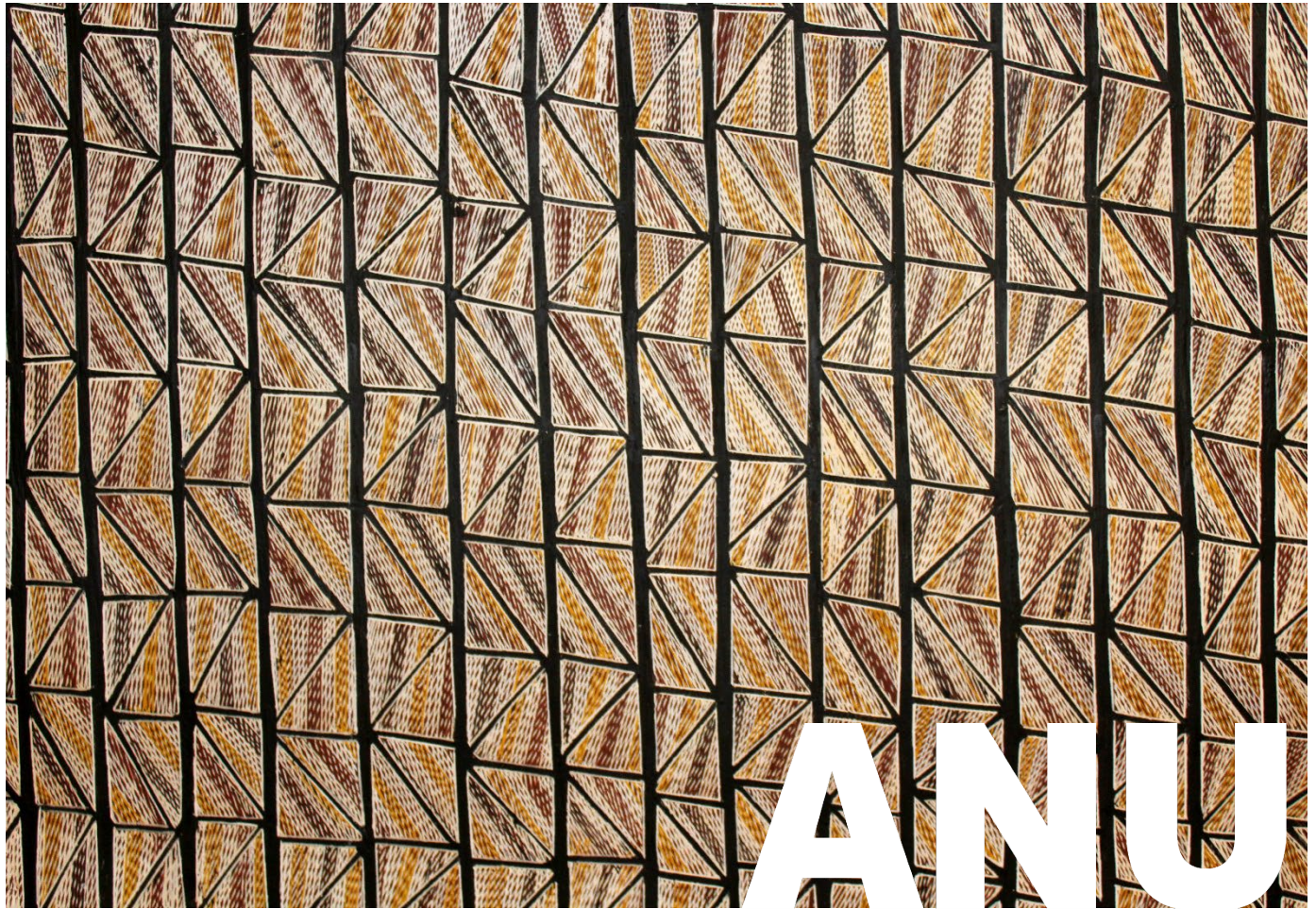




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OBSERVING THE STRONG CULTURE,
STRONG FAMILIES PROGRAM AS AN
INNOVATIVE INDIGENOUS JUSTICE
PROGRAM AND MORE

D. HOWARD-WAGNER AND D. EVANS

Centre for
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Observing the Strong Culture, Strong Families Program as an Innovative Indigenous Justice Program and More

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Abstract

The purpose of this Discussion Paper is to report the observations of the Strong Culture, Strong Families program run for Aboriginal male detainees and their families in the Alexander Maconachie Centre, which is a prison and remand centre in the Australian Capital Territory. The paper aims to draw on the observations to examine and explain the program in the context of (1) parenting in prison and the creation of positive parenting experiences; (2) connecting Aboriginal and Torres Strait Islander detainees to family, identity and culture in the context of desistance and restorative justice; and, (3) understanding the program as an innovative Indigenous justice program. The research also asks important questions about the policy and wider justice context in which such programs are developed and take place.

Keywords: Indigenous-led justice, innovation, prisons, cultural programs, positive parenting

Acknowledgments

The research is generated from a formalised collaboration and partnership between the two authors. This collaboration emerged from the researcher being approached by Tjillari Justice Aboriginal Corporation (‘Tjillari’) to assist with the research needs of the organisation. It is an example of community-initiated rather than researcher-led research.

Acronyms

ACT	Australian Capital Territory
AMC	Alexander Maconochie Centre
ANU	Australian National University
CAEPR	Centre for Aboriginal Economic Policy Research
COAG	Council of Australian Governments
NHRMC	National Health and Medical Research Council
RCJ	Race, Crime, and Justice
SOAR	Support, occupation, accommodation, reintegration and rehabilitation

Contents

Series note	ii
Abstract	iii
Acknowledgments	iv
Acronyms	iv
Tables and Figures	vi
Introduction	1
Situating the Tjillari Justice Strong Culture, Strong Families program: context and the supporting literature	4
Tjillari and the Strong Culture, Strong Families program	5
Methodology	8
The research setting	11
Bush foods workshop on 9 July 2018	12
Traditional Aboriginal dance workshop – 21 January 2019	13
Observing Strong Culture, Strong Families and principles of justice	15
Discussion	16
Conclusion	18
References	20

Tables and Figures

Figure 1 Aims of Tjillari Justice Strong Culture, Strong Families program

2

Introduction

In the opening sentence to their book titled *Innovative Justice*, Hannah Graham and Rob White note that exciting successes and good news stories are somewhat rare in the field of criminology and criminal justice (Graham & White 2015:1). In the context of Indigenous justice, this is even more so (Hendry, Tatum, Jorgensen & Howard-Wagner 2018). Yet, new spaces of innovative Indigenous justice, in which new approaches and new tools are adopted, are continually emerging in Australia, Aotearoa/New Zealand, Canada, and the United States (Hendry, Tatum, Jorgensen & Howard-Wagner 2018).¹

Innovation in Indigenous justice often has a limited focus on the criminal justice system and criminality itself. That is, in considering innovation in the criminal justice space, policy makers tend to give priority to the philosophy underpinning that system, the strategies, the various aspects of the system, such as policing or corrective services, and how the system operates, including the programs and initiatives designed to improve the system. What constitutes innovation varies in the context of Indigenous criminal justice, and innovative approaches have generally occurred within the system itself. The regular courts have begun in a limited way to consider Indigenous practices in the sentencing process (Marchetti & Daly 2004; Marchetti 2014) and child protection court process (Ciftci & Howard-Wagner 2012). There is also a growing body of scholarship explaining the benefits and rights that flow from processes within the courts and quasi-independent justice systems, as well as the limitations of these approaches (Ciftci & Howard-Wagner 2012; Cunneen & Tauri 2016; Cunneen 2017; Marchetti 2017). They aim to improve Indigenous peoples' contact with the criminal justice system.

Indigenous justice is more than arrests, convictions, courts and prisons and the focus on the system itself has meant that many factors critical to Indigenous justice, which fall outside the scope of the system, are either absent or marginal public policy considerations. The result is blind spots in the law, criminal policy and broader policy. Critical issues remain absent from public policy; the concrete social effects of criminal policy on offenders' families and particularly their children, or the relationship between the placement of Indigenous children and young people and incarceration of a parent – such as the consequences of high rates of Indigenous imprisonment on children, families and communities and the effects of Indigenous child/parent separation, the vulnerability of Indigenous children and young people.

Incarceration is having wide-reaching effects on Aboriginal and/or Torres Strait Islander detainees, their children, families and communities. There is strong international evidence that common concerns of Indigenous prisoners across the globe relate to issues of being away from home and isolated from family and community along with a lack of access to cultural activities, religion and traditional foods (Grant 2016:354).

