

Developing youth justice policy and programme design in Australia

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Abstract

The national Closing the Gap reform provides a mandate for mainstream organisations to undergo structural transformation to better address the needs and concerns of Aboriginal and Torres Strait Islander communities. In the criminal justice sector, the reform resonates strongly with ongoing discussions about how both policy and practice can address the significant over-representation of Aboriginal people across the criminal justice system. One way that structural transformation can occur is through the genuine involvement of Aboriginal knowledge holders and communities in policy development. This study illustrates how this might happen in relation to youth justice policy and programme design. Eighteen Aboriginal community members from a town in rural New South Wales participated in a series of interviews relevant to the Closing the Gap target. Qualitative content analysis was used to identify four key themes relevant to the development of justice policy: supporting cultural identity in a post-colonial context; articulating strengths and resources which can be mobilised in the community; the centrality of poverty to offending; and responding to intergenerational trauma. The study illustrates how non-Indigenous policymakers and practitioners might approach the task of engagement and consultation by identifying Aboriginal knowledge as a

legitimate epistemic resource that they can draw upon to guide the ongoing development of evidence-based policy and programmes.

KEYWORDS

Aboriginal knowledge, Closing the Gap, decolonisation, juvenile justice, theory of change, youth justice

1 | INTRODUCTION

The National Closing the Gap reform calls for a 'structural transformation of mainstream government organisations' to improve accountability and respond to the needs of Aboriginal and Torres Strait Islander people (Australian Government, 2020, p. 11). This call is based on an expectation that both public administration and non-Aboriginal organisations will spend time in Aboriginal¹ communities to better understand their unique historical, social, and political contexts when developing both policy and practice. It is through this process of engagement that the community's cultural knowledge, cultural authority, governance structures, and decision-making protocols can be understood, and genuine partnerships can be formed that contest hegemonic practise, recognise community self-determination, and Aboriginal heterogeneity (see Butcher et al., 2020; Ramsden, 2002; Williams, 1999). Crucially, it is suggested that through this process of engagement, the perspectives, priorities, and knowledge of Aboriginal communities can be recognised as a legitimate epistemic resource which can then inform the creation of new evidence-based policies and practices (Australian Government, 2020a; National Indigenous Australians Agency, 2020; Productivity Commission, 2020). By itself, this is expected to result in significant innovation and reform in Australian public policy, particularly in areas such as youth justice, that are widely regarded as having failed to meet the needs of Aboriginal communities (Althaus, 2020; Lowitja Institute, 2020). At the same time, providing opportunities for Indigenous² voices to be heard is relatively uncommon in the criminal justice arena (Tauri, 2017), and considerable uncertainty exists about how this can occur in a manner that does not co-opt or assimilate Indigenous knowledge into a westernised policy discourse (Althaus, 2020). In this study, we describe one possible method of engaging with Aboriginal knowledge holders and community members in our efforts to develop a localised and contextualised evidence-based theory of change to guide policy to address the significant over-representation of Aboriginal young people from some rural communities in the youth justice system. Articulating a theory of change is an essential component of policy and programme development as it specifies 'a range of changeable predictors that not only describe, explain and predict change but can also be used to design an effective intervention that will

¹ The term Aboriginal is used here to refer to a person of Aboriginal descent who identifies as Aboriginal and is accepted as such by the community in which they live (Australian Institute of Aboriginal and Torres Strait Islander Studies, 2018).

² The term Indigenous refers to First Nations people in a global context, as well as Aboriginal and Torres Strait Islander people in an Australian context. Indigenous peoples are those who 'self- identify as indigenous peoples at the individual level and accepted by the community as their member, have a historical continuity with pre-colonial and/or pre-settler societies, strong link to territories and surrounding natural resources, distinct social, economic or political systems, distinct language, culture and beliefs, form non-dominant groups of society, resolve to maintain and reproduce their ancestral environments and systems as distinctive peoples and communities'. (United Nations, n.d., para 4)

produce exact changes in behaviour which are predicted by a relevant theory' (Casey et al., 2011, p. 76). Thus, a theory of change will describe when, where, why, for whom, and under what conditions programmes and interventions are likely to be successful.

