Indigenous Specific Programs

Tracy Jones, Bill Munro, Gary Rowbottom and Wayne Creighton

Throughout Australia, government and community agencies have developed and implemented programs to address issues that have affected high numbers of Indigenous people. These include health, education, housing, alcohol and other drug related issues and family violence. The general trend over the years has been to develop and implement programs that include cultural aspects which contribute to improved program results which may lead to reducing reoffending and rates of recidivism. Correctional Services agencies across Australia are also committed to improving outcomes for Indigenous offenders, their families and the community. (CSAC 2010)

Therapeutic and offence specific programs that have shown to be effective in reducing the rate of recidivism can be delivered to both Indigenous and non-Indigenous offenders, however research has shown that programs delivered to Indigenous persons require adaptation due to language barriers, levels of education, learning styles and the need for facilitators to be culturally sensitive. (Day, Howells & Casey 2003)

Programs that seek to renew, sustain and promote Indigenous culture such as the Balund-a (NSW) and Wulgunggo Ngalu (Vic) are among those that are considered to be Indigenous specific.

Programs focusing on Indigenous culture provided to Indigenous and non-Indigenous offenders, staff and community members should raise the profile, understanding and acceptance of Indigenous people as a significant part of Australian culture.

Some International and Australian jurisdictions believe that using this approach may have a significant effect in reconnecting Indigenous people to their cultural heritage, thereby contributing to a reduction in recidivism rates.

As part of this research project, it has been determined that three significant key issues can be identified as:

- numbers of Indigenous offenders and their over representation in the correctional environment,
- historical background,
- learning barriers,

Indigenous persons have a history marred by loss of their lands, forced separation of loved ones and social isolation, resulting in an overrepresentation of Indigenous offenders in correctional environments. Whilst Indigenous programs have been implemented across all Australian correctional jurisdictions, the learning barriers of indigenous persons have created a need for certain programs to be Indigenous specific. (Chris Cuneen - Review of best practise models for Indigenous diversion programs 2010).
In 2008 the Australian Bureau Statistics reported that 21% Indigenous people aged 15-64 years had completed Year 12, in comparison to 54% of non-Indigenous people.

Indigenous people aged between 20-24 years, 31% had completed Year 12 or equivalent, which is less than half the completion rate of non-Indigenous people at 76%. (4714.0 National Aboriginal and Torres Strait Islander Social Survey 2008, Australian Bureau of Statistics, Education)

The Northern Territory has a population of approximately 240,000 of which Indigenous people make up 32%. Around half the Indigenous population resides in remote areas far from mainstream services. (ABS 4714.0 - National Aboriginal and Torres Strait Islander Social Survey, 2008)

This cohort is recognised as suffering from a myriad of social and economic factors. Since 2007, following the release of the Little Children Are Sacred report, the Northern Territory Government has been committed to addressing those social and economic factors that contribute to Indigenous disadvantage. The response to the plan includes a commitment by the NT government to engage Indigenous people in the process of development and implementation of these strategies for them to work effectively.

In 2010, the number of offenders incarcerated in the Northern Territory exceeded 1,100 of which 82% were Indigenous.

Northern Territory Correctional Services (NTCS) has a range of programs and services provided for offenders to assist in their rehabilitation prospects and recently established an Indigenous reference group to provide input into the management of these offenders and program development.

The Elders Visiting Program consists of respected Indigenous Elders visiting NT’s correctional facilities to improve and maintain offender’s cultural links and develop appropriate post-release plans. The Elders also provide advice to correctional officers on issues that may affect an offender’s behaviour and it is noted that the recruitment of indigenous staff is paramount to the effective implementation of any indigenous specific program. (Day, Howells, Casey 2003)

The challenge for NTCS is to develop and sustain partnerships with Indigenous organisations, communities and individuals to promote a holistic approach to rehabilitation services for Indigenous offenders.

In Victoria, the numbers of Indigenous offenders is comparably high with most other Australian jurisdictions, comprising six percent of the Victorian male prisoner population and six percent of the female population (Victorian DOJ 2007).

