The experiences of incarceration on Indigenous parents and primary care-givers of juvenile detainees

Simone Reid
Edith Cowan University

Follow this and additional works at: https://ro.ecu.edu.au/theses_hons

Part of the Cognitive Psychology Commons, and the Family, Life Course, and Society Commons

Recommended Citation

This Thesis is posted at Research Online.
https://ro.ecu.edu.au/theses_hons/1372
You may print or download ONE copy of this document for the purpose of your own research or study.

The University does not authorize you to copy, communicate or otherwise make available electronically to any other person any copyright material contained on this site.

You are reminded of the following:

- Copyright owners are entitled to take legal action against persons who infringe their copyright.

- A reproduction of material that is protected by copyright may be a copyright infringement. Where the reproduction of such material is done without attribution of authorship, with false attribution of authorship or the authorship is treated in a derogatory manner, this may be a breach of the author’s moral rights contained in Part IX of the Copyright Act 1968 (Cth).

- Courts have the power to impose a wide range of civil and criminal sanctions for infringement of copyright, infringement of moral rights and other offences under the Copyright Act 1968 (Cth). Higher penalties may apply, and higher damages may be awarded, for offences and infringements involving the conversion of material into digital or electronic form.
USE OF THESIS

The Use of Thesis statement is not included in this version of the thesis.
The Experiences of Incarceration on Indigenous Parents and Primary Care-givers of Juvenile Detainees

Simone Reid

A report submitted in Partial Fulfilment of the Requirements for the Award of Bachelor of Criminology and Justice Honours, Faculty of Business and Law, Edith Cowan University.

Submitted (December, 2010)

I declare that this written assignment is my own work and does not include:

(i) material from published sources used without proper acknowledgement; or

(ii) material copied from the work of other students.

Signature: __________________________

Date: 23/3/2011
Abstract

Incarceration impacts on a number of people, not just the person sentenced. It has been suggested that the family of the prisoner can experience the prison sentence just as much, albeit differently, as the prisoner themself. Families remain important, as those prisoners who return to strong family networks are at less risk of recidivism. National research has been used to inform policy-makers, but every State has unique characteristics. The overrepresentation of Torres Strait Islander and Aboriginal juveniles in juvenile detention, especially in Western Australia, has been well-documented. However, research examining the experiences of incarceration on family members is limited. This lack of knowledge about the issues faced by families with an incarcerated family member reduces the possibility of providing effective prevention programs. This qualitative study interviewed a small purposive sample of seven Indigenous parents and primary care-givers of detained juveniles, with the aim of exploring the experiences of incarceration on their families. The results examine how the experience of families can be improved; identified risk factors and predictors in order to reduce recidivism; and how to build and maintain positive family support networks, and prevent intergenerational offending. It is anticipated that these results will assist in informing agencies how to help build cohesive family supports, specifically for Indigenous families which are affected by a family member’s incarceration.

Keywords: Indigenous, parents, juveniles, family support, incarceration

Author: Simone Reid
Supervisor: Natalie Gately
COPYRIGHT AND ACCESS DECLARATION

I certify that this thesis does not, to the best of my knowledge and belief:

(i) Incorporate without acknowledgement any material previously submitted for a degree or diploma in any institution of higher education;

(ii) Contain any material previously published or written by another person except where due reference is made in the text of this thesis; or

(iii) Contain any defamatory material.

(iv) Contain any data that has not been collected in a manner consistent with ethics approval.

Signed

Date... 26/3/2011

..........................
Indigenous Parents of Juvenile Detainees 5

Acknowledgements

First and foremost I would like to express my sincere appreciation to my supervisor Natalie Gately for her endless encouragement, support, guidance and friendship throughout the completion of this project. I would also like to thank Joseph Wallam, Sharan Kraemer, Jenny Fleming, Steven Carter, and the staff from the School of Law and Justice for their assistance throughout the year. Thank you also to the people who participated in the project. Without your contribution and time, this thesis would not have been possible. I would like to thank all those friends and family who supported me during the times it was most needed. In particular, I would like to thank my partner Jake, my parents and grandparents for their patience, love and support.
# Table of Contents

## Chapter 1

<table>
<thead>
<tr>
<th>Literature Review</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Families of Prisoners and Detainees</td>
<td>9</td>
</tr>
<tr>
<td>Demographics of Juvenile Offenders</td>
<td>11</td>
</tr>
<tr>
<td>Parents of Juvenile Offenders</td>
<td>15</td>
</tr>
<tr>
<td>Intergenerational Offending</td>
<td>19</td>
</tr>
<tr>
<td>Support Systems/Programs</td>
<td>21</td>
</tr>
<tr>
<td>Theoretical Framework</td>
<td>24</td>
</tr>
</tbody>
</table>

## Chapter 2

| The Present Study | 30 |

## Chapter 3

<table>
<thead>
<tr>
<th>Methodology</th>
<th>32</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design</td>
<td>32</td>
</tr>
<tr>
<td>Participants</td>
<td>32</td>
</tr>
<tr>
<td>Materials</td>
<td>35</td>
</tr>
<tr>
<td>Procedure</td>
<td>35</td>
</tr>
<tr>
<td>Analysis</td>
<td>37</td>
</tr>
</tbody>
</table>

## Chapter 4

<table>
<thead>
<tr>
<th>Findings and Interpretation</th>
<th>39</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emotional Issues</td>
<td>40</td>
</tr>
<tr>
<td>Practical Issues</td>
<td>46</td>
</tr>
<tr>
<td>Social Issues</td>
<td>50</td>
</tr>
<tr>
<td>Support Systems/Programs</td>
<td>55</td>
</tr>
</tbody>
</table>
Indigenous Parents of Juvenile Detainees

Coping Strategies..................................................................................61

Chapter 5

Conclusions.........................................................................................64

Limitations..............................................................................................64

Implications and Future Research.........................................................64

Overall Conclusions.............................................................................65

Chapter 6

References.............................................................................................67

Appendices............................................................................................77

Appendix A: Advertising flyer.................................................................77

Appendix B: Information Letter.................................................................78

Appendix C: Consent Letter.................................................................80

Appendix D: Research Questions............................................................81

Appendix E: Demographic Questionnaire..............................................83
Chapter 1

Literature Review

Rates of incarceration in Western Australia have continued to rise (Australian Bureau of Statistics, 2007; Martin, 2010). It is suggested that this increase in prison populations is not due to higher rates of crime, nor crime detection, but changes in the law, which have resulted in mandatory non-parole periods and more difficult criteria being applied for bail and release (Cunneen & McDonald, 1997; Weatherburn & Lind, 1998). The resulting increase in prison populations represents a significant challenge to the wider community, which has to manage the collateral damage that results from the fracturing of families which lose parents, sisters, brothers, sons, daughters, and children to incarceration. Some losses that can occur include physical and emotional loss, stigmatisation, stress and anxiety, and the loss of social mobility and income stability (Hardy & Snowden, 2010).

Criminal justice policies of rehabilitation, deterrence, incapacitation, community restraints, challenge, discipline, and structure are implemented to prevent crime and reduce recidivism (Australian Institute of Criminology (AIC), 2003; MacKenzie, 2001). These strategies encourage prisoners to undertake intensive programs while incarcerated to correct and understand criminal behaviour and assist them to plan for their release. Furthermore, upon release, prisoners require sufficient support to successfully integrate back into mainstream society and thus prevent multiple transgressions (AIC, 2003). The Attorney-General’s Department (2005) in Australia suggests a crime reduction strategy should include the provision of supports and services to assist offenders and their families. Repeated successes would benefit the community if prisoners were able to successfully reintegrate into community life upon release and effectively contribute to general society (AIC, 2003; Attorney-General’s Department, 2005). Previous research has indicated that in
order to do this, prisoners need their families to provide a support network for them upon their release (AIC, 2003; National Institute of Corrections (NIC), 2002). Many families of prisoners struggle to complete simple daily tasks such as looking after children, ensuring there is food available, going to work, and staying in contact with the family member in detention. These issues can ultimately damage family relationships, which often isolates the offender when their sentence is complete (AIC, 2003; NIC, 2002). Therefore, family members of prisoners and detainees need the support of the community during the family member’s period of incarceration (Attorney-General’s Department, 2005).

Ultimately the whole community benefits when families of prisoners receive ongoing support throughout the family member’s incarceration. This helps to keep families cohesive and facilitates the ongoing support for the prisoner when they return home. It has been indicated that prisoners who maintain family contact and have a ‘home to go to’ when released have a better chance of successfully reintegrating into society, more actively contributing to and engaging with the community, and, in turn, cease their offending (AIC, 2003; NIC, 2002). Imprisonment is not a phenomenon that only affects those who have offended and been incarcerated. Incarceration can devastate some families, and these damaged families exist largely unassisted in the community (AIC, 2003).

Families of Prisoners and Detainees

Family reactions to imprisonment will depend on how the family defines and perceives incarceration; the family’s existing strengths, vulnerabilities and resources; whom they hold responsible for the incarceration; and the quality and types of coping behaviours used to manage the situation (Carlson & Cervera, 1992; Stanton & Shadish, 1997). Problems already existing tend to be accumulative and exacerbated by incarceration, particularly those surrounding financial difficulties, marital conflict and parenting.
Indigenous Parents of Juvenile Detainees

responsibilities (Carlson & Cervera, 1992). Family members affected by imprisonment include siblings, partners, extended family members, children and infants, parents and care-givers of children. Maintaining relationships and contact with incarcerated family members can be difficult, as some relatives can struggle to forgive the offender for the trauma and hurt associated with the crime, such as the arrest, court and sentencing process. Families from different cultural backgrounds may also experience the incarceration of family members quite differently from each other (Carach, Grant & Conroy, 1999; Johnston, Hinton & Rigney, 1997). Given the high levels of Indigenous Australians imprisoned (Community Legal Centres Association (CLCA), 2010), the impact on Aboriginal and Torres Strait Islanders families must be considered.

Indigenous people are currently over-represented in the Criminal Justice System (Blagg, 2008). Indigenous people represent approximately 3.8% of the West Australian population, but account for 43% of the prison population (Australian Institute of Health and Welfare (AIHW), 2008; CLCA, 2010). The extent of this problem has been evident for a number of years and continues to be an ongoing issue. In Western Australia in 2009, the Indigenous imprisonment rate was 4,400 per 100,000 (CLCA, 2010). Weatherburn and Lind (1998) suggest that rather than Indigenous people committing more and increasing amounts of crime, they are 14 times more likely to be targeted, arrested and subsequently imprisoned. In 2010, when a suspect is questioned and alleged to have committed a crime, it is more likely that an Indigenous person will be arrested and put through the court system than diverted away from the court system (Martin, 2010). This trend continues in the Juvenile Justice System (Blagg, 2009). Indigenous families with imprisoned children have not been adequately explored through research, and the situation in Australia is thus
unclear. Therefore, Indigenous parents of juvenile detainees need to be investigated in order to obtain an understanding of the experiences faced by this particular group.

**Demographics of Juvenile Offenders**

In order to understand the importance of gaining knowledge into Indigenous families of juvenile offenders, an awareness of juvenile justice supervision numbers, gender, age, and ethnic background needs to be established.

In Australia in 2006-07, there were 12,765 young people under juvenile justice supervision at some point during the year. The majority of the orders given were community-based supervision (84%), followed by detention-based supervision (43%), with 27% undergoing both detention and community-based supervision (AIHW, 2008). In May 2010, the number of young people in detention in Western Australia peaked at 220, consisting of 120 on remand and 100 whom had been sentenced (Martin, 2010).

