

# MANAGING CULTURAL DIVERSITY: THE NSW EXPERIENCE

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THE YOUNG PEOPLE IN JUVENILE JUSTICE CENTRES (DETENTION CENTRES) in New South Wales come from over 60 ethnic and cultural backgrounds. These young people have a range of social traditions, personal histories, customs, cultural values and religious beliefs and practices. Many of them came to Australia from their countries of birth while others were born in Australia.

The ethnic and cultural composition of young people detained in juvenile justice centres in New South Wales reflects the multi-cultural diversity of the New South Wales population. This diversity poses significant challenges for the effective and culturally appropriate management of all young people who are detained in any of the nine juvenile justice centres in New South Wales.

The Department of Juvenile Justice recognises and respects the right of each young person to a personal and cultural identity and is committed to supporting the cultural identity of every young person during his or her time in a juvenile justice centre.

This paper profiles the ethnic and cultural backgrounds of young people who were in detention during the period 1 January 1991 to 31 May 1993 and focusses on the challenges and opportunities for the Department of Juvenile Justice in the effective and culturally appropriate management of one particular ethnic group: young Australians of Indo-Chinese origins. This group is appearing with increasing frequency in juvenile justice centres.

The data for this paper is taken from the Client Information System which records the ethnic/cultural background of young people in detention. Information on the Client Information System is compiled from the admission form which is completed when a young person is first admitted to a juvenile justice centre. The admission form includes a section on ethnic/cultural background. The young person's self-identification of ethnic/cultural background/nationality is entered on the admission form.

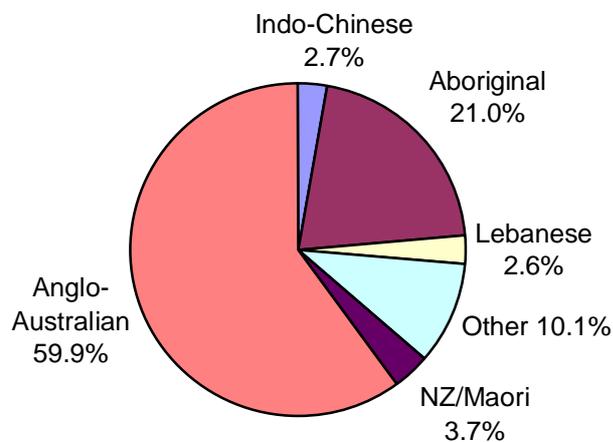
## Profile of Ethnic/cultural Background of Young People in Juvenile Justice Centres

### *Ethnic/cultural Background*

Figure 1 indicates the ethnic/cultural background of young people in juvenile justice centres in New South Wales for the period 1 January 1991 to 31 May 1993. The largest proportion of young people in custody over the 2½ year period was Anglo-Australians (60 per cent), followed by Aboriginal people (21 per cent), New Zealanders/Maoris<sup>1</sup> (3.7 per cent), Indo-Chinese (2.7 per cent), and Lebanese (2.6 per cent). Other ethnic/cultural groups comprised 10.1 per cent of young people in custody during the 30-month period.

*Figure 1*

### Percentage of Ethnicity/cultural Background Children in NSW Juvenile Justice Centres (1 January 1991 to 31 May 1993)



Source: Client Information System

The percentage of Aboriginal young people in detention remained relatively stable during the 2½ year period, at between 20 to 22.5 per cent of the total juvenile justice centre population. Needless to say, Aboriginal young people are grossly over-represented in New South Wales juvenile justice centres compared to their proportion of the overall NSW population aged

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<sup>1</sup>. The Client Information System contains two entries for people from New Zealand: Maori and New Zealander. In this paper, these two entries have been combined into one category.

between 10 and 18 years (1.8 per cent at the 1986 Census; 1991 Census figures not yet available).

There has been a decrease in the percentage of Anglo-Australians in juvenile justice centres since 1992: from 61.6 per cent in 1992 to 54.6 per cent at 31 May 1993. In actual numbers, the decrease has been from 3 773 in 1992 to 1 262 at the end of May 1993.

