

Working Effectively with First Nations and CALD Communities

Panel Members:

- q **Steven Kennedy & Amanda O'Neill:** Justice and Community safety Directorate
- q **Genevieve Higgins:** Jesuit Social Services
- q **Katrina Robinson:** Salvation Army

Facilitator: Alikki Vernon: Australian Association of Restorative Justice

The role of the First Nations guidance partner

- The First Nations Guidance Partner (FNGP) is a support person for Aboriginal and Torres Strait Islander (First Nations) participants who are either the person responsible or person harmed. Any RJU case matter that includes First Nations participants will have at least one Aboriginal and Torres Strait Islander Convenor or FNGP allocated. The FNGP provides support pre- and post-conference process. The extent to the FNGP's role depends on the needs of the First Nations participant. (See Chapter 4 of this *Manual* for further details about the allocation of cases to a FNGP and their role and responsibilities.)

The role of the First Nations guidance partner

- The FNGP liaises with the Convenor to discuss the referral received, noting key issues, including whether the FNGP has prior knowledge about the person referred, who will make first contact with the participant/s, and then make a plan of action to progress the referral. The FNGP may be involved for initial contact only or may play a role alongside the Convenor throughout the restorative process. If appropriate, the Convenor and FNGP will have several meetings to discuss the needs of the participant and debrief about the case. The FNGP will also be a part of suitability meetings to discuss and plan for the conference or indirect process. The FNGP may also follow up with the participant post-conference to provide aftercare as well as support the participant to complete tasks outlined within a RJ agreement. The extent to the FNGP's role depends on the needs of the First Nations participant.

The FNGP performs several other duties as appropriate, including assisting the Convenor by:

- making initial contact with the participant and providing information about the service to the participant;
- providing details about the family and community of the participant;
- assessing with the participant the level of support (if any) that they require and communicating this to the Convenor;
- liaising with Convenors to determine the most appropriate lines of communication with the participant;
- supporting the participant to meet with the Convenor;
- offering guidance to the Convenor as to how be culturally respectful and appropriate.

The FNGP can support the participant by:

- sourcing culturally appropriate supports for the participant as required and according to the participant's gender/age/guardianship,
- helping organise other practical and logistical arrangements about meeting times, venues and transportation to meet the participants needs,
- helping to prepare the participant to engage effectively within a conference or indirect process, including well-being checks throughout the conference with subtle hand signals,
- identifying and troubleshooting possible agreement arrangements, &
- supporting the participant to complete tasks outlined within a RJ agreement, including providing support to attend meetings and to follow-up referrals to external agencies.

Case study

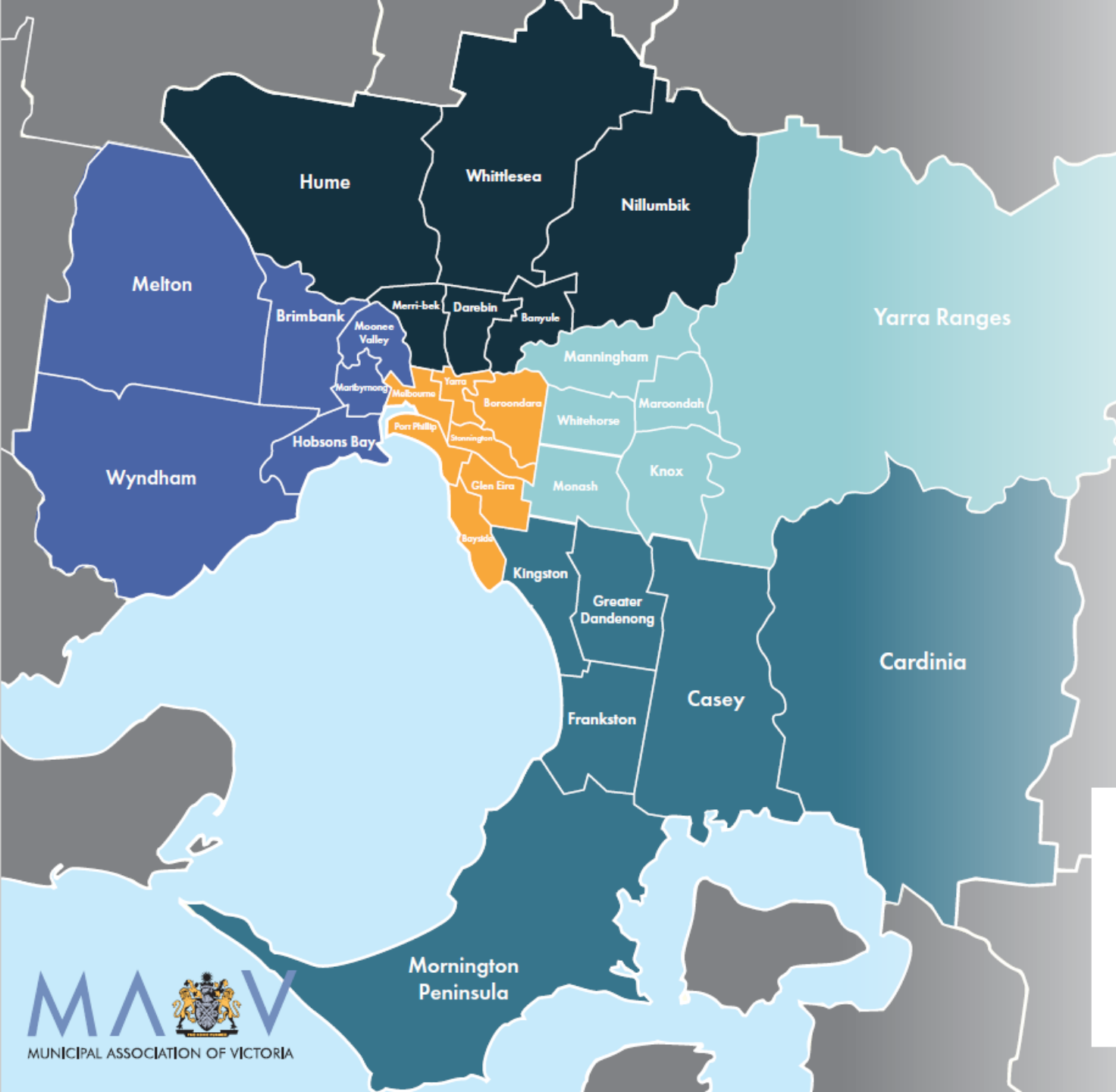
- Police diversionary referral of property offence.
- Young woman involved in a car hijacking
- The people harmed had stopped to assist the young woman and her partner who had crashed their car.
- She and her partner stole the car, and it was discovered later burned out.