**Gender and Age**

More than 80% (10,675) of juveniles in detention in 2006-07 were aged 10 to 17 years. Of these, the majority were male (males 83%, females 17%), and approximately two-thirds of young people in detention were at least 16 years' old (AIHW, 2008). Males were between three to six times more likely to be under juvenile justice supervision than females in most states and territories. In Western Australia, however, they were 15 times more likely to be under juvenile justice supervision (AIHW, 2008). Additionally, the average age for a first community-based supervision between males and females differed. Males were more likely to have begun community-based supervision for the first time when aged 10 or 11 years, where females were more likely than males to have begun community-based supervision around the ages of 13 to 16 years. Completing more periods of community-based supervision was associated with detention at a later stage (AIHW,
This information alone highlights a critical need to provide families of detainees with additional support.

**Ethnicity**

In Australia in 2006-07, collectively around one-third of young people under juvenile justice supervision were Indigenous (4,629) (AIHW, 2008). This indicates that, in Australia, Indigenous youths account for 33% of the detention population, while Indigenous people only represent approximately 2.5% of the total Australian population (ABS, 2006; AIHW, 2008). In some states and territories these rates were even higher, with Indigenous juveniles outweighing their non-Indigenous counterparts. The highest Indigenous rate was in Western Australia, with approximately 80 per 1,000 Indigenous juveniles under supervision, followed by South Australia with 50 per 1,000 and the Australian Capital Territory with 42 per 1,000. Tasmania, Victoria and the Northern Territory had the lowest rates, which ranged from 20 to 26 per 1,000 (AIHW, 2008). An Indigenous juvenile in Western Australia is 25 times more likely to be under juvenile justice supervision than a non-Indigenous juvenile. Statistics from 2010 report the rate of detention of Indigenous juveniles is 8,110 per 100,000. This represents approximately 43 times the rate of detention for non-Indigenous juveniles (CLCA, 2010). At August 2010, Indigenous children represented approximately 65% of those in custody on remand awaiting their trial date (52 out of the 80, consisting of 9 females and 43 males), and nearly 68% of the sentenced population (56 out of 82, consisting of 1 female and 55 males) (Martin, 2010).

Indigenous juveniles typically entered juvenile justice supervision at a younger age (AIHW, 2008). The proportion of Indigenous offenders was higher in the female population, although the overall numbers of female offenders is significantly lower.
Nationally, over the past seven years, the number of Indigenous juveniles under juvenile justice supervision has increased. Almost 5 out of every 1,000 Indigenous young people aged 10 to 17 years had experienced juvenile justice supervision in 2006-07. Almost 4 per 1,000 young people had community-based supervision and around 2 per 1,000 Indigenous young people were in detention (AIHW, 2008). Over the past seven years, the rate of young Indigenous people undergoing community-based supervision has declined, but the rate of Indigenous juveniles in detention has risen. It is suggested that this increase may be due both to an increase in the actual rate of detention of Indigenous youth, and an increased identification of Aboriginal and Torres Strait Islander among this group, as well as possible improvements in data quality. The proportion of juveniles whose Indigenous status is unknown, has decreased over a seven year period, from 11% to 5% (AIHW, 2008).

However, it still remains true that the overrepresentation of Indigenous juveniles in detention has been evident for a number of years (Australian Bureau of Statistics, 2006; CLCA, 2010; Cunneen & McDonald, 1997).

Region

In Western Australia, approximately 40% of the summons and arrest of juveniles took place in the South Eastern (Kalgoorlie), Central (Geraldton), Kimberley, and Pilbara regions. Nearly 20% of the youths summoned and arrested were Indigenous people in these four regions (Martin, 2010). Currently there is no juvenile detention centres located near these four regions. Consequently, juvenile offenders from these regions need to travel away from their families to urban detention centres to serve their sentence. Research indicates that after being detained a distance away from their home, returning to their community can prove difficult (Aboriginal and Torres Strait Islander Social Justice Commissioner, 2004). Furthermore, the distance that a number of families have to travel to visit and support their
family member while they are in detention causes many problems for young detainees and their family (Jackomos, 1994). As of June 2006, 25% of Indigenous people lived in remote areas (Australian Bureau of Statistics, 2008). The inability of these Indigenous families to visit their family member only serves to entrench the incarcerated juvenile’s sense of dislocation from their families and communities (Martin, 2010). This makes communication and support between family members difficult, which has been proven to significantly contribute to preventing a reduction in recidivism rates (AIC, 2003; NIC, 2002).

Recidivism

Between 1998 and 2008, the rates of recidivism and return to prison for Indigenous juveniles released from detention in Western Australia, were 80% for males and 65% for females (CLCA, 2010; Martin, 2010). The CLCA (2010) states that those rates are almost double the reoffending rate for non-Indigenous juveniles. This appears to be a common trend, as the figures concur with a report released in 2003 by the Australian Institute of Criminology, which addressed recidivism rates among young offenders. These figures suggest that incarcerating Indigenous youths does not help to change or deter their criminal behaviour. Therefore, Martin (2010) found that custodial sentences are not very successful in reducing the risk of recidivism or modifying behaviour. To reduce recidivism, further research is needed to investigate how to support Indigenous offenders more appropriately, both within and upon their release from prison (Cunneen & McDonald, 1997).

Two significant reviews of the Youth Justice System, undertaken by the Price Consulting Group (Macleod, MacNish & Gould, 2009) and the Auditor General of Western Australia (2008), recognised the importance of the family as the primary influence on young detainees. Furthermore, a number of studies have concluded that increased
communication and support between prisoners and their families plays a significant part in a prisoner’s re-integration into the community upon release (AIC, 2003; NIC, 2002). However, little is known about the experiences of incarceration on the parents of young Indigenous offenders (National Indigenous Drug and Alcohol Committee (NIDAC), 2010), and the situation in Australia is unclear. International literature suggests that community support encourages better family relationships, which in turn would provide the detainee with a post-release support system (Bowers & Myers, 1999). Therefore, Indigenous parents of juvenile detainees need the support of the community during their child’s period of incarceration.

Parents of Juvenile Offenders

Research regarding the effects of incarceration on the relationship between the incarcerated individual and his or her parent/s is limited, and there is a further paucity when it comes to investigating Indigenous parents (NIDAC, 2010). While a parent is dealing with the removal of a child due to imprisonment, they also remain in a community which tends to apportion direct blame to parents for their child’s behaviour that resulted in the incarceration. The illegal behaviour of the child may be viewed as a product of inadequate parenting skills; the parent, therefore, may be perceived as failing to exercise control and adequate supervision over the child (Hil & McMahon, 2001).

In Queensland, a qualitative study of 20 families attempted to distinguish factors relating to the parents’ experience of having an incarcerated child (Hil & McMahon, 2001). The offending children included 17 males and 6 females, aged between 11 and 17 years. Of the families interviewed, seven were Indigenous, and eight of the offending children were Indigenous. This discrepancy was due to one of the offending children having been adopted. According to Hil and McMahon (2001), parents reported an overwhelming sense
of isolation and frustration stemming from their involvement with criminal justice systems; a lack of support services in place, particularly to help parents cope; and repeatedly complained about the narrow focus of services that were available. Ninety-five percent (19) of the parents interviewed reported feeling anger, self-doubt, shame, and embarrassment regarding their child's offending behaviour (Hil & McMahon, 2001).

Although the methodology utilised in this study was successful in distinguishing factors relating to the parents' experience of having an incarcerated child, the sample was collected from Queensland, therefore generalisations about other states and territories, should be made with caution. Research carried out by Hil and McMahon (2001) resulted in a collective report. A collective research report does not involve comparisons between the experiences of Indigenous and non-Indigenous parents of juvenile detainees. Although these findings highlight some of the issues experienced by parents of a young detainee, there may be cultural differences, therefore examining Indigenous parents can provide invaluable insight into their experiences and allow distinguishing factors to be identified.

It is important to acknowledge that while the majority of the parents interviewed were the mothers of the offenders, other family members who identified themselves as the primary care-giver of the incarcerated youth were also interviewed. Traditionally, an Indigenous family is composed of a collaboration of clans. This includes fathers, mothers, uncles, aunties, sisters, brothers, and cousins, and so on (Walker, 1993). A characteristic of Indigenous families is the sense of kinship, involving the ability of a family member to rely on other members, and the feeling of family togetherness. While true of the wider population, these compelling characteristics take on increased importance in Indigenous communities (Walker, 1993). Many Indigenous families have a strong network, and it is not unusual for Indigenous juveniles to become extremely close with other members of
their family. In Indigenous family life, extended family plays a crucial role. Within Indigenous families, much of the child-rearing is taken on by grandparents, more specifically the grandmother (Walker, 1993). Therefore, the extended family should not be excluded when examining the experiences faced by Indigenous parents with an incarcerated juvenile detainee.

The repercussions of being a parent and the experience of having an incarcerated child have not been the topic of research to date in Western Australia. The family household is regarded as the most important place to reintegrate a previously detained young person back into the community (AIC, 2003; NIC, 2002; Walsh, 2004). Hence, this indicates that research should focus on this issue in order to provide information that will help parents as they try to successfully support their child through this difficult transitional period and beyond.

Overseas research has concluded that family members of a prisoner are likely to be serving the sentence alongside the prisoner (Bowers & Myers, 1999). According to the Action for Prisoner Families (APF) (2007), it is common for the parents of an imprisoned child to feel anxious about their welfare. The parents tend to continuously worry about how their child is coping. Furthermore, once the parents are over the initial shock of their child being taken into custody, they often face a number of practical and emotional challenges. For instance, finances may be affected as the parents may have needed to finance their child’s court case and legal costs; furthermore, there are extra costs for visiting their child and maintaining contact with phone calls, and so on (APF, 2007). Parents of young detainees describe the difficulties they face in not being able to step in and ‘make everything all right’ and safe for their son or daughter. Moreover, if the young detainee is suffering difficulties or is depressed, frequently parents feel anxious at being unable to help
Indigenous Parents of Juvenile Detainees 18

(APF, 2007). Although these findings demonstrate some of the issues experienced by parents of a young detainee, there may be international and/or cultural differences, therefore this needs to be explored in more detail.

Unfortunately, some juveniles are also parents themselves. Their own parents may also find themselves in the position of a care-giver to their grandchildren, upon the imprisonment of their child. This may involve extreme life changes and increased stressors (Makintosh, Myers & Kennon, 2006). Research reveals this is more probable if it is a daughter that is detained and if the child is of school age (Sheehan & Levine, 2006). While this may create a sense of value and purpose during the incarceration period, there is a range of difficulties that are associated with care-giving under such circumstances, including extra financial obligations, overcrowded family homes, anger over the initial imprisonment of a son (or daughter), through to a sense of loss regarding the life the grandparent had expected to be living (APF, 2007; Makintosh et al., 2006).