This article commences with a brief account of the over-representation of Aboriginal young people from rural communities. This discussion is then followed by an overview of current approaches to evidence-based policymaking in youth justice. This is followed by a description of the research strategy we used to demonstrate how local Aboriginal knowledge might be engaged with which, in turn, informs a theory of change that could be used to transform justice policy going forward.

1.1 | The over-representation of Aboriginal young people from rural communities

The 2020 Closing the Gap reform provides, for the first time, specific targets for reducing the over-representation of Aboriginal and Torres Strait Islander young people in the criminal justice system. The targets are significant – a 30% reduction in the number of Aboriginal and Torres Strait Islander young people in the criminal justice system by 2031 (Australian Government, 2020) – and are derived from an analysis of a range of different data sources, including the types of service available to young people on their first interaction with the criminal justice system, the reasons for young people being placed on remand, access to services within detention centres, and a disaggregation of data examining the socioeconomic status and geographical location of young people who offend. Information about where young people who offend lives is of particular importance to any attempt to achieve these targets, given that 41% of Aboriginal young people who are under the supervision of youth justice services come from regional, remote, or very remote communities while only 8% of non-Aboriginal youth come from these areas (Australian Institute of Health & Welfare, 2018). The importance of this is highlighted in data reported by Butcher et al. (2019) which shows that Aboriginal young people in New South Wales (NSW) who had offended for the first time were more likely to come from rural of areas despite having lower levels of assessed risk and need than their urban counterparts. For Butcher et al., this suggests that any policy that aims to address the over-representation of Aboriginal rural young people will need to be cognisant of the unique context and structure of each community, rather than simply importing population health interventions from other parts of the world. Similarly, Blagg et al. (2015) have suggested that policies and programmes in Aboriginal communities should *always* be based on evidence that is 'localised, grounded and specific' as 'everything cannot work everywhere' (p. 3). Without this, knowledge gathered in other settings may provide an inappropriate evidence base from which to derive policy solutions (see Cunneen, 2006; Gray & Hetherington, 2007; Kendall et al., 2011). This, of course, presents some rather significant challenges for non-Indigenous policymakers and researchers who wish to navigate the socio-political space between Aboriginal communities and non-Aboriginal organisations to create locally informed and responsive policies that remain evidence-based.

1.2 | Evidence-based policy and practice in youth justice

Freiberg and Carson (2010) describe the relationship between policy, knowledge, and research in terms of the following five typologies: (i) *knowledge driven*, policy which is characterised by

the abandonment of political choice in favour of scientific expertise; (ii) *problem solving*, where policy directions shape research priorities; (iii) *interactive* in which research forms one part of a complex array of items that are used to inform policy decision making; (iv) *political*, where policy and research directions are an outcome of the political process; and (v) *enlightenment* where research and evidence address the context in which policy decisions are made by engaging with the landscape and context in which decisions are made, rather than the policy decision itself. These different typologies reflect a range of underlying views about the nature of knowledge and evidence that is required to develop effective, evidence-based policy and programmes.

In youth justice, across Australia and internationally, there has been a strong focus on knowledge-driven policy as typified by the 'what works' approach to evidence-based policymaking (Andrews & Bonta, 2016). There is now a relatively large body of international evidence that shows that interventions which target specific offence-related (or criminogenic) risk factors are effective in reducing recidivism (e.g. Hoge & Andrews, 2009; Lipsey, 2009). However, significant concerns have been expressed about adopting a narrow knowledge-driven approach to evidenced-based justice policy from those in colonised countries such as Australia, Aotearoa New Zealand, and Canada (Blagg & Anthony, 2019; Dudgeon & Milroy, 2014). For example, it has been argued that offender rehabilitation policy and programmes are rooted within a 'medical model' (Freiberg & Carson, 2010, p. 155) of criminal behaviour, and rely on deficit-based, universal, and reductionist approaches which separate offending behaviour from both context and environment (see also Blatch et al., 2020; Weatherburn, 2014). This has led, it is argued, to a research policy and programme environment that is grounded in ethnocentric and colonial practices, supported by knowledge production that is owned and legitimised through Western institutions (Tauri, 2017; Teo, 2015). For example, one of the more significant catalogues of evidence-based justice programme interventions – curated by the Washington State Institute of Public Policy – categorises programme interventions on a spectrum comprising of 'evidence-based', 'research-based', or 'promising practice'. In order for a programme to be considered 'evidence-based' (the highest ranking), evaluations must have been conducted that report comparisons between treatment and intent-to-treat groups and that have been conducted across multiple sites and be scalable (Washington State Institute of Public Policy, 2015). In Australia, the NSW Government Program Evaluation Guidelines (NSW Government, 2016) indicate that experimental design/randomised control trial approaches to programme evaluation are the 'gold standard' and provide the most robust evidence of programme effectiveness. Little weight is given to descriptive or observational studies or those that rely on qualitative data alone, as these studies are considered inadequate in efforts to demonstrate causal links between policy, programmes, and outcomes.