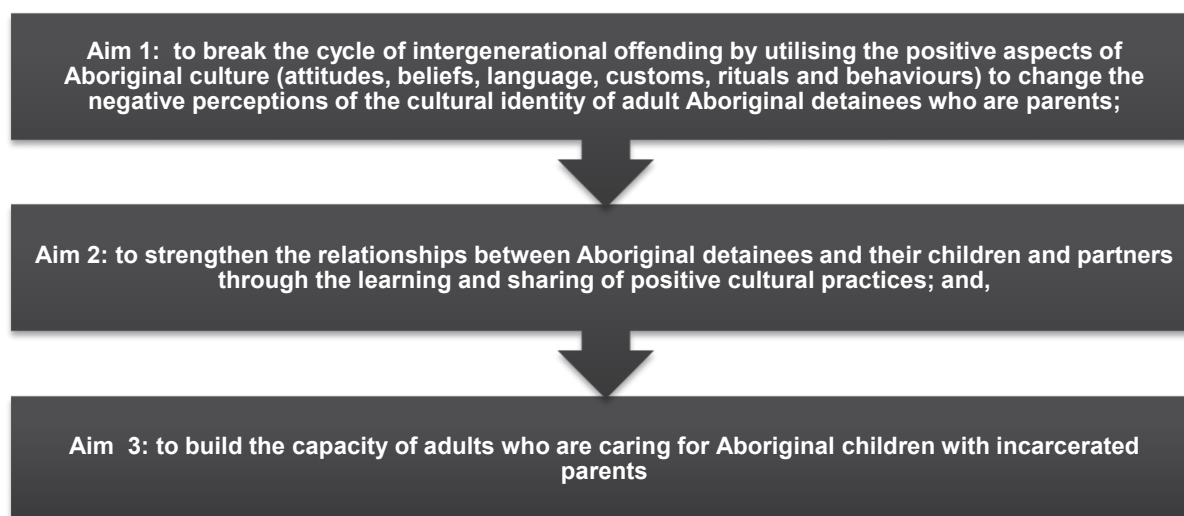
Measures designed to mitigate the effects of parental incarceration have an important place in Indigenous justice too (Atkinson 2013). For example, youth-focused community and social services that support Indigenous children and young people who are at risk of incarceration due to parental or familial incarceration. Atkinson proposes that this should go beyond supporting children with an incarcerated parent to repairing the harm caused by intergenerational trauma (Atkinson 2013).

This is the intended function of the Tjillari Justice Strong Culture, Strong Families program, whose architects recognise the concrete social effects of criminal policy on Aboriginal and Torres Strait Islander offenders'

¹ A note on terminology: the term 'Aboriginal and/or Torres Strait Islander peoples' is principally used throughout this discussion paper as the Culture Strong, Family Strong program is delivered to Aboriginal and/or Torres Strait Islander peoples of Australia. Where, and as appropriate, the terms 'Indigenous' is used as a collective noun for First peoples internationally and justice policy relating to First peoples.

families, and particularly the impact of incarceration of a parent on the child or young person. Its aims are as set out in Figure 1.

Figure 1 Aims of Tjillari Justice Strong Culture, Strong Families program



The context in which this program has been developed is important too. It is an innovative urban Indigenous justice program currently run in the prison in Australia's capital city, Canberra. This city has a highly transient Aboriginal and Torres Strait Islander populations and one of the fastest-growing rates of Indigenous incarceration. Aboriginal and Torres Strait Islander people comprise 1.9% of the Australian Capital Territory (ACT) population but currently make up 22% of the ACT's prison population (ACT Government 2019). The ACT has the third-highest per capita rate of Aboriginal and Torres Strait Islander incarceration in Australia, after Western Australia and the Northern Territory (Walquist 2017). A number of those Aboriginal people detained in AMC were passing through the ACT as a geographical location. There have been calls for the opening of an Indigenous-only prison in Australia's capital city (Burdon 2018). There have also been calls for greater engagement with Aboriginal and Torres Strait Islander communities, organisations, and peoples in developing solutions to the growing rate of incarceration of Aboriginal and Torres Strait Islander peoples in this city.

Aboriginal peoples in this urban locality are not just experimenting with new kinds of Indigenous justice enterprises (e.g. Tjillari Justice Aboriginal Corporation, Gudan Gulwan Youth Aboriginal Corporation, Winnunga Nimmityjah Aboriginal Health Service), as well as Indigenous justice initiatives (e.g. Strong Culture, Strong Families developed by Tjillari Justice Aboriginal Corporation and the Mulleun Mura program run through the Women's Legal Centre), but are leading the way internationally. For example, the Winnunga model is considered one of Australia's leading approaches for delivering holistic prison health to Aboriginal detainees (Poroch 2007). It is a three-part best practice model for the delivery of holistic prison health care developed by Winnunga Nimmityjah Aboriginal Health Service for Aboriginal detainees in AMC (Poroch 2007). However, the success of these programs and initiatives has also depended on the ability of prison authorities to embrace and respect Indigenous cultural knowledge systems, cultural practices, healing and learning systems, and operate within their philosophy (Grant 2016:354).

Innovative Indigenous justice is situated in a jurisdictional context in which there is an increasing number of Aboriginal and/or Torres Strait Islander people working in the 'everyday justice space' and in key positions within justice and community safety, corrective services, courts and tribunals, as well as government-developed Indigenous justice programs (Howard-Wagner 2018). For example, the ACT government recently appointed an Aboriginal judicial officer, Louise Taylor, a Kamilaroi woman, as the eighth permanent magistrate sitting on the

ACT Magistrates Court. There have been different justice programs, initiatives and strategies including the ACT Galambany Circle Sentencing Court, the ACT Aboriginal and Torres Strait Islander Justice Partnership 2015–18, and the ACT Aboriginal and Torres Strait Islander Justice Strategy 2015–18. While positive and innovative, the degree of community control varies with Indigenous programs designed by policymakers.

This paper reflects on research field observations of two sessions of the Tjillari Justice Strong Culture, Strong Families program held on 9 July 2018 and 21 January 2019 both in terms of the programs aims and as an example of an innovative Indigenous justice initiative that leads with Indigenous culture in programs in prisons. The workshop held on 9 July 2018 involved eight Aboriginal male detainees, one Torres Strait Islander male detainee, two Aboriginal female detainees, their children (11 children were present on the day), and either the parent or grandparent accompanying the children. The workshop held on 21 January 2019 involved 10 Aboriginal male detainees and two Aboriginal female detainees, their children (15 children were present on the day), and either the parent or grandparent(s) accompanying the children.²

The research observations were designed to understand, evaluate, and explain the Tjillari Justice Strong Culture, Strong Families program in the context of (1) parenting in prison and the creation of positive parenting experiences; (2) connecting Aboriginal and Torres Strait Islander detainees to family, identity and culture in the context of desistance and restorative justice; and, (3) understanding the program as an innovative Indigenous justice program.

The research also asks important questions about the policy and wider justice context in which such programs are developed and take place. For example, for innovative Indigenous justice programs to succeed and to continue, adaptations need to be made to the justice and broader policy and funding environment in which they operate and how those contexts facilitate or impede not only success but the sustainability of programs. So, this paper also considers how to successfully embed innovative Indigenous justice programs developed by Indigenous people for Indigenous people within the broader policy, funding and justice context and in a way that ensures its sustainability and its integrity as a program developed by Indigenous people for Indigenous people.

The authors recognise that, while the paper describes the program, the processes and how it operates, the analysis of the program's effectiveness in the paper is limited. The research was also limited because of the level of access granted for the researcher, Associate Professor Deirdre Howard-Wagner, to the Aboriginal detainees by ACT Corrective Services. Further research is needed to understand whether the program attains its goals. This analysis could be achieved via longitudinal study of detainees and their children (including rates of recidivism among those participating in the program) but should not simply be a statistical exercise. A qualitative longitudinal study of the program, which involves interviews with detainees, correctional staff, carers, and children, alongside post-release monitoring of effects and recidivism rates, would need to be undertaken to truly measure or evaluate the positive effects of the program in terms of cultural engagement, parenting, desistance and restorative justice, and the benefits to the child. Stakeholder perception of the purpose and effectiveness of program would also be useful for identifying whether all parties understand the objectives of the program, including exploring the perceptions of different parties with regard to their role in the delivery of this program (i.e. Tjillari Justice Aboriginal Corporation, ACT Corrective Services, Alexander Maconochie Centre (AMC), including AMC Aboriginal Liaison officers).

