

Improving Aboriginal adult literacy rates: What potential does the ‘Yes, I Can!’ Adult literacy campaign have for reducing offending and improving interactions with the criminal justice system in NSW Aboriginal communities?

Jenny Wise
Ray Nickson
Bridget Harris
Bob Boughton
Jack Beetson

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For further information contact:

Dr Jenny Wise

Senior Lecturer Criminology

School of Behavioural, Cognitive and Social Sciences

University of New England

Jwise7@une.edu.au

CONFLICT OF INTEREST

The research team would like to acknowledge that there were several conflicts of interest issues throughout the project. First, two of the researchers in this study, Adjunct Professor Jack Beetson and Associate Professor Bob Boughton are both closely connected to the 'Yes, I Can!' literacy campaign. Beetson is Executive Director of the Literacy for Life Foundation, and he is an Ngemba Aboriginal man with strong kinship connections with several of the families directly involved with the campaign in the pilot site. Boughton has been conducting an action-research evaluation of the campaign since it commenced in Wilcannia. Additionally, he was the Project Manager for the Wilcannia pilot.

Second, one of the interviewees for this study, the Literacy for Life National Campaign Manager is married to Dr Boughton. The Literacy for Life National Campaign Manager was interviewed for this study because of her role as the national campaign coordinator for the Literacy for Life Foundation. Beetson, Boughton and Durnan have been working in Aboriginal adult education as researchers and practitioners since 1993, and have undertaken projects directly relevant to this study (e.g. Boughton, Durnan & FIAEP 1997) Finally, both Boughton and Beetson were living and working on-site for a significant amount of the time the campaign operated in Bourke and Enngonia, participating directly in activities including staff training sessions, meetings with local organisations, campaign classes, and graduations. They have also been joint authors (including with Durnan) of several published and unpublished evaluation study reports submitted to government and private campaign funders (e.g. Boughton & Durnan 2014a, 2014b; Boughton et al. 2014).

To avoid any perceptions of bias or conflict of interest, all the interviews and the initial thematic analysis of the interview data was managed by the three co-researchers from the discipline of criminology; and Boughton and Beetson did not have access to the identities of informants who chose to remain anonymous. Having Boughton and Beetson on the research team provided a richer and more detailed understanding of the context of the local area and the 'Yes, I Can!' campaign, as they had lived and worked on site during the campaign. Their participation in the project was essential for the success of the research.

Note on terminology

Please note that, while the communities of Bourke and Enngonia may have residents who identify as Torres Strait Islander or, Aboriginal and Torres Strait Islander, that community members and organisations ultimately identify as (and are overwhelmingly) Aboriginal. We have, therefore, been guided by the communities in using the term Aboriginal, as opposed to Aboriginal and Torres Strait Islander or Indigenous Australian, as requested. Elsewhere, where referring to research or data (such as that obtained from BOSCAR), the terminology featured in the source (i.e. Indigenous has been utilised, and generally refers to a grouping of Aboriginal and Torres Strait Islander peoples) has been adhered to.

LIST OF ACRONYMS

ABS	Australian Bureau of Statistics
ACLO	Aboriginal Council for Educational Research
ALS	Aboriginal Legal Service
AVO	Apprehended Violence Order
BOCSAR	Bureau of Crime Statistics and Research
CDJSC	Community Development and Justice Standing Committee
HREOC	Human Rights and Equal Opportunity Commission
HRSCATSIA	House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs
LAC	Local Area Command
LFLF	Literacy for Life Foundation
LGA	Local Government Area
MPRA	Murdi Paaki Regional Assembly
NATSISS	National Aboriginal and Torres Strait Islander Social Survey
OECD	Organisation for Economic Co-Operation and Development
TAFE	Technical and Further Education

EXECUTIVE SUMMARY

Aim

This research addresses the overarching question: What impact has the Literacy for Life Foundation (LFLF) 'Yes, I Can!' adult literacy campaign had on Aboriginal members' encounters with the criminal justice system in the NSW towns of Bourke and Enngonia? 'Yes, I Can!' uses a campaign model to raise the adult literacy rate within a community. It was introduced in Wilcannia in 2012, and extended to Bourke and Enngonia Aboriginal communities in 2013-14, running four different times in Bourke and once in Enngonia. The team identified the following research questions:

1. Has the campaign facilitated improved interactions with officials in the justice system?
2. Has participation in the campaign influenced how community members access legal resources and advocacy?
3. Do informants see any change in the frequency of encounters with the justice system following participation in the campaign?
4. Does participation influence how criminal justice officials respond to individual community members?

Initial, anecdotal evidence, indicated that the 'Yes, I Can!' adult literacy campaign contributed to improving Aboriginal participant experiences of, and interactions with the criminal justice system within Bourke and Enngonia. The team sought to assess what and how this could be observed in regards to: legal issues and advocacy, and contact with police and the courts. Additionally, researchers were interested in investigating if desistance from crime could be attributed to participation within the campaign. A secondary – though important and interrelated field of inquiry – was in regards to social justice outcomes.

Method

This research examined the 'Yes, I Can!' adult literacy campaign as a form of place-based justice reinvestment initiative using both qualitative and quantitative approaches. The project consisted of two rounds of fieldwork in Bourke and Enngonia. Additional data was obtained through an interview with the (LFLF) national campaign coordinator and from published Literacy for Life reports. Throughout the study, interviews were conducted with 22 key informants working as service providers (including the interview with the LFLF national campaign coordinator and the previous Bourke campaign coordinator) or criminal justice system employees within (or previously located in) Bourke and Enngonia. During the second round of fieldwork, community feedback sessions were conducted in both areas to report emerging themes and issues and seek community input into the direction of the research. Court and police data, sourced from the New South Wales Bureau of Crime Statistics and Research (BOCSAR), were also used to provide evidence for the types and level of crime occurring in these two locations.

Results

Overall, the interview results indicate that the 'Yes, I Can!' campaign has impacted positively on the communities of Bourke and Enngonia. Interview participants cited a range of social benefits for individuals in the campaign, such as empowerment, increased self-esteem, greater engagement and interaction with both the wider community and also within family units in terms of engaging and promoting the importance of literacy. Greater opportunities for employment and access to services such as health services were also cited as benefits of the campaign.

The interview data further suggested that the 'Yes, I Can!' campaign impacted how Aboriginal community members interacted with, and, experienced the criminal justice system. Through building self-confidence and facilitating empowerment and community engagement, the campaign has the ability to contribute to reduced engagement with the criminal justice system, and enhanced relationships with criminal justice practitioners. In particular, there was evidence to suggest that the 'Yes, I Can!' campaign was positively enhancing interactions with the criminal justice system in three particular areas; helping to alleviate illegal driving practices; minimising contact with the law for failure to respond to official documentation; and improved interactions with law enforcement officials.

First, there were accounts that suggest a correlation exists between the improved literacy of participants and changes from illegal to legal driving practices. A common theme that emerged from the research was that low literacy levels were a barrier to obtaining a driving license. This frequently resulted in increased contact with the criminal justice system, as those who live in regional, rural and remote locations have limited alternative transport options. Public transport – where it exists – typically has restricted services. Private transport, such as taxi or ride-sharing services are often not available, or expensive. In this context, driving without a license may be viewed as necessary or justifiable, especially when individuals are experienced and comfortable drivers; illegality and potential criminal justice sanctions then, are not necessarily deterrents. Several of the interviewees said that students enrolled in the 'Yes, I Can!' campaign were able to obtain their licence as a result of increased literacy offered through 'Yes, I Can!' and the practical skills taught by the Birrang driving program.

Improved literacy was generally seen as a potential long-term solution for preventing contact with the justice system, especially on charges such as driving without a licence. However, BOCSAR data did not record any evident decline in driving offence rates in the area of Bourke during or after the period of the campaign. Possible reasons for this are discussed in the Report.

Second, participants talked about the ability of 'Yes, I Can!' graduates to be able to understand (or at least seek help when they have received) official communication that when, not responded to, can lead to criminal charges. For

example, participants discussed issues surrounding changes to rental agreements which could not be read (and therefore responded to) and consequently, how this led to violations of the new terms (such as rental increases), and alarmingly, to debt and homelessness. Participants also discussed how offenders were often unable to understand bail conditions and were thus in danger of breaching their conditions and being further progressed by the criminal justice system.

Third, there is some evidence that the campaign has contributed to improved relationships between criminal justice practitioners, and in particular the local police and magistrates, and the Aboriginal community. The research team recognise that while there are other justice reinvestment programs and approaches in the regions that are undoubtedly contributing to these shifts; the 'Yes, I Can!' campaign is believed to be one important part of this movement.