The evidence-based approach to policy and programming has been criticised for ignoring the complex social and political position of Aboriginal people and communities and for not adequately considering Aboriginal ways of knowing, being, and doing (Dudgeon & Kelly, 2014; Pillay, 2017; Tauri, 2017; Williams, 2016). As a result, it has been suggested that some youth justice programmes have limited ecological validity and are not easily transferrable across different communities and contexts (Butcher et al., 2020). Rather, a more pluralistic approach is required that acknowledges the value of more qualitative approaches that engage community values, knowledge, and moralities (Day et al., 2019). This may be particularly important in the NSW justice context, with both the Law and Safety Committee Inquiry into the Adequacy of Youth Diversionary Programs (2018) and the Select Committee on the High Level of First Nations People In Custody and Oversight and Review of Deaths in Custody (2021) identifying a need for government agencies to form stronger partnerships with the Aboriginal community to design and deliver policies and programmes that can address over-representation.

We would argue that alternative research methodologies that privilege Aboriginal knowledge as a legitimate and scientific source of knowledge (Keikelame & Schwartz, 2019; Rowe et al., 2015; Tuhiwai-Smith, 2012) can play an important role in the structural transformation of mainstream policy, organisations, and practice called for in the Closing the Gap reforms. For example, the concept of ‘decolonisation’ – central to these methodologies – challenges westernised ideas of knowledge and knowledge production by viewing knowledge as fluid, contextual, dynamic, and organic (Gray & Hetherington, 2007). Adopting a decolonising approach involves researchers and policy-makers embracing Indigenous thinking, views, and practices to inform their decision making. The world is viewed as open to interpretation and meaning and, as a consequence, terms such as ‘best practice’, ‘effectiveness’, and ‘success’ will inevitably mean different things to different groups of people (Gray & Webb, 2009).

The decolonisation of knowledge, research, and evidence has also been described as both a political action and a political outcome (Datta, 2017; Ndvolu-Gatsheni, 2019; Pillay, 2017). In an important sense, it challenges the State’s claim of undisputed sovereignty and impartiality (Blagg & Anthony, 2019) and can support social movements by ‘speaking truth’ (Ndvolu-Gatsheni, 2019, p. 483) about the experiences of Aboriginal peoples. It contrasts with the primacy of methodologism in Western research (i.e. following methodological rules will automatically generate knowledge) which, it is suggested, ignores the participant’s socio-historical-cultural position, and as a result, fails to expose inequalities or give voice that ultimately leads to positive social change. It is important to note that this is considered a central factor to successful partnership working with Aboriginal communities (e.g. Teo, 2015; Tuhiwai Smith, 2012).

The aim of this study is to describe how a decolonising approach might be applied to partnering with an Aboriginal rural community in NSW to develop a new evidence-based theory of change for youth justice policy and programme design. The approach described next is framed around the experiences of a non-Indigenous researcher who has worked in a service delivery role in the community for many years. It is intended to illustrate one possible way to collate evidence and knowledge about policy reform at the local level.