The variations in the percentage of Lebanese, New Zealanders/Maoris and other ethnic and cultural groups in juvenile justice centres for 1991, 1992 and the first five months of 1993 have been minor. However, there has been a significant increase in the percentage of Indo-Chinese young people in juvenile justice centres: from 1.6 per cent in 1991 to 6.2 per cent at 31 May 1993. In actual numbers, the increase of Indo-Chinese young people in detention is from 87 in 1991 to 148 in 1992 (an increase of 70 per cent). As at the end of May 1993, the number of Indo-Chinese detainees (144) almost equalled the previous year's *total* figure. We may speculate that if the remainder of 1993 continues the trend of the first five months, then some 340 to 350 Indo-Chinese young people will pass through NSW juvenile justice centres before the year ends.

While it may be interesting to speculate on the reasons for the increasing number of Indo-Chinese young people in juvenile justice centres in New South Wales (for example, police targeting particular areas and specific types of criminal activity), it would be useful to describe the general characteristics of the detainee population before focusing specifically on Indo-Chinese young people in juvenile justice centres.

### *Gender*

Figure 2 presents the ethnic/cultural background of young people in juvenile justice centres by gender for the period surveyed. Males comprise over 80 per cent of detainees for each ethnic/cultural group, with Lebanese and Indo-Chinese representing the highest proportion of males in detention: 95.5 per cent and 95 per cent respectively.

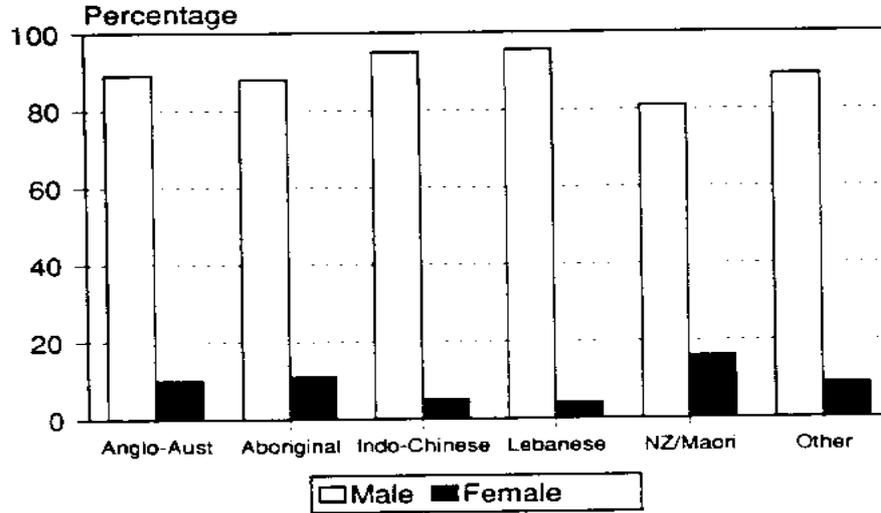
Females comprise more than one in ten detainees for New Zealanders/Maoris (15.7 per cent), Aboriginal youth (11.7 per cent) and Anglo-Australians (10.7 per cent). Lebanese and Indo-Chinese females in detention represent 4.5 per cent and 5 per cent of the relevant populations.

### *Age*

Over 60 per cent of the young people in detention are 16 years and older. This is the case for each ethnic/cultural group, with the percentage of Lebanese and Anglo-Australian young people in detention over the age of 16 years being 77.9 per cent and 74.3 per cent respectively. The highest percentage of young people in the 10 to 15 year age group appear amongst Aboriginal people (37.1 per cent) followed by Indo-Chinese (30.3 per cent) and New Zealanders/Maoris (30.1 per cent).