The statistical results found that there continues to be over-representation of Aboriginal and Torres Strait Islander peoples charged and appearing in court for a range of offences, but particularly for crimes against justice procedures and driving offences within these two locations. Moreover, the analysis of quantitative crime and justice data on the study sites accessed through BOSCAR does not reveal any significant change in the period during or since the 'Yes, I Can!' campaign. This may be because:

- a. Insufficient time has elapsed for the impact to flow through into this data; or
- b. The population of campaign participants and/or graduates is not sufficient for behavioural change in this group to be reflected in aggregate statistics for the Local Government Area (LGA); or
- c. Improvement in adult literacy among participants is not in itself and on its own sufficient to bring about significant measurable changes in the community's interactions with the criminal justice system.

The study was therefore not able to draw conclusive links between the literacy gains and other benefits achieved by the 'Yes, I Can!' campaign and any overall reduction in negative criminal justice system encounters in either community. To make such findings, individual participants would need to be tracked in a longitudinal study over several years, and their outcomes compared with a population sample with similar literacy levels.

However, though harder to quantify, the team stress the social justice outcomes that were observed in the course of the research and potential links to offending. Empowerment and growth of confidence were frequently identified as outcomes for participants. These traits could potentially facilitate community engagement and social inclusion and have been related to desistance from crime and improved encounters with and experiences of the criminal justice system elsewhere in the literature.

Conclusion

This project has found that the 'Yes, I Can!' campaign is largely supported by peak agencies in the area. Indeed, some of the main criticisms of the campaign were that it was unable to be a permanent fixture within the community and that it was restricted to a maximum intake of fifteen students at a time, and exclusively to adults. Only two interviewees were uncertain of outcomes associated with the project or critical of the campaign, and this was mainly in regards to the claims that it could reduce contact with the criminal justice system.

The 'Yes, I Can!' campaign offers the Bourke and Enngonia communities an effective place-based justice reinvestment strategy. The participants in this study recognised that although there may not be definitive hard evidence yet that 'Yes, I Can!' is reducing contact with the criminal justice system, it represents and is facilitating social engagement and contributing to changing socioeconomic environments that can contribute to decreased contact with the criminal justice system and improved relationships with criminal justice practitioners.

INTRODUCTION

Aims and objectives

The aim of this project was to examine what impacts an internationally developed mass (or large-scale) adult literacy campaign had on Aboriginal interactions with the criminal justice system in two communities. The literacy campaign, 'Yes, I Can!', was delivered to the Bourke and Enngonia Aboriginal communities between September 2013 and June 2015, where initial indications were that the campaign resulted in improved outcomes in regards to the criminal justice system (e.g. Ray 2014). This research explored these issues by interviewing service providers and justice officials in the region. In the course of this project, the researchers characterised and sought to assess improved outcomes including:

- Decreased – informal and formal – contact with the criminal justice system, which might be observed through reductions in offending and imprisonment rates, and evident through BOSCAR and Australian Bureau of Statistics (ABS) data as well as interviews with police and court staff.
- Enhanced relationships with criminal justice agents; fewer or less hostile or antagonistic interactions; increased positive encounters, such as reflected through collaborative and cooperative engagement and greater respect (including cultural respect) between parties during encounters. Aboriginal-initiated contact and communication with police would also demonstrate increased trust and willingness to connect with officers. This might be noted through interviews primarily with police and court staff and potentially reductions in regards to informal and formal contact with the criminal justice system.

The Report is presented in six sections. First, some brief background is provided on the study communities, and on the mass campaign model which was utilised to raise adult literacy rates. Second, we present the results of a comprehensive review of academic literature, relevant government and other publication documents relevant to the topic. Third, we detail the research questions and the research methods employed to answer them, and discuss some of the methodological issues which arose in the course of the study. Fourth, we present the findings from the interviews and available quantitative data. Fifth, we put forward an analysis of these findings. Sixth, we conclude with a summary of what was achieved, policy implications and suggestions for future research.

Background to 'Yes, I Can!'

The 'Yes, I Can!' adult literacy campaign utilises an internationally developed model for raising adult literacy rates in a population (Boughton & Durnan, 2014a). The Institute for Pedagogy for Latin America and the Caribbean developed the 'Yo! Si Puedo' campaign and by 2016 it had been adopted in thirty countries. Estimations suggest that it has provided ten million people with basic

capabilities in reading and writing (Valdes Abreu 2016). 'Yes, I Can!' was first piloted in Australia in 2012 in Wilcannia; a community in the Murdi Paaki region of north western NSW (Boughton et al. 2013). It was then extended to Bourke and Enngonia (the sites for this study); and has since also been introduced in the communities of Brewarrina, Walgett, Toomelah and Boggabilla. The campaign is led by a national Aboriginal organisation – the Literacy For Life Foundation (LFLF) –, which works in the target communities, in partnership with local Aboriginal organisations (such as the Local Aboriginal Land Council (LALC) and Community Working Party (CWP)).

The 'Yes, I Can!' campaign operates in three phases or stages. The first stage involves mobilising the community; local organisations are asked to support and encourage individuals and families to enrol in the campaign. Local staff conduct a household survey to ascertain interest and the level of need, and to raise awareness of the importance of raising adult literacy levels in the community (Boughton et al. 2013; Boughton & Durnan 2014a). During the second stage, lasting two to three months, participants are helped to complete written and oral exercises through a combination of DVD lessons (watching 64 one-hour long classes) and working with in-class facilitators. The third 'post-literacy' stage runs for a further two to three months, and requires participants to apply the literacy skills they have learnt to real life scenarios such as reading to children, working with computers, preparing resumes, undertaking work experience and attending workshops on community issues (Cullen 2014). On completion of the classes, students become eligible for a scholarship payment (total value \$300; Williamson & Boughton *in press*).

According to LFLF, the campaign focuses on 'helping to build a community culture that values and supports learning' which, according to LFLF, distinguishes it from other literacy programs (LFLF 2015a: 4). Additionally, LFLF asserts that to enhance literacy levels, campaigns need to work collaboratively with local communities (LFLF 2015a: 4). Under the LFLF framework, there are a maximum of fifteen people enrolled in each class, and classes continue to be run sequentially until such time as all the people who want to attend have done so, or until the funding is exhausted. In the case of Enngonia, all those who expressed interest in the campaign did enrol; whereas in Bourke, funding ceased after four intakes, even though greater numbers had expressed an interest in participating.

The above campaigns marked the first time a mass campaign model had been adopted to address low literacy rates in specific regions and populations in Australia. There are stark differences in literacy levels throughout Australian communities; literacy rates among Indigenous Australians are significantly lower than rates among the non-Indigenous population. While no studies specifically measuring literacy levels in Indigenous Australian communities are available, community studies suggest that at least 35 percent of people have minimal English skills, and that this figure increases in rural and remote communities (Boughton 2009; Kral & Schwab 2003).

The LFLF 'Yes, I Can!' campaign does not utilise tests to assess the students initial

and developing literacy. Rather, a method of continuous assessment is used, in which the local staff and the Australian and Cuban advisors map a student's progress informally through class observation and review their work books to ensure students exit with basic reading, writing and learning competence at a level one minimum or level two maximum on the Australian Core Skills Framework (Boughton & Durnan 2014b).

While not originally conceived as a justice reinvestment initiative, evaluations of the campaign to date have included findings which suggest it is producing a justice reinvestment 'dividend' approach (Boughton et al. 2014; Williamson & Boughton *in press*), and as detailed further below, the campaign was strongly supported by Aboriginal community leaders in Bourke who currently lead that community's Justice Reinvestment project.

'Yes, I Can!' in Bourke and Enngonia

The 'Yes, I Can!' campaign ran four classes or intakes in Bourke with 51 graduates, and one in Enngonia with 15 graduates (LFLF 2016a). Table 1 provides details of the start and finish dates in each location. Table 2 provides population data from the two communities and details on outcomes for each cohort.

TABLE1: 'YES, I CAN!' CAMPAIGN KEY DATES IN BOURKE AND ENNGONIA

Location/intake	Start YIC classes	Finish YIC classes	Finish Post Literacy classes
Bourke 1	16/09/13	19/11/13	29/04/14
Bourke 2	25/11/13	1/03/14	16/06/14
Enngonia	16/09/13	19/11/13	29/04/14
Bourke 3	29/04/14	24/07/14	24/09/14
Bourke 4	12/01/15	13/04/15	18/06/15

Sources: Boughton et al. 2014 and LFLF 2015b, 2014

TABLE 2: PARTICIPANTS IN 'YES, I CAN!' CAMPAIGN IN BOURKE AND ENNGONIA

	Bourke 1	Bourke 2	Bourke 3	Bourke 4	Enngonia	Total
Adult Aboriginal population	505				52	557
Low lit @40%	202				21	223
Surveyed	125				48	173
Expressions of interest	40	34	24		24	122
Starters^	16	22	19	13	21	91
Graduates	11	15	17	8	15	66
Retention	68.8%	68.2%	89.5%	61.5%	71.4%	72.5%

^People are considered as *starters* if they attend three or less lessons in the first four weeks. Some of these people attended later campaigns

Sources: Boughton et al. 2014 and LFLF 2015b, 2014

As of January 2017, there are plans to offer another intake in Bourke, if funds can be secured. Graduates from earlier intakes have been trained to work in the campaign as organisers and literacy facilitators (Boughton & Durnan 2014a: 4), providing employment opportunities and also ensuring continued community involvement in the campaign. Some participants withdrew from the classes as a result of issues with police, court and probation/parole problems (Boughton & Durnan 2014a: 13). By the end of the campaign, in these two locations, 66 people had graduated, out of a low literate population estimated at 223 (LFLF 2015b, 2014).