In 2008-09, an Indigenous person was 13 times more likely to be in prison than a non-Indigenous person. This compares to 11.6 times in 2004-05.

In response to the increasing overrepresentation of Indigenous persons involved in the correctional setting, Victoria was the first jurisdiction to develop an action plan with its Indigenous community launched in 2000. The Victorian Aboriginal Justice Agreement (AJA) was a formal agreement between the Victorian Government and elected members of the Victorian Indigenous community. The Aboriginal Justice Agreement Phase 2 (AJA2), launched in 2006, builds on the original AJA and sets out a framework aimed at directly or indirectly reducing the
high levels of disadvantage and inequity experienced by Indigenous people. The underlying principle is that the Victorian Indigenous community must be involved in initiatives aimed at reducing Indigenous contact with the criminal justice system. (AJA 2000 and AJA2 2006) Victoria has shown a commitment to Indigenous specific programs in the community and correctional facilities as summarised below:

- The Aboriginal Cultural Immersion Program (ACIP) encourages Aboriginal prisoners and offenders to reconnect with their culture and assists them to strengthen their identity as an Aboriginal person.

- Marumali is an intensive program run over 5 days, which focuses on healing long-standing trauma and loss associated with stolen generation issues such as dispossession from land and enforced removal from families and communities. The program also deals with ongoing issues of loss of identity and a number of underlying issues such as education, employment and health outcomes.

- The Koori Cognitive Skills Program is an adaptation of the mainstream cognitive skills program to be more relevant for Koori prisoners. It is a problem-solving program that is based on cognitive behavioural therapy. The program is delivered via a dual facilitation model, utilising an Aboriginal facilitator and a Corrections Victoria psychologist.

- The Wulgunggo Ngalu Learning Place is a culturally appropriate live-in program for up to 20 Koori male offenders on community based orders (CBO’s). Residents are assisted in completing their CBO’s whilst receiving rehabilitative support, employment, and training and learning life skills designed to reduce the likelihood of them re-offending in the future.

The Corrective Service New South Wales (CSNSW) published its action plan for the management of Indigenous offenders in 1996-1998. In maintaining its commitment, the Aboriginal Strategic Plan 2003-2005 was developed after considerable negotiation and agreement with Aboriginal people and underpins the department’s commitment to the management of Aboriginal offenders in custody and on supervision orders.

In response to the Royal Commission into Aboriginal Deaths in Custody (RCIADIC), the department initiated a range of strategies designed to reduce the over representation of Aboriginal men and women in custody. In NSW, the numbers of Indigenous offenders has increased significantly; 29.4 percent of the female population and 21.6 percent of the male population are Indigenous. (CSNSW Corporate Research Evaluation & Statistics) Between 2002 and 2006 the female Indigenous population increased by 34 % while the imprisonment rate saw a 22% increase for Indigenous men.

In NSW, the establishment of the Aboriginal Support and Planning Unit works in close partnership with all stakeholders, including Aboriginal communities to achieve common objectives regarding Aboriginal offenders and related programs.

Aboriginal Inmate Development Committees have been established in all correctional centres and Regional Aboriginal Project Officers have been established in each region. CSNSW has enhanced its reception and screening process and implemented
a court cells visitors program which is a contact service for offenders during the often stressful time of initial confinement. (Aboriginal strategic plan 2003 – 2005)

CSNSW now incorporates culturally specific training for all staff, which emphasises the historical and social factors that contribute to the disadvantaged position of many Aboriginal people.

Programs such as Tabulum – Rekindling the Spirit – Balund-a, located in the north east of New South Wales, is a court diversionary program offering an intensive approach to managing predominately Aboriginal offenders in a community based residential facility. Residents are case managed through the 6 month program.

Brewarrina Correctional Centre (Yetta Dhinnakkal), located on a 10,000 hectare property, provides the opportunity for primarily first time Aboriginal offenders to learn rural work skills. Brewarrina has an operational capacity for 70 inmates.

Ivanhoe (Warakirri), a specialised Aboriginal program, has the provision to accommodate 50 inmates and provides educational and vocational programs. The Warakirri program operates a mobile camp and community projects and work in locations within national parks and significant cultural areas.