2 | METHOD

2.1 | Methodological orientation

Pillay (2017) has suggested that there are two main approaches involved in a decolonising research methodology – the first is *denaturalisation*, which occurs when the researcher draws on local knowledge and experience as an epistemic and legitimate resource to re-frame knowledge and dominant discourses. This requires non-Aboriginal researchers to become, what Rowe et al. (2015) describe as an ‘allied other’ (p. 297) – or colloquially, a ‘white critic’ of ‘white academia’. The second is *indigenisation*, where the locally grounded researcher draws on local knowledge to change standard practice to be more responsive to a local reality. This means directly considering Indigenous methods of knowing, interpretation, language, and meaning in research design; and having the point of reference for research based within the local community. In this way, indigenising research strategies are thought to mitigate against the risk of non-local or non-Aboriginal researchers using different structures to interpret data from those within the community (Gray & Hetherington, 2007; Kendall et al., 2011). Thus, in this study, the following five principles of research decolonisation were followed (see Kendall et al., 2011; Martin, 2006):

1. an epistemological reframing of knowledge to ensure that Aboriginal cultural knowledge and sources of knowledge and knowing are valued;
2. recognition of a relational model of ethics;
3. an understanding of ethics including intellectual property, safeguarding cultural knowledge, and ensuring Aboriginal self-determination in knowledge sharing;
4. an understanding of Indigenist research protocols and research design;
5. an understanding of appropriate community consultation mechanisms and governance structures.

An important first step in implementing this methodology is to explicitly and critically examine how the socio-cultural position of the researcher might influence how the work proceeds and how any findings are interpreted. This is achieved through a positioning statement (Martin, 2006; Kendall et al., 2011).

At the time of this study, I (the primary researcher) was a 33-year-old, non-Indigenous male who had spent two years living in this particular community and visited at least weekly for eight subsequent years. I was employed for a large not-for-profit organisation that provides human services across Western NSW, including a range of NSW Youth Justice funded contracts. I spent time examining how my professional practice experiences may impact the relationships I have formed within the community, as there may be an inherent power imbalance in these relationships (particularly where I have had relationships with staff who have moved onto other organisations). I am also aware that having a primary connection to the community through an organisational context may also mean that any issues or experiences the participants have had prior with the organisation may also be projected onto me. In order to overcome this, I had spent a significant amount of time with community members, prior to the onset of the research, during and after the research. It was also essential to display a close personal value – authenticity – throughout these relationships. This value means that I need to conduct myself in manner that is true to my character, spirit, and personality, rather than formulating relationships based on the extraction of information as Martin (2006) indicates.

My training in psychology has also meant that I had been taught a particular view on what ‘good evidence’ is, and the importance of ‘gold standard’ experimental research. A shift in this thinking occurred when I was tasked with a project from the organisation I worked for looking at models of service user and community engagement. As I immersed myself in this literature, I developed an understanding of the richness of information that came with appreciating people’s lived experience, and how this knowledge can be integrated with traditional research approaches. It was through this work that I became particularly interested in writings on decolonising research – and commenced a process of ‘learning and unlearning’ the contested cross-cultural research space (Datta, 2017, p. 13). In an attempt to ensure that I was not culturally appropriating research methodology, making claims on matters which I had no right, or displacing Aboriginal voices through a white frame of reference, I had participated in cultural supervision with a local Aboriginal community member. Importantly, the involvement of the cultural supervisor was not solely to provide an Aboriginal voice in research governance, but to ensure the understanding, interpretation, and presentation of community members voices were safeguarded throughout the research process.

2.2 | Approach

Prior to the research commencing, a series of meetings between the lead researcher and key groups within the community (including men's groups, Aboriginal community agencies, and peak bodies) took place to ascertain the value the community saw in the research, how they would like it to be shaped, and whether the lead researcher was an appropriate person to be conducting this type of study. Once this support was received, the study was approved by a university Human Ethics Research Committee and the NSW Aboriginal Health and Medical Research Council Human Ethics Research Committee. A list of semi-structured interview questions was developed to explore three topics: (1) the types of knowledge and evidence that are important to the community in designing responsive policy for young people who are involved in the justice system; (2) focus areas of programme work that the community see as important for Aboriginal young people who offend; and (3) the natural resources and strengths within this community that can support policy implementation and programme delivery. The questions were reviewed and approved by the cultural mentor before being used to guide questions asked in a series of interviews using a critical narrative interviewing approach. The narrative interviewing process involves engaging with people's stories about their experiences and is particularly useful in understanding an individual's life path and how this is articulated (Anderson & Kirkpatrick, 2015; Giovanna et al., 2019). This approach was selected as it allows for the exploration of experiences and situations to uncover new meanings for both interviewer and participant (Hickson, 2016).