The Discussion Paper provides some policy insights, which are presented in the penultimate section.

² The authors wish to acknowledge that this research would not have been possible without the participation of Aboriginal male detainees and their families and therefore the support of ACT Corrective Services. The researcher and Tjillari Justice Aboriginal Corporation worked closely with ACT Corrective Services in gaining access to the Alexander Maconochie Centre and Aboriginal male detainees and following their policies and practices. ACT Corrective Services were given ethics documents and an opportunity to comment on an almost final draft of this paper, which did not change much in content.

Situating the Tjillari Justice Strong Culture, Strong Families program: context and the supporting literature

Indigenous injustice

The literature on Aboriginal and Torres Strait Islander peoples and the justice system in Australia is substantial. It is well established that Aboriginal people are over-represented in the Australian criminal justice system; this has been the subject of numerous studies and commissions and described as a 'catastrophe' (Gooda, quoted in Kidd 2014). Today, while 3.3% of the overall Australian population, Aboriginal and Torres Strait Islander peoples make up 28% of Australian prison population. Of all juveniles in custody in the ACT, 48% are young Aboriginal people. Also, 39% of Aboriginal and/or Torres Strait Islander offenders return to prison within two years. The mass incarceration of Aboriginal and Torres Strait Islander peoples is complex in and of itself. The general literature has addressed challenges that range from processing, police interactions, courts, corrections, and government legislation and policy.

There is a small body of Australian scholarship that firmly counters the deficit discourse, exposing the racialised effects of neoliberal policy (Walter 2010; Kowal 2015; Howard-Wagner 2018) and situating the antecedents to criminal activity within broader contemporary and historical societal structures, such as colonial dispossession, ongoing child removal, racialisation, and associated disadvantage – relating these to present-day experiences of Indigenous disadvantage, including high incarceration rates (Cunneen 2018). This scholarship points to the structural systemic issues associated with the justice system itself from policing to courts to prisons, including how criminogenic political rationalities contribute to justice thinking and the logic of incarceration in the neoliberal age (Cunneen 2018). Research highlights the needs of Aboriginal and Torres Strait Islander offenders (Shepherd, Ogloff & Thomas 2016; Abbott et al 2018).

Indigenous-led justice

Indigenous peoples have moved into the criminal justice space as agents within and outside the criminal justice system internationally, attempting to address the issues that public policy is failing to address. Indigenous peoples are creating their solutions within what Feenan (2002, 2018) generally describes as 'informal justice' or Howard-Wagner (2018) describes as the 'everyday justice space'. Some of the motivators in the prison space include, but are not limited to, the increasing rates of Indigenous incarceration alongside the need to restore the family, break the offending cycle, and get Indigenous detainees out of prison and back in the community and reconnected with their families. One main reason Indigenous peoples are developing their own solutions is the intergenerational consequence of parental imprisonment on the child, and the wider societal impact of parental incarceration on Indigenous societies, which is well recognised (Dennison et al. 2014). Research shows that imprisonment of a parent places the child at high risk across several factors (Dennison et al. 2014).

There is a small but growing international Indigenous justice literature illustrating the importance of innovative Indigenous justice initiatives and interventions (Hendry, Tatum, Jorgensen & Howard-Wagner 2018). There is a body of literature on Indigenous justice initiatives in Australia and North America. Examples of such initiatives include whole-community initiatives like the Ojibwa First Nations Four Circles of Hollow Water, the Mnjikaning First Nation *Biidaaban, the Mnjikaning Community Healing Strategy* in Canada (Hewitt 2016), and the Upper Tanana Wellness Program and the Circle Peacemaking Program in Alaska (Jarrett & Hyslop 2015). This scholarship shows that Indigenous-driven justice initiatives are not only innovative culturally, but often are philosophically in line with Indigenous restorative justice practices (Graham & White 2015:4). In some jurisdictions in the United States and Canada, independent Indigenous justice systems have been established.

There is a small body of scholarship explaining these systems and their benefits, and illustrating the relationship between wider public policy considerations and Indigenous justice (e.g. Cunneen 2006; Episkenew 2009).

The formation too of Indigenous justice organisations has largely enabled Indigenous peoples to offer holistic social programs run by Indigenous peoples, communities and organisations in the informal justice space, which are philosophically in line with desistance and restorative justice practices (Graham & White 2015:4) and designed to mitigate future criminal activity.

Tjillari and the Strong Culture, Strong Families program

This is the story behind the establishment of the Tjillari Justice Aboriginal Corporation and the Tjillari Justice Strong Culture, Strong Families program. Tjillari Justice Aboriginal Corporation (Tjillari) was established in 2013 because of overwhelming concern about the unresolved anger and rage displayed by Aboriginal and Torres Strait Islander people appearing before the Galambany Circle Sentencing Court in the ACT. Those involved in establishing Tjillari recognised the specific needs of Aboriginal and Torres Strait Islander peoples living in this urban locality, which consists of a highly transient population, individuals and families who have recently relocated to the region, those who have lived in Canberra for one or more generations, and descendants of the Ngunnawal and Ngambri First Nation peoples.

There was no research at that time that had examined Aboriginal community response to acute or chronic trauma, particularly trauma caused by the impact of the criminal justice system in urban society. There were few Aboriginal and Torres Strait Islander interventions at this time. Although the program in Risdon Prison in Tasmania (Toohey 2013) was based on strengthening parent/child relationships it was not specifically for Aboriginal and Torres Strait Offenders and did not have a developmental focus. The National Indigenous Law and Justice Framework (2012) outlined several programs aimed at rehabilitating offenders but none were early intervention strategies.

The team at Tjillari turned their attention to understanding the intergenerational cycle of offending, particularly the scholarship on the effects of parental incarceration on the child (Hagan & Inviter 1999; Bernstein 2005; Travis, Cincotta & Solomon 2006). They identified a common denominator amongst these young people: they had parents or other significant people in their lives who were either in prison or had been incarcerated during their formative years. With little available data in Australia, initial research focused on the work of the Centre on the Developing Child at Harvard University Centre and the impact of toxic stress and repetitive trauma on the development of the brain of the child. That research analysed the impact of toxic stress and trauma on the development of the amygdalae, regions of the brain responsible for the ability to feel certain emotions and to perceive them in other people; and the frontal lobe of the brain that controls important cognitive skills in humans, such as emotional expression, problem-solving, memory, language, judgment, and sexual behaviours (National Scientific Council on the Developing Child 2007). This work identified issues that those at Tjillari were observing in Aboriginal and Torres Strait Islander people appearing before the Circle Sentencing Court. However, it was the work of organisations like the Annie E. Casey Foundation that linked these finding to offending behaviour. A longitudinal study *Parental Incarceration and Child Wellbeing in Fragile Families* (Garfinkel, Geller & Cooper 2007) identified the risk factors for children with incarcerated parents. These children were 44% more likely to show borderline- to clinically-aggressive behaviour. The trauma experienced by the child when a parent is incarcerated creates unique stressors which may go unnoticed to the outside world (La Vigne, Davies & Brazzell 2008), and this is often compounded when parents repeatedly cycle in and out of prison during a child's life.

The concern about the developmental delays and behavioural differences observed and the links this research confirmed between parental incarceration and the healthy development of the child, confirmed that to address the souring and 'catastrophic' incarceration rate of Aboriginal and Torres Strait Islander people (Calma 2014),

Tjillari needed to address the trauma experienced by children to prevent them becoming juvenile offenders and progressing to becoming adult offenders later in life. It also identified the need to build the capacity of parents and caregivers to improve the outcomes for the child. This would be a key component of any interventions.

Of further relevance to the program design is the extensive body of research which illustrates the effects of 'parenting in prison' and the visitation environment (Dennison et al. 2014; Dennison & Smallbone 2015; Dennison, Smallbone & Occhipinti 2017; Hairston 2017).

It was this wider perspective that led to the Tjillari Justice Strong Culture, Strong Families program not only aiming to reduce recidivism and embed Indigenous philosophical principles of restorative justice, but also aiming to break the intergenerational cycle, and improve parental/child relationships between Aboriginal male detainees and their children.

The principles behind the Tjillari Justice Strong Culture, Strong Families program

The Tjillari Justice Strong Culture, Strong Families program is an innovative Indigenous justice program designed by Aboriginal people for Aboriginal male detainees and their families, particularly their children. It is copyrighted to the Tjillari Justice Aboriginal Corporation. It has been designed as an early intervention strategy to break the cycle of intergenerational offending with two interrelated principles in mind. First, an understanding of Lewin's Change Theory (Lewin 1947) involving the three steps of unfreezing, changing, and refreezing – via engagement in culture and knowledge-sharing that facilitates a shift in behaviour and attitude and links individual action to social and cultural context, resulting in a commitment to change and a cessation in offending that is maintained. Second, the understanding that families, social bonds, increased cultural knowledge and connection with culture results in reduced criminal activity among Indigenous offenders (Grant 2016).