Girrawaa Aboriginal Art Centre at Bathurst provides Aboriginal inmates with the opportunity to participate in educational, vocational, cultural and spiritual programs and activities. (Aboriginal strategic plan 2003 – 2005)

CSNSW programs are designed as such to provide meaningful involvement of the Aboriginal community, a designed emphasis on Aboriginal culture and heritage, and a focus on remediating educational and social deficiencies.

From an international perspective we have considered the approach of both New Zealand and Canadian governments through their respective correctional agencies to managing incarcerated Maoris’ and Aboriginals.

Statistics clearly demonstrate an undeniable link in social issues experienced by Indigenous people of both countries and an over-representation throughout their criminal justice systems. In March 2006, Canadian Aboriginal people represented 16.7% of federally sentenced offenders while making up only 1.7% of the adult population. (Canadian Aboriginal strategic plan 2010 – 2011) This compares similarly to Maoris for whom the recent rate of imprisonment was calculated to be 5-8 times higher than for other cultural groups. (Maori strategic plan 2008 – 2011)

In managing this issue, both New Zealand and Canada have developed national strategic plans which provide a platform for the effective management of Indigenous people within corrections which clearly demonstrate a long term commitment to reduce the reoffending and re-incarceration of their indigenous population.

The strategic plans cover a range of therapeutic options; however there appears to be an ever increasing trend to provide cultural learning and development units separate from mainstream non-Indigenous offenders. This approach recognises inmates’ cultural differences and aims to heal or rehabilitate by including general life and spiritual aspects specific to their people. (Canadian Aboriginal strategic plan 2010 – 2011)

New Zealand Corrections operates 5 Maori Focus Units [MFU’s] with the
purpose to create a safe and culturally appropriate environment in which to operate Maori Therapeutic Programs [MTP’s].

The MFU’s are structured as a therapeutic community which rely upon Maori cultural principles and practices, with regular involvement and mentoring from Maori elders. Evidence suggests that those people who complete the programs achieve a significant increase in cultural learning and a decrease in reoffending.

A Canadian approach which shares similarities with that of New Zealand is The Aboriginal Healing Lodge Program. Healing lodges operate with similar goals to the focus units where they create learning or healing environment in which to deliver culturally sensitive programs. Canadian authorities believe that mainstream programs alone do not have the desired effect upon Aboriginal offenders and that the inclusion of cultural components to make them indigenous specific is essential in developing an effective program. (Canadian Aboriginal strategic plan 2010 – 2011)

In 1990, Correctional Services of Canada agreed to pursue the development of 5 healing lodges for women. In 1994, discussions were held in relation to men’s lodges which culminated with the first men’s lodge opening in 1997. There are currently 9 healing lodges throughout Canada providing a cultural alternative to traditional penal corrections.

While both New Zealand and Canadian corrective services have committed to ongoing Indigenous Specific Programs which rely on some form of separation from mainstream inmate populations, neither jurisdiction appears able to present firm statistical data to indicate success or otherwise of the programs.

**Strategic Recommendations**

The following strategic recommendations should be considered for implementation to assist in addressing the overrepresentation of Indigenous offenders and their successful reintegration into the community through effective and culturally specific programs:

- Research to be undertaken to determine “best practise” principles and guidelines for the development and implementation of culturally specific programs,
- Develop and implement culturally specific programs and deliver to Indigenous and non-Indigenous offenders and staff in consultation with the Indigenous community,
- Consider a uniformed national approach as this will provide consistency and uniformity across all jurisdictions.

**Literature Review**

Research was conducted by following the methodology as outlined in the “Academic Research and Writing Skills” (ACLP 2010 reference folder) Local jurisdiction experts seemed to have the most relevant and up to date journals and reports for referencing. Google scholar was also utilised but to a lesser degree as most of the research had been attained from Australian jurisdictions.

Methodology included each group member preparing their own jurisdictional report that was relevant to the paper and one group member was tasked with International jurisdiction research. Once completed, the information was merged into the paper and referencing occurred individually.
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