International research suggests that grandparents who take on a custodial role full-time are more likely to be depressed, encounter poorer physical health and report lower levels of life satisfaction. Conversely, the grandparents and children can suffer separation anxiety and even role-confusion when the incarcerated youth is released and families return to their previous positions and norms (Bowers & Myers, 1999; Makintosh et al., 2006). Again, this is an area that has not been adequately explored so the situation in Australia is unclear; however, research does indicate that the impact of having a child incarcerated goes beyond merely missing their company. Furthermore, researchers have suggested there is extensive evidence of the effect of parental incarceration on intergenerational offending (Butler & Milner, 2001; Sheridan, 1996; Snell, 1991).
Indigenous Parents of Juvenile Detainees

Intergenerational Offending

Research has documented the unequivocal evidence of the effect of parental incarceration on intergenerational offending (Butler & Milner, 2001; Sheridan, 1996; Snell, 1991). However, providing support to families and the children of offenders can reduce the probability of a continuing cycle of offending across generations (Borzycki & Baldry, 2003). Research has revealed that having a parent in prison at least doubles the risk of mental health problems, and approximately trebles the risk for antisocial delinquent behaviour of children (Murray & Farrington, 2008b). A survey of prisoners in Australia concluded that nearly one-third of participants had a significant person incarcerated during their childhood (Attorney-General’s Department, 2005). It was determined in the New South Wales Inmate Health Survey that during their childhood (0-16 years) 16% (146) of the 914 women and men interviewed had experienced the incarceration of a parent, and 10.5% (96) reported a parent having been raised in care. Twenty-one percent (149) of male inmates and 33% (35) of female inmates reported having been in care before they were 16 years of age. Of these, 28% of men and 39% of women had spent almost their entire childhood in care (Butler & Milner, 2001).

Persistent intergenerational offending patterns are evident in Indigenous families (Butler & Milner, 2001; Sheridan, 1996; Snell, 1991). Some Indigenous young people are persuaded from a young age that it is 'no big deal' to go to prison (Attorney-General’s Department, 2005; Kinner, Alati, Najman & Williams, 2007). Furthermore, some deem incarceration a 'rite of passage' (Beresford & Omaji, 1996; Nussbaum, Collins, Cutler, Zimmerman & Jacques, 2002; Ogilvie & Van Zyl, 2001). While true of the wider population, this view is more apparent within Indigenous families. In 2001 the New South Wales Inmate Health Survey determined that approximately 20% of Indigenous children
had more than one family member incarcerated (Attorney-General’s Department, 2005).

The survey concluded that 32% of Indigenous men and 33% of Indigenous women had been removed from their parents as children, and either placed into an institution (38.6%), with a non-Indigenous family (22.8%) or another Indigenous family (40.4%) (Butler & Milner, 2001). In addition, 27% of men (15) and 33% of women (2) had never been returned to their families. A further 30 Indigenous men and 4 Indigenous women reported that their parents had been forcibly removed from their family as children (Butler & Milner, 2001).

Bowlby (1969) suggested that disruptions to child-parent bonding can negatively impact on the psychological development of the child. Disruption to child-parent bonds is also generally supposed to lead to psychosocial maladjustment (difficulty in engaging in social activities and making friends) and mental health problems, and could possibly increase the risk of offending behaviour patterns (Bowlby, 1969). These risks, accompanied by parent criminality, increase the chances of recidivism and have important implications for the intergenerational patterns of offending within the families of prisoners (Kinner et al., 2006; Nussbaum et al., 2002).

Such research highlights the repercussions and crisis families experience through removal from, or of, parents through interventions such as incarceration. Removal of family members, particularly parents, appears to predict the future incarceration of children (Butler & Milner, 2001). In order to help break this offending cycle, additional programs need to be established to support these Indigenous juveniles and their families. Given this trend, research is needed to investigate ways families can be supported in order to minimise intergenerational offending. In addition, identifying the unique experiences faced by
Indigenous parents of juvenile detainees may assist programs in Western Australia to become more efficient, cost-effective and delivered more appropriately.

Support Systems/Programs

*Good Beginnings*

Current research indicates that providing programs that assist in maintaining contact between children and their parent in prison through supportive and positive visits is helpful for the whole family unit (Marsh, 2010). Parenting is often problematic for prisoners for obvious reasons. Additionally, however, in prison a significant number of parents were abused as children and lack the knowledge and skills that enable them to parent their own children in positive ways. Under the auspices of a project called Good Beginnings, 80 programs at 29 sites around Australia have been developed since 1997 (Marsh, 2010). This particular program seeks to facilitate contact between parents in prison and their children, provide training to fathers and mothers in prison about their responsibilities and roles as parents, and provide information, counselling and support to families affected by imprisonment of a parent (Marsh, 2010). By providing information regarding parenting to specific prisoners, and practical assistance and support to the families and children of prisoners, this project hopes to improve this situation.

A positive aspect of this project is that it acknowledges that just because a program has worked in one setting does not mean it is always appropriate or possible to replicate a program in a new setting (Marsh, 2010). It recognised that in order to take account of local needs and circumstances, that program delivery and content must be flexible. Hence, a vital part of the implementation process should involve seeking advice from families of prisoners and other relevant parties (Marsh, 2010). Thus, in order to highlight what additional supports are required in a West Australian setting, it is vital to investigate what
Indigenous parents of juvenile detainees feel about the current support programs available. In addition, families of detainees may be reluctant to seek support or may not even be aware of community assistance available to them. Tomison and Poole (2000) suggest that building parental capacity to access community support services and awareness of the services is vital, given the multi-dimensional nature and difficulty of many social problems affecting Indigenous families. It is anticipated that investigating the experiences encountered by Indigenous parents of juvenile detainees may also provide participants with information about available programs they are not yet aware of.

Outcare

Project evaluation reveals that programs that embrace ‘whole-of-family’ approaches, working with children and parents holistically, could be more beneficial in achieving long-term benefits (Tomison & Poole, 2000). In Western Australia, the community-based service provider ‘Outcare’ was employed to provide the ‘community re-entry coordination service’. Outcare operates Family Support Centres at the adult prisons Bandyup, Boronia, Casuarina, Hakea, Karnet, and Wooroloo to reduce the impact of imprisonment on offenders, their families, their children, and their visitors (Outcare, 2009). It is important to note that there is no Outcare Family Support Centre located at the two juvenile detention centres in Perth.

Outcare has worked with Indigenous offenders for more than 25 years (Aboriginal and Torres Strait Islander Social Justice Commissioner, 2004). However, in 2004, the Aboriginal and Torres Strait Islander Social Justice Commissioner found that this re-entry service did not successfully comprehend and appreciate the unique needs of Indigenous people leaving prison. For instance, after being incarcerated a significant distance away from their home, returning to a community could prove difficult. Furthermore, Indigenous
parents who have other carer responsibilities may find it difficult to travel to collect their child (Aboriginal and Torres Strait Islander Social Justice Commissioner, 2004). Moreover, the distance that a number of families have to travel to visit and support their family while they are in detention causes many problems for young detainees and their family (Jackomos, 1994). This also concurs with Outcare’s (2010) in-house evaluative findings, which reported one of the major difficulties families face when a family member is incarcerated is visiting the prison, particularly if children are involved. Therefore, re-entry service providers need to coordinate the transport for detainees released from detention, back to their communities. However, re-entry service providers have limited funding to cover the travel costs for Indigenous people who need to return home after being incarcerated (Aboriginal and Torres Strait Islander Social Justice Commissioner, 2004). The inability to return home due to travel costs and distance only serves to continue their dislocation from their communities and families.

Prisoners’ families suffer many hardships as a result of incarceration and frequently serve a ‘silent sentence’ (AIC, 2003). Is it evident that a family member’s incarceration may have a significant impact on a family’s financial position, which consequently may affect their living arrangements. Staff members from the Outcare (2010) organisation can assist families in investigating rental and housing options. Furthermore, Outcare Family Support Centres can assist families in providing financial and other material assistance to the families of released prisoners. Another objective of Outcare is to provide released prisoners with the opportunity for personal rehabilitation (Outcare, 2010). Maintaining stability and unity reduces the stress placed on family members. It can also alleviate the pressure on ex-prisoners upon release.
Although Outcare’s Youth Services offers a range of assistance to help young people, there is no facility at the two juvenile detention centres for the families to utilise (Outcare, 2010). This appears to be due to a regrettable lack of resources as it has been demonstrated that families of juvenile offenders also need support, if not more, than families of adult offenders. Thus, it is recommended that a Family Support Service such as Outcare be implemented at the juvenile detention centres. Moreover, as the juvenile detention population is significantly over-represented by Indigenous youths, it is vitally important that the support services are culturally appropriate for Indigenous families. It is anticipated that the current research will investigate what Indigenous parents with an incarcerated juvenile detainee encounter and require.

**Theoretical Framework**

*Family Systems Theory*

Bowen (1966) introduced the family systems theory and suggested that the family is an emotional unit. Therefore individuals should be understood as a part of their family and not understood in isolation from one another (McGoldrich, Gerson & Shellenberger, 2007). According to Bowen, in the family systems theory, each member of the family has rules to respect and have a role to play. Individuals of the system are expected to react to one another according to their role, which is determined by relationship agreements (McGoldrich et al., 2007). Patterns evolve as family members’ behaviour is caused by and causes other family members’ behaviours in predictable ways. Within the system, maintaining the same pattern of behaviours results in a balance in the family system. Conversely, maintaining the same pattern of behaviours within a system can also lead to dysfunction (McGoldrich et al., 2007). For instance, if a wife is depressive and finding life a struggle, the husband may need to take up more responsibilities. It is possible that the
change in roles could maintain the strength in the relationship. However, it may push the family towards a different equilibrium. The husband may not be able to maintain this role over a long period of time. Thus this new equilibrium may lead to dysfunction.

In a relationship, there may be one person who wants more independence or space and pulls back from the relationship (the distancer), while her/his partner (the pursuer) seeks out closeness with the other person (McGoldrich et al., 2007). Bowen (1966) suggested that it is possible for this pattern to occur in a parent-child relationship. When a child has been forcibly removed from the family via incarceration, the distance can create an artificial space which may cause one or both to pull back from the relationship, or, conversely, may make one or both seeks greater closeness (McGoldrich et al., 2007). Therefore, it is suggested that a child’s delinquent behaviour will cause other family members to be affected in some way. Research is needed to investigate the experiences of incarceration on Indigenous parents of juvenile detainees.

As research has suggested that contact with friends and family while in detention may be important in fostering positive behaviours and decreasing reoffending rates (Adams & Fischer, 1976; Holt & Miller, 1972; Hostetter & Jinnah, 1993; Howser, Grossman & McDonald, 1984; Leclair, 1978), it is important to understand how to maintain and strengthen family systems. The reality of incarceration is that it spreads the punishment to innocent parties, most often the family. Parent-child contact during a child’s incarceration serves to alleviate some of this familiar punishment (Johnson, Selber & Lauderdale, 1998).

Labelling Theory

Another theory that attempts to explain why Indigenous people are over-represented in the prison system is the labelling theory developed by Howard Becker in 1963. Previous research has concluded that processing Indigenous juveniles through the detention system
causes a powerful labelling effect (Blagg, 2009). It reinforces negative stereotypes of Indigenous juveniles as high-risk offenders requiring more serious forms of control than other sections of the population (Walker, 1993). Furthermore, the portrayal of negative Indigenous issues in the media has damaging effects on Indigenous people. Often the media supports stereotypes of Indigenous Australians as having alcohol and drug dependencies, whereas statistics report a lower percentage of Indigenous Australians drinking alcohol than non-Indigenous Australians (Reconciliation Australia, 2010). Although some Indigenous communities do suffer from widespread substance abuse, including excessive drinking, cigarette smoking, cannabis use, and petrol sniffing, these issues are not exclusive to Indigenous people (AIHW, 2002; Rowland & Toumbourou, 2004). Each community is unique and different, with some communities experiencing higher rates of substance abuse than others. Although there is a problem in the Indigenous community with alcohol and other drugs, this issue certainly does not extend to all Indigenous people. According to Walker (1993), however, this is the general public perception.