The program endeavours to do so through the creation of positive parenting experiences and connecting Aboriginal and Torres Strait Islander detainees to family, identity and culture in the context of desistance and restorative justice. Restorative justice is used in the context of Indigenous restorative philosophy and law (McCaslin & Breton 2014). Importantly, the literature distinguishes between contemporary appropriated restorative justice practices and/or Indigenous cultural practices within the justice system compared with Indigenous restorative philosophy and law embedded in Indigenous designed and led programs (McCaslin & Breton 2014). The literature provides many examples of Indigenous restorative justice programs operating outside the justice system, particularly in Canada, such as Hollow Water and *Biidaaban* (Hewitt 2016).

The scholarship also demonstrates the role of agency, parenting, and culture in Indigenous desistance; that is, the cessation of offending (Sullivan 2012). For example, Sullivan's research on the desistance process in the cultural context of Aboriginal repeat offenders who are 'going good' is influenced by Sherry Ortner who examines desistance as an agential project, while recognising 'that it is not possible for agency to operate in a vacuum and that desistance projects take place in the structure of a cultural world' (Ortner 2006:152–153; Sullivan 2012:49–50).

From the researcher's perspective, the objective of the research, and the purpose of the paper is to understand, evaluate, and explain the Tjillari Justice Strong Culture, Strong Families program in the context of the program's three aims, which include strengthening the parent/child bond through culture; reconnecting Indigenous detainees with culture, family and community based on the principles of restoration and desistance in the context of healing family harms, which may also have the effect of reducing recidivism; and to be a program developed by Indigenous peoples for Indigenous peoples. There is a body of research that shows the positive effects of cultural engagement for Indigenous prisoners (Shepherd et al. 2018). As mentioned above, there is an extensive body of research which illustrates the effects of 'parenting in prison' and the visitation environment

(Dennison et al. 2014; Dennison & Smallbone 2015; Dennison, Smallbone & Occhipinti 2017). Participating in this program is an opportunity for Aboriginal male detainees to engage in positive parenting experience in prison and for their children to have positive parenting experiences while engaging in Aboriginal culture and becoming culturally strong.

The program in practice

At present, the Tjillari Justice Strong Culture, Strong Families program is for fathers who are incarcerated, their children and partners, and is supported by ACT Corrective Services and the AMC. The prison provides the use of the visitors' centre and morning teas for the sessions. It processes applications from detainees and screens family applications to ensure there are no Care and Protection issues that would impact on the participation of family members. All volunteers and facilitators must have Security clearances.

Tjillari provides the resource for the session. It also provides the prison with an information flyer and application form for detainees. Tjillari gives simple evaluation forms to the detainees at the end of each session, which are collected by the prison Aboriginal Liaison Staff and returned to Tjillari. This feedback is used to evaluate the content and the impact on the detainee's attitudes and beliefs about culture and their role in modelling strong, positive cultural beliefs and practices to their children.

Aside from this administrative and in-kind support, the program receives no government funding. The sessions are funded through philanthropic grants and donations.

The program consists of four workshops delivered during school holidays (one session per holiday period). The workshops are about building strong people. All of this is a way of rebuilding and changing the negative attitudes that Indigenous people hold about their own culture. Each session has a set of resources specific to the topic so that it can be replicated. Aspects of culture incorporated into the workshops include:

- arts and crafts (totems in particular and ways in which symbols convey messages) – because there was no written language it's a way of teaching communication and symbols which convey messages of roles, values and relationships and respect as a big issue
- storytelling (to deal more effectively with trauma)
- traditional dance
- bush foods.

This research observed the bush foods workshop on 9 July 2018 and the traditional dance workshop on 21 January 2019.

Participating in the Tjillari Justice Strong Culture, Strong Families program is an opportunity for Aboriginal and Torres Strait Islander male detainees to engage in positive parenting experience in prison and for their children to have positive parenting experiences while engaging in Indigenous culture and becoming culturally strong. There is a body of research that shows the positive effects of cultural engagement for Indigenous prisoners more generally (Shepherd et al. 2018), particularly in the context of desistance and restorative justice. Importantly too, it may provide opportunities for positive child interaction with the incarcerated parent, contribute to healing parent-child relationships, and contribute to mitigating the trauma associated with parental incarceration.

Methodology

Indigenous-led research

The research is a formalised collaboration and partnership between the two authors, after the researcher was approached by the Executive Director of Tjillari Justice Aboriginal Corporation ('Tjillari') to assist with the research needs of the organisation. This is an example of community-initiated rather than a researcher-led approach. There were obvious research synergies between the researcher's expertise and background and the research needs of Tjillari in terms of documenting the Strong Culture, Strong Families program as an Indigenous-specific cultural program developed by Tjillari for Aboriginal and Torres Strait Islander male detainees within AMC. Tjillari Justice Aboriginal Corporation approached the researcher because of her research expertise in Indigenous justice, inviting her to undertake an independent research evaluation of their program. From this point forward, the research has been a mutually beneficial collaboration between Tjillari and the researcher, rather than the researcher coming in, taking over, and conducting the research. This collaboration and partnership has included regular face-to-face discussions about research design, observations, analysis, dissemination, and it has been a two-way process. Recruitment has been entirely driven by the Tjillari Justice Strong Culture, Strong Families program itself and all decisions and management of this were undertaken by Tjillari in collaboration with AMC. The researcher's role in this work was unfunded and entirely voluntary.

This research and the relationship of trust between the researcher and Tjillari Justice Aboriginal Corporation is also an example of co-designed research and knowledge sharing – that is, doing research 'with' Indigenous peoples and organisations, rather than 'on' Indigenous peoples and organisations. It is about Indigenous organisations and peoples having control of the research. While it is not a bottom-up community participatory approach in that Aboriginal detainees and their families and the wider community did not design and develop this research in collaboration with Tjillari Justice Aboriginal Corporation and the researcher, its purpose and value are directed at Aboriginal detainees, their children and the community, and social change.

This relationship of trust is between the authors too, which includes a demonstrated mutual respect for each other's positions, knowledge, and worldviews, which has been built up over time. Knowledge and understanding has been exchanged through many long and meaningful conversations between the two authors over two years, and this relationship and those conversations will continue in the future.

The research approach, reflexivity and cultural biases

The research is not only socially and culturally ethical and designed to facilitate shared interests and be of practical benefit to urban Aboriginal organisations, communities, and people, complying with the National Health and Medical Research Council (NHRMC) Guidelines for Ethical Conduct in Aboriginal and Torres Strait Islander Health Research by designing the research in a manner that is consistent with Indigenous protocols. This approach adapts western research methodologies and methods to Indigenous practices and ways of knowledge (Simonds & Christopher 2013). It is an innovative and ontologically inclusive alternative (Leeson, Smith & Rynne 2016), which decolonises sociological methodologies and practices. This was achieved by ensuring that the research is initiated by Aboriginal people and is truly collaborative; the research methods are decolonised and adapted to ensure they are more 'dialogical and egalitarian' (Simmonds & Christopher 2013:2195); the research privileges Indigenous voices and knowledges; and the research practices (methods) are culturally safe, emancipatory, empowering and conform to Indigenous protocols (Smith 1999; Denzin, Lincoln & Smith 2008; Moreton-Robinson & Walter 2009).

The process of decolonising mainstream methodologies, such as sociological methodologies, and engaging in ontologically inclusive alternative approaches to knowledge involves intrinsic sensitivities. Cross-cultural issues are raised. The background of the researcher and the participants differ. That is, while a non-Indigenous researcher conducts this project in collaboration with Aboriginal people and Tjillari Justice Aboriginal Corporation, it is nonetheless informed in part by non-Indigenous concerns and the expertise of the researcher as a sociologist and socio-legal scholar with international expertise in Indigenous justice practices. Therefore, the theoretical and analytical frameworks and methods are informed by a non-Indigenous academic (sociological and socio-legal) standpoint – although there is Indigenous knowledge and perspectives that the researcher can draw upon within this academic space. So, while the researcher has extensive experience conducting research with Indigenous partners and has an existing collaborative relationship with Tjillari Justice Aboriginal Corporation, she remained aware of several cultural and social considerations and sensitivities attached to this context. For example, she was mindful that research involving more than one cultural perspective involves the risk of one perspective dominating the other(s) and risks misrepresenting Indigenous ontological and epistemological standpoints. Being aware of and attentive to conscious and unconscious biases is one way to address these biases and ensure that measures are taken so that the perspectives of the white female sociologist and socio-legal scholar as observer do not dominate the findings of the research. This was achieved by collaborating closely with Aboriginal people in the analysis of observations and writing up of the research. The two authors observed the programs in the prison together which also allowed for conversations during the observations and continuous verification at the time and after.