The LFLF (2015a: 5) brochure provides the following 'results snapshot' of the campaign:

FIGURE 1: 'RESULTS SNAPSHOT' OF THE 'YES, I CAN!' CAMPAIGN



According to LFLF (2015a: 5), all adult Aboriginal people in Enngonia are now literate; illiteracy in Bourke has been reduced by a third; and police are seeing a reduction in interactions with the justice system. Other sources have also reported that the campaign has had a positive impact on community members' interactions with the criminal justice system (Ray 2014). The Darling River Commander of NSW Police, for instance, provided the following testimonial which appears on the LFLF website:

Aside from the obvious improved reading and writing skills, many of those involved in the program [Yes, I Can!] have demonstrated a transition from involvement in criminal activity toward positive activities such as championing social justice issues on behalf of other less literate community members ... Two of your graduates are now supporting local Police by attending and providing input into our regular Police Aboriginal Consultative Committee meetings in Bourke LFLF (2016b).

In this vein, one of the Enngonia participants – Hogan Shillingsworth – has also highlighted how criminal justice practitioners have viewed participation in the campaign positively, recalling 'the magistrate gave me a chance. She could see I was trying. I would have gone straight to jail otherwise' (cited in Boughton & Durnan 2014a: 18). Shillingsworth's account suggests that some judicial officers regard participation in the campaign as an indicator of attempted and possible future desistance from crime.

That improved literacy may impact on criminal justice system engagement and outcomes is not a surprising claim: international research has indicated that low

literacy levels correlate to increased encounters with criminal justice officials (Hartley & Horne 2005). Likewise, Australian research suggests that low literacy among Aboriginal Australians has multiple negative impacts on their interaction with the justice system, desistance from crime and reintegration into the community, post-release (Brown et al. 2016; Judicial Commission of NSW 2006). More recently, the *Queensland Parole System Review* (Sofronoff 2016: 109) has recognised that literacy skills can be a barrier to treatment which ‘may not directly influence recidivism’ but certainly ‘undermine correctional intervention’, yet that there are limited programs that cater to persons with limited literacy. As such, the scope of this project was to investigate what impacts the ‘Yes, I Can!’ campaign had on Aboriginal encounters with the criminal justice systems in Bourke and Enngonia.

Bourke and Enngonia as case sites

FIGURE 2: BOURKE LOCAL GOVERNMENT AREA



Source: Google Maps [computer file]

FIGURE 3: BOURKE AND ENNGONIA



Source: Google Maps [computer file]

Bourke and Enngonia are situated within the Murdi Paaki region of western NSW and belong to the same Local Government Area and NSW Police Command region (Darling River LAC). Murdi Paaki occupies more than forty percent of the NSW land mass and encompasses many different Aboriginal nations and language groups which have endured through colonisation and genocidal policies of the Australian government (Murdi Paaki Regional Assembly (MPRA) 2016: 1). The MPRA provides strategic engagement and coordination of national and state service providers to deliver services and programs in priority areas, as determined by local Aboriginal people (MPRA 2015). According to MPRA (2016: 27) the ABS census figures do not capture the accurate number of people within Bourke; and instead estimates that there are 3,053 people within Bourke; 1,150 (37.7%) of whom identify as Aboriginal.

TABLE 3: SUMMARY OF CASE SITES BOURKE AND ENNGONIA

	Bourke	Enngonia
Population (2011)	2,465	210
Indigenous	793 (32.2%)^	56 (26.5%)*
Local government area	41,679km ²	
Local Area Command (LAC)	Darling River LAC	Darling River LAC
Service providers	<ul style="list-style-type: none"> • Aboriginal Legal Service (ALS) • Bourke Aboriginal Community Working Party • Maranguka Just Reinvest NSW • Muda Aboriginal Corporation • MPRA • Police Citizens Youth club (PCYC) • Thiyam-Li Family Violence Service Incorporated • Mission Australia • Aboriginal Affairs • Legal Aid NSW • Bourke Aboriginal Health Service • Nulla Nulla Aboriginal Lands Council • Bourke Shire Council 	<ul style="list-style-type: none"> • <i>Murrawarri Local Aboriginal Land Council</i>
Criminal justice agencies	Bourke Court House New South Wales Police Force	Serviced by Bourke

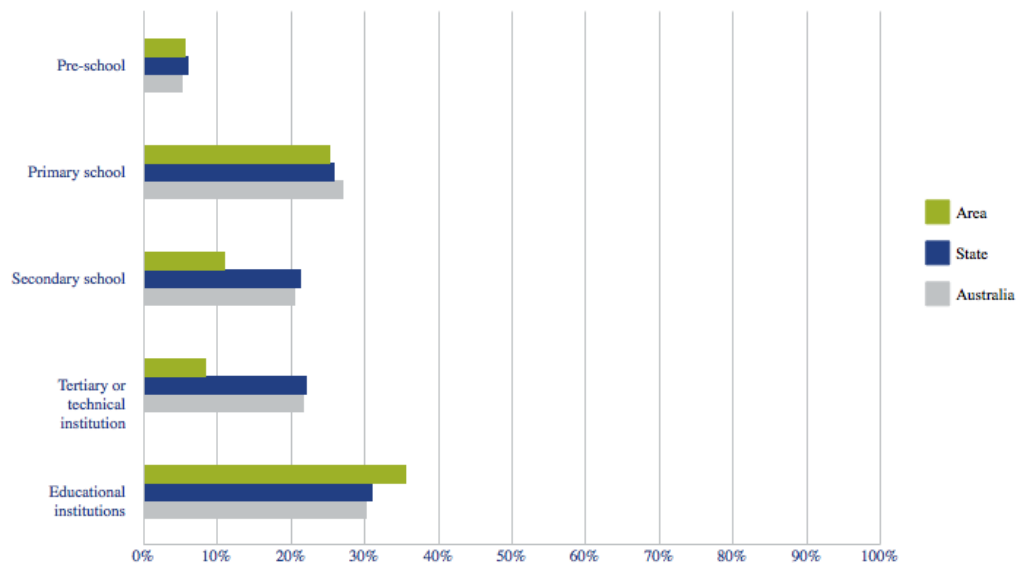
^ Source: ABS 2013a

* Source: ABS 2013b

Literacy levels in Bourke and Enngonia

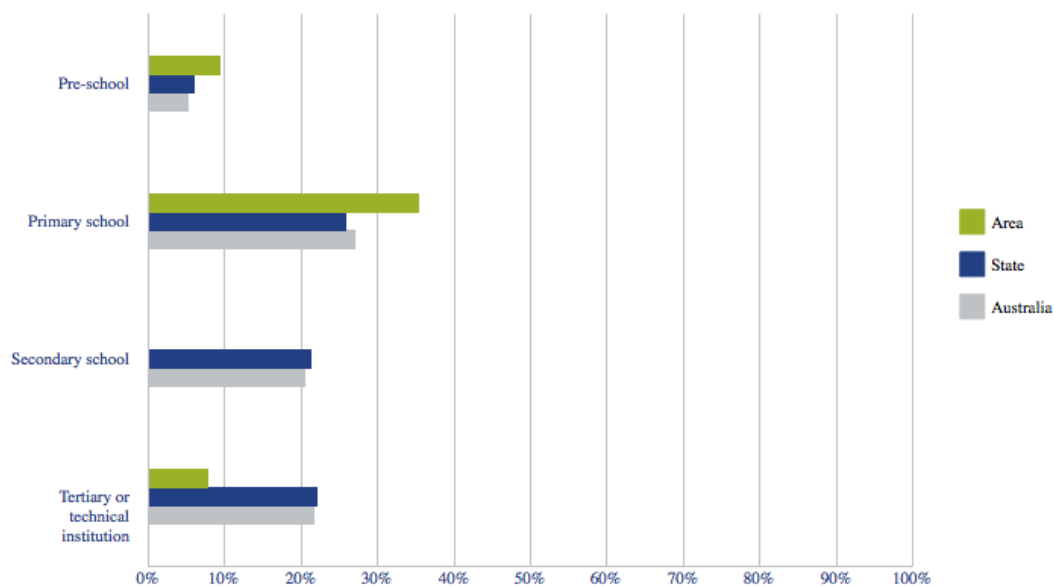
Education levels in Bourke and Enngonia are relatively low. Figure 4 provides further insight into the various levels of education in Bourke, and Figure 5 provides details on education in Enngonia. As both graphs demonstrate, education levels in Bourke and Enngonia are significantly under the State or National levels from secondary school and beyond (note: there is no High School in Enngonia, students from Enngonia attend High School in either Bourke or Dubbo). According to MPRA (2016: 71) of the schools classified as 'very remote', Bourke schools 'consistently received lower levels of funding per student than other schools in the region with the same classification'.