Needs of the person responsible

Needs of the people harmed

Jesuit Social Services Program operating context

- Children's Court Youth Diversion (CCYD) Service
- Youth Justice Group Conference (YJGC) Program
- Metropolitan Melbourne - 79 LGA's
- 10 Children's Courts
- 2 JSS office locations
- 4 Youth Justice Areas
- 7 Restorative Practitioners
- Target 150 a year
- 2 custodial precincts
- 250 cultural groups (census)



Regional Groupings

- Metropolitan South
- Inner Metropolitan South East
- Metropolitan West

Experiences of young people & families from different cultural and language backgrounds

Based on Diversion and YJGC programs - 194 participants over 12 months

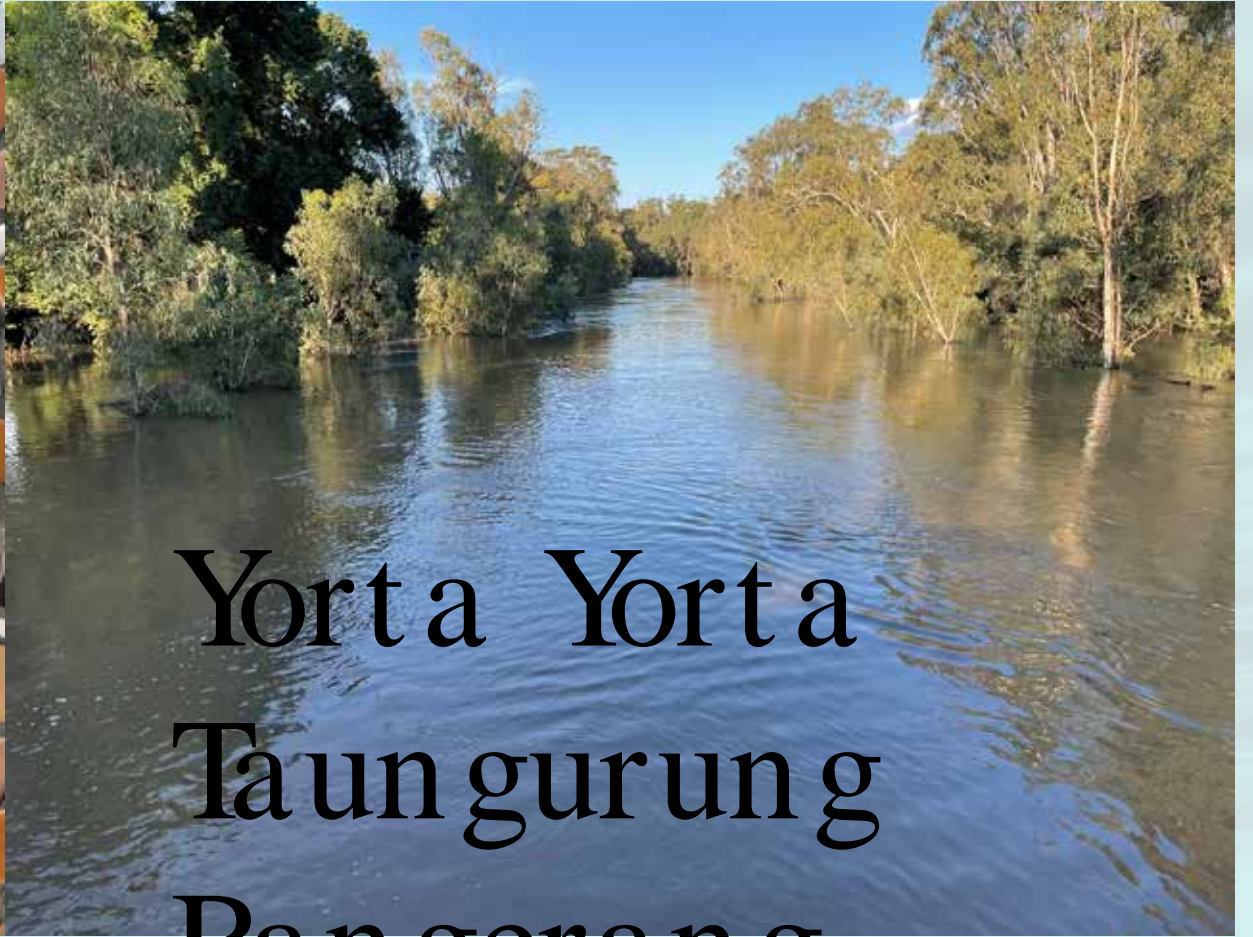
- 50 – **Australian** 26% (8 in OoHC, 20 involved in Child Protection current or previous)
- 44 – **African** continent 22% (South Sudanese ancestry- 25)
 - COB - Ethiopia/ Egypt/ Kenya/ Sudan/ South Sudan/ Australia
- 30 – **Māori / Pasifika** 15%
 - SPECIAL category VISA holders NZ citizens – protected and non-protected
- 10 – **Burmese, Chin, Karen** – Emerging group of young people coming into contact with police
- 11 – **Aboriginal** (OoHC, single parent, limited connections to, and understanding of their culture)
 - A 'best practice' and 'best engagement' approach.
 - Integrating culture & adapting practice to create culturally safe spaces
 - Restorative Practitioners from community
 - Families, stakeholders and services – Insight, support and oversight

What are some of the challenges and barriers to this work

- Program limitations
- Stakeholder attitudes and understanding
- Family dynamics – young people bridging two worlds,
- Poor integration of services and initiatives
- Many relationships to maintain – diverts attention away from building better relationship with community (always looking for opportunities to expand, pilot or collaborate)
- Intersectionality – Dropping off the Edge report (postcode disadvantage)
- Trauma, settlement experiences, disrupted education, ruptured relationships and complex family dynamics, pandemic, racism, systemic and structural barriers

Lessons and hopes for future reform/ improvements

