# Youth Justice Programs

## Aboriginal Cultural Proficiency Guide

### Purpose of the Guide

Youth Justice has an obligation to ensure all programs, regardless of content, are responsive to the cultural needs of the Aboriginal population as part of an overall effort to address the overrepresentation of Aboriginal young people within the justice system.

The *Youth Justice Administration Act 2016*, came into operation on 1 December 2016, and recognises the over-representation of Aboriginal and Torres Strait Islander young people in the justice system. It aims to improve responses to their needs through specific provisions that ensure best practice approaches are taken during their supervision. The Aboriginal and Torres Strait Islander Youth Justice Principle builds on this by requiring that family and community, including relevant Aboriginal and Torres Strait Islander people or organisations, participate in case planning, assessment and decision making for Aboriginal young people.

Recent needs analyses conducted by Youth Justice have shown the criminogenic needs of the Aboriginal and Torres Strait Islander population are varied, however, areas where Aboriginal young people appear to be at higher risk are related to substance abuse, history of abuse/trauma/neglect, high rates of Child Protection Notification history, poor literacy/numeracy and concerns related to poor life and independent-living skills.

The Cultural Proficiency guide provides information to Youth Justice staff and other program providers regarding the cultural considerations while developing and/or facilitating programs with all young people under Youth Justice supervision. This is to ensure all program developers and facilitators strive to address the specific needs of the Aboriginal and Torres Strait Islander population.

### Scope

This guide has been developed in accordance with the Youth Justice Aboriginal Cultural Inclusion Strategy 2015-2018 which was developed in partnership with the Youth Justice Aboriginal Advisory Committee (YJAAC) to address re-offending and the over-representation of Aboriginal children and young people in the justice system. While the information contained herein also provides an outline to ensuring all programs are equally responsive to other Culturally and Linguistically Diverse (CALD) populations, the focus throughout will remain on Aboriginal Cultural Proficiency.

The Youth Justice Programs Framework (2016-2019) acknowledges the need for ‘Cultural’ programs aimed exclusively towards Aboriginal young people with goals that include addressing cultural disconnection. However, this guide is focussed on ensuring all programs, regardless of content or targeted population, incorporate and address an inherent understanding of the specific needs of Aboriginal young people.

### Guide Detail

All program developers are required to demonstrate the efforts made to ensure their program(s) are culturally proficient.

### Cultural Proficiency in Practice

For programs to be considered culturally proficient, research[[1]](#footnote-1) suggests service-provision models must move away from simplistic notions of “cultural awareness” and “cultural competence” to embracing and utilising Aboriginal thinking, views, and practices[[2]](#footnote-2). Through these means, programs will attain what is considered “cultural proficiency”. The spectrum of cultural proficiency is outlined in the table below[[3]](#footnote-3).

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| **Cultural Destructiveness**  | Intentional practices, attitudes and policies designed to subjugate individuals or cultures. |
| **Cultural Incapacity**  | Lack of capacity to help people from other cultures due to paternalistic and biased beliefs regarding those from another culture.  |
| **Cultural Blindness**  | The belief that methods of helping of the dominant culture are acceptable regardless of cultural belief. This approach ignores strengths and promotes assimilation  |
| **Cultural Pre-Competence**  | The desire to deliver culturally competent services, including recruiting culturally diverse teams, however little consideration given to how cultural diversity interfaces with organisational objectives and often leads to tokenism. |
| **Cultural Competence**  | Acceptance and respect for different cultures, attention to dynamics of difference and adaption of services to best suit the needs of diverse populations.  |
| **Cultural Proficiency**  | Holding culture in high esteem, seeking to add knowledge to cultural competence in practice through research, service design and improving relationships between cultures.  |

### Cultural Proficiency Criteria

In order to be deemed Culturally Proficient, all programs, regardless of content and intended audience, are asked to demonstrate their efforts in meeting the following criteria:

1. Provision of documented evidence demonstrating how the Aboriginal community, including Aboriginal young people, have played a key role in the program’s development[[4]](#footnote-4); or
2. If the program has been adapted from an existing program, the program provider can demonstrate how they have engaged in meaningful consultation with the Aboriginal community to ensure its cultural proficiency.
3. Program developers and facilitators demonstrate a sound knowledge of Aboriginal culture, the three key areas of Kinship, Dreaming and Environment and their impact on communicating and engaging with Aboriginal young people.
4. Program developers demonstrate an understanding of the diversity of Aboriginal culture and that the consultation processes reflect this diversity; i.e. different Aboriginal communities are consulted to ensure a program is proficient at addressing the diverse needs of young people from rural, remote and urban areas.
5. The program addresses evidence-based issues of specific relevance or concern to Aboriginal communities; e.g. research has found interventions which focus on strengthening an Aboriginal young person’s connection to family, community and culture to be beneficial in decreasing offending behaviour[[5]](#footnote-5).
6. Program materials including manuals, workbooks and presentation slides are presented with images and information that reflects the cultural diversity of the Youth Justice population
7. Program content is facilitated in a manner that is responsive to the needs of Aboriginal young people.
8. The program utilises mechanisms to measure outcomes for participants.