Observations were employed as an ethnographic methodology (derived from Sociology, but adapted). There is a new wave of ethnographies of race, crime, and justice (RCJ) in sociology, which make multifaceted contributions to the discipline (Rios, Carney and Kelekay 2017). They push for a more reflexive approach to ethnography, as well as a more sophisticated understanding of culture. This scholarship has contributed to our understandings about sociological practice in observational research in the field of RCJ, leading to a new, more reflexive approach to our research practices that is defined as a sociological double-consciousness approach, which interrogates and corrects the ways in which sociological research processes, and the writing up of that research, can contribute to not only a deficit-based approach and perpetuate stereotypes and influence punitive state policies but also contribute to ‘the exploitation, caricaturisation, oversimplification, and denigration of the populations we study’ (Rios, Carney and Kelekay 2017,495).

The researcher was a participant/observer and engaged in writing down field memos of activities, and engaging with the activities as part of the Tjillari Justice Strong Culture, Strong Families program run on 9 July 2018 and 21 January 2019. However, adapting this method entailed the researcher always being in the field with Tjillari Justice Aboriginal Corporation staff and volunteers and in constant conversation about the research setting, the workshop and observations, and verification of her observations, as well as conversations with Indigenous Corrective Services staff, Aboriginal detainees and carers (mothers and grandparents) while concurrently engaging in participant observation – and as such there was a balance of doing, learning, talking, and verifying side-by-side (Dreise 2017). So, while the researcher was unable to observe or interview Indigenous Corrective Services staff or Aboriginal detainees, informal conversations took place at times when those conversations naturally arose between either the Indigenous Corrective Services staff or Aboriginal detainees and her while in the prison setting.

It was not the objective of the researcher to observe the individual behaviour of detainees as detainees but to observe the Tjillari Justice Strong Culture, Strong Families program taking place and how Aboriginal detainees and their families participated in and interacted within and with this program and what observable effect the program appeared to have on parent/child interactions. For example, did it appear to create a positive parenting experience? And, if so, how? That is, were positive parenting experiences observed? Also, was it an observable

effect of the program that Aboriginal and Torres Strait Islander detainees connected to family, identity and culture? For example, did engaging with culture appear to enhance this interaction?

It was easier for the researcher and Tjillari Justice Aboriginal Corporation staff and volunteers, who are all female, to be convenors and observers as participants at the bush food workshop on 9 July 2018 compared to being convenors and researchers as observers at traditional dance workshop on 21 January 2019. The reason for this is that the Aboriginal traditional dance workshop is not about a performance. It is conducted as men's business, and it was about honouring their mob (see below); Tjillari Justice Aboriginal Corporation staff and the researcher had to sit back, at a distance, and observe. In comparison, at the bush food workshop we were immersed in and part of the setting.

The male detainees, their children, and the other parents/carers were all aware that the researcher was observing their participation in the program. The researcher wrote field memos and had informal discussions with those in the Tjillari Justice Strong Culture, Strong Families workshop space.

The researcher observed this as an innovative Indigenous justice space and in terms of (1) the way Indigenous culture, knowledge and protocols operated in this space; (2) the broader approaches and methods used in this innovative justice space; (3) how different people within this space engaged with it and in it; and, (4) the degree to which the principles of desistance or restorative justice were evident in the practices within this space. The researcher then spent time with the presenters immediately after the program, debriefing and reflecting with her on their observations, clarifying points and interpretations in order to ensure that a western research bias did not creep into the research, that she did not miss important cultural nuances or protocols, or that she did not privilege her interpretation of the program from the lens of the white 'expert' researcher, who has extensive knowledge of the literature and practices in this area and therefore imposes this knowledge onto those observations.

Participants

Those participating in the research on 9 July 2018 included eight Aboriginal male detainees and one Torres Strait Islander detainee from the AMC participating in the Tjillari Justice Strong Culture, Strong Families Day; the children of the Aboriginal male detainees; the children's carers; and five Tjillari Justice Aboriginal Corporation staff and volunteers. AMC staff were present. Male detainees participating in the program were vetted for suitability. For example, they were unable to participate if subject to a family violence order and/or a childcare and protection order.

Those participating in the research on 21 January 2019 include ten Aboriginal male detainees; the children of the Aboriginal male detainees; the children's carers; three Tjillari Justice Aboriginal Corporation staff/volunteers; and two members of an Aboriginal cultural dance company. About 15 different AMC staff were present at various times.

Concerning engaging and monitoring consent, those present at the time of observation, and who were within the observational space, were informed that the researcher was conducting observational research and were given a participant information statement and consent form. Those present were given the option of opting out of the research. If someone within the observational space chose not to be part of the research, then the intention was that anything they said or any actions they engaged in would not be observed, documented, or included in the research. All present consented to full participation in the research. A Participant Information Sheet outlining the purpose of the study and ethical issues was given to each detainee, the adult family members (primary carer of children) who were present, and both the primary carer (responsible for the children present) and their Aboriginal male parent and the child(ren). The older children were also given a participant information statement

in language appropriate for their age. Consent was sought from the detainees, carers and children. There were provisions to include an oral consent form for Aboriginal male detainees who are illiterate, but this was not needed.

Research in a high-risk environment

Prisoners are a vulnerable population in the context of research. There are also high risks associated with researching a prison setting. While the benefits of documenting this innovative Indigenous justice program far outweighed such risks, appropriate measures were put in place to minimise those risks.

For example, the involvement of Aboriginal male detainees and their families, particularly their children, was entirely voluntary. There was no audio or visual recording of anything anyone said or did. General notes were taken by the researcher. If an Aboriginal male detainee and/or their family did not wish to be observed, then they could elect to be excluded from the observations. This option was clearly indicated to potential participants, including an explanation of how the researcher could guarantee this.

There were also risks to the researchers associated with conducting research in a prison setting. The Tjillari Justice Strong Culture, Strong Families program was run in the visitation area of the prison. AMC, in liaison with Tjillari, vetted potential male participants to exclude potentially dangerous detainees, detainees with family violence orders, and detainees with child protection and care orders. The aim was to try to include as many Aboriginal detainees with shorter sentences as possible. There were several ACT Corrective Services staff present the entire time.

Participants were de-identified in the findings of the research. The data was generalised and thematically coded.

The research setting

The AMC is the ACT's prison for persons who are sentenced to full-time imprisonment and remand. It is an imposing prison structure on the outskirts of south-eastern Canberra, and is surrounded by a hexagon-like high-security metal enclosure that is splayed on a stark brown plain landscape. On the winter's day that the observations took place, AMC was observed as a structure that imposes itself on the barren winter landscape. Despite the magnificent blue of the Canberra winter sky, nothing is inviting about the AMC. It is a harsh environment in which one is conscious of the various muted shades of grey that are present in the steel bars, the concrete pathways, the building structures, the walkway covers, the roofs of the buildings, which is only interrupted by the flat cream rectangular box-like structures with heavily sloped unidirectional roofs. There are grass areas, but very little vegetation. The entry is unfriendly but less foreboding than its external structure.

It is only once one is past security and taken along the covered walkways, surrounded each side by a garden of small shrubs, to the visitors' centre that one finds a haven in this harsh, imposing prison setting. The visitors' centre has two large spaces – one indoor and one outdoor. The indoor space has a large imposing administrative station with a centralised system of monitor screens displaying images from the various cameras. It is operated by an ACT Corrective Services officer. At one end of the room is a coffee bar and at the other chairs and tables used during visits are scattered. The outdoor space is divided into two spaces consisting of a partially covered veranda with a cement floor with chairs and tables along it. In the far western corner an outdoor kitchen and barbeque are provided. The other half of the outdoor space is an open area with artificial grass and a row of shrubs along the back wall, which provide a garden atmosphere but are carefully spaced about 1.5 metres apart. There is a large purpose-built wooden child's playground area with a slide and climbing frame for the children of detainees.