FIGURE 4: EDUCATION LEVELS IN BOURKE



Source: ABS 2013b. *2011 Census QuickStats*, Bourke

FIGURE 5: EDUCATION LEVELS IN ENNGONIA

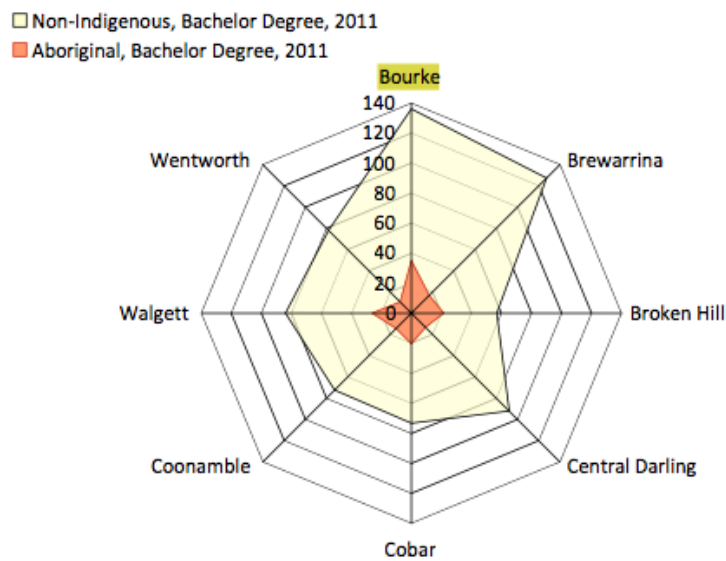


Source: ABS 2013b. *2011 Census QuickStats*, Enngonia

Despite these low figures, Bourke has a higher rate of people with a Bachelor degree than many of the other places in the Murdi Paaki region (see Figure 6; Note however, that according to Aboriginal Affairs NSW, the ABS undercount means that, on average, the Aboriginal population may be about a fifth larger than counted). In contrast, it is very similar to other areas in the Murdi Paaki

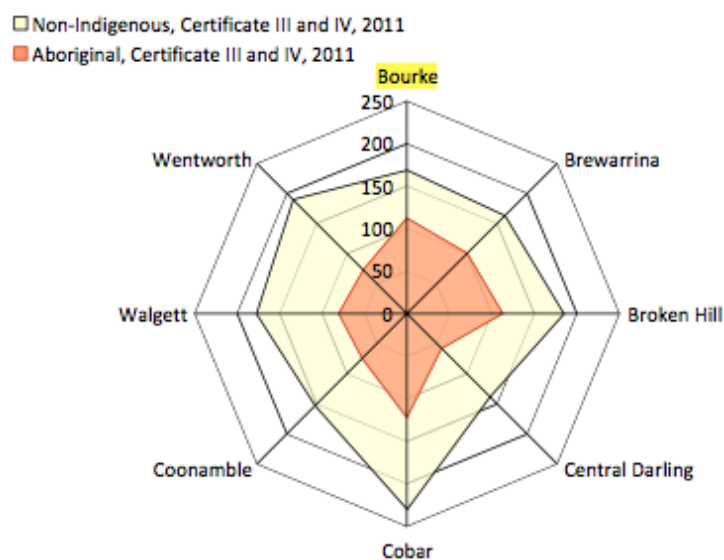
region for vocational qualifications (see Figure 7).

FIGURE 6: NUMBER OF PEOPLE WITH A HIGHER QUALIFICATION, PER 1,000 OF POPULATION AGED 15 YEARS AND OVER, 2011



Source: ABS 2011a Census of Population and Housing

FIGURE 7: NUMBER OF PEOPLE WITH A VOCATIONAL QUALIFICATION, PER 1,000 OF POPULATION AGED 15 YEARS AND OVER, 2011



Source: ABS 2011a Census of Population and Housing

Employment in Bourke and Enngonia

As literacy and crime are both linked to employment issues, it is important to provide an overview of employment options in Bourke and Enngonia. As can be seen from Table 4 and Table 5, unemployment appears to have relatively comparable rates with NSW and Australia, with Enngonia being well below both averages. The unemployment rate in Bourke differs significantly between the Aboriginal and non-Aboriginal populations: data from the ABS (cited in the NSW Department of Education 2013: 20) shows that in 2011 while 59 percent of the non-Aboriginal workforce population in Bourke were employed, only 26 percent of Bourke's Aboriginal workforce population were employed.

TABLE 4: EMPLOYMENT LEVELS IN BOURKE

Employment	Bourke		% New South Wales		%	Australia		%
People who reported being in the labour force, aged 15 years and over								
Worked full-time	715	66.3	2,007,924	60.2		6,367,554	59.7	
Worked part-time	235	21.8	939,465	28.2		3,062,976	28.7	
Away from work	67	6.2	190,944	5.7		627,797	5.9	
Unemployed	62	5.7	196,525	5.9		600,133	5.6	
Total in labour force	1,079	--	3,334,858	--		10,658,460		

Source: ABS 2013a. *2011 Census QuickStats*, Bourke

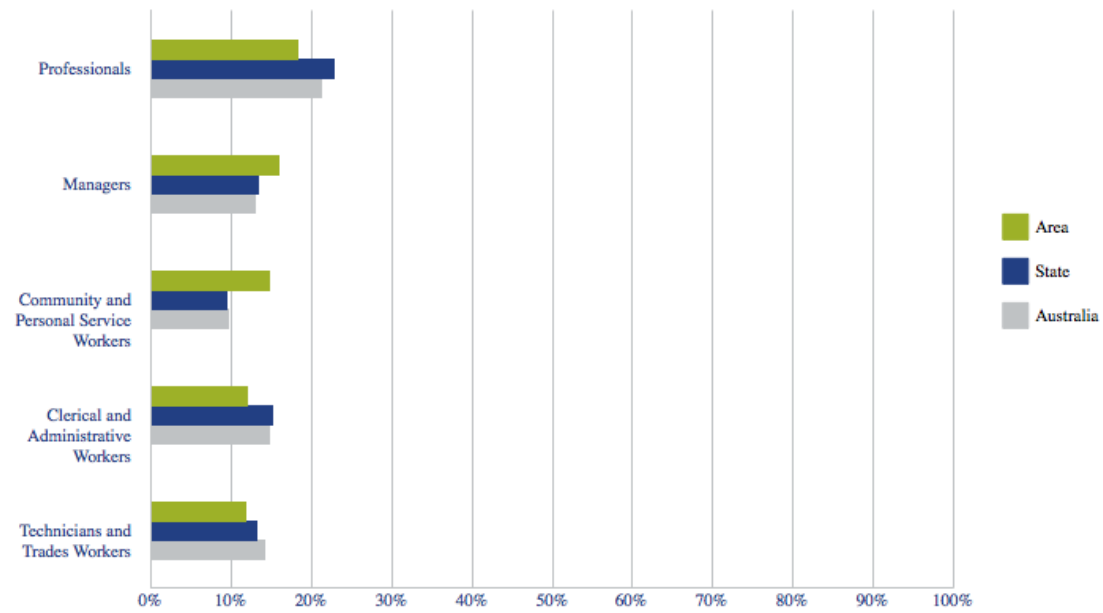
TABLE 5: EMPLOYMENT LEVELS IN ENNGONIA

Employment	Enngonia		% New South Wales		%	Australia		%
People who reported being in the labour force, aged 15 years and over								
Worked full-time	67	74.4	2,007,924	60.2		6,367,554	59.7	
Worked part-time	17	18.9	939,465	28.2		3,062,976	28.7	
Away from work	3	3.3	190,944	5.7		627,797	5.9	
Unemployed	3	3.3	196,525	5.9		600,133	5.6	
Total in labour force	90	--	3,334,858	--		10,658,460		