Figure 2

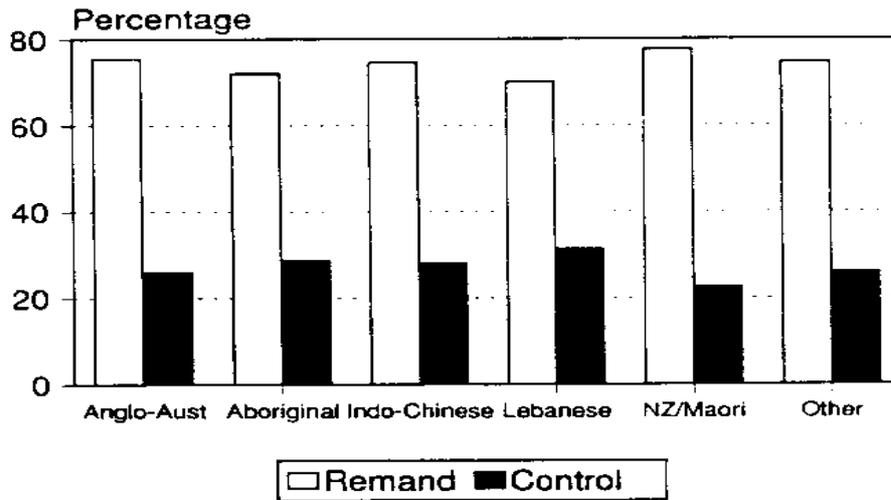
**Gender by Ethnicity/cultural Background - Children in Juvenile Justice Centres  
(1 January 1991 to 31 May 1993)**



Source: Client Information System

Figure 3

**Status by Ethnicity/cultural Background - Children in Juvenile Justice Centres  
(1 January 1991 to 31 May 1993)**



Source: Client Information System

### *Status*

Figure 3 shows the ethnic/cultural background of young people in juvenile justice centres by status (that is, whether they are on remand or control) for the period 1 January 1991 to 31 May 1993. Over 65 per cent of young people in detention for the 2½ year period were on remand. Of the New Zealanders/Maoris in detention during this period, 77.6 per cent were on remand—the highest percentage of any ethnic/cultural group—and, conversely, New Zealanders/Maoris represented the lowest percentage of those on control orders (22.4 per cent). Young people of Lebanese background represented the highest percentage of control orders (31.3 per cent), followed by Aboriginal youth (28.7 per cent) and Indo-Chinese (28 per cent).

The data on the general characteristics of young people in juvenile justice centres reveal that, as a percentage of their ethnic/cultural group, there are more Lebanese males, more Lebanese over the age of 16 years, and more Lebanese on control orders than any other ethnic/cultural group in juvenile justice centres in New South Wales.

The preparation of this paper has provided a unique opportunity for the Department of Juvenile Justice to examine the ethnic/cultural background of young people in juvenile justice centres. In light of the above findings, there needs to be a critical assessment of the ways in which each juvenile justice centre provides cultural support for every young person in its care. However, because the Department of Juvenile Justice has experienced a significant increase in the number of Indo-Chinese young people in juvenile justice centres over the past 2½ years, this paper will focus on this particular ethnic group.

### **Indo-Chinese Young People in Juvenile Justice Centres**

This section of the paper presents a profile of Indo-Chinese young people detained in juvenile justice centres in New South Wales for the period 1 January 1991 to 31 May 1993. The term "Indo-Chinese" applies to people whose ethnic/cultural background is either Vietnamese, Laotian or Cambodian.

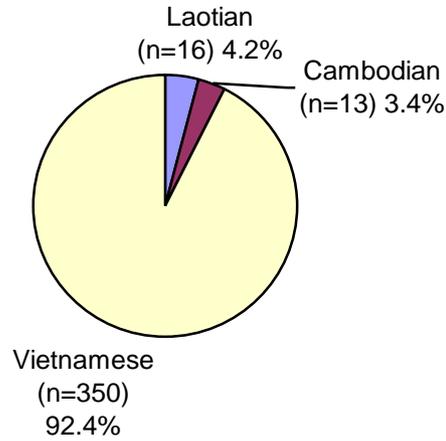
Figure 4 presents the percentage breakdown of Indo-Chinese young people in juvenile justice centres over the 2½ year period. Figure 6 shows that 92.3 per cent of the 379 Indo-Chinese young people in detention were Vietnamese, 4.2 per cent were Laotian and 3.4 per cent were Cambodian.

Between 1991 and 1992 there was a significant increase in the number of Vietnamese youth in juvenile justice centres: from 75 in 1991 to 140 in 1992, an increase of 86.7 per cent. For the first five months of 1993, the number of Vietnamese youth in juvenile justice centres nearly equalled the total number of Vietnamese in detention for the whole of 1992: 135 compared to 140.

The number of Cambodians in detention has decreased: from 11 in 1991 to zero for the first five months of 1993. The number of Laotians in detention has increased: from 1 in 1991 to 9 for the period to May 1993.