Bush foods workshop on 9 July 2018

The bush foods workshop took place in the outdoor area at AMC on July 9, 2018. The chairs we arranged in a semi-circle in front of the barbeque and in the middle of the semi-circle stood the Aboriginal presenter who ran the morning as an interactive story-telling session. She weaved together a detailed narrative of Aboriginal culture, bush food and hunting in regions from the Torres Strait down through Queensland to Central Australia and back into northern and western New South Wales.

On the day, nine male detainees participated in the program, including two male detainees whose children did not turn up. Nine children participated in the program. The children varied in ages from 2.5 years to 11 years of age. There were seven girls and two boys present. Those accompanying the children included the grandmother of the two girls aged 9 and 11 years. There were two young aunts of a girl aged 3.5 years, as well as her mother who is a female detainee at AMC. Another young toddler was accompanied by a Team Leader from ACT Community Services Directorate. The young toddler participated in the program with both her father and mother, who were both AMC detainees. The rest of the children were accompanied by their mothers.

There were four people present from Tjillari Justice Aboriginal Corporation, including the CEO (and architect of the program), an Aboriginal woman from Central Queensland who administers and delivered the program, an Aboriginal woman from the Northern Territory who barbecued meat throughout the program; and an Aboriginal woman who volunteers at Tjillari.

The bush foods workshop was narrated as a story that maps out the various regions of Australia (including the Torres Strait) via the sharing of cultural knowledge about various nations, and includes a narrative about the major food sources as well as three interactive activities. It is about sharing food and stories, learning about history, culture and regional differences in customary hunting and gathering practices. This provides knowledge about the environment and nutrition. Totems are an important part of the workshop. Conversation about totems and responsibilities includes obligations and food restrictions based on a person's totem. Detainees compared stories about the difference between food and contemporary foraging practices. For example, one detainee talked about fishing and seafood in the Torres Strait, which was compared with Aboriginal culture in northern Queensland.

The story commenced in the Torres Strait. Through engagement with the male detainees, and also the questions the program administrator asked the detainees about their own country and kinship, the presenter produced a narrative through which we learnt about the Country and Indigenous nations that the detainees are affiliated with. The men comfortably shared their stories and narratives with the group. This exchange of knowledge also engaged the children, prompting older children to ask questions of their parents.

Interwoven into the longer narrative about different nations, culture, totems, stories, language, bush food were three interactive role-play stories in which the male detainees and their children participated. The interactive role-play stories were about crocodile hunting, kangaroo hunting and emu hunting. For the role-play elements, children and their fathers were divided into groups, such as the crocodiles and the hunters, and stories about traditional crocodile hunting were told, but the story was also brought into the present. The children and their fathers enacted the story as it was told and directed. Beautiful crocodile, kangaroo and emu masks had been made from felt for the role-playing exercise. Initially, a couple of the fathers were reluctant to get up, but they received a lot of encouragement from their children. Once they participated, they embraced the activity with great enthusiasm. Joy was abundant after the formal role-play of the kangaroos and hunters had finished and the children and their fathers spontaneously hopped around the mums, grandparents and carers, who had remained seated in the semi-circle. The enthusiasm and laughter continued after the role-play. We watched on as a father wearing a kangaroo mask bounced after his three-year-old son, who squealed in delight.

After each episode of interactive role-play, a plate of the respective barbequed meat was passed around for everyone to try. Everyone shared the bush food as if we were partaking in a social barbeque. We ate Johnny Cakes topped with bush jams. The families talked among themselves and with others about how the kangaroo, wallaby, emu and crocodile meat resembled other meats.

At the end of the day, the children were given a 'gift bag', which included a set of measuring cups, a wooden mixing spoon, a mixing bowl, an egg slicer, and a recipe book on how to make Johnny Cakes. There was lots of laughter and in the brief time after the program had finished, and before returning to their respective daily prison routine, we observed parents continuing to play with their children, including fathers sliding down the slide with their children.

While the researcher was not observing the prisoners as detainees – that is, their behaviour as prisoners – the absence of 'prisoner' misbehaviour, defiance or 'blustering bravado' or 'taciturn restraint' was something that stood out as noticeable behaviour. There was no sense that these men were holding back because they were among their 'prison' peers. These men were first and foremost fathers, and men proud of culture. While the men themselves may not do so, it was easy to see how a child could have easily forgotten that this program was taking place in a prison setting.

The bush foods workshop provided a positive parenting experience in which the children were given a memory of a significant moment with their fathers. The visitation environment was not only child-friendly but also child-centred. It also reinforced each father's relational place in the context of their parenting of their children. The children were able to see their father in a relaxed and fun light, rather than in the more formal structure of the Sunday prison visit. It was child-centric in that the fathers could engage in quality time, interacting and playing with and cuddling their children. The visitation was focused on the children. The children displayed strong attachment behaviours to their incarcerated parents. The love that these fathers have for their children was clear.

Traditional Aboriginal dance workshop – 21 January 2019

The traditional Aboriginal dance workshop took place in the indoor area on January 21, 2019. Chairs were arranged in a semi-circle with a large open space in the middle. In the middle of the semi-circle stood an Aboriginal father and son from Durungan Culture Dance Company, a family-run business. They conducted the morning as an interactive traditional dance session. Ten Aboriginal male detainees participated in this interactive dance session for an hour before their families arrived, learning three dances. The father convened the workshop and weaved together a detailed narrative of Aboriginal traditional dance, including how he learnt traditional dance and how his son too learnt traditional dance at a very young age. He explained how their engagement in performing traditional Aboriginal dance had been an important part of their father-son relationship. The father also yarned with the men about traditional dance. He spent time teaching the Aboriginal male detainees dance moves, such as how particular animals and birds, such as the emu, were represented. The presenter bonded with the men and spent time teaching them 'shake a leg', 'clap and stomp' 'the wave/hand behind backs' (the emu). The men yarned openly.

The rhythm was set using clapsticks. The convenor explained how the first dance that he was teaching the men was 'saying hello to our people, our ancestors, our mob'. Six of the men completely embraced learning traditional dance with smiling and light laughter, while one engaged but also sat it out at times and three sat it out completely. There was one young man who expressed his interest in culture but sat it out. He later engaged with the dance once his children arrived and participated in it with them. The workshop convenor engaged those men who would not get up to dance, giving them clap sticks to set the rhythm. As the convenor stated, the men 'looked wicked'. Two Aboriginal female detainees later joined the workshop but were asked to sit back at first

and observe from a distance. There were three Tjillari Justice Aboriginal Corporation staff present, who were all women. All the women sat away from the men's group, observing at a distance, as it had been set-up as men's business. That is, we could observe the men and what they were doing, but had to do so from a distance that separated us from the intimacy of the space in which male relationships were being built around culture and the sharing of knowledge.

One detainee had learnt dance from his Elders in north Queensland and is an accomplished dancer, but this had not been shared previously with his fellow detainees. He embraced the workshop and demonstrated his knowledge and skills. Since observing the workshop, we have been told that there is a newfound respect for the detainee in the prison community, which now values him as Aboriginal man of culture. His raised status within the prison as a man of culture has increased his sense of pride and respect. According to information passed on by Indigenous Liaison Officer, AMC, this prisoner may now become a mentor for those young men who also embraced the workshop.

The men painted themselves up in ochre just before their families arrived. Once their families arrived, which included 15 children in ages ranging from six months to 12 years, the men painted ochre on their children's faces and then performed the three dances they had learnt. The children then came in to learn parts of the dances themselves. The children were given a gift bag that included hand-made clapsticks that had been painted by an Aboriginal artist. There was considerable family time afterwards in which families shared a meal of barbecued meat and salads and followed by playtime.

Several of the families had participated in the workshop that I had observed on July 9, 2018. The difference in the children and the positivity and confidence of the fathers in this space was quite marked compared to their participation in the first workshop. They had fully engaged in the first workshop, but there had been ambivalence around doing so at first, and it had taken the men some encouragement from their child(ren) to engage in the interactive activities. This time I observed those men who had participated in the bush food workshop fully embrace the dance workshop even before their children arrived. They displayed a level of confidence and comfort in what they were doing and previously experienced something positive. The participants interactions with their children was also noticeably different during the second workshop. One young child, who had been quite uncertain about the situation and withdrawn on the previous occasion, was a different child on this occasion. On this occasion, Tjillari Justice Aboriginal Corporation staff and the researcher observed a bonded interaction between the father and the child, who were completely engaged the whole time in positive, quality parenting interaction, which was fully embraced by the child. Observations alone make it impossible to attribute reasons for why the child was withdrawn on the first visit but engaged on the second visit in terms of whether this was potentially due to a damaged or strained relationships or other factors. However this observation did indicate the benefit of the program in terms of not only a positive parenting experience for this child but also in terms of building the child's relationship and bond with his father.