Potential interviewees were identified through the local community groups involved in the initial meetings, originally identified from the researcher's personal and professional relationships (a method described by Miller et al., 2015). Other participants were identified following the advice of the cultural supervisor and those who participated were invited to identify others who might be interested in the study (a form of snowball sampling; see Kumar, 2014). In some situations, this included the participant explicitly 'vouching' for the researcher; a process where an Aboriginal person provides positive (or negative) impressions of a non-Aboriginal person to other members of the community to establish cultural safety (see Westerman, 2004). Each interview commenced with a social conversation to develop rapport, followed by the gathering of informed consent. Each participant was then asked to provide their perspective as a community member (rather than as a member of a service delivery agency if s/he was employed as such). At the end of the interview, each participant was asked about their willingness to meet again to discuss the findings, and regular updates were provided via email, conversation, or text messages.

The interviews were audio recorded and professionally transcribed and field notes also taken. The transcribed interviews and field notes were then uploaded on the NViVO software for qualitative content analysis which started with reading the text several times and completing *open coding*. Following this, the transcripts were *condensed* using unique nodes in NViVO that shortened the text, but still conveyed essential meanings. Meaning codes were then sorted into *categories* of who/what/when/where, which were short and factual (Erlingsson & Brysiewicz, 2017) from which the final themes were abstracted. These themes were provided back to the participants via email and phone calls (as a result of COVID-19) for correction, validation, and endorsement prior to the final analysis.

2.3 | Participants

A total of 18 Aboriginal people older than the age of 18 (6 males and 12 females) living in, and members of, a rural community volunteered to participate in the study. Two of the participants had lived experience of the youth justice system and all of the participants had cultural and family connections across Western NSW (numerous traditional cultural groups were represented including Wiradjuri, Gomeroi, Ngiyampaa, and Barkindji [Paakantyi]).

3 | ANALYSIS

A total of 151 condensed units were identified from comments relevant to understanding youth justice policy responses to Aboriginal young people and grouped into meaning codes, which then formed categories. Meaning codes 'local responses', 'ecological validity', and 'programme design' were placed in the category of *An Aboriginal Evidence Base*. The meaning codes 'poverty', 'lack of infrastructure in rural areas', 'offending for food and drink', 'family poverty', and 'intergenerational poverty' formed *Addressing Poverty*. The meaning codes 'non-Aboriginal people not understanding cultural responsibilities', 'responsibility', and 'walking in two worlds' were placed in the category of *Cultural Responsibilities*. The codes 'loss of identity', 'Aboriginal identity', 'gender', 'environment as knowledge', 'connecting to the environment', and 'environment as social and emotional well-being' were placed in the category *Engaging with Culture*. The meaning codes 'stolen generation', 'impact of the stolen generation', 'loss of place in family', and 'unresolved trauma' were placed in the category *Historical and Current Trauma*. Strengths and resources were kept as a unique category. These categories are described next, including verbatim quotations of participants.

3.1 | An Aboriginal evidence base

Developing an evidence base that is founded on Aboriginal knowledge was identified as a significant factor in informing any meaningful policy or programme response that sought to address the over-representation of Aboriginal young people. In order to achieve this, there was a view that mainstream organisations needed to be comfortable in taking risks in both policy and programme design in order to engage effectively with Aboriginal informed approaches as described below:

I think it requires a level of risk for government to [build programs based upon Aboriginal knowledge], and we have to be patient. I think running - I think it takes a brave government to do it, to support, develop, our own evidence-based program, or to trial and prototype new projects, programs, or to say, okay, stray outside the lines of those contracts, those program guidelines, and see where we go with this. It would take a brave government, but it is important that we build our own evidence. (Participant 3, female)

Similarly, several participants were concerned that ineffective programmes had been imported from other First Nations countries, while ignoring the local Aboriginal context and not appreciating the differing experiences of colonisation between First Nations people:

So it's quite insulting that they keep doing this, and they keep giving First Nation people programs that have been delivered, been developed in First Nation countries for First Nation people, but what they are forgetting is they have been colonised for 800 years, some of them, and they're still not better off (Participant 17, female).