The labelling theory suggests that it is possible for stereotypes to become self-fulfilling prophecies for those groups and individuals which are subject to them (Becker, 1963; Kells, 2010). Indigenous people whom have continuous long-term exposure to negative stereotypes may feel that they have a certain licence to act on that stereotype because it is expected of them by non-Indigenous people (Harding, 2005). In particular, young juveniles who are labelled as delinquents or criminals might hold these as self-fulfilling prophecies. In believing the labels that other individuals and society assign, they are giving themselves permission to conform to this stereotype (Harding, 2005). A juvenile who succumbs to a label might behave anti-socially or progress to criminal behaviour, thereby rejecting dominant social norms because they take on the persona of an
offender (Becker, 1997; Harding, 2005; Kells, 2010). Labels can be applied informally, by a juvenile’s peers, acquaintances and families, or formally, by social institutions such as courts and schools. The labelling theory is supported by previous research (Siegel & Welsh, 2009), concluding that juvenile offenders who are placed in treatment programs designed to reconfigure their self-image might be able to build an improved character and desist from further criminal acts. In treatment, the juveniles are encouraged to eradicate their destructive identity and develop a new identity. Consequently, the positive reinforcement that they receive while in treatment may help the individual to develop an improved self-concept (Siegel & Welsh, 2009).

It is evident from the discussion above that both juvenile and Indigenous populations are impacted by the labelling effect. Therefore, it is anticipated that the labelling theory may also negatively affect parents of juvenile offenders, particularly if a parent of an offending juvenile is labelled as being a ‘bad’ parent. The labels of being Indigenous and lacking in parenting skills can be psychologically damaging (Siegel & Welsh, 2009). Parents who feel they are being judged may be less likely to seek help or assistance. To date, there has been no Australian research examining the labelling effect on parents of juvenile offenders. In examining the experiences of juvenile incarceration on Indigenous parents, the present study will indicate if Indigenous parents are affected by labelling.

**Procedural Justice**

Thibaut and Walker (1975) proposed a theory of procedural justice. Procedural justice means implementing and making decisions according to fair processes. Fair procedures should ensure that all cases are treated alike. Furthermore, those who carry out the procedures must ensure they act neutrally and impartially at all times. The decision of a
case must reach an accurate and fair conclusion (Tyler & Belliveau, 1995). It is vital that those involved in a case believe that the intention of legal authorities is to treat everyone fairly and that they take their needs and points-of-view into account. Individuals are more inclined to view the decision-making process as fair if they trust the third party, in this case authority figures in the legal system. Furthermore, there is extensive evidence (Tyler, 2003; Tyler & Belliveau, 1995) that suggests that a major factor in influencing public behaviour is the fairness of procedures legal authorities utilise when dealing with members of the public. This occurs when community residents make general evaluations for legal authorities, the law and during personal experiences with legal authorities (Tyler, 2003).

Previous research has demonstrated that confidence and trust in the police from the public is low, with members of minority groups' particularly mistrustful (Tyler, 2003). Tyler (2005) examined whether trust is related to public willingness to cooperate with the police. Furthermore, Tyler investigated the relationship of police practices and policies to the public's trust in the police. The study revealed that trust is influenced most strongly by public opinions about the fairness of the procedures that the police follow when exercising their authority. It is noteworthy to mention that these process-based opinions are more powerful than judgments regarding the fairness of police distribution of services or evaluations of the efficiency of police crime-control activities (Tyler, 2003).

Previous psychological research regarding public judgments of authorities and institutions has also demonstrated that the major factor that shapes public opinion is a process-based assessment of the fairness of the procedures that the courts and police use to implement their authority (Tyler, 2003). Moreover, these findings suggested that the members directly affected by the decisions should have a representation and voice in the process. Tyler (2003) suggests having representation and a voice in the process affirms the
status of group members and encourages trust in the decision-making process. For those parties whose voices often go unheard, in particular minority groups, this is especially important.

In order to understand Indigenous populations in Australia, researchers have recommended that consideration must be given to the breakdown of traditional family structures since European settlement, including discrimination, dislocation and poverty, the nature of their connection to the judicial system (including the proportion of Indigenous children who have been state wards), and intergenerational imprisonment (King, 2005).

Proulx (2000) believes when Indigenous offenders and their families enter the Criminal Justice System, they are confronted by a system based on practices that are procedurally and philosophically foreign. Overall, these laws and policies, over-time, have engendered despair, powerlessness, disillusionment, and social disorganisation among Indigenous peoples (King, 2005). Proulx attributes the ever-increasing Indigenous crime rate and subsequent imprisonment to these factors. This concurs with other major studies such as the Manitoba Aboriginal Justice Inquiry (1991) and the Royal Commission into Aboriginal Deaths and Custody Inquiry (1991), which both concluded there was discrimination against Indigenous peoples in the Criminal Justice System and significant overrepresentation of Indigenous peoples in prison institutions (McGillivray & Comaskey, 1999). It is anticipated that in researching Indigenous parents of juvenile detainees it will indicate their opinions and feelings about the fairness of procedures legal authorities utilised when dealing with their children.
Chapter 2

The Present Study

It has been established that research investigating how family experiences of incarceration can be improved is required in Western Australia. In order to reduce recidivism and intergenerational offending, positive family support networks of detainees must be identified and maintained. Currently, research in the School of Law and Justice at Edith Cowan University is investigating the experiences of incarceration on family members, however not specifically Indigenous parents. Therefore, there is a gap examining the experience of Indigenous parents with imprisoned children. These experiences need to be researched to facilitate the understanding of the issues that may be faced with incarcerated Indigenous children. As discussed, kinship networks play a vital role within Indigenous families; hence, other family members often take on the ‘parental’ role and identify themselves as the primary caregiver. Therefore in these situations extended family should not be excluded when examining the experiences faced by Indigenous parents with an incarcerated juvenile. The study of the experiences of imprisonment on family members is crucial to the development of prevention programs, which commonly have limited funding and staffing. It is anticipated that the current project will help direct those funds into the areas of most need. Intervention efforts and crime prevention rely on identifying protective risk factors. Pinpointing which particular issues are faced by Indigenous parents of juvenile detainees can help programs in Western Australia become more cost-effective and efficient.

In addition, research examining the experiences of incarceration on Indigenous family members is limited within Western Australia and nationally. It is suggested that the knowledge gained from this research project can inform the design of West Australian
solutions to Western Australia’s crime problem. The lack of knowledge about the experiences faced by families with an incarcerated family member reduces the possibility of providing effective prevention programs. Hence, the purpose of the study was to obtain greater knowledge and understanding of the experiences faced by Indigenous parents who have experienced the incarceration of a young detainee. It also seeks to identify coping strategies and the positive strengths of participants. It is anticipated that this will help inform how to help maintain or build cohesive family support specifically for Indigenous families who are affected by a family member’s incarceration. Successful supports are those which minimise negative experiences and may also reduce the likelihood of the individual reoffending. Specifically, this research seeks to investigate;

1. The experiences of incarceration on Indigenous parents of juvenile detainees.

2. Particular and specific issues that may be faced by Indigenous parents of juvenile detainees.

3. What impedes and supports Indigenous parents with an incarcerated juvenile detainee.

4. Coping strategies and positive strengths for Indigenous parents experiencing an incarcerated juvenile detainee.
Chapter 3

Methodology

Design

The study was exploratory and adopted a qualitative semi-structured questionnaire. This interview approach explored the individual experiences of Indigenous parents who have experienced an incarcerated child under the age of 18. This approach produced descriptive data that enabled common themes and meanings to be identified, allowing the researcher to establish the factors which have had the greatest impact upon the participant. A phenomenological philosophy was applied, as this is best suited to discovering an individual’s ‘lived’ experience, while also grouping similarities or discrepancies in the experiences of people in a particular situation (Creswell, 1998). Additionally, this approach was adopted in an effort to understand the social and psychological phenomena associated with being an Indigenous parent of a juvenile detainee. The use of a qualitative approach allowed the complexity of perceptions and concepts surrounding the Indigenous parent’s experiences to be understood in context. The aim of this approach was to obtain greater knowledge and understanding of the experiences of incarceration on Indigenous parents of a young detainee through an inductive process of data analysis (Creswell, 1994).

Participants

A purposive sample of seven participants (4 females, 3 males; aged 26 to 71 years) from Western Australia consented to participate in the research. Indigenous parents or family members with the primary care-giving role, over the age of 18 years were accepted. The participants all identified themselves as the primary parental figure and referred to the incarcerated child as their ‘son’. This resulted in, two mothers, one father, one grandmother, one grandfather, an older brother and a stepmother being interviewed. The
offending children were comprised of seven Indigenous males. Table 1 outlines the participants' demographics.
<table>
<thead>
<tr>
<th>Marital status</th>
<th>Residential children</th>
<th>Accommodation</th>
<th>Highest completed education</th>
<th>Employment status</th>
<th>Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>Married</td>
<td>2</td>
<td>House owned</td>
<td>Tafe</td>
<td>Full-time</td>
<td>$41 000 -</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$60 000 -</td>
</tr>
<tr>
<td>Single</td>
<td>4</td>
<td>Private rental</td>
<td>Honours</td>
<td>Part-time/Casual</td>
<td>$21 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$40 000</td>
</tr>
<tr>
<td>Single</td>
<td>2</td>
<td>Homeswest</td>
<td>Year 11</td>
<td>Centerlink</td>
<td>$0 -</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$20 000</td>
</tr>
<tr>
<td>De facto</td>
<td>2</td>
<td>House owned</td>
<td>Year 10</td>
<td>Full-time/Self employed</td>
<td>$61 000+</td>
</tr>
<tr>
<td>Married</td>
<td>1</td>
<td>House owned</td>
<td>Year 6</td>
<td>Retired</td>
<td>$0 -</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$20 000</td>
</tr>
<tr>
<td>Married</td>
<td>1</td>
<td>House owned</td>
<td>Year 7</td>
<td>Retired</td>
<td>$0 -</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$20 000</td>
</tr>
<tr>
<td>De facto</td>
<td>3</td>
<td>House owned</td>
<td>Year 10</td>
<td>Part-time/Casual</td>
<td>$21 000 -</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$40 000</td>
</tr>
</tbody>
</table>

*Residential children included biological children, step-children, children’s partners, and grandchildren.*
Materials

The research project was advertised by displaying flyers (see Appendix A) in local shopping centres and local community notice boards. In addition, participants were recruited from the Aboriginal Legal Service (ALS) of Western Australia (2009), an organisation which provides rehabilitative and supportive services for offenders, ex-offenders and their families. Participants were given an information sheet (see Appendix B) and asked to sign a consent form (see Appendix C). The information was gathered through a short demographic section (see Appendix E) and a semi-structured interview process (see Appendix D). An initial set of questions was created to guide the interviews, but the participant was able to lead the discussion and recall at their own pace. The participants consented to the interviews being recorded and transcribed verbatim. A thematic content analysis was conducted and a comprehensive content and archival analysis matrix was utilised.