- Opportunities to innovate - Look to what is happening overseas, within Australia and in community
- Capacity building – JSS working with two African youth organisations – *Reclaimed Voices*
- Adapting practice/ processes to integrate cultural protocols, religious and faith-based interests
(*cultural safety is co-designed*)
- Doing and influencing – more process options for complex cases (need for flexibility in programs)
- Better evaluation models of restorative programs – go beyond
- **Lotjpadhan (Talking Together)**: integrates restorative practices with Aboriginal ways of "*knowing, doing and being*". The program uses the process of group conferencing to help young people, families, and their supporters to better understand people's motivations, the impact of behaviours, and how they can improve relationships.



Yorta Yorta Taungurung Bangerang Wiradjuri



Hume RAJAC region

Local Government areas

- | | |
|-----------------------|---------------|
| 1. Moira | 7. Benalla |
| 2. Greater Shepparton | 8. Wangaratta |
| 3. Strathbogie | 9. Indigo |
| 4. Mitchell | 10. Wodonga |
| 5. Murrindindi | 11. Towong |
| 6. Mansfield | 12. Alpine |

Victoria





Working *with* people

Commitment to building relationships

- Regional reconciliation group
- Regional Aboriginal Justice Advisory Committee
- ACCO's Rumbalara ,Mungabareena and Dardi Munwurro
- Attend Koori Children's Court
- Restorative consultations Victoria Police Koori Cautioning Panel
- Link with Aboriginal liaison workers in police, education and custodial contexts
- Take up invitations offered by community
- Listen more than you speak
- Be respectful, be curious. Learn about culture

Working *with* people in practice

- Where are people comfortable to meet?
- Who is important to them? Who can be included in the preparation journey and the conference?
- Welcome trusted elders and respected community members
- Hear about family dynamics, and the family story
- Consider past trauma in all assessment and decision making.
- Invite police to come in plain clothes
- Work collaboratively with elders, and respected persons to ask questions, and to unpack the story and impact