These quotes highlight the value that participants ascribe to locally informed and responsive programmes. They saw the need for programmes to be based on a strong evidence and research base, however, also stressed that this needed to be grounded within a local and contextual Aboriginal knowledge system.

3.1.1 | Local responses

The need for local responses to local problems was emphasised, with community members consistently highlighting the importance of viewing rural communities as heterogeneous; each with their own strengths, needs and cultures – despite, at times, being in close proximity to one another. The participants were unanimous about the need to understand local issues and local context when designing youth justice programmes. Likewise, members also commented that the importation of programmes from other broader population-level areas such as rural, urban, western, and north-western locales had little ecological validity:

A policy that works in Dubbo isn't going to work in Narromine, I can tell you that. And Narromine is 35kms from Dubbo! So, it's true that it's going to work in Dubbo, they'll work out of Wilcannia, they'll work out of Broken Hill, or work up in Walgett. But that's what I'm saying. You need to start looking at the communities as individuals. So if you can look at a community as an individual, and sort out a case plan for that community, you're going to be fine. But don't force a program from south Sydney, metropolitan area, onto an outreach location, because they are very, very different issues, and they are different communities. Don't see them or label them as one. That's basically the point, or that – out of everything, that's what I want you to take away most from this conversation. (Participant 2, female)

Another participant described how culture, resources, and needs not only differ *between* rural towns but also *within* community. Similarly, place was seen to be intrinsically connected to culture and cultural identity, and that programme responses needed to be cognisant of this fact:

You need a good understanding of that particular's child's background or the – just say, for example, the neighbourhood where I grew up in West Dubbo, each neighbourhood got its own culture, each household's got its own culture and so forth, and I think if you can sort of understand where people are coming from and what they've been through, what their experiences and all that stuff are, you can connect with them better. (Participant 13, male)

3.2 | Cultural responsibilities

Participants described the critical importance of engaging with Aboriginal culture in post-colonial Australia. The participants frequently described the challenges of young Aboriginal people

needing to navigate their position within contemporary Western society as well as their responsibilities as a member of an Aboriginal community. A very real tension of 'walking in two worlds' was described by participants, highlighting how, sometimes, expectations of Western society and Aboriginal cultural responsibilities were opposing:

But what we need to be able to do is bring our cultural values back into - and it is happening. I'm not saying it's absent completely, but I think the cohort of children and young people that are exposed to the Juvenile Justice System particularly, don't have that cultural connectedness. And it is the responsibility of parents, but it's also the responsibility of not just their parents and the extended Aboriginal family, it is the responsibility of community leaders to be able to connect in. But it's the responsibility of parents to learn it and be committed to understanding their culture as well, and saying if they don't know, that they don't know. That's something we are facing now. And it's hard to walk in two worlds. It's hard to have the pressure of having to have a job, having to pay rent or a mortgage or whatever circumstances are for individuals, but also try to participate fully in your cultural obligations as well. Because both sides don't understand each other, there's conflict there all the time. And that's something we need to sort out. (Participant 16, male)

Having a role, and thus, cultural responsibilities, was seen as central to Aboriginal identity. Examples of the more successful programmes, in this respondent's view, supported young people to locate their cultural identity and responsibilities:

They're [young people] also learning identity, they're also getting exposure to culture. And then, what they do when they leave some of these programs is - and it's not 100% success rate, but it's pretty high - they leave with a level of responsibility. They leave with a level of responsibility, but also cultural accountability which is saying 'Now I know all of these things, now I know a little bit of my culture, I can't focus on doing all those things that I used to do. I've got to now go and take my cultural responsibilities. 230 years ago, these things were called ceremonies, and then you'd have a new set of responsibilities... I think the biggest thing is creating those leaders from people who have gone through the system and now are successful on their own, or culturally successful. (Participant 16, male)