Figure 4

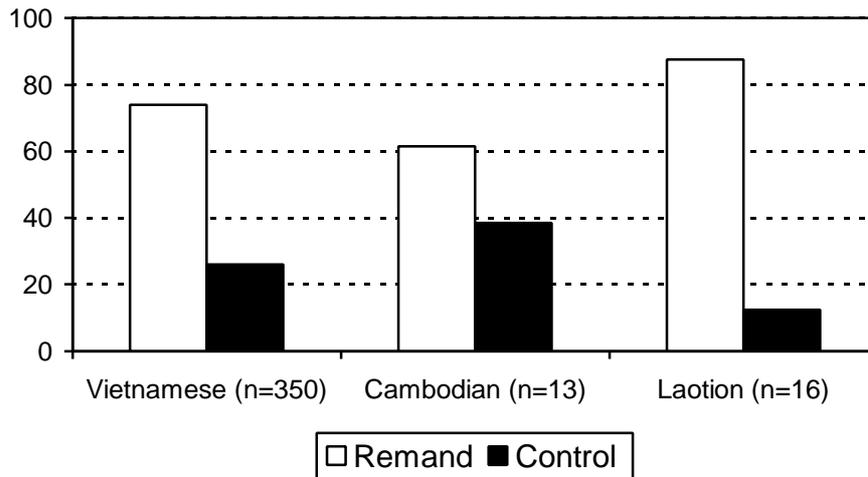
**Percentage Breakdown of Indo-Chinese Children in NSW Juvenile Justice Centres (1 January 1991 to 31 May 1993)**



Source: Client Information System

Figure 5

**Status of Indo-Chinese Children in Juvenile Justice Centres (1 January 1991 to 31 May 1993)**



Source: Client Information System

### *Status*

Figure 5 shows the status of Indo-Chinese young people in juvenile justice centres for the period 1 January 1991 to 31 May 1993. Figure 5 shows that 87.5 per cent of Laotians were on remand compared to 74 per cent of Vietnamese and 61.5 per cent of Cambodians. Conversely, 38.5 per cent of Cambodians, 26 per cent of Vietnamese and 12.5 per cent of Laotians were on control orders. It should be remembered that the actual number of Laotians and Cambodians in juvenile justice centres was small: 16 and 13 respectively. Of the 350 Vietnamese young people in custody during the period, 259 were on remand and 91 were on control orders.

While the percentage of remandees is significantly higher than those on control orders, it should be remembered that the data covers a 2½ year period. If a snapshot of those in juvenile justice centres was taken on a particular day, then the number on remand would be less than the number on control orders. This is because the flow of young people on remand through juvenile justice centres is far greater than the flow of young people on control.

### *Gender*

All of the 13 Cambodians in detention were male, while 95.1 per cent of Vietnamese youth and 87.5 per cent of Laotian young people were male.

Over the 2½ year period the number of Indo-Chinese young women in juvenile justice centres increased from two in 1991, to six in 1992, to eleven at 31 May 1993 (an increase of 450 per cent between 1991 and 1993). The Department of Juvenile Justice is closely monitoring the increasing number of Indo-Chinese young women in detention.

### *Age*

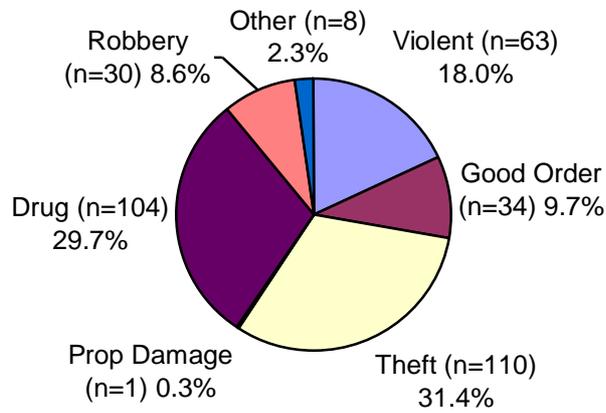
While over 70 per cent of Cambodians and Vietnamese in detention were 16 years and older, only 56.3 per cent of Laotians were in this age group. Almost half of the Laotians (43.7 per cent) were aged between 10 and 15 years.