Source: ABS 2013a. *2011 Census QuickStats*, Enngonia

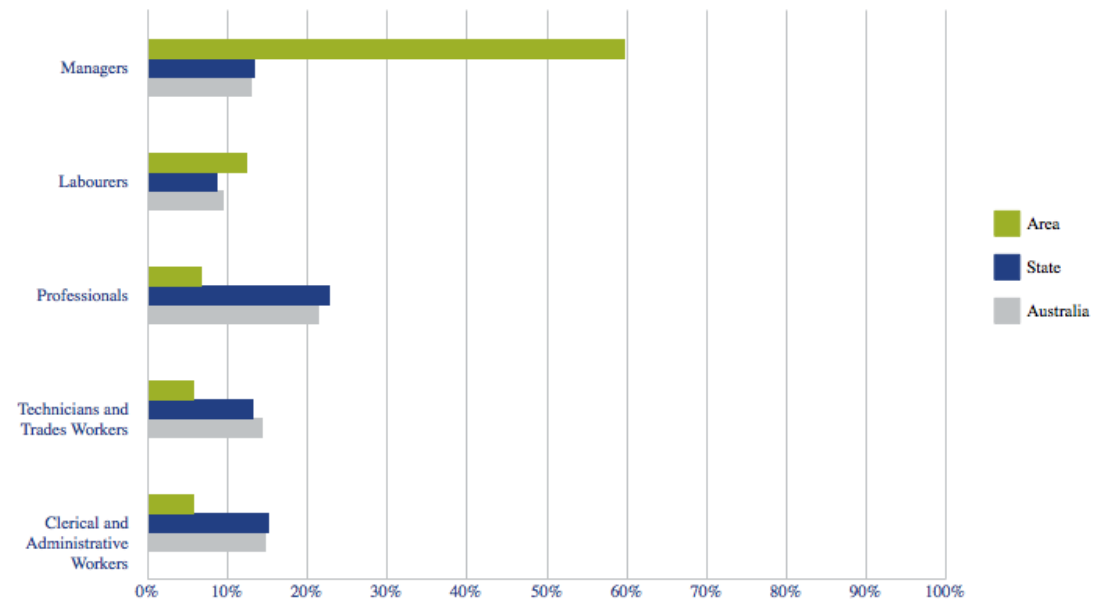
The types of occupations in Bourke (Figure 8) and Enngonia (Figure 9) indicate that there is a high level of community and service providers in Bourke and a lot of managers in Enngonia. These occupations also highlight the need for standard literacy levels and may account for why those with low literacy rates may not be able to find employment.

FIGURE 8: TYPE OF OCCUPATION IN BOURKE



Source: ABS 2013a. *2011 Census QuickStats*, Bourke

FIGURE 9: TYPE OF OCCUPATION IN ENNGONIA

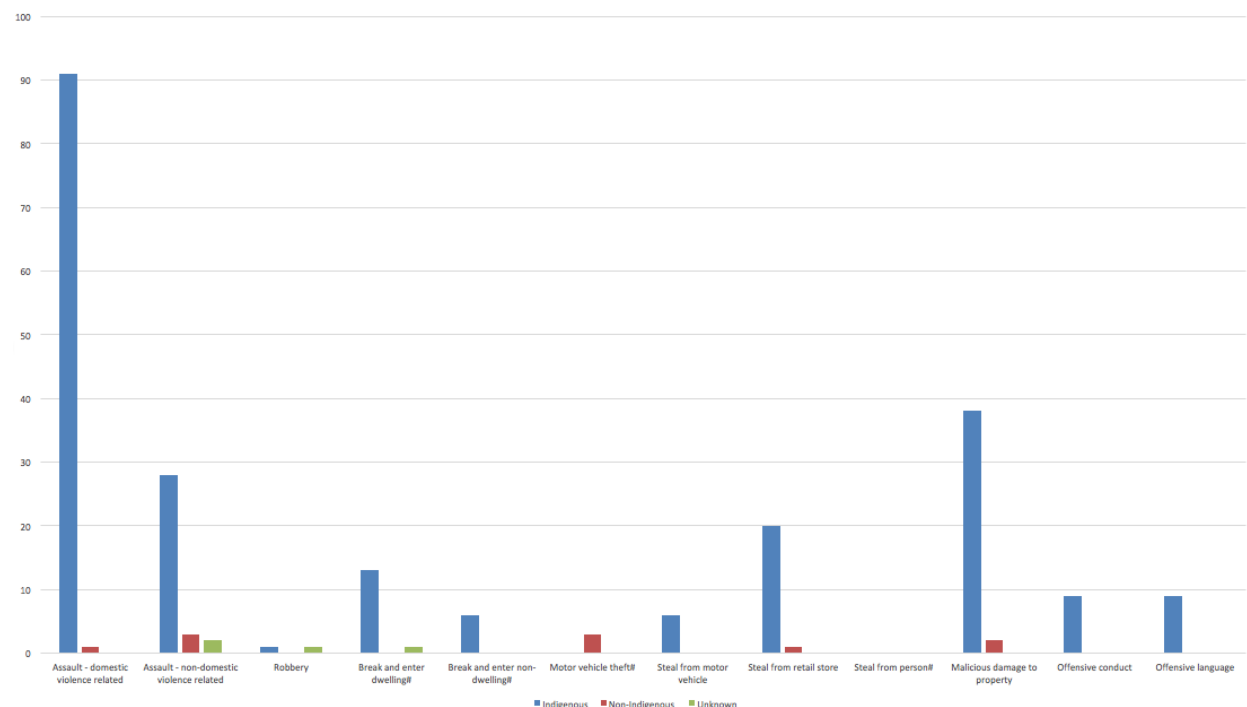


Source: ABS 2013b. *2011 Census QuickStats*, Enngonia

Crime in Bourke and Enngonia

Bourke has appeared in Australian newspapers on several occasions with claims that the 'crime rate of the Darling River town makes it more dangerous per capita than any country in the world' (Olding & Ralston 2013). In 2012, the year before the campaign began in Bourke, the town had the highest ranking incidents for six of the eight major crime categories; with the highest ranking for the following categories: property damage, theft, assault, break-ins and car thefts, breaching bail, trespass, domestic violence and driving offences (Olding & Ralston 2013; Thompson, McGregor & Davies 2016). According to Bourke's then acting crime manager, Sergeant Chris Neaves, crime was opportunistic and primarily committed by disadvantaged youth (Olding & Ralston 2013). In 2016, Bourke still had the highest rate of offences committed by young people in the state (Thompson, McGregor & Davies 2016). The rate of recorded incidents of crime by Indigenous status in Bourke LGA is presented in Figure 10:

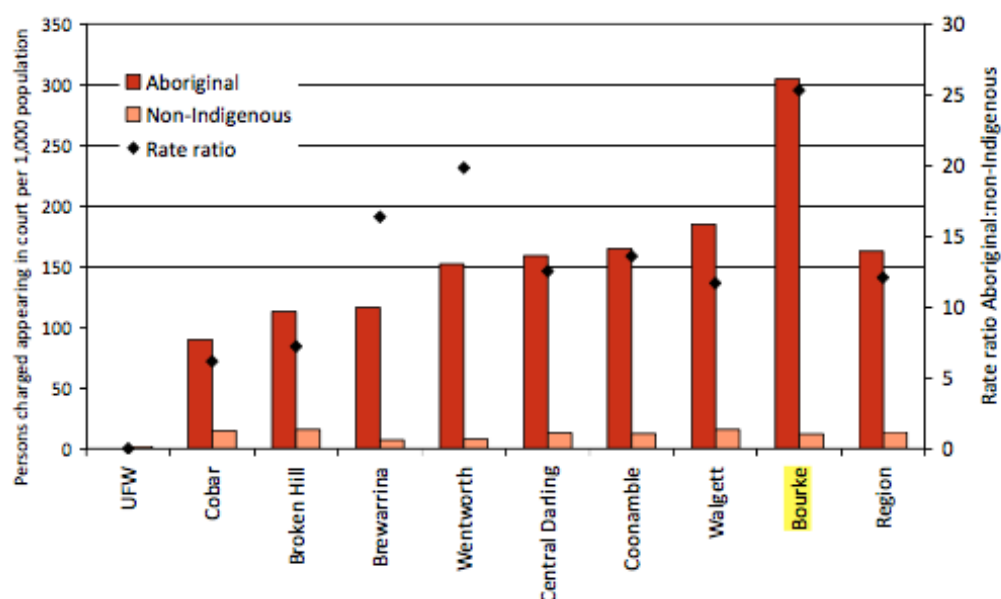
FIGURE 10: INDIGENOUS STATUS OF ALLEGED OFFENDERS PROCEEDED AGAINST BY NSW POLICE IN BOURKE



Source: NSW BOCSAR 2016

As the above data illustrates Aboriginal people in Bourke LGA are significantly over-represented in the criminal justice system. Official records seem to indicate Bourke may have the highest level of Aboriginal people being charged and appearing in court per 1,000 population in the Murdi Paaki region (see Figure 11).