Procedure

Ethics approval for the project was obtained from the Edith Cowan University Human Research Ethics Committee and the Western Australian Aboriginal Health Information and Ethics Committee (WAAHIEC). Indigenous consultation was conducted prior to the development of this research and invaluable advice was received from WAAHIEC and Mr Joseph Wallam, a Community Liaison Officer at the Office of the Inspector of Custodial Services. The purposive experiential sample was recruited by advertising via the flyers. Mr Joseph Wallam, an Indigenous man, accompanied the researcher in conducting some of the interviews. The use of an Indigenous collaborator helped build trust and rapport with the respondents, and had the added benefit of ensuring dignified questioning and cultural sensitivity. Mr Wallam was not present for all of the
Indigenous Parents of Juvenile Detainees

interviews, as it remained the choice of the participant if Mr Wallam was present to accompany the researcher. A snowball sampling technique was also used as a means of recruiting participants. This technique relies on referrals from initial participants to generate additional participants (Spreen & Zwaagstra, 1994). Snowballing is common in qualitative research and can produce excellent accounts of purposive participants' experiences (Senese, 1997).

Once a participant responded to the request for participation, they were able to choose the interview method, either face-to-face at an agreed upon location, or over the phone. It was identified that in some fields of criminal justice research (Ibsen & Ballweg, 1974), participants would rather the anonymity of a telephone call. Four of the seven interviews were conducted over the phone and the phone interviews were of a longer duration than the face-to-face interviews. There was no difference in quality of information received through either method of interview.

The interview process was explained, along with a re-clarification that the interview would be recorded. After verbally agreeing to participate, individuals were given an information sheet to keep (see Appendix B) and asked to sign a consent form (see Appendix C). It is, however, recognised that for many Indigenous people English may not be their first language. Therefore, the information letter provided to the participants was read out aloud to the participants by the researcher. Once the recording commenced, informed consent was clearly established by verbal consent. Telephone interviewees were also read the information letter and gave verbal consent that was noted on the recording device. If the participant's first language was English, then written consent (see Appendix C) was obtained. After written/verbal consent had been obtained, a short demographic section (see Appendix E) was utilised to gain an overall picture of the participant, and also
as an opportunity to build rapport and gain trust. The participant was notified when the recording was about to commence and the recorder was placed between the participant and the researcher.

A semi-structured interview schedule using open-ended questions was utilised. These can be seen in Appendix ‘D’, an example includes “tell me about your family”, from which a family genogram was constructed within the interview. The participant was free to express his/her thoughts and experiences, and the researcher noted any levels of discomfort experienced by the participant. Noting these responses assisted the researcher in identifying common themes, particularly those that impacted more severely than others. This aggregated information sought to identify strengths they might have developed and the experiences facing Indigenous parents with an incarcerated young person, and the impact this has on family relationships. Following the interview, participants were thanked for their participation and debriefed. They were also provided with a list of support organisations that they could contact for a session, if necessary (see Appendix B). To ensure confidentiality, the researcher stored the consent form separately from the de-identified interview transcripts. Interviews were recorded using an MP3 device. The interview recordings were loaded onto a computer that was locked with a password, so that only the researcher could access the de-identified data. The recordings were deleted once the recordings had been transcribed.

Analysis

A qualitative analysis was performed to investigate the experiences of the incarceration on the participant. The recorded interviews were transcribed verbatim to maintain the accuracy of the participants’ responses. The information regarding non-verbal responses and body language were recorded and time-coded throughout the interview and
added to the interviews when transcribing. Noting these responses assisted the researcher in identifying common themes, particularly those that impact more severely than others. Common themes and words were highlighted, and a question-ordered matrix (see Appendix F) was used as a management tool to organise the information in a methodical and coherent mode for analysis (Miles & Huberman, 1994). A thematic content analysis was then conducted to identify recurring themes from within the descriptive data. Clustering the common themes together condensed the information further, which revealed the main themes, which were then categorised using subthemes (Patton, 1990). Furthermore, care was taken not to reduce the responses significantly, as it is the richness of the responses which supply the understanding of the phenomenon under investigation (Creswell, 1998; Miles & Huberman, 1994). The coding of this data allowed major themes regarding the experiences of juvenile incarceration on Indigenous parents to be explored, and how that in turn has affected their relationships within the family.

On completion of the data analysis process five major themes were identified, each containing several subthemes. Having obtained the participants consent to contact them at any later stage, two participants were randomly selected to member-check the researcher’s interpretations (Miles & Huberman, 1994) for verification purposes. The participants were asked to read a summary of their transcripts and comment on the main points made by the researcher in relation to their experiences and perspectives (Creswell, 1994). Creswell (1998) recommends interviews with up to ten participants to reach saturation of the data. Saturation for this particular study was assumed when no additional ideas could be found that contributed to a category. Therefore, interviews continued until saturation, that is, until no new information emerged (Patton, 1990).
Chapter 4

Findings and Interpretation

The aim of the study was to gain an understanding of the experiences of Indigenous parents with an incarcerated juvenile detainee and the impact this has on family relationships. The majority of the themes coincide with those established in the literature (Hil & McMahon, 2001); however, additional themes were revealed due to the West Australian context. The participants’ collective responses revealed five main themes that are consistent with other research in the area; emotional issues, practical issues, social issues, support systems/programs; and coping strategies. Interestingly, the subthemes within these main themes were experienced slightly differently from those in the established literature and these new subthemes are presented in the table below.
The current research sought to examine the experiences of Indigenous parents of juvenile detainees and the specific issues they may face. There were four main emotional issues experienced by the participants' which they attributed to their child’s incarceration; frustration, stress, helplessness and concern.
Frustration

Consistent with the research conducted by Hil and McMahon (2001), all Indigenous parents reported an overwhelming sense of frustration stemming from their involvement with criminal justice systems. More specifically, all but one participant described experiencing dissatisfaction and frustration with the services offered by the Aboriginal Legal Service (ALS) of Western Australia. The aim of the ALS is to provide legal advice and representation in a wide range of practice areas, and support services for Aboriginal and Torres Strait Islander peoples in Western Australia (ALS of Western Australia, 2009). Most participants believed that the ALS is under-resourced and under-funded, which has resulted in a lack of professional advice. One participant said:

When you get attacked by the justice system you think you are dealing with experts. So when you are yarning to a lawyer you think he knows best, and then that is absolutely shattered when you go to court, with the ALS. We rely on ALS and they are failing us, which is frustrating.

Therefore, collectively the findings suggest parents of juvenile detainees experience an overwhelming sense of frustration with criminal justice systems. Given the West Australian context, the present study revealed Indigenous parents were specifically frustrated at the ALS of Western Australia. These comments are similar to complaints about the Legal Aid system, which is also criticised for poor service delivery due to lack of funding and resources (Australian Government, 2010). Thus, the participants experienced frustration with these services, indicating that these services are in need of additional funding to improve client satisfaction.
Consistent with this notion, a study conducted by Smith (2009) examined the perceptions of 50 Indigenous juvenile offenders in regards to their involvement with the Juvenile Justice System. Participants complained of insufficient time spent with their ALS lawyer. Particularly, the juvenile offenders believed that they could have done better if they were able to speak to their lawyer before appearing in court (Smith, 2009). Limited access to legal advice has been highlighted in the literature as one of the key contributing factors to the high involvement of young Indigenous people and young adults in the Criminal Justice System (ALS of Western Australia, 2009). It is important to note that 35 out of the 50 juveniles had been represented by the ALS, and 25 of these had been satisfied with their representation. On the contrary, among the 15 represented by a duty lawyer from the ALS, 10 were dissatisfied and frustrated with their representation (Smith, 2009). In an attempt to rectify this situation, in May 2010 the Australian Government provided Legal Aid and the ALS of Western Australia with additional legal assistance funding to support them in improving their services (Attorney-General for Australia, 2010).

The majority of Indigenous parents who were interviewed, spoke about their frustration with security measures undertaken at the detention centres in Perth. In reference to the drug detection dogs at the centres, one participant commented how if a drug dog singles a person out they were led separately to the other visitors, even though on examination prison officials found they were not to be carrying drugs:

I find it frustrating, I know they have to do it and it’s for a good thing, it’s kind of protecting your loved ones that are in there you know, but at the same time it’s frustrating because it’s not full proof. My partner and I are not going to go there with drugs on us but the dogs will still pick us up, and that
really frustrates us as you have to come all that way and we can't sit with him.

In addition, the Indigenous parents interviewed from the present study found this to be a more significant issue when visiting in company with their other children. Research has described that taking children on visits can be stressful for all those involved (Australia’s National Drug Strategy, 2003). Despite their generally negative perceptions of the drug detection dogs, almost all the participants expressed an understanding of the importance of having these restrictions within the justice system. Furthermore, the participants also said that these security measures would not deter them from visiting and supporting their child in detention.

**Stress**

Six of the seven participants interviewed identified stress as a major result of their child’s incarceration. However, the reasons underlying why the Indigenous parents felt stressed varied from participant to participant. One participant explained the source of the stress:

Sure it would cause conflict between me and my partner, because if our son was out with his friends being stupid, I would say “make sure you get your arse back home by 6:00 p.m.” You know it was just stressful for us. I would be on my partner’s back, and then he would be on his [the son’s] back making sure he was home at a certain time.

Similarly, another participant said, “It has stress on your relationship, because visits are pulling time away from other family.” He also suggested that stress within the relationship due to a detained child could actually “break up a couple.” According to the
Attorney-General’s Department (2001), stress is a frequently cited reason for contributing to relationship breakdown and divorce. Furthermore, one participant revealed, “At one stage there were three of them in there at the same time; my partner and I were having heart attacks.” Those Indigenous parents, who reported a lack of other family members available to visit their detained child, identified that this contributed to and compounded the stress they experienced and the pressure they felt to visit their child while in detention. This finding supports the view that Indigenous parents of juvenile detainees need the support of the family and wider community during their child’s period of incarceration.

Helplessness

Over half the Indigenous parents interviewed identified feeling helpless. An Indigenous mother interviewed in the study said that she believed her son had been sexually assaulted by another juvenile detainee while serving his sentence. She said, “This is difficult because there was nothing I could do about it.” Another mother whose incarcerated son is now 25 years of age said, “Once they are past 18 it’s just hard, because now you have no rights. You just feel like you are hitting your head against a brick wall all the time.” Other participants supported this subtheme of helplessness, commenting, “You would want him out, but you obviously can’t get him out.” Furthermore:

When he was in jail it was hard, we missed him, you know, and for me, like I know he has done bad things and he had to go to jail, you know, but I felt like my son, he was away but he couldn’t come home.

Evidently, helplessness was a common emotional challenge that Indigenous parents encountered. This is consistent with the Action for Prisoners Families (2007) survey which found that parents of young detainees often say how they find it difficult that they themselves cannot step in and ‘make everything all right’ and safe for their child.
The family systems theory proposes that anything that happens to any family member has an impact on everyone else in the family (Bowen, 1966). Thus, the family systems theory can be supported, as the present study concluded that the reality of incarceration is that it spreads the punishment to innocent parties, in this case the Indigenous parents. When a child has been forcibly removed from the family via incarceration, this will cause other family members to be affected in some way. Parent-child contact during their child’s detention period served to alleviate some of these emotional issues experienced by the participants. As incarceration impacts on a number of people, not just the person sentenced, it is important to maintain and strengthen family systems to reduce these experiences encountered by detainee families.

Concern

In this particular study, Indigenous parents were asked “how they thought their family would change once their child was released?” In answering this specific question, a number of participants mentioned their concern for their child post-release. One Indigenous parent said:

When I do think about when he does come out, there is going to be things he hasn’t seen, new things, and it’s just going to be strange for him, and I just hope with all the newness he keeps his head on.