### *Offence Profile*

Figures 6a, 6b and 6c present an offence profile for Indo-Chinese young people in juvenile justice centres for the period examined.

Figure 6a

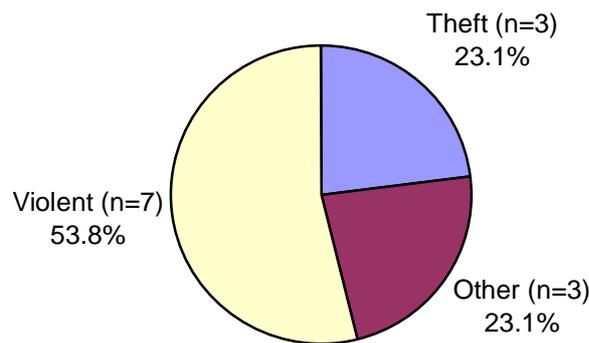
**Offence Profile for Vietnamese Children in NSW Juvenile Justice Centres  
(1 January 1991 to 31 May 1993)**



Source: Client Information System

Figure 6b

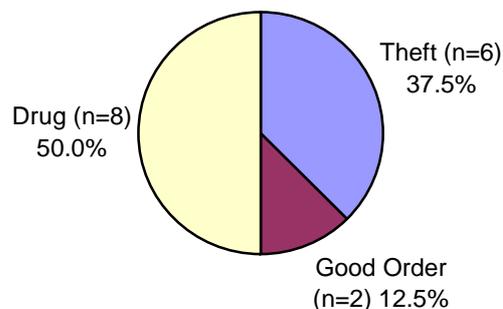
**Offence Profile for Cambodian Children in NSW Juvenile Justice Centres  
(1 January 1991 to 31 May 1993)**



Source: Client Information System

Figure 6c

**Offence Profile for Laotian Children in NSW Juvenile Justice Centres  
(1 January 1991 to 31 May 1993)**



Source: Client Information System

Figure 6a shows that 31.4 per cent of the offences for which Vietnamese young people were in juvenile justice centres were theft offences, 29.7 per cent were drug offences, and 18 per cent were violent offences.

Figure 6b shows that 53.8 per cent of the offences for which Cambodian young people were in juvenile justice centres were violent offences and 23.1 per cent were theft offences.

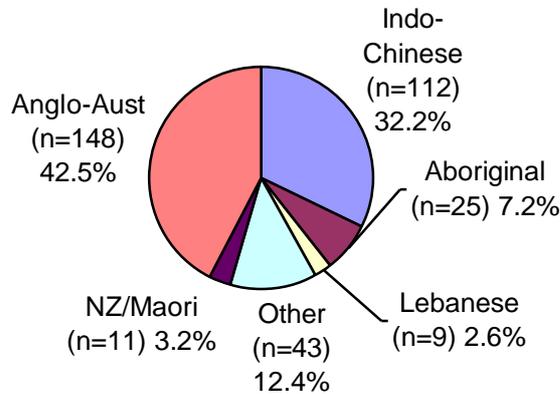
Figure 6c shows that precisely half of the offences for which Laotian young people were in juvenile justice centres were drug offences and 37.5 per cent theft offences.

A comparison of the offence profile of these three ethnic groups reveals the following:

- Cambodians, to date, have no recorded principal offence for robbery, property damage, good order/justice and drug offences;
- Laotians have no recorded principal offence for violent robbery and property damage offences; and
- Laotians had a higher percentage of drug offences than both Vietnamese and Cambodian young people.