FIGURE 11: ABORIGINAL AND NON-ABORIGINAL PERSONS CHARGED AND APPEARING IN COURT PER 1,000 POPULATION, INCLUDING RATE RATIOS, BY LGA/STATISTICAL LOCAL AREA, MATTERS FINALISED 2013 –14



Source: NSW BOCSAR and ABS Estimated Resident Populations and Populations Projections (cited in MPRA 2016: 64)

As discussed in the literature review, Aboriginal people in Bourke, have in the past, experienced over-policing which will impact on the crime statistics being recorded and any comparisons that can be made with NSW as a whole (on the connection between over-policing and inflated crime rates see: Boivin & Cordeau 2011; Weatherburn 2011). As such, caution is needed when interpreting these statistics. A more detailed analysis of specific crime rates and trends in Bourke and Enngonia are presented in the results section of this report.

Justice reinvestment programs in Bourke and Enngonia

There are a number of 'bottom-up' justice reinvestment programs being offered in Bourke and Enngonia through Just Reinvest NSW, where initiatives grow from, and are developed, by communities at the ground level. Just Reinvest NSW is an independent, non-profit organisation that works with more than 20 organisations across NSW in justice reinvestment areas (Just Reinvest NSW Inc *nd*). In 2012 representatives of the Bourke Aboriginal community approached Just Reinvest NSW 'with the view to developing a justice reinvestment model in Bourke to reduce the involvement of Aboriginal young people in the criminal justice system' (Brown et al. 2016: 134). Just Reinvest NSW has partnered with Maranguka, an Aboriginal community group, to bring the new approaches to Bourke. Aboriginal Legal Service (ALS) solicitor Sarah Hopkins (also Just Reinvest NSW chairwoman) explains justice reinvestment essentially involves 'shifting resources out of the prison system into early intervention and crime prevention and diversion' (cited in Thompson, McGregor & Davies 2016). As earlier noted, the support of the community is essential for the success of justice

programs, and Maranguka's executive director believes that this community commitment in Bourke will ensure these programs are effective in reducing crime in the community (Thompson, McGregor & Davies 2016). Maranguka is also responsible for the supervision of the Bourke Tribal Council, which has developed as a consequence of justice reinvestment initiatives in the area (Brown et al. 2016: 136). In 2013 the Chairperson of the Bourke Aboriginal Community Working Party invited LFLF to undertake the campaign in Bourke and provided a letter of support for the funding application to the Commonwealth.

The justice reinvestment programs include a new 'warrant clinic', which opened in Bourke in 2015 and a new driver-licensing program also offered in 2015. A young person wanted by police for less serious offences can attend the warrant clinic to have their needs – 'mental health, education, and family among others – assessed, rather than a warrant issued for their arrest' (Howden 2015). The clinic can then prepare a plan to help them which can be presented to the local magistrate. According to Sarah Hopkins, young people with warrants for their arrest will often stop accessing services, may reoffend and cut links with family (cited in Howden 2015). The clinic seeks to assist these young people. The expanded driver-licensing programs, run by Just Reinvest NSW aim to help young people gain their licence.

Bourke has the advantage of using a collective impact methodology (Brown et al. 2016: 136). Essentially, this means that the justice reinvestment programs have the support and involvement from a range of sectors within the community, from non-governmental philanthropic organisations to corporate sectors and government agencies. Within Bourke, a significant amount of time (approximately 18 months) was spent building community relationships and developing an approach that was common among the stakeholders and the community (Brown et al. 2016: 137).

LITERATURE REVIEW

A number of studies (discussed below) have found an indirect link between low literacy levels and high rates of negative justice system interactions. Low literacy and low education levels have also been used previously to explain the over-representation of Indigenous Australians throughout the criminal justice system (see AIHW 2013; Community Development and Justice Standing Committee (CDJSC) 2010; House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs (HRSCATSIA) 2011; Putnins 1999). This section analyses the existing literature on Indigenous Australian literacy and Indigenous Australians' engagement with the criminal justice system, as well as past research on the role of literacy in relation to encounters with the criminal justice system more broadly. While there is research suggesting that literacy plays a role in the complex interaction between individuals, communities and the criminal justice system, no study to date has specifically looked at the impact of improving Indigenous Australian adult literacy rates on justice system interactions. Consequently, this study offers an important contribution in understanding the literacy-criminal justice system nexus for Aboriginal people in Australia.

Indigenous Australian adult literacy rates

There is ample evidence to suggest that literacy levels among Indigenous adults in Australia are significantly lower than those in the non-Indigenous population (see, for instance, Putnins 1999). While there has been no national-level attempt to measure literacy levels in Indigenous Australians communities (Boughton 2009), existing studies suggest that at least 35 percent of the Aboriginal adult population have minimal English language literacy (Kral & Schwab 2003; Boughton 2009), with the figure much higher in rural and remote areas. On this issue, LFLF surmises that:

Regardless of whether they live in urban, rural or remote areas, up to 65 percent of Aboriginal people are functionally illiterate in English. Conservative estimates suggest that 40 percent of Aboriginal adults are currently at or below Level One on the Australian Core Skills Framework. The minimum level necessary to succeed in most training, study and employment opportunities is Level Two or Three (LFLF 2015: 3).

Recent research has highlighted that high proportions of Indigenous communities – particularly in remote areas – speak Indigenous languages. In the 2014–15 the ABS *National Aboriginal and Torres Strait Islander Social Survey* (NATSISS) found that, across Australia, approximately two thirds (66%) of Indigenous Australian children living in remote areas spoke an Australian Indigenous language, compared to 26 percent of those living in non-remote areas (ABS 2016a). Furthermore, 38 percent of Indigenous Australians aged 15 years and over spoke an Australian Indigenous language; with 76 percent in remote areas compared to 28 percent in non-remote areas (ABS 2016a). Moreover, even in areas such as Bourke and Enngonia (where there are few speakers left of the

original Aboriginal languages), the home language may be a local dialect of English, sometimes called Aboriginal English, which differs markedly from the General Australian English used in schools (Eades 2013). As such, their confidence and capability in English literacy can be tenuous at best. Ultimately, Indigenous Australians who use languages other than English are frequently disadvantaged by formal education systems. There is a need to understand 'Aboriginal cultural schemas' when providing education to Indigenous Australian communities (Randles & Lauchs 2012: 6).

Research conducted by NATSISS in 2008 found 15 percent of Aboriginal respondents experienced difficulty communicating in English and 24 percent experienced difficulty being understood by English speakers, such as service providers (ABS 2010a). Additionally, low literacy rates have been linked to hearing loss which is 'particularly present in Indigenous communities with over half of Aboriginal and Torres Strait Islander children experiencing some form of hearing loss', with Indigenous Australians hearing loss rates occurring at a rate 10 times that of non-Indigenous Australians (Senate Legal and Constitutional Affairs Committee 2013: 40).

Using ABS data to determine when people have exited schooling, it is apparent that Aboriginal people exit at a much earlier stage than non-Aboriginal persons. For example, in 2015 the retention rate for all students from year seven/eight to year 12 was 84.3 percent (ABS 2016b). During the same period, the overall retention rate to year 12 for ATSI students was below 60 percent (ABS 2016b). There has been change on this front; since the mid-1990s education attainment for Indigenous Australians has slowly improved. For example, between 1994 and 2008 'those completing a minimum of year 10 or basic vocational qualifications increased from 48 percent to 71 percent' (while those who attained a year 12 level of education increased from 16% to 37% in the same period) (ABS 2011b: 1).

Geographic variations can also be observed in regards to literacy rates, with data indicating that remote areas may have lower literacy rates than metropolitan areas (National Assessment Program – Literacy and Numeracy 2016: 64). For example, the data indicates that Indigenous Australians living in a non-remote area are much more likely (28% completed year 12) than those in remote (18%) communities to complete year 12 (ABS 2016c). Using 2006 Organisation for Economic Co-Operation and Development (OECD) Programme for International Student Assessment results, 27 percent of students living in remote parts of Australia and 40 percent of Indigenous Australian students were found to be 'at risk' (Masters 2007: 3), or performing below the OECD 'baseline' of basic literacy and numeracy essential for effective participation in modern society (OECD 2012: 10).

ABS data also shows that education attainment can be affected by gender. In the period 2001 to 2010, 60 percent of Indigenous Australian men and 64 percent of Indigenous Australian women aged between 20–24 years attained year 12 or Certificate II or above (ABS 2016c). Biddle and Meehl's (2016: 11) research

similarly found that Indigenous Australian females significantly outperform Indigenous Australian males in reading; but Indigenous Australian males outperform Indigenous Australian females in maths. Accordingly, Biddle and Meehl (2016: 12) have argued that educational policy programs need to cater to the different educational outcomes of Indigenous Australian men and women.