Importantly, custodial environments were seen to sever this cultural responsibility. As one participant with a lived experience of being a young person who offended describes:

And there's no responsibility when you're locked up, mate. I was one of those kids: between the ages of 13 and 23 I spent nine and a half years locked up behind bars. I think the biggest part for it was there's no responsibility, all you've got to do is eat, sleep and shit. But obviously what you're paying for it, like the cost of that, is you lose your connection with your family. (Participant 13, male)

3.3 | Engaging with culture

Several respondents described the importance of connecting with the natural environment, both in supporting cultural practice and overall well-being, but also understanding and respecting the knowledge that came from within the natural environment as described below:

To go bush with people who have got cultural knowledge and they get in touch with their culture. So what Aboriginal culture meant at its core, which is spirituality and connection to our land and mother earth. That's something I actively do, and it's a massive gap for young people, and we need more people with that cultural knowledge and we need more kids to be going out bush and connecting with their country. (Participant 11, male)

Providing a platform for the young people to explore and realise their Aboriginal identity through their culture, as an individual, and within family and community, was deemed important:

And in my research, in my lived experience, and in my professional experience, it's really clear that that's the most important thing for Aboriginal people, and particularly for young people, because that's when we're developing, that's when we're establishing identity, who we are and where we sit in society. But there's also what is more dominant than pathological illnesses, is the notion of social and emotional wellbeing. People often use that term and don't really understand what it means. It's understanding of who you are and where you're from, and that's the basis for their identity. (Participant 6, male)

3.4 | Utilising existing strengths and resources

The participants described the significant strengths that are present in the community. The community network was seen to provide a buffer against the poverty and disadvantage experienced by Aboriginal people. The participants had expressed sympathy for non-Aboriginal people who did not have access to a similar style of support network:

The unique thing with Aboriginal families is that we've got – as crazy as our families are we have got a big family and social and community network, and that compared to isolation would be – I don't think – you know, a lot of non-Aboriginal families who are disadvantaged in their own rights, they're isolated and they don't have that broad, crazy, family community to share it with. (Participant 17, female)

3.5 | Addressing poverty

The poverty experienced by Aboriginal people was uniformly reported as one of the major concerns for Aboriginal young people who offend. Poverty was seen as a major contributor for young people being unable to participate fully in community, school, and recreation. Participants discussed how many Aboriginal young people were unable to meet their basic needs, and as a result, at times, resorted to crime. One participant identified poverty and disadvantage as a major contributing factor to young people's offending behaviours, often driven by the need to survive in the face of significant disadvantage, rather than necessarily having a 'criminal' element:

You know, there's – poverty drives a lot of disadvantage, and a lot of the vulnerabilities that go hand in hand with that, and so I think that's another layer. Because most of the young people that I've ever worked with or that I know of, they're not really criminals

under that – well, they don't have the criminal – I don't know the terminology, but the criminal mind in the sense that its calculated, planned and done. It's usually a survival element. (Participant 17, female)

Intergenerational poverty was also seen as a major concern, with factors such as parental unemployment and the changing nature of rural work and automation of farm and rural jobs disproportionately affecting Aboriginal families. Intergenerational and community poverty was also seen to intersect across a wide range of other needs as highlighted below:

And, if you don't know who you are, you don't know your identity, your sense of self, you don't see a long-term plan because why would you have aspirations in a job where no one can get to towns and the majority of people you know have been in overcrowded houses or struggling to overcome homelessness. It's not a big secret why our numbers are the way they are. (Participant 14, female)

3.6 | Addressing historical and current trauma

The unresolved trauma of the stolen generation was identified as an important influence on how love, discipline, and support are expressed in family units. Some participants spoke about how they had to 'grow themselves up', how they felt they had no one to rely on, or had not received affection from their parents. However, these participants understood these experiences in the context of their parents' intergenerational and continuing traumas (including forced removals). A participant with a lived experience as an Aboriginal young person who had offended reflected that they sought love and connection from their peers in the absence of a strong connection with their parents:

Obviously, I had my parents but I just didn't rely on them. They only people I relied on was my friends ... Yeah just felt – all sort of felt like family. We were just friends but it felt like family, all doing the same thing. So, if one of us get caught, we were all going to get caught, all going to do the same. (Participant 11, male)

4 | DISCUSSION

The purpose of this study was to illustrate how the adoption of a decolonised research methodology might help to *reframe* youth justice policy and programme approaches. It was designed in the context of suggestions that this type of approach has the potential to uncover new learning that can support the structural transformation of non-community-controlled organisations in a youth justice context. What emerged from the interviews with community members was a different way of thinking to the 'evidence-based' or 'what works' model that has shaped both policy and practice in this area.

It is helpful to reflect on the work of Tuhiwai Smith (2012) who argued that reframing assists with situating social problems and solutions within the social and historical context and ecology of Aboriginal communities, rather than simply assuming that they are caused by individual deviance or pathology. For this community, the policy solutions to addressing youth offending were inevitably embedded in a deep understanding of the historical, social, political, and

ecological context of the local Aboriginal communities and were, therefore, unlikely to be adequately addressed through the individually focussed policies and programmes currently in place. Those who participated in this study clearly appreciated the challenges associated with applying community knowledge to the development of policy (in what they saw as a highly bureaucratic and regulated environment) and spoke of the bravery needed by policymakers to develop their own evidence base that could inform policy and programme design. It is apparent that, at least in this community, a more holistic approach to evidence-based policy is required if young people's over-representation in the criminal justice system is to be addressed. From these community consultations, a reframed theory of change was identified that requires youth justice policy and programmes to

1. be informed by local ecology and knowledge shared from knowledge holders in identifying the needs of young people;
2. support engagement with culture in a post-colonial context, including a clear understanding of the heterogeneity within Aboriginal culture;
3. understand the relationship between the culture, identity, well-being, and physical place and socio-cultural space;
4. acknowledge, engage, and mobilise existing community strengths and resources;
5. provides a response to the poverty and social disadvantage experienced within particular communities, and importantly;
6. acknowledge the truth of the historical and current trauma and experiences of Aboriginal people as a result of colonisations.

Although statutory youth justice agencies may well continue to see their role as providing offence-focussed rehabilitation programmes and interventions, the responses of these community members invite further consideration as to how justice policies and programmes can be co-designed and co-evaluated. Importantly, given that some of the identified needs of young people (such as cultural strengthening and responding to poverty) cannot be directly addressed by youth justice agencies, this study offers evidence of the need to engage in innovative targeted programme commissioning approaches in partnership with local Aboriginal communities. For example, the NSW State Government's current policy highlights that commissioning 'should focus on improving outcomes and delivering quality services, regardless of organisational boundaries and constraints ... [by putting the community] at the centre with greater integration of services and improved end user experience [and that] agencies should consider their role as a policy-maker, commissioner, regulator, and provider and whether separation of roles would be of benefit within service design' (NSW Government, 2018, p. 3). Further, utilising innovative service delivery and funding models, such as social impact investing, can offer an opportunity for government, non-government, community, and private sector organisations to be braver in how they design, finance, and deliver new policies and services to better meet the needs of young Aboriginal people.

The methodology that is described in this article provides one possible approach for other non-Indigenous people to use when seeking to navigate the cultural interface (Nakata, 2002) – the space in which Aboriginal knowledge and western knowledge meet which provides a space for learning from people from both cultures. This requires an understanding that other knowledge systems are available across Australia and that all knowledge is culturally relative (Gray & Opreescu, 2016). Partnership approaches must also, of course, safeguard cultural knowledge and explicitly ensure that Aboriginal communities can decide how they may (or may not) choose to share knowledge (Althaus, 2020). And so, the simple conclusion of this study is that there is a

need to do more than simply provide a space for Aboriginal voices. It is only through the process – of challenging and being challenged – that non-Aboriginal researchers and policymakers can meaningfully engage with themes and ideas of colonisation, post-colonialism, and decolonisation.

CONFLICT OF INTEREST

The authors declare that there is no conflict of interest.

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