Another participant explained, “I’d like him to come back here and stay, but then he says in visits that he will stay here or with his mum, and then I think, oh god where is he going to live, he is only 16?” These findings are slightly different from the research conducted by Hill and McMahon (2001), where the participants reported anger, self-doubt, shame, and embarrassment as the main issues regarding their child’s offending behaviour. Although Hill and McMahon interviewed both Indigenous and non-Indigenous parents, the results
Indigenous Parents of Juvenile Detainees 46

were collective; therefore, this discrepancy may be due to indigenousness or due to the unique differences between states. This finding demonstrates that Indigenous parents of juvenile detainees in Western Australia experience different emotional issues regarding their child’s incarceration to their Queensland counterparts.

Overall similar emotional challenges do exist for both Indigenous and non-Indigenous parents of juvenile offenders; however differences appeared in those themes that impacted more severely than others. Although there are some differences among the findings presented, recent reports conclude that parents of juvenile detainees face a number of emotional and practical challenges (Action for Prisoners Families, 2007).

Practical Issues

The second major theme that emerged through analysis of the participants’ narratives related to the practical issues encountered by Indigenous parents.

Economic Challenges

Overall, the majority of the Indigenous parents from the study suggested that finances were a significant issue. Every participant discussed experiences in various forms of economic hardship due to their child’s incarceration. This involved the expense of transferring money into their child’s spends [a prison money management system] account that allows them to purchase approved items from the prison canteen to make their life more comfortable. There were also monetary expenses associated with travelling to the prison to visit their child, court and legal costs, and the money lost by taking time off work. These findings support previous researchers (Smith, Grimshaw, Romeo & Knapp, 2007) who investigated the difficulties faced by families when someone receives a prison term, and how families respond to the financial challenges. The present study supports Smith
et al.'s (2007) conclusions that families of prisoners were vulnerable to poverty, potential housing disruption, financial instability, and debt following the imprisonment of a family member. Furthermore, families supported their imprisoned family member by sending electronic goods, money and clothing (Smith et al., 2007). This financial burden is further exacerbated by the generally higher levels of poverty and social disadvantage experienced by Indigenous people (Martin, 2010).

An additional economic challenge for the majority of the Indigenous parents was providing surety for their child. Surety is when an individual assumes legal responsibility for the fulfilment of another's obligation or debt and the surety becomes liable if the other defaults (Smith, Grimshaw, Romeo & Knapp, 2008). One participant described the experience:

I had to have surety for him, so if he didn’t oblige by the bail conditions my car would have been gone, like what I had to put down for his surety, like he had a curfew and if didn’t abide by that and if the cops pick him up, then my bail would have been gone, which was my car. You know that affects everyone. If my car gets taken away, that’s it, and what about the other kids?

Furthermore, participants believed that the majority of Indigenous people cannot afford surety. Previous research suggests prisoners families are also affected by the conditions of bail, particularly at a financial level (Allan, Allan, Giles, Drake & Froyland, 2005). In 2006, almost half of all Indigenous households in Australia were in the lowest income distribution group. The average individual income of Indigenous Australians aged 15 years and over was $278 per week, compared with $473 for non-Indigenous Australians (The Department of the Prime Minister and the Cabinet, 2006). One participant from the present study earned a fortnightly
income of approximately $360. Furthermore, participant demographics from this study showed that nearly half of all the participants were receiving an income of less than $20 000 per annum.

It is evident that the lower socio-economic status of many Indigenous people is apparent in their lower income. Thus, one implication of this may be that by requiring monetary release, many Indigenous people will not be able to meet the financial surety required and will continue to be detained in prison (The Department of the Prime Minister and the Cabinet, 2006). The challenges encountered with finances and monetary expenses may provide another possible explanation why Indigenous families continue to be over-represented in the Criminal Justice System (Australian Bureau of Statistics, 2006; CLCA, 2010; Cunneen & McDonald, 1997).

It is possible that lower socio-economic families experience great difficulties with monetary expenses also. As anticipated, a family support centre located at the juvenile detention centres in Perth may alleviate some of this pressure experienced by Indigenous and lower socio-economic parents of juvenile detainees.

Visits

Consistent with research into non-Indigenous parents, (Jackomos, 1994), almost all of the Indigenous parents reported difficulties in visiting their child in detention. Some reasons for this were due to other carer responsibilities, travel distance and financial issues. One Indigenous parent explained this as:

Depending on when I’m able to get a visit, I then have to rush back and get tea on and feed the two kids. I get back at 7:00 p.m. at night and then school the next morning and I am all on my own.
Another Indigenous parent revealed the distress experienced when visits had to be cancelled due to not having enough money to put fuel into the family car. With another pointing to the distance involved with prison and detention centre locations, “He is now in Albany Prison, so nobody is going to go down there and see him.” These findings support the literature that the distance that a number of families have to travel to visit, other carer responsibilities and visiting the detention centre causes many problems for young detainee families (Aboriginal and Torres Strait Islander Social Justice Commissioner, 2004; Jackomos, 1994).

_Curfews and Reporting_

While juvenile offenders are detained, curfews and reporting conditions are not practical issues encountered by their parents. They are, however, at some point, significant practical challenges faced by the Indigenous parents from the present study. Overall, every Indigenous parent reported that both curfews and constant reporting places too much pressure on the families. Curfew policies restrict the movement of juveniles in public spaces, which is usually at night (Adams, 2003; Reynolds, Seydlitz & Jenkins, 2000). As part of a supervision order, juvenile offenders may be required to report as directed by the conditions. One Indigenous parent said, “You have to go and report all the time, constant reporting, and that is not very good.” Another participant added, “He [son] was on a curfew and it put pressure on him not to go out. That did help because we didn’t know when the police were coming. Even though I didn’t like the curfew myself, because I would have to be home all the time, to make sure he stayed home.” The Aboriginal Legal Service (ALS) of Western Australia (2009) highlighted how systemic failures in the system are one of the main reasons for the overrepresentation of Indigenous people in the Criminal Justice System. An inquiry by the ALS found that onerous bail conditions are regularly imposed on
young Indigenous people. Culturally these conditions were difficult for some Indigenous families to adhere too. Some examples include, having a surety, reporting on certain days, and abiding by a curfew (ALS of Western Australia, 2009).

According to the ALS, such conditions exceed what would be required to ensure that the juvenile attends court and does not reoffend. Furthermore, such conditions impose unwarranted responsibilities on the parents or other adults responsible for the juvenile (ALS of Western Australia, 2009). Therefore, these combined factors indicate the specific issues and challenges Indigenous parents of juvenile detainees face. Furthermore, due to cultural reasons, research shows that Indigenous people who are subjected to reporting conditions are less likely to meet the conditions than non-Indigenous people. The result of a number of these cases is that the offender is more likely to be incarcerated for breaching reporting conditions, rather than for the original offence itself (Martin, 2009). Thus, the challenges encountered with curfews and reporting may provide another possible explanation for the high rate of young Indigenous people reoffending, and indicates that further investigation into alternatives to these conditions may be required for both Indigenous and lower socio-economic offenders.

Social Issues

Every Indigenous parent from the study described issues regarding social impacts. Similar to earlier findings (Tomison & Poole 2000), this study has found that Indigenous parents experience direct blame from society. Furthermore, participants perceived that they were stigmatised, treated unfairly and blamed for their child’s predicament. 

Blame

The theme of blame permeated through all participants narratives. They felt that they were directly blamed for their child’s incarceration by formal social institutions such
as community services, the courts and police. One participant said, “The police blamed us, yet again.” Participants were asked “if any community support had helped or supported them through their child’s incarceration?” The perception of blame directly impacted on the Indigenous parent’s willingness to seek help, with one participant explaining, “Nah, why would I go and see anyone who is going to tell you it’s your fault, he shouldn’t have done this or he shouldn’t have done that.” Likewise, another participant said, “She would just blame me, and say why don’t you blah blah blah. She wasn’t helping the situation, so people don’t listen.” Another Indigenous parent explained their experience of feeling blamed as:

They would ring us and say you need to do this and this and I am like yeah how are we going to do this and this, we want to do this and this, do you think we want our son to do this?

Thus, one interpretation of these statements may be that participants from this study are reluctant to seek help as they perceive they would be further blamed for their child’s criminal behaviour. This interpretation is supported by previous researchers, who revealed similar findings (Hil & McMahon, 2001).

Hil and McMahon (2001) found that parents remain in a community which tends to place direct blame on them for the child’s behaviour that resulted in the imprisonment. Therefore, they may be perceived as failing to exercise control and adequate supervision over the child. Consequently, the parents who reported more incidences of feeling blamed by the community were less likely to seek any community support (Hil & McMahon, 2001). Thus, it is suggested that both Indigenous and non-Indigenous parents feel blamed by formal social institutions as a direct result of their child’s incarceration. It is important to note that one discrepancy for this subtheme does exist between Indigenous and
non-Indigenous parents of juvenile detainees. Some participants from the present study expressed feeling blamed for bad parenting due to their Indigenous status. This finding provides support for extensive evidence that suggests that many Indigenous people still suffer issues of stigma and judgement (Gooda, 2010; Ogilvie & Van Zyl, 2001).

**Stigma**

Indigenous family networks and friendships provided much support, with every participant expressing the lack of judgement and stigma experienced from these kinship groups. This was evident as they all discussed the relief that they could openly tell their families and friends about their child being in detention. One participant said, “My friends are pretty good. We all work roughly in the same area of work, so they are all really good.” Conversely, the participants discussed issues of stigma as a result of criminal justice protocols. One participant explained visiting the juvenile detention centre as:

> All the visitors know because you are all lined up, and that is when the dogs sniff you out and everyone knows, and you feel like everyone is looking at you like what has she or he done. Then everyone is out in the normal visiting room and you’re in this little room so everyone can see you, and then it is like oh you got picked up by the dog you know.

Another participant said, “The neighbours, I mean the police are coming over all hours of the night and they don’t know why they are coming. I mean they are just coming to see that he is there.” Consequently, the Indigenous parents who reported more incidences of stigma by formal social institutions were less likely to seek any community support.

Some participants expressed their view of the situation, commenting that Indigenous youth, “Are just following suit because this is their only path available.”

Another participant added, “There are a lot of aboriginal people in custody, and I’m not
saying it’s the easiest road, but that is the road that is there for them if they want.” These statements are consistent with the literature, as some Indigenous young people are persuaded by peers from a young age that it is ‘no big deal’ to go to prison (Attorney-General’s Department, 2005; Kinner et al., 2006). Thus, an explanation of this finding could be that some Indigenous children deem incarceration a ‘rite of passage’ (Beresford & Omaji, 1996; Nussbaum et al., 2002; Ogilvie & Van Zyl, 2001).

As the majority of the participants felt blamed for their child’s behaviour and experienced stigma from formal social institutions, some support can be given to the labelling theory (Becker, 1997; Kells, 2010). As anticipated, the labelling theory negatively affected the Indigenous parents from the study. Labelling Theory purports that a person accepts the perception of what he or she is being described as (Kells, 2010). Thus, the Indigenous parents that felt as though they were being judged and blamed as a ‘bad’ parent were less likely to seek help or be helpful towards others labelling them. Whilst acknowledging the label of lacking as a positive parent, these Indigenous parents expressed their love for their children, and demonstrated supportive and caring behaviour towards their child. Thus, they did not succumb to the behaviour associated with being a ‘bad’ parent.