Again, on this occasion, the effects of incarceration on the child's relationship with their father were evident in the observation of one young girl, around four years old, walking into the space to greet her father. The researcher and Tjillari Justice Aboriginal Corporation staff observed this young child looking around for her father, but not recognising him, and walking straight past him. The father's pain was evident. The child did recognise an Aunty, who was one of the female detainees. The child was accompanied by her brother, who was about eight or nine years old. We observed that the older boy was quite withdrawn and sad throughout the time. This young boy stayed very close to his father the entire time, either sitting closely next to his father or remaining closely by his side if they moved around the space. This young boy's need for his father and the pain was evident for all to see. The two children mentioned here were in state care. The children's father, aunt and uncle were all detainees at AMC. The aunt and uncle also had two children visiting them. The traumatic impact of separation on all four children was observable.

On this occasion too, the familial connections between the detainees became apparent. Two male detainees were brothers and there were two male detainees whose female partners were also detainees. The effects of family incarceration on children became evident as we observed family groups of siblings and/or parents and children interacting in this context. Later, we observed the distress that two young children experienced as they separated from not only their father but also their mother, who are both detainees at AMC. The importance then of this positive parenting experience, ongoing contact with parents despite separation and/or removal (which is a principle of child protection today), and opportunities for the child to have quality time with their parent, became even more evident.

Observing Strong Culture, Strong Families and principles of justice

Ethnography does not allow us to measure the positive effects of the Tjillari Justice Strong Culture, Strong Families program in terms of cultural engagement, parenting, desistance and restorative justice. However, it is possible to observe how the three principles described above operate in the prison setting in which the workshops occurred. That is, the Tjillari Justice Strong Culture, Strong Families program involves Aboriginal male detainees engaging with their children and wider community in a positive, culturally embedded program. This makes three clear contributions to Indigenous justice: (1) it creates positive parenting experiences; (2) it creates positive connections between the male detainees and their family, their identity and their culture; and, (3) it operates as a model of innovative Indigenous justice.

In observing Tjillari Justice Strong Culture, Strong Families in practice, it was clear that the program created a space in which there were positive connections between the male detainees and their family, their identity and their culture. Culture is not only enacted in what has become a common therapeutic healing approach (Archibald & Dewar 2010; Bamarki 2016) in prisons or based on traditional Indigenous healing philosophies (Vivian 2013) but through expressive arts (story-telling, dance and arts) and also role-playing in the bush food workshop. This allowed the detainees and their children to engage in and/or reconnect with identity and culture. While the storytelling workshop is focused on healing and trauma, and ways that detainees can deal more effectively with trauma, this is just one part of the program. Overall, the program assists detainees to positively practising and engaging with identity and culture. Some of the men and their children are may not have previously engaged with their identity and culture through art, story, dance and food. While culture is enacted as a form of healing, it is used to reinforce and convey messages of roles, values and relationships, and respect. Culture also functions as a vehicle to reinforce significant lessons about those roles, values and relationships, reconnecting the men with their identity and responsibilities in society, to their culture, their children and their communities. This does not mean that the men who participate in this program have no culture or are not culturally connected.

Such practices resonate with the objectives of desistance. If we give due consideration to the importance of such practices to desistance, then we can assume that the observed practices and the outcomes can potentially play an important role in preparing male detainees for release and reducing recidivism. The scholarship to date illustrates that Indigenous kinship provides emotional and psychological support, and connection to family and culture, which is considered paramount to preparing Indigenous male detainees for release and reducing recidivism (Grant 2016:349). However, correctional agencies are far more likely to implement such practices in regional and remote localities and not urban prisons (Grant 2016:349). The observations of Tjillari Justice Strong Culture, Strong Families program illustrated the value of programs deeply embedded in Indigenous culture and knowledge for urban prisons too. Importantly though, the two episodes of ethnographic observation are limited for assessing the value of such programs to desistance practices – that is, the processes aimed at assisting the individual to stop offending (Graham & White 2015:5). Nonetheless, this program has all the

needed desistance factors. Factors that are shown to be important are social bonds, family, purposive and agentic reconstruction of identity, as well as being part of a supportive cultural community that offers a culturally sensitive means and opportunities for supporting change and tailored culturally competent supports and interventions (Graham & White 2015:6). Desistance requires engagement with families, communities and civil society (Graham & White 2015:7). Interconnected with this is the proposition that increased cultural knowledge and connection with culture results in reduced criminal activity (Grant 2016:347). This is the case for remote, regional as well as urban contexts.

In a complementary way, the creation of positive parenting experiences thus has benefits for both the child of the detainee and the parent in detention. It assists with restoring the parent/child bond, which assists in re-engaging the detainee with their child(ren) through culture. While mostly used in the courts, it is increasingly recognised that restorative practices, such as restoring the family, are critical, but can come further into the criminal justice process (Dennison et al. 2014). So, in the context of the Tjillari Justice Strong Culture, Strong Families program, desistance is complemented by Indigenous restorative justice principles in the context of healing the family where one of the core principles is restoration of family and identity and reintegration into the family and culture. Such practices place significant emphasis on other stakeholders, such as family and community, in the process of desistance and restoration.

In the same way, the researcher observed the value of creating positive parenting experiences for Aboriginal detainees and their children. This observation is not surprising given the existing body of evidence-based scholarship, dating back to the 1970s, indicating the benefit of such programs. That is, while this is an innovative Indigenous justice program, key aspects of the program design are based on successful international models of prison programs designed around parental incarceration and child wellbeing, including the criteria for participant selection, suitable age groups for children that participate, and safeguards for those delivering the program in a prison setting. However, a limitation of the observational research is that the researcher was only able to observe the principles of the program in practice and in terms of the adaptation of this model for Aboriginal detainees and their children – that is, as an innovative Indigenous justice initiative that forefronts Aboriginal culture. It would take further research to measure the effectiveness of the program in terms of its overall aims concerning Aboriginal incarceration, recidivism and the impacts of positive parenting on Aboriginal children. Any further research should also examine the impact of distress and trauma on Aboriginal children whose parents are incarcerated and the role of the program in this regard.

Discussion

The Tjillari Justice Strong Culture, Strong Families program is an innovative Indigenous-driven and Indigenous-developed program, compared to an innovative Indigenous justice program developed within a court or policy space, such as the Galambany Circle Sentencing Court. The program content and delivery are based on Indigenous knowledges and reflects Indigenous cultural values. It is not an arts-based prison program. Nor is it a cultural-healing program. Its dual purpose is reflected in the title of the Tjillari Justice Strong Culture, Strong Families program. Practising culture is central to establishing or healing the parent/child bond. However, it is not a 'cultural healing' program, per se (Cunneen 2014:400). It is a culturally-centred program in which the male Aboriginal detainee as a father participates in cultural practices with their children as a way of healing the parent/child bond while also reconnecting with their culture and their identity. It is an example of innovative justice (Graham & White 2015) and promising practice in the Indigenous justice space (Howard-Wagner 2016, 2018). It is also underpinned by principles of desistance and restorative justice. This in and of itself is a standout feature of the program.

The Tjillari Justice Strong Culture, Strong Families program is best described as a family-centred program aimed at creating positive parenting experiences for the children of incarcerated Aboriginal and Torres Strait

Islander males. This is a separate, but complementary, reason for considering this program as innovative. For example, the Tjillari Justice Strong Culture, Strong Families program is designed to create a contact visit in a supportive, safe, and child-friendly environment as it is this environment which is most likely to assist with mitigating the harmful effects of parental incarceration. But also, its architects recognise that research shows that ‘spending time together as a family through play, conversation, or sharing a meal can also help mitigate children’s feelings of abandonment and anxiety’ (Cramer et al. 2017:3). Activities and programs aimed at spending this type of time together can assist parents and children to work on existing relationships, establish new bonds or repair strained relationships (Cramer et al. 2017:3). As Cramer, Gogh, Peterson and Sandstrom note, ‘this type of relationship-building can help children feel more attached to their parents and benefit their well-being, emotional adjustment, self-esteem, and school behaviour’ (Cramer et al. 2017:3).