NSW has the highest Indigenous Australian population within Australia at 31 percent (NSW Ombudsman 2016: 3). The problem of illiteracy and the continuing disadvantage of Aboriginal people in NSW public schools was investigated in the Auditor-General's 2012 Report, *Improving the literacy of Aboriginal students in NSW*. The report found 'no discernible signs of improvement' in literacy test results over the last decade, and a 'significant continuing gap' in literacy for Aboriginal students compared to non-Aboriginal students (NSW Auditor General 2012: 8). In Bourke, research conducted by Vinson et al. (2015) indicated that 21 percent of year nine students tested below the national minimum standard in literacy testing. The completion of school years or education landmarks then, does not signify that students have literacy levels in line with national levels or, adequate levels, as adults, in later life.

Aboriginal over-representation in the criminal justice system

National, state and regional level statistics indicate that Aboriginal people experience very high rates of contact with the criminal justice system as alleged offenders, victims, witnesses, and as people on bail or probation (ABS 2016a; Brown et al. 2016; Cunneen 2001). Regardless, not all data will reflect Indigeneity which may be listed as 'unknown', which means levels of over-representation may have been underestimated (Hunter & Ayyar 2009). Historically, as key inquiries have noted, Indigenous Australian adults have experienced differential policing practices and over-representation throughout the criminal justice system (Australian Human Rights and Equal Opportunity Commission 2003; Cunneen 2001; Johnson 1991).

Police

In seeking to assess how the 'Yes, I Can!' campaign may have impacted on police-community relationships, the researchers acknowledged that there is a wealth of literature which indicates that historically, Indigenous Australian-police relationships have been fraught and that Indigenous Australians have higher levels of contact with the police than non-Indigenous Australians. For example, high levels of police contact and arrest rates were observed in the 2014–15 NATSISS, which found that 'around one in seven (15%) of Aboriginal and Torres Strait Islander people aged 15 years and over had been arrested in the last five years (20% males compared with 9% females)' (ABS 2016d). The likelihood of police contact increased with the geographic remoteness of respondents (ABS 2010a).

As a result of the increased contact between police and Indigenous Australians, there can be problems surrounding the level of trust that Indigenous Australians have with the police and the criminal justice system as a whole. As Cunneen

(2001) outlines, colonial legacies of policing – including police roles in dispossession, protectionist and assimilation policies – have profound impacts on both contemporary perceptions of police and Indigenous Australian-police relationships. Indeed, the policing of Indigenous Australians in different spaces (both private and public) continues to be representative of broader attempts to regulate Indigenous Australians and their resistance to such regulation (Cunneen 2016, 1988).

Highlighting this in a rural context, Hogg and Carrington (2006: 128) describe histories of ‘confrontational policing’ in ‘Aboriginal towns’, manifesting in ‘aggressive forms of street policing’ which they assert ‘almost certainly contributed to the deterioration of relationships between police and policed in these settings’. Although seminal, this research was conducted some time ago. Yet there is more recent research that suggests that, due to historical policing practices and legacies of colonialism, Indigenous Australian-police relationships can be fraught. For example, in the 2008 NATSISS, a large percentage of participants reported that they did not trust the police in their local area, or outside their local area: 26 percent disagreed or strongly disagreed that local police could be trusted; and 29 percent disagreed or strongly disagreed that police outside their local area could be trusted (ABS 2010b). Respondents were, however, more likely to trust police who came from the local area (52%) than those who transferred in (41%).

Undoubtedly, Indigenous Australian mistrust of police cannot be understood outside of the context of historical practices of over-policing Indigenous Australian communities. For example, in 1991, the Royal Commission into Aboriginal Deaths in Custody (Johnston 1991) identified major issues of over-policing, particularly in remote areas, as contributing to negative relationships between the police and Indigenous Australian young people. Almost two decades later, Pilkington (2009) examined the experience of police and Indigenous Australian people living in remote communities in the Northern Territory, and found ongoing tensions between some Indigenous Australian communities and policing practices. Communities who felt that the police were not working very hard were the most dissatisfied, whereas communities that believed the police were working in a ‘way people in the community wanted them to’ were more likely to be trusted (Pilkington 2009: 5). Pilkington (2009: 45) did find evidence of over-policing of traffic offences and intrusive police searches in some communities.

Since the late 1980s there have been criticisms of high policing levels and negative policing-community relationships in Bourke. In 1985 and 1986 there were two riots in Bourke: the Bourke Bowling Club Riot in August 1985 and the Bourke Post Office Riot in August 1986 (Purves 1992: 19). These events have been characterised as ‘race riots’ where ‘all the accused were of Aboriginal descent’ and the damage was to ‘property owned or patronised by “whites”’ (Purves 1992: 21). According to one local Aboriginal man, Chris McGirr, these riots played a large role in the increased level of policing in Bourke:

There used to be about four coppers in Bourke for the whole town. When the meatworks started, blokes started to get V8's and the Shire jumped up and down about loud cars. Next minute they got six cops in here, and then next thing they got nine coppers here. Then they had a couple of riots in Bourke and next minute they had twenty coppers in Bourke and then it went to twenty two and then it went to a full twenty four hour station. That's when the rot started to set in (cited in Cowlshaw 2006: 72).

In Bourke, the 'number of police doubled from 13 to 26 between 1976 and 1986, while the town's population remained stable at a little over 3,000 persons' (Human Rights and Equal Opportunity Commission (HREOC) 1991: 93). This number increased to 30 police officers in 1990. In 1990, this meant there was one police officer per 113 citizens in Bourke, compared to one police officer per 459 citizens in the wider NSW population (HREOC 1991: 92). Currently, Bourke still has a high police-citizen ration, which ALS solicitor, David Pheeney, believes results in a level of over-policing in Bourke whereby crimes are recorded that 'might go unnoticed somewhere else' (cited in Olding & Ralston 2013).

In addition to increased risk of detection, the level of over-policing also impacts on the relationship of Aboriginal community members and the police within Bourke. As Pheeney explains:

They [Bourke police] do approach their job really well but there's always that historical context to the relationship. It goes back to perhaps the removal of children and deaths in custody. There's always that mistrust there, that suspicion. It's an interesting environment, Bourke. It's a hard environment (A solicitor with the ALS, David Pheeney, cited in Olding & Ralston 2013).

In 1991, the HREOC acknowledged 'that 90 percent of Aboriginal people in the area had contact with police and "the contact usually has racist violence overtones"' (1991: 80). According to Cefia (2015: 12–14), statistics often hide the 'habitual encounter with the police that pervades Aboriginal lives and reproduces the social infrastructure'. Although this statement was made in the context of the Northern Territory, it can be equally applied to other areas, such as Bourke and Enngonia, where there have, historically, been problems of police invading 'private' lives of the Indigenous Australian community because of governmental policies moving the 'private' into the public arena (Cunneen 2001). Given the practice of over policing of Indigenous Australian communities in Australia (documented in, for instance, Anscomb 2005; Cunneen 2001; Wright 1999; Wundersitz & Hunter 2005), and particularly in Bourke, it is very important to seek new avenues to improve relationships between communities and policing organisations.

Prisons

According to Putt (cited in Willis 2008: 1) 'the overrepresentation of Indigenous Australians in prison has long been one of the major challenges facing the criminal justice system'. As at 30 June 2015, the Australian national prison

population was 36,134 (a rate of 196 prisoners per 100,000 adult population) (ABS 2015a). Within this, there were 9,885 inmates who identified as Aboriginal and Torres Strait Islander (ABS 2015b). This represented over one quarter (27%) of the total prisoner population and a rate of incarceration that is over 15 times higher than it is for non-Aboriginal Australians (a rate of 2,253 prisoners per 100,000 Aboriginal and Torres Strait Islander population compared to 146 prisoners per 100,000 non-Aboriginal and Torres Strait Islander population). In addition, the rate of Aboriginal and Torres Strait Islander imprisonment has increased by seven percent from 30 June 2014 to 30 June 2015 (ABS 2015b). Just over three out of four Aboriginal and Torres Strait Islander prisoners (7,628 or 77%) had been imprisoned under sentence previously (ABS 2015b). The largest proportion of Aboriginal and Torres Strait Islander prisoners (24%) was in the category of 24 years or under (ABS 2015c). At 30 June 2015, males accounted for 90 percent of ATSI prisoner population (ABS 2015d). New South Wales (NSW) had 2,846 ATSI prisoners at 30 June 2015 (ABS 2015e). In addition, 'Aboriginal men increased from 12 percent of the NSW inmate population in 1996' to over 20 percent in 2008, while Aboriginal women increased from 17 percent to 30 percent over the same time period' (Indig et al. 2010a: 14). According to the ABS (2016e) Aboriginal and Torres Strait Islanders accounted for 27 percent of unsentenced prisoners (remand).