It is also important to note that for almost half of the participants’ families, intergenerational offending patterns were evident. Two of the offending children have fathers who are currently incarcerated, and another participant’s child has had a sibling incarcerated in the past. The finding above supports the literature, which has revealed that intergenerational offending patterns are evident in Indigenous families (Murray & Farrington, 2008b).
Treated Unfairly

The last major social issue that emerged through the participants' narratives was that they believed that they were treated unfairly due to their Indigenous status. One participant said, “Police are not beneficial to aboriginal people and too many aboriginal people are being locked up for no reason at all.” Another demonstrated this point explaining how Indigenous people try to assist each other:

Our kids know it. They know when they walk into the shops, like my son got picked up on the street by another Aboriginal woman and she said you need to get in the car with me. You know, at this time at night, because he was at the petrol station, you will probably get thrown in the back of the paddy wagon.

As expected, the study supported previous research suggesting that confidence and trust in the police from the public is low (Thibaut & Walker, 1975; Tyler, 2003). In various legal settings many participants expressed the belief that, “This would never have happened if they were a white family.” The statement supports previous research conducted by the Australian Institute of Criminology (2003), where Indigenous children expressed the view that they have never been treated fairly and that they were not treated the same as white people.

Procedural justice suggests that a major factor in influencing public opinion is the fairness of procedures legal authorities utilise when dealing with members of the public (Thibaut & Walker, 1975; Tyler, 2005). All the Indigenous parents described at least one experience where they felt either they or their child was treated differently and unfairly due to being Indigenous. The participants' experiences of the courts and police added to the sense of injustice a number of Indigenous parents reported. Furthermore, the participants’
sense of unfairness derived from feeling unheard and invisible in the process when dealing with their child's criminal behaviour. The present study supports previous research (Tyler, 2005) that showed Indigenous people believe that procedurally they are treated different to non-Indigenous populations and that the principles of procedural justice are not afforded to them. Thus, the view of being treated unfairly by the courts and police may provide another possible explanation for the high rate of Indigenous people in the Criminal Justice System. Tyler (2003) suggests that having a voice in the process affirms the status of group members and encourages trust in the decision-making process. Giving Indigenous people a voice in the process may encourage trust and confidence in the police and courts.

Support Systems/Programs

The study further sought to examine what impedes and supports Indigenous parents with an incarcerated juvenile detainee. Indigenous parents described a lack of information and assistance from available support systems. This finding supports Hil and McMahon (2001), where parents also reported a lack of support services in place, particularly to help parents cope, and the narrow focus of services that were available. In addition, Indigenous parents from the present study believed that many of the services were culturally inappropriate and were eager to offer recommendations for future support.

Lack of Information and Assistance

A perceived lack of support and assistance from the community was an issue that arose frequently in participants' narratives. A major factor described by participants was their dissatisfaction with organisations that were perceived to fail to meet their intended objectives. One participant said, "There is a lack of support, in actually believing and doing what you would like to happen." Another participant commented, "Services need changing in the way they deal with everybody and their children." Furthermore, a common complaint
was that they were provided with little information regarding their child while in
custody, with one participant commenting, “They weren’t helpful or nothing, they wouldn’t
even speak to me.” This lack of information was exacerbated in cases where Indigenous
parents felt they should have been notified over medical events:

When he went into Rangeview, he played footy and they actually took him
from there to Fremantle hospital and back, and for two days we didn’t even
know. What if they had a car crash? They would have said, ‘oh
misunderstanding’.

Research conducted by Higgins (2007), concluded that carers of Indigenous children would
have liked to have known their legal rights and been provided with instructions while their
child was detained. Consistent with this notion, one participant said, “I haven’t had
anything that tells me what I can and can’t do. There is a lack of information”. As many
Indigenous people are already aware of the possible stigma that they may receive, they are
less likely to ask for support, and thus many feel uninformed about their and their child’s
rights.

This lack of knowledge was compounded by some families displaying
embarrassment when asked to fill in forms. One Indigenous parent explained that he was
unable to read the correspondence regarding family planning that he receives from the
detention centre. Thus, some parents of juvenile detainees may be receiving
correspondence that is vital to their child’s rehabilitation which they are unable to read. It
is, however, recognised that for many Indigenous people English may not be their first
language. Furthermore, national data from 2006 showed literacy and numeracy abilities of
Indigenous people as being well below those of non-Indigenous people (Storry, 2006).
Therefore, it is reasonable to expect that a higher percentage of Indigenous than non-
Indigenous parents of juvenile detainees are unable to read the information they receive, and therefore are not able to support their child to their best ability. This finding could possibly be a contributing factor for the high involvement of young Indigenous people in the Juvenile Justice System. Thus, Indigenous parents of juvenile detainees experiencing low literacy skills need additional support so they can assist their child to the best of their ability. This could be facilitated at the detention centre, by having a family support centre such as “Outcare” to provide assistance and support for visiting parents.

Overwhelmingly, Indigenous parents were reluctant to seek any support from the community. Apart from one participant who was required to attend counselling in order to obtain Centrelink benefits, no other participant reported seeking any form of counselling. It is important to acknowledge that this participant did feel that counselling got him through, “It put things in place to keep me away from triggers and all that. I wanted to go back to the old style.” In addition, one Indigenous mother did reveal that her son received counselling at the age of 10, commenting, “He [the counsellor] was the only one that supported us; we could ring him up and talk to him. He saw our son constantly. He gave us the time for him to actually build that rapport.” However the son’s parents had to finance the counselling sessions, and due to lack of finances the son had to cease counselling. As anticipated, investigating the experiences faced by Indigenous parents of a juvenile detainee provided participants with some awareness of the programs available to them and their capacity to access them. Overall, a lack of information and support from services that were available were major impediments for the Indigenous parents.

Cultural Inappropriateness

Four of the seven participants expressed a negative opinion of young white females working with young Indigenous male offenders. The majority of the Indigenous parents felt
this was culturally inappropriate. In regards to Juvenile Justice Officers employed by the Justice Department, one participant felt:

There are too many young people talking to these young kids and they have no idea. I mean, I think you need older people talking to these kids, you know, and drawing in the respect. You are taking away their self-esteem when they are going to report to younger people.

Walker (1993) suggested that Indigenous people hold the greatest respect for elders, which outsiders may find difficult to understand. They rely strongly on elders as they believe that many elders went through great difficulties. Another participant said, “You got these white women telling these young boys what to do, and they are boys and it shouldn’t be so.” This supports previous suggestions that there needs to be greater acknowledgement and awareness that, culturally, Indigenous children have different and unique needs (Higgins, 2007; Walker, 1993).

Walker (1993) highlighted the importance for culturally appropriate and sensitive services. A report by Calma (2008), the Aboriginal and Torres Islander Social Commissioner, found that Indigenous juveniles are unwilling to access voluntary community services, and as a result do not receive support or timely interventions. As a result of offending, Indigenous juveniles are more likely to be mandatory recipients of services and interventions (Calma). Indigenous parents from the present study also identified themselves as unwilling to access voluntary community services that are designed for non-Indigenous clients. This suggests that culturally appropriate programs and services are vital to prevent reoffending by this population. Despite Indigenous parents’ generally negative perceptions of young white women working with young Indigenous men, a few participants expressed the view that there is limited funding and staff available
to change this. Thus, this is one possible area that needs sufficient remuneration in order to provide culturally and sensitive services to young Indigenous offenders.

**Future Support**

Marsh (2010) suggested that research is a vital step in the implementation process of future support systems and recommended that advice should be sought from families of prisoners and detainees. Consequently, the Indigenous parents who took part in this research were asked to identify what additional supports are required in a West Australian setting.

Many different suggestions were provided by the participants; however a common and consistent theme was a need for more parent and child interaction. This understanding was demonstrated by an Indigenous parent who commented, "When he gets out, the success of his release depends on his family planning, which involves the whole family unit." An Indigenous father said, "I reckon there is not enough interaction with the kid and the parents." Another participant demonstrated their lack of inclusion explaining, "They didn't even consider, they didn't even ask us, we didn't even get asked once what we would like to happen." These comments support research recommendations that finding sustainable solutions to juvenile delinquency requires strategies to encourage prospects for positive parental and extended family involvement (Mackinnon, O'Leary, Bishop & Robb, 2008).

Indigenous parents also described a need for more rehabilitation options, preventative strategies and more assistance in regards to legal matters. In 2009 the ALS of Western Australia concluded that funding needs to be provided to establish and operate culturally appropriate programs for Indigenous juveniles. Several participants from the present study suggested that mental health, post-release support and drug and alcohol
rehabilitation are all areas that are in need of improvement. Consistent with this notion, the ALS said there was a need for the provision of sufficient remuneration in the following areas; crisis care accommodation, drug and alcohol rehabilitation, victim offender mediation, sex offence programs, gender-specific programs, and psychiatric and psychological support (ALS of Western Australia, 2009). In regards to preventative strategies, one participant recommended:

We need support to help them [their children]. I think that in some classes or something that are even run by counsellors, and we are shown how to pick up behaviour or even before it happens, and look at why they are doing it, so you can get on to it before it actually happens.

Although these Indigenous parents had many recommendations, it remains important to consider the lack of trust Indigenous people have for programs and how to advertise classes that are culturally appropriate and attractive in order to gain attendance.

In the Social Justice Report, ‘justice reinvestment’ was proposed as a possible solution to the overrepresentation of Indigenous people in the Criminal Justice System (Gooda, 2010). Under this approach, finances would be invested into community services, programs and activities that are aimed at addressing the underlying causes of crime in Indigenous communities. This approach proposes that a portion of funds that would have been used on covering the costs of incarceration would be diverted to local communities that have a high population of offenders (Gooda, 2010). The overrepresentation of Indigenous people in the Juvenile Justice System is a social justice issue that requires a significant response. According to the Aboriginal and Torres Strait Islander Social Justice Commissioner, ‘justice
reinvestment’ is such a response. Thus, as an attempt at reducing recidivism, the present study and previous research by Gooda (2010) both suggest a need for more focus towards preventative strategies.

Coping Strategies

Lastly, the present study investigated coping strategies experienced by Indigenous parents. As the participants continue to experience the negative impacts of having a child incarcerated, they have been able to identify the strengths they have used to manage their situation.

Whereabouts of the Child

All participants described one positive aspect as a result of their child’s detention sentence. Although the Indigenous parents reported being distressed at their child’s incarceration, they did report that they experienced less burden while their child was detained. This was attributed to the relief of knowing their child’s whereabouts at all times. One participant said, “At least we know he is safe at the moment, because we know where he is.” Another Indigenous parent said:

It’s like peace of mind for us, and to see him in there and know where he is, like every time we go and see him, he is like he wants to do the right thing when he gets out, he never wants to go back there, like it’s teaching him a lesson I think.

The findings above are similar to a study conducted in New South Wales on prisoners’ family members. Reports from some families indicated that they were secretly relieved at their family members’ prison term as they were aware of their whereabouts at all times. Additionally, some felt that their custodial sentence would also provide them with a break from drug-taking (Australia’s National Drug Strategy, 2003). One Indigenous parent
explained the situation as, “Spiralling out of control, and we were scared that if he didn’t go in there that something worse would happen.”

Most participants described the burden of having to manage and parent a child who they described as having a transient lifestyle. Transiency can also be common to teenage children in non-Indigenous families, however this lifestyle is more apparent within Indigenous families (Cooper & Morris, 2003). Thus, an interpretation for this finding may be that parents of Indigenous children encounter challenges pre and post-release, and therefore need the support of the community not only when their child is detained. All Indigenous parents said they were able to regain some ‘peace of mind’ due to knowing their child’s whereabouts whilst detained.