While our ethnographic observations provide evidence to support such claims, there are general limitations associated with observational research. Further research is needed to understand the effectiveness of the program in terms of its objectives. Such an analysis of the program’s effectiveness could be achieved via a longitudinal study of detainees and their children, including rates of recidivism among those participating in the program. However, this should not be the only measure of the program’s effectiveness and, given research about Circle Sentencing around recidivism as a measurement of program success (Weatherburn 2009), this must not be simply a statistical exercise. Further qualitative data in this regard and in relation to other aspects of the program is needed. A qualitative longitudinal study of the program, which involves interviews with detainees, correctional staff, carers, and children, alongside post-release monitoring of effects and recidivism rates, would need to be undertaken to truly measure or evaluate the positive effects of the program in terms of cultural engagement, parenting, desistance and restorative justice, and the benefits to the child. Stakeholder perception of the program would also be useful, including the perceptions of different parties as to their role in the delivery of this program (i.e. Tjillari Justice Aboriginal Corporation, ACT Corrective Services, and AMC including Indigenous Corrective Services officers).

Moreover, if further research and/or evaluation of the program were to be conducted, it is important that it not be studied as a panacea for Indigenous imprisonment or recidivism. The Tjillari Justice Strong Culture, Strong Families program needs to sit alongside other programs that address the complex issues experienced by Aboriginal detainees such as disabilities, mental health, and alcohol and drug problems. The program needs to be contextualised in terms of identifying and documenting the level of cultural awareness, cultural competency, and cultural appropriateness of the prison setting, planning and programs in terms of the needs of Aboriginal and Torres Strait Islander detainees. Additional contextual supports required include identifying and documenting pre-release planning, including disability support plans, information sharing practice, informal and formal links, implications of policies and workplace needs assessment. Finally, considerations around Aboriginal detainees transitioning back into community and into employment and post-release practices, including levels of support and post-release programs that allow Aboriginal detainees to continue this journey, are needed. Consequently, there is considerable scope here for research to look at ways that other programs do or could complement the Tjillari Justice Strong Culture, Strong Families program.

Importantly though, one of the motivators for this research is to understand how innovative Indigenous initiatives and programs potentially complement and improve not only the function of the system, but also outcomes for Aboriginal people – who are proportionately more likely to come into contact with the system – and mechanisms for addressing the wider social factors that come into play around Indigenous incarceration. However, while innovative Indigenous initiatives complement the formal criminal justice system, the appropriate place of such new tools, approaches and spaces within the system needs careful consideration. It may be best to embed the principles underpinning such initiatives and programs, rather than the initiative and programs themselves, because of the associated risks. Such risks include, but are not limited to, undermining ownership, negating intellectual property, overriding participant selection criteria, or formal institutions within the existing system

taking charge of the initiatives and program, and the initiatives or programs being modified or colonised through their formal incorporation within the system.

If the principles are embedded in the system, there will need to be enough flexibility to allow them to be translated as both hybrid models (such as the Galambany Circle Sentencing Court), as well as Indigenous-designed and owned programs (such as the Tjillari Justice Strong Culture, Strong Families program and the Winnunga model). It would also be useful for legislators and policymakers to think carefully about the function of these programs within the wider system and with other programs. This could include thinking through ways that such initiatives and program can complement one another to improve outcomes for Aboriginal offenders who go on to become detainees, rather than sitting in isolation from one another. For instance, the objectives of the Galambany Circle Sentencing Court could be complemented by innovative Indigenous-designed and delivered programs, like the Winnunga model and the Tjillari Justice Strong Culture, Strong Families program and other future programs. As a starting point, it could be a requirement that all Aboriginal men sentenced by the Galambany Circle Sentencing Court are assessed by Winnunga and a holistic plan for the mental and physical care (including disability support plans, if needed) be developed for these detainees. A further requirement could be that those men with families participate in the Tjillari Justice Parenting from Inside program (which is in development) and then the Tjillari Justice Strong Culture, Strong Families program, at least, on four occasions over the last 12 months of their sentence. However, such initiatives could be complemented with pre-release planning, together with planning around Aboriginal detainees transitioning back into community and employment and post-release practices. This should include levels of support, information-sharing plans, and post-release programs – such as the Tjillari Justice SOAR (support, occupation, accommodation, reintegration and rehabilitation) program, which is in development – that would allow Aboriginal detainees to continue this journey.

Conclusion

Tjillari Justice Strong Culture, Strong Families program is an innovative Indigenous justice program that operates with an Indigenous philosophy. Its objectives are clear. It forefronts Indigenous cultural knowledge systems, cultural practices, healing and learning systems. It creates a positive parenting experience for Aboriginal male detainees and their children. Nonetheless, the capacity of those delivering the program is limited, including their capacity to evaluate its effectiveness. It is currently run by Tjillari Justice Aboriginal Corporation volunteers and the needed resources are funded philanthropically.

A formalised space needs to be created within the justice system for innovative Indigenous justice programs developed by Indigenous peoples for Indigenous peoples – programs which are embedded in Indigenous culture and knowledges, but also well-researched in terms of what works and why. Resources need to be attached to this without the handover of the programs to the system, allowing Indigenous peoples and organisations to do so in partnership with areas within the justice system, while maintaining their control. At the same time, some form of independent evaluation needs to occur to document the outcomes of the program. This straightforward model could easily operate with the Tjillari Justice Strong Culture, Strong Families program, and there is no reason why it could not be applicable in other program contexts. However, it is unsustainable if Indigenous people continue to volunteer, and must rely on philanthropic donations or small amounts of funding to run what are potentially innovative and important justice initiatives.

While potentially contributing toward Closing the Gap in Indigenous justice, the Strong Culture, Strong Families program falls under the Closing the Gap category of culture and capability. The Council of Australian Governments (COAG) is committed to supporting culture and making sure Indigenous organisations can deliver quality services to their communities will achieve real results for Aboriginal and Torres Strait Islander people. Despite this commitment, the Strong Culture, Strong Families program remains unfunded.

If the Strong Culture, Strong Families program is funded, given the potential benefits of this promising program, investing in further evaluation is warranted. There are several ways forward in terms of evaluation. For example, the Tjillari Justice Strong Culture, Strong Families program could be evaluated in more general terms of the program as a child-friendly setting, and what it could offer to wider research on the effects of parental incarceration on children (Garfinkel, Geller & Cooper 2007). A more detailed evaluation of the program could entail interviews with the male detainees and children to ascertain whether there were ongoing positive effects of this visitation, taking place in a child-friendly setting. Longitudinal research could identify if the effects of this child-friendly contact on the parent-child relationship are more apparent following the parent's release from prison. Given the majority of the children were toddlers or young Aboriginal children, and the need for more positive and frequent contact with a caregiver to form an attachment relationship with that individual, it would be useful to evaluate over time if this program contributes to those attachment relationships and whether improved attachment relationships affect the intergenerational cycle of Indigenous incarceration.

However, a systematic evaluation of the Tjillari Strong Culture, Strong Families program would need to be Indigenous-led and co-designed, in keeping with the program itself. It would involve an iterative, mixed-method design that triangulates qualitative and quantitative data; but it would combine Aboriginal ways of being, knowing and doing together with Western evaluation methods, adapting those methods. The evaluation team would need to develop a 'program logic', identifying the activities and goals of the program, and how it articulates within a broader framework of Indigenous justice (Stewart et al. 2014). The measurement of any the program's activities needs to take as its starting point a clear definition of the three objectives of the program, particularly from an Indigenous perspective, and then turn those into culturally-relevant quantitative and qualitative performance indicators. For example, culture would need to be central to indicators of program success and culture would need to be defined by the program designers and the Aboriginal people who deliver the various workshops, such as those people who deliver the storytelling workshop and the traditional dance workshop. This approach would need to be taken with all three objectives. The evaluation would need to involve the collection of pre- and post-program data to measure impact and any measurement of the program would privilege Aboriginal voices, including the voices of Aboriginal detainees, children and families/carers and those who deliver the program. Life histories would be very useful and pertinent to the evaluation, in terms of understanding Aboriginal offending, including, but not limited to, familial, community and cultural disruption and intergenerational trauma. An evaluation would need to measure how the program contributes to healing the harm caused to an individual(s), family, and/or community by an individual offender, and then this too would need to be carefully and sensitively examined, particularly with children. It would be important to involve trauma experts in this component of the evaluation and also the gathering of life histories. The program evaluation would need to be mindful of the perspectives of those operating within the justice system, and applying the logic of that system, compared with the experiences of Aboriginal detainees and program designers. Those conducting the evaluation would need to be mindful that research involving more than one cultural perspective involves the risk of one perspective dominating the other(s) and the risk of misrepresenting Indigenous ontological and epistemological standpoints.

However, it is important that, if this program is funded and evaluated, we do not lose sight of the fact that this is an Indigenous-owned and Indigenous-led program and that it should remain so.

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