Figure 7

**Drug Offences by Ethnicity/cultural Background in NSW Juvenile Justice Centres (1 January 1991 to 31 May 1993)**



Source: Client Information System

*Drug Offences*

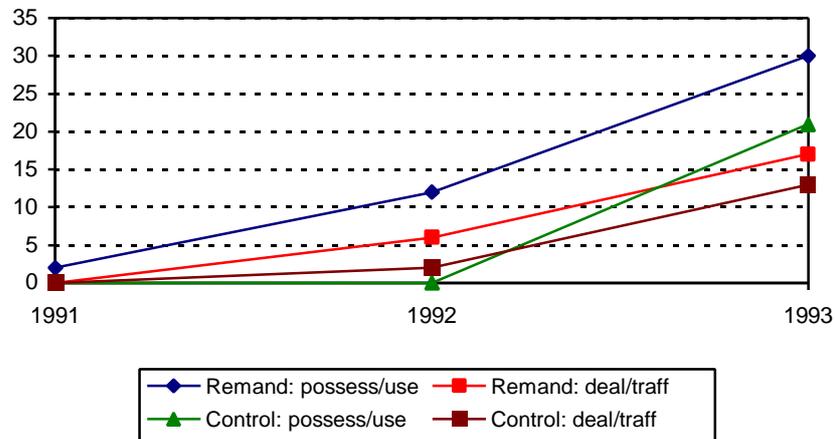
Figure 7 profiles drug offences by the ethnic/cultural background of young people in juvenile justice centres during the period 1 January 1991 to 31 May 1993. Anglo-Australians comprised 42.5 per cent and Indo-Chinese 32.2 per cent of all drug offenders placed in custody. Given that Vietnamese young people comprised only 2.4 per cent of the juvenile justice centre population between 1 January 1991 and 31 May 1993, but comprised 32.2 per cent of all drug offenders in custody, it is worth examining the general nature of the drug offences of Vietnamese young people in detention.

Figure 8 presents the drug offences and status of Vietnamese young people in juvenile justice centres for the 30-month period. Figure 8 shows the significant increase in the number of Vietnamese on remand for possess/use drugs (from 2 in 1991 to 30 at 31 May 1993) and the significant increase in those on control orders (from zero in 1991 and 1992 to 21 at 31 May 1993).

While the drug offences of Vietnamese young people in juvenile justice centres are primarily possess/use drugs, there has also been an increase in the number of Vietnamese young people placed in custody for dealing/trafficking drugs. Figure 8 shows that in 1991 no Vietnamese young person was placed on remand for dealing drugs, yet in the first five months of 1993, 17 Vietnamese juveniles were placed on remand for dealing/trafficking. So far in 1993 there have been thirteen Vietnamese on control orders for dealing/trafficking, whereas for the whole of 1991 there were none.

Figure 8

**Drug Offences for Vietnamese Children in Juvenile Justice Centres by Status and Year (1 January 1991 to 31 May 1993)**



Source: Client Information System

Significantly, while the average length of time in juvenile justice centres for young people on control orders is 5.5 months, the average length of time for Indo-Chinese young people is 16.3 months, which is a good indicator of the serious nature of their offending.

The discussion so far has revealed that:

- there has been a rapid and significant increase in the number of Indo-Chinese young people in juvenile justice centres during the period 1 January 1991 to 31 May 1993;
- the Indo-Chinese population of juvenile justice centres is comprised largely of Vietnamese young people;
- drug related offences feature prominently in the offence profiles of Vietnamese young people in detention; and,
- the average length of time in detention is significantly higher for Indo-Chinese young people, than for the general population of juvenile detainees.

## **Initiatives for Indo-Chinese Australian Young People**

The rapid and significant increase in the number of Indo-Chinese young people in NSW juvenile justice centres poses a challenge for the effective and culturally appropriate management of these young people.

Furthermore, many of these young people and their parents and families came to Australia as refugees, many have a Buddhist rather than Christian background, and their primary language is either Vietnamese, Khmer or Laotian. In addition, few staff in juvenile justice centres have an understanding of the language, culture and traditions of these young people, nor of the issues Indo-Chinese young people face in Australian society.

The Department of Juvenile Justice needs to respond in a flexible, innovative and meaningful way to this client group. Issues which the Department has to consider include:

- the offence profile of Indo-Chinese young people, particularly the large number of drug related offences;
- the longer time, on average, that Indo-Chinese young people will be in detention;
- the appropriateness of western models of counselling and treatment for Indo-Chinese young people;
- the involvement of the families of Indo-Chinese young people where there is a conflict of values between parents and children, where authority and respect for elders is important, and where family relationships may be impaired or severed; and,
- the social and cultural values of the young people.

The following focuses on the initiatives which the Department of Juvenile Justice has taken to date, to respond to its Indo-Chinese clients.

