal justice system**

We would like to make a submission to the Standing Committee through responses to selected elements of the terms of reference as follows:

How the development of social norms and behaviours for Indigenous juveniles and young adults can lead to positive social engagement

Research conducted by Desert Knowledge Cooperative Research Centre (DKCRC) on economic development has focussed on barriers to economic participation and approaches to addressing disadvantage. We have observed through research in partnership with Curtin University in Leonora, Western Australia, that young people who are exposed to entrepreneurship early in their lives, which is subsequently reinforced by local education and social systems, are more likely to go on to engage actively with the broader economy.

This point aligns with international literature on the subject. It is a key point that forms the basis for some of the conceptual and strategic planning for the new Cooperative Research Centre for Remote Economic Participation (CRC-REP), recently approved for funding by the Department of Innovation, **Industry, Science and Research (DIISR)**.

Any initiatives which would improve the effectiveness of the education system in contributing to reducing the levels of involvement of Indigenous juveniles and young adults with the criminal justice system

The new CRC-REP has secured research funding over a seven-year term granted by the DIISR in December 2009. Our strategic perspective on the subject of remote education is that education systems would be more effective for Aboriginal people if they were constructed around social networks based on sparseness and high mobility, as well as respecting the social and cultural practices of local people.

The research initiatives we are taking in this field will identify how education systems can be redesigned to better suit the needs of families and communities in remote regions by examining demand (what students, carers and the local economy need), supply (what systems need to provide, including better staff recruitment and retention), policy issues and alternative delivery models. Our methods will:

- emphasise analysis of critical factors, significant trends and causal influences in the context of the wider system
- focus on creating 'user-led' fields of inquiry through participatory engagement proactive advocacy and policy engagement
- use strategies to innovatively build on successful initiatives from a range of national and international contexts.

Our commitment is to generate research findings that can be implemented by education policy makers and practitioners with the active participation of Aboriginal people, making significant contribution to reducing the involvement of juveniles and young adults in the criminal justice system.

The effectiveness of arrangements for transitioning from education to work and how the effectiveness of the 'learn or earn' concept can be maximised

DKCRC has conducted research on this topic which resulted in the publication *Growing the Desert: effective educational pathways for remote Indigenous peoples* (Young et al, 2007). Key messages from that research relevant to this Inquiry are as follows:

- Aboriginal communities in remote Australia do not have the infrastructure capacity that might be expected in other rural communities. In addition, regional mobility, an industry mix that depends on high skill levels, language and cultural diversity and high population growth rates create challenges for the provision of services generally and post-compulsory education more specifically.
- Participation rates in vocational education and training (VET) are high but cluster around Certificate I and II programs or in mixed field subject-only enrolments. Aboriginal people are noticeably under-represented in the two main employment areas in desert Australia: mining and retail.
- The uptake of VET courses is limited to those Aboriginal people prepared to journey to mine sites or major centres where most employment opportunities exist. Training tends to be aligned with jobs and opportunities available elsewhere and not in the places where Aboriginal people live in desert Australia and in all likelihood will continue to live.
- The extent of Aboriginal engagement with other learning activities through programs in community development and capacity building alludes to a suite of learning opportunities arguably more situated in and responsive to the needs of people living in remote desert locations.

Transitions from education to work are particularly challenging for people living in locations where opportunities are limited. This presents obvious limitations to the 'learn or earn' concept, as suitable openings for either may be scarce. Effective transitions from education to work depend on systems that recognise the high levels of mobility of Aboriginal people within regions and the value of social networks as a means by which people build and sustain a livelihood.

Best practice examples of programs that support diversion of Indigenous people from juvenile detention centres and crime, and provide support for those returning from such centres

DKCRC, in partnership with the Centre for Appropriate Technology, has worked extensively in Ali Curung in the Northern Territory over the last four years. Our purpose has been to discern the key factors that support effective services to desert settlements.

During the course of this research, we studied the Law and Justice Program at Ali Curung. This is an example where key success factors were identified both by the community and by external commentators. Allen's (2001) review of Aboriginal community justice initiatives stated that the approach to addressing:

Community violence at Ali Curung has occurred both at an institutional and a community level. At the institutional level, the Ali Curung Law and Order Plan have been endorsed by ten government agencies. At the community level, the plan has facilitated an appropriate representation of different language groups in the community to negotiate and liaise with agencies on a holistic approach to addressing community violence. The coordination for the various agencies has also increased interagency communication and effectiveness in reducing community violence at Ali Curung.

These sentiments are reflected in other documentation reviewing law and justice programs (see Cairnduff 2001). The program was underpinned by strong community development principles, which were applied by the Northern Territory Government employees who worked with Ali Curung people. In addition, Ryan (2003) has suggested that the effectiveness of the program was supported by a participatory planning process, a formalised agreement, coordination of agencies and service delivery at the local level, an adaptive policy environment, individual development of Aboriginal people and in-depth field work time.

According to community members, the key factors in the success of the Ali Curung Law and Justice Program were:

1. control, participation and ownership of the program at the community level
2. two-way (cultural system and Australian-recognised system) or intercultural process
3. clearly articulated coordination of government agencies and their roles
4. outside support and assistance from a male and a female field officers
5. peer modelling and interaction with other communities
6. recognition of traditional decision-making processes.

These observations are relevant to the Inquiry because they point to a locally generated means of supporting better practice in law and justice in Ali Curung. The program raised the level of importance and commitment from the local community, creating a better environment for diversion activities and support for those returning from detention.

This information was collected through interviews and workshops facilitated by CAT through the Desert Knowledge Cooperative Research Centre (Wright & Elvin 2009). A problem in this case was that the aspects of the program valued locally did not align with the measures of effectiveness employed by the government, specifically on the reduction of crime. The closure of the program stemmed from a basic difference in indicators of effectiveness between providers and users.

We submit that programs that aim to reduce the representation of young Aboriginal people in the criminal justice system would do well to draw on the knowledge and experience of people working in groups such as the Ali Curung Law and Justice Program.

Desert Knowledge CRC
28th January 2010

References

Allen D. 2001. 'Indigenous Community Justice Mechanisms'. Aboriginal and Torres Strait Islander Commission. Unpublished report.

Cairnduff S. 2001. *Sport and Recreation for Indigenous Youth in the Northern Territory: Scoping Research Priorities for Health and Social Outcomes*, Darwin: Cooperative Research Centre for Aboriginal and Tropical Health and Australian Sports Commission. <http://www.ausport.gov.au/fulltext/2001/nt/Indigenouslyouth.pdf>

Ryan P. 2003. 'Utilising Community Development Principles in the Delivery of Services', Unpublished report.

Wright A and Elvin R. 2009. 'An evaluation of the Ali Curung Shared Responsibility Agreement'. Forthcoming DKCRC report.

Young M, Guenther J and Boyle A. 2007. *Growing the Desert: Educational pathways for remote Indigenous peoples*, NCVET, Adelaide and Desert Knowledge CRC, Alice Springs.