Other Activities

Although there has been a lack of previous research concerning coping strategies adopted by parents of juvenile detainees, all the Indigenous parents from the study described a need to focus on other activities. For every participant, this was an attempt to take their mind off the situation with their child. For instance, one participant said, “I definitely try not to think about it.” As a way of coping, one participant explained:

I go for walks or go down and have a yarn, go to Centrelink if I need to talk to someone, and then they hook me up again. Occasionally I have a puff of a joint to get to sleep.

Other coping strategies involved more time dedicated towards studies and work. It is important to acknowledge that the participants developed these coping skills with little professional assistance. According to Richmond (2009), learning coping strategies for having an incarcerated family member is vital. Furthermore, setting goals and trying to keep their life on track as best as possible can help in this situation. Thus, learning tips on
how to handle the incarceration and getting a plan together could help ease the worry and concern for Indigenous parents of juvenile detainees.
Chapter 5

Conclusions

Limitations

It is important to acknowledge the small sample size of this research. Whilst it was sometimes difficult to recruit participants, once being interviewed the Indigenous parents were honest and forthright in sharing their experiences. However, saturation was obtained and these findings can be utilised to generate further research in the area. It is also important to recognise that this exploratory study was conducted in Western Australia, therefore generalisations about other societies should be made with caution. Due to the present study being exploratory research, another limitation is that only male offending children were included; therefore, some experiences may be different for Indigenous parents of female detainees. Additionally, the research is specific to Indigenous parents. Therefore, these findings must be made in context when considering the experiences of incarceration on non-Indigenous parents.

Implications and Future Research

Despite these limitations, the results would have implications on how prevention strategies and family support networks can be altered by fostering a sense of inclusion and sensitivity in “hidden victims”, thus improving their family relationships. Research investigating how family relationships can be improved can minimise the impact of offending on the broader community by reducing recidivism. The study identified which specific needs should be targeted for any follow-up research.

The gender of an offending child may play a factor in how an Indigenous parent experiences their child’s incarceration. Therefore, comparisons need to be made. Future research needs to examine the same sample size for both male and female offending
Indigenous Parents of Juvenile Detainees 65

children. This would indicate if an Indigenous parent’s experience of an incarcerated child is different depending on if a son or daughter is incarcerated. However, as of August 2010, there was only one juvenile Indigenous female and 55 juvenile Indigenous males sentenced in Western Australia (Martin, 2010). Thus, a comparison of genders of the detained child may prove difficult in a West Australian setting. The study needs to be replicated with a greater number of participants to increase the credibility and trustworthiness of the data. It is predicted that a replication of the present study with a larger sample, and with comparisons between states, and the gender of the detained child, will result in a greater understanding of the experiences faced by Indigenous parents of juvenile detainees.

Overall Conclusions

The study has contributed to the limited research that has been conducted concerning the experiences of juvenile incarceration on Indigenous parents in Australia. Furthermore, no known research has examined these experiences in Western Australia. The study demonstrated that Indigenous families experience a number of emotional, practical and social challenges and issues as a result of their child’s incarceration (Action for Prisoners Families, 2007; Hardy & Snowden, 2010). Furthermore, the study did support research indicating there is a specific need for the services to be more culturally appropriate and sensitive (Walker, 1993).

Overall, both Indigenous and non-Indigenous parents experience similar issues due to having a detained child (Hil & McMahon, 2001). Although large cultural differences were not evident from this research, it seems clear that these issues and experiences are further compounded for Indigenous families of detainees. This is due to the extreme
socio-economic and psychological disadvantages this particular population encounters. Furthermore, policy, law and practice are affected by poor socio-economic conditions which make Indigenous families more susceptible to incarceration (Martin, 2010).

The extent of the social disadvantage experienced by many Indigenous families within Western Australia is such that until the multi-faceted aspects of disadvantage which they encounter are addressed, it is likely that the children from those families will continue to be over-represented in the Juvenile Justice System (Martin, 2010). Moreover, there is a limit to what can be done within that system until the improvement of cohesive family support is encouraged, specifically for Indigenous parents who are affected by a child’s incarceration.

In confronting the question of how best to address Indigenous juvenile offending and support Indigenous parents with an incarcerated juvenile detainee, there is a need to recognise the importance of the family as the key influence on young people. Therefore, the future direction of juvenile justice should include renewed focus on the restructure of service delivery and agency cooperation, including family members, which addresses the cause of juvenile offending on a holistic basis in a family environment (Martin, 2010). Response to incarcerations needs to be more preventative, culturally appropriate and embrace ‘whole-of-family’ approaches. Working with Indigenous juveniles and family-based organisations through early intervention strategies, could be a possible way to break the cycle of intergenerational offending, reduce the likelihood of reoffending and achieve the best long-term outcomes for society. Successfully supporting Indigenous parents of juvenile detainees may also minimise negative experiences and provide them with additional coping strategies on how best to handle the incarceration.
References


Aboriginal Legal Service of Western Australia. (2009). Inquiry into the high level of involvement of Indigenous juveniles and young adults in the Criminal Justice System. House Standing Committee on Aboriginal and Torres Strait Islander Affairs.


Indigenous Parents of Juvenile Detainees 69


Indigenous Parents of Juvenile Detainees 72


Indigenous Parents of Juvenile Detainees 75


DO YOU HAVE A CHILD WHO IS IN PRISON?

I understand this affects all family members in some ways

Are you an Indigenous Mother or Father, of a juvenile detainee?

If you are over 18, please tell me your story.
Interviews are completely confidential.

Your information will provide a valuable resource in the development of additional supports.

If you are interested please contact
Simone Reid on Ph: [number]
Email: s.reid@ecu.edu.au
Appendix B – Information Letter

Information for Participants

My name is Simone Reid and I am currently completing an honours year for a Bachelor of Criminology at Edith Cowan University. As part of this process I am required to complete a research project and would like to invite you to participate in this study. The study has been approved by the Edith Cowan University Human Research Ethics Committee and the Western Australia Aboriginal Health Information and Ethics Committee.

The purpose of the project is to identify the issues faced by Indigenous parents who have experienced the imprisonment of a child under the age of eighteen years. It also seeks to identify coping strategies and positive strengths of participants. Your information will provide a valuable resource in the development of additional supports.

I wish to invite you to talk about your experiences regarding the impact that your child’s incarceration has had on your life. If you choose to participate in this study, you will be interviewed. The interview will be recorded. The interview should last no more than one hour, and will take place at a time and in place which is mutually convenient and private. The recording will be transcribed then stored in a separate locked storage cabinet for the duration of the project.

Any information or details given for this study will be kept confidential. If you choose to participate, I will also seek your consent to use the information that you have provided for the purpose of other related research that I may undertake at a future time. Again, confidentiality is assured and you will not be identified in any way.
Participation in this project is voluntary. If you choose to participate, you are free to withdraw your participation at any time without giving a reason with no negative consequences. You are also free to ask for any information to be withdrawn from the study.

If during the interview you feel distressed in any way, the interview will stop and you have the choice to speak about how you are feeling to myself or a counselling service such as;

Crisis Care: 24 hour counselling service. Phone: 9223 111
Mental Health Direct: 24 hour mental health advice and assessment service. Phone 1800 220 400

If you have any questions regarding the study, please contact my supervisor Natalie Gately on 6304 5930. If you wish to speak to someone independent of the research project please feel free to contact Kim Gifkins on 6304 2170.

I sincerely appreciate your time in reading this letter and your interest in this study.

Simone Reid
School of Law and Justice
Edith Cowan University
270 Joondalup Drive
Joondalup WA 6027
Phone
Appendix C -- Consent Form

**Informed Consent Form**

I have been provided with a copy of the information letter, explaining the project. I have been given the opportunity to ask questions and any questions have been answered to my satisfaction. I have been informed by the researcher that if at any stage I experience distress, the interview will be terminated immediately and I will be provided with counselling contact numbers.

I understand that participation in the research project will involve participation in an interview which will be recorded. The interview should last no more than one hour, and will take place at a time and in a place which is mutually convenient and private. The recording will be transcribed and stored in separate locked storage areas within the School of Law and Justice.

I (the participant) have read the information above and have been informed about all aspects of the above research project. Any questions I have asked have been answered to my satisfaction.

I agree to participate in this activity, realising that I may withdraw at any time. I agree that the research data gathered for this study may be published provided I am not identifiable.

I freely agree to participate in the project

Name........................................................................................................................................

Signature....................................................................................................................................

Date........................................................................................................................................
Indigenous Parents of Juvenile Detainees

Appendix D - Research Questions

Semi-structured Interview Questions: Indigenous Parents of Juvenile Detainees

1. Tell me about your family? (Family composition – genogram, family background, roles/responsibilities)

2. What, if any, changes have occurred since (insert incarcerated juveniles name) was in prison?

3. Tell me about the impact to you having (insert incarcerated juveniles name) in prison?
   - So what other sorts of impacts have affected you?
     (Financial/Social/Psychological)

4. What changes have occurred in your family since (insert incarcerated juveniles name) was in prison?
   - What changes have you made to your life?
   - So how has this actually affected you?

5. How old were your other children when (insert incarcerated juveniles name) went to prison? (Only applicable if they have more than one child)
   - How did/would their sibling’s incarceration impact on them?
   - Has their incarceration impacted on any grandchildren?

6. What has helped/supported you through the imprisonment of (incarcerated juvenile’s name)?
   (Personal/Community/Peer groups)

7. In the community, what help/support would you like through your child’s imprisonment?
8. Do you feel that you or (incarcerated juveniles name) were treated unfairly in any way?

9. What was/is (incarcerated juveniles name) in prison for?
   - How long have they been in prison?
   - How long until they are released?

10. How will your family change when (insert incarcerated juveniles name) is released from prison?
    - Move back home?
    - Pick up/continue relationship?
    - What will be good/bad?

11. Strength question (coping strategies)
    - Tell me about the strengths you have developed as an individual coping with (insert incarcerated juveniles name) being imprisoned?

(If interviewee cannot think of any the interviewer will help identify their strengths. For instance, the strength it has taken them to talk about their issues today).
Appendix E - Demographic Questionnaire

**Gender:** Male [ ] Female [ ]

**Marital Status:**
- Single [ ]
- Married [ ]
- De facto [ ]
- Separated or Divorced [ ]
- Widowed [ ]

**People who you reside with:**
- Your children [ ]
- Your partner’s children [ ]
- Children of this partnership [ ]

**Accommodation - Where are you currently living:**
- House or apartment you own [ ]
- House or apartment you rent [ ]
- Someone else’s house/apartment [ ]
- In a shelter/emergency housing [ ]
- In a halfway house [ ]
- No fixed place of address [ ]
- Other household location (caravan park/boarding house) [ ]

**Highest education level completed:**
- Never went to school [ ]
- Completed year 10 or less [ ]
- Completed Tafe [ ]
- Completed University or higher degree [ ]

**Your employment status:**
- Full time [ ]
- Part time/casual [ ]
- Full-time Homemaker [ ]
- Self employed [ ]
- Full time Education [ ]
- Retired [ ]
- Unemployed and looking for work [ ]
- Unemployed and not looking for work [ ]
- Have a job but due to illness/leave/strike/disability [ ]

**Income:**
- 0- $20,000 [ ]
- $41,000- $60,000 [ ]
- $21,000- $40,000 [ ]
- $61,000 + [ ]