### *Survey*

In order to learn more of the nature of the problem, the Department of Juvenile Justice conducted a detailed survey of Indo-Chinese young people in custody to ascertain each person's views on the adequacy of existing service provision, gaps in service delivery, the attitude of staff to them, and their treatment by staff. The Department also conducted three focus group discussions with Indo-Chinese Australian young people in detention, to further explore the issues raised in the survey. Both the survey and focus group discussion were conducted by Vietnamese people.

While the results of the survey are currently being analysed, this innovative approach will probably provide valuable information for the culturally appropriate management of Indo-Chinese young people in custody.

### *Employment and Training*

One key way of providing effective and appropriate management for Indo-Chinese young people in custody is through the employment of Indo-Chinese people in juvenile justice centres. The Department is currently examining strategies to increase the employment of Indo-Chinese Australians in juvenile justice centres. It is also examining the most suitable role for these people. Currently, there is one permanent Vietnamese senior youth worker, two casual Vietnamese youth workers and a Cambodian clerical officer.

A second key to good management is to provide education and training for current staff on Indo-Chinese languages, cultures and traditions. Mt Penang juvenile justice centre has developed a pilot program on Vietnamese language, culture and traditions. The program includes Vietnamese language classes for two hours per week for ten weeks with staff learning basic language skills to assist their communication with Vietnamese residents.

Yasmar Juvenile Justice Centre conducted a seminar for Department of Juvenile Justice staff in May 1993 on Indo-Chinese young offenders. The seminar dealt with topics such as Indo-Chinese culture, street work with Indo-Chinese youth, working with Indo-Chinese families at risk, Indo-Chinese crime, and prevention and management of Indo-Chinese young people in juvenile justice centres.

### *Culture and Language Classes*

In recognition of the right of each young person to his or her cultural identity, the Department of Juvenile Justice has initiated Vietnamese language and culture classes for Indo-Chinese residents of NSW juvenile justice centres. These classes include:

- preparation and consumption of Vietnamese food;
- development of oral and written Vietnamese language skills; and,
- information on Vietnamese history, culture and traditions.

### *Education*

In addition to Indo-Chinese young people participating in generalist educational and vocational programs offered in juvenile justice centres, the Department of Juvenile Justice, in conjunction with the Department of School Education, provides classes in English as a Second Language to improve both written and verbal communication skills for detainees from a non-English speaking background.

### *Community Support*

The Department of Juvenile Justice encourages Indo-Chinese community organisations and, in particular, specialist community workers, to visit

juvenile justice centres to provide support to Indo-Chinese young people in detention.

### *Proposed Initiatives*

The Department of Juvenile Justice is in the process of developing two specific initiatives for Indo-Chinese young people: a pilot interpreter services program and a Vietnamese Australian program.

The aim of the proposed pilot interpreter services program is to provide every Indo-Chinese detained in selected juvenile justice centres with access to a qualified interpreter service through on-site visits by qualified interpreters and/or use of the Commonwealth Government's Telephone Interpreter Service. The pilot interpreter services program is being developed on the basis of the interim results of the survey of Indo-Chinese Australian detainees.

The aim of the Vietnamese-Australian Program is to provide a comprehensive program for the rehabilitation of juvenile offenders from a Vietnamese-Australian background, who have been granted leave from a juvenile justice centre or placed on a court order requiring the supervision of the Department of Juvenile Justice.

The program will involve individual counselling, group-work, supervision and vocational components as well as family counselling, pre-release preparation for parents and a parent support group. The Vietnamese Australian Program is being developed in consultation with the relevant Indo-Chinese agencies in the Cabramatta area.

### **Conclusion**

The rapid and significant increase in the number of Indo-Chinese Australian young people in juvenile justice centres in New South Wales provides an opportunity for the Department of Juvenile Justice to develop innovative and culturally appropriate responses to the needs of these young people which can become models of best practice.

The rapid and significant increase in the number of Indo-Chinese detainees tests the capacity of the Office to respond creatively, with flexibility, and quickly to an emerging trend. While the Office has taken some initiatives to meet the needs of Indo-Chinese young people in its care, further research, consultation and program development is necessary. However, the challenge for the Office of Juvenile Justice is not only to respond to Indo-Chinese Australians in its care but also to the multi-cultural diversity of the whole juvenile justice centre population.