In addition to the above essential criteria, there are desired aspects that are favourable for any Culturally Proficient program, but which may not be possible for all programs or providers. These desired elements are:

* The program utilises intergenerational, family and cultural supports (e.g. mentoring).
* The program targets or includes the younger age ranges (10-14 years) to maximise early interventions into youth offending.
* The program involves members of the Aboriginal community in facilitation of programs.

### Demonstrating cultural consultation to the Program Review Panel

Ideally, cultural proficiency should be considered from a program’s conception regardless of the program’s intended content. However, it is acknowledged this may not be applicable for programs already in use among different cohorts, or for those adapted from existing programs.

If submitting a program for endorsement by the Youth Justice Program Review Panel (PRP), program developers are asked to demonstrate that consultation has occurred at a time when all program manuals and resources could be viewed to provide the necessary context for meaningful consultation.

It is an expectation that program providers work with cultural organisations, agencies and communities to develop/approve program materials that demonstrate a high level of cultural proficiency.

The Senior Aboriginal Advisor, Youth Justice, can assist program providers to identify suitable Aboriginal individuals and organisations with whom to consult or recommendations regarding the process for ensuring cultural proficiency for their specific program. However, the Senior Aboriginal Advisor is a member of the PRP, therefore is not an appropriate resource to consult directly with program providers.

Consultation processes are likely to vary for individual programs; therefore providers are expected to demonstrate cultural consultation for each individual program, regardless of whether the organisation may have been through the PRP process previously.

Program submissions should only be sent for PRP consideration at the completion of the cultural consultation process.

### Expectations for all new program submissions

To be approved by the PRP all programs, must demonstrate:

* How the program meets cultural proficiency criteria.
* The consultation processes undertaken with relevant cultural organisations, agencies and communities, including the people/organisations consulted with and any recommendations that were made.
* How any recommendations the organisation received from the Aboriginal community were translated into program revisions.

PRP endorsement of a program is based on a number of other criteria. For more information regarding the PRP endorsement criteria and process, refer to the Youth Justice Programs Framework (2016-2019), Fact Sheet C.

### Expectations for existing programs

Existing programs will be regularly reviewed to ensure they meet the standards set by Youth Justice. Youth Justice will ensure that all programs, regardless of their content, are facilitated in a cultural proficient manner. This will include Youth Justice stakeholders to schedule attendance in occasional program sessions to act as observers.

Program providers and facilitators will participate in all Youth Justice program feedback, evaluation and review processes as outlined in the Youth Justice Programs Framework 2016-2019. This includes the implementation of any recommendations made by the PRP to current programming.

**For more information contact:**

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1. Walker, R., Shultz, C. & Shonn, C “Cultural Competence – Transforming Policy,

Services, Programs and Practice”. Accessed online at <http://aboriginal.telethonkids.org.au/media/673981/wt-part-3-chapt-12-final.pdf> [↑](#footnote-ref-1)
2. Gray, M., & Hetherington, T. (2007). “Hearing Indigenous Voices in Mainstream Social Work”. *Families in Society: The Journal of Contemporary Social Services*, 55-66. [↑](#footnote-ref-2)
3. Jackson, A. L., & Waters, S. E. (2015). “Taking Time – Framework: A trauma-informed framework for supporting people with intellectual disability”. Melbourne, Australia: Berry Street.pg.15 [↑](#footnote-ref-3)
4. Barbour, B. (2010). Inquiry into service provision to the Bourke and Brewarrina communities. NSW Ombudsman. Sydney,NSW Ombudsman ISBN: 978-1-921131-63-9 [↑](#footnote-ref-4)
5. Barbour, B. (2010). Inquiry into service provision to the Bourke and Brewarrina communities. NSW Ombudsman. Sydney,NSW Ombudsman ISBN: 978-1-921131-63-9 [↑](#footnote-ref-5)