The continual high rates of Indigenous Australian imprisonment remain a significant policy issue for both the State and Federal governments. As such, Weatherburn and Ramsey (2016) examined the rise in Indigenous Australian populations in NSW prisons. Their analysis of trends found that 'at the most basic level the growth ... is partly a consequence of increases in the number of sentenced prisoners and partly a consequence of increases in the number of Indigenous defendants on remand' (Weatherburn & Ramsey 2016: 10). In particular, there has been growth in the custodial sentences for a range of offences including public order offences and justice procedure offences such as breach of custodial order offences (for example breach of home detention order, breach of suspended sentence), breach of community-based order offences (bond with supervision) and breach of Apprehended Violence Order (AVO) offences (Weatherburn & Ramsey 2016: 10). Their study also found that courts have also been less inclined to grant bail, which in turn affects imprisonment rates.

Changes to the way the criminal justice system treats offenders – for example legislative changes to parole orders, the abolishment of suspended sentences, the tightening of bail procedures and rehabilitation programs – will also have an impact on the correctional system (Glass 2015), perceived rates of imprisonment and future reoffending patterns. As such, statistics need to be treated with caution. Weatherburn and Ramsey (2016: 10) also suggest that police may be focussing more attention on these types of offences which will inevitably affect the number of people being sent to court and in turn, to prison.

Links between Aboriginal over-representation in the criminal justice system and literacy rates

Indigenous Australians face a series of disadvantages which increases their level of interaction with the justice system, of which low literacy levels are just one. Siegel (2002: 287) asserts that literacy is a significant tool for empowerment and can improve interactions with the criminal justice system (Siegel 2002: 287). Low literacy rates and low school retention rates of Indigenous Australians have previously been used as an explanation for Indigenous Australians' over-representation in the criminal justice system (see AIHW 2013; CDJSC 2010; HRSCATSIA 2011; Putnins 1999). Further, research both internationally and in Australia suggests that low literacy rates can have negative impacts on the encounters that Indigenous Australians people have with the criminal justice system, particularly the police, courts and corrections. Weatherburn, Snowball & Hunter (2006: 12) suggested that reducing economic disadvantage, which illiteracy levels often contribute to, "are likely to reduce Indigenous contact with the criminal justice system".

Police

As the police act as gatekeepers for the criminal justice system, 'the system is reliant upon the skills and knowledge of the police in its interactions with the Indigenous community' (Randles & Lauchs 2012: 7). For Randles and Lauchs (2012) this is a key issue in regards to the over-representation of Indigenous Australians in the justice system. Issues of literacy become compounded when Indigenous Australians are stopped by police officers with minimal experience, skill and knowledge of language barriers and communication breakdown that may result from low-literacy levels within Indigenous Australian communities (Randles & Lauchs 2012: 7). These difficulties in communication have implications for the level and frequency of contact that Indigenous Australians have with the criminal justice system.

While not related to Indigenous Australians populations, Parsons (2002: 29) has similarly argued 'poor literacy or numeracy skills increased the risk of being stopped and questioned by police on a repeated basis'. This is 'even after the effect of other risk factors such as poor educational qualifications and disadvantaged family background were taken into account' (Hartley & Horne 2005: 35). Specifically, Parsons' (2002) study of British citizens born in 1958 and 1970 demonstrated a statistically significant connection between repeat offending and poor literacy skills. The study also identified a significant increase in involvement with the police among the group aged 30 compared to the 42-year old group. This has particular impacts for Indigenous Australians. As previously identified, community studies have estimated that at least 35 percent of Indigenous Australians have minimal English skills (Kral & Schwab 2003; Boughton 2009). Studies conducted by Parsons (2002) indicate that consequently, Indigenous Australians are at greater risk of both offending and

also having increased contact with the police, which can escalate to continued exposure to the criminal justice system.

Courts

Advocates, academics and state bodies have acknowledged that difficulties in Indigenous Australian witnesses and defendants comprehending and engaging in court proceedings can occur because of, or be exacerbated by, low literacy levels (Judicial Commission of NSW 2006; see also Eades 2008a, 2008b; Ehrlich, Eades & Ainsworth 2016; Sanderson, Mazerolle & Anderson-Bond 2011). For Galaway:

Without literacy, there can be no justice ... Without literacy, defendants may not understand the proceedings against them or the conditions to which they have agreed for release. Witnesses may not be able to test the veracity of their statements written by others. The processes of justice become ritualistic and carry little meaning or significance to defendants, witnesses and jurors if one does not understand. Embarrassment about low literacy and the tendency to deny the existence of literacy problems may conceal the problem. Unusual astuteness on the part of judges and other criminal justice officials is required to verify when the level of literacy is interfering with the person's ability to understand what is happening (Galaway 1997: ii).

Illiteracy is still a prevailing factor of judicial consideration when sentencing Indigenous Australians because the differences in languages can prevent effective communication between Indigenous Australian defendants and the court (Eades 2016: 472). In addition, there are often communication challenges between Indigenous Australian defendants and their legal representatives (Beqiraj & McNamara 2015). Beqiraj and McNamara (2015: 19) have found that low literacy rates and language skills affect the awareness of legal rights of both the accused and victim.

Lack of understanding of judicial proceedings and an inability to effectively communicate with lawyers and the court affects experiences of, and outcomes for, Indigenous Australian defendants. Sanderson, Mazerolle & Anderson-Bond (*nd*: 3–4, see also 5) assert that Aboriginal people may be ‘particularly disadvantaged by bail and remand decisions’ or ‘may be more likely to be remanded for “inappropriate” or non-legal reasons’ because of a number of factors, including education and literacy. Moreover, imprisonment can be a consequence of limited literacy and language skills as defendants ‘are not fully aware of their bail conditions, what their responsibilities are in meeting these conditions, and the consequences of breaches’ (Sanderson, Mazerolle & Anderson-Bond 2011: 53). According to Siegel:

The Australian legal system presumes its adult subjects are literate. Imposition of fines ... and adjournments (for a plethora of reasons) are based on the expectation that the defendant will be able to read and understand a particular notice (Siegel 2002: 287).

Additionally, as research has documented (George & Harris 2014; Neilson &

Renou 2015) the process of completing applications for domestic or family violence intervention orders can be challenging, regardless of communication capabilities in English and literacy levels. Though research has not explicitly focused on this issue, it is likely that the ability of applicants to apply for orders and, indeed, for respondents to comply with the conditions of these orders, reduces with lower levels of literacy. Indeed, while the latest statistics do not use comparisons with populations consisting of under 3,000 people – and from 2013–16 the population in Bourke has dropped below 3,000 people – research shows that in 2012, Bourke had the highest rate of domestic assault compared to other LGA's (BOCSAR 2017c; see also Grech & Burgess 2011).

Crawford (2010) uses the case study of the Kimberley region to highlight how stark problems can be for Indigenous Australian people who have minimal English language skills. In one case that Crawford (2010: 470) cites, a fellow inmate was brought into the court to translate the language of the court into the defendant's language because he did not understand the proceedings and there was no court appointed translator. Despite the clear lack of understanding of English in court, the defendant was then asked to sign a standard form outlining his obligations, which, if broken, would lead to further criminal charges. This is one example of how the low literacy skills of Indigenous Australians become a key reason for the significant number of Indigenous Australian defendants breaching bail conditions (Sanderson et al. 2011: 53). Unfortunately, for many Indigenous Australians the expectation that they understand court proceedings conducted in English, and documents written in English, can increase their levels of contact with the criminal justice system when those expectations are not met.

Prisons

Previous studies have highlighted the general illiteracy rates of those who come into contact with the criminal justice system (Baldry et al. 2003: 8), with the Department of Community Safety finding that in 2001 there was a 60 percent rate of functional illiteracy in the general Australian prison population (cited in Apted, Hew & Sinha 2013: 8). Moreover, research has established that there is a relationship between the level of education and issues of criminal activity and repeat imprisonment (AIHW 2013). According to the Australian Institute of Health and Welfare (AIHW 2013: 20), 34 percent of prisoners entering corrective institutions completed below year 10 at high school, and 41 percent of prison discharges had completed below year 10 at school.

There is also evidence to suggest that the rate of incarceration is even more pronounced among Indigenous Australians with low levels of literacy (Boughton & Durnan 2014b). Figures from the AIHW (2013: 21) show that Indigenous Australian prison entrants and discharges reported lower levels of educational attainment compared to non-Indigenous Australians. Specifically:

Only 20 percent of Indigenous entrants had completed year 11 or 12 at school, compared with almost one-third (31%) of non-Indigenous entrants. Similarly, more than twice the proportion of non-Indigenous discharges had completed year 11 or 12 at school compared with

Indigenous discharges (33% and 15%, respectively). Indigenous entrants were twice as likely as non-Indigenous entrants to have completed year eight or below (24% and 12%, respectively) (AIHW 2013: 20).

Similarly, Indig et al. (2010b) assert that 73 percent of Indigenous Australian male prisoners and 60 percent of Indigenous Australian female prisoners left school before year 10. This is in comparison to 43 percent of non-Indigenous Australian male prisoners and 39 percent of non-Indigenous Australian female prisoners (Indig et al. 2010b: 15). Putnins (1999: 168) supports these figures, contending that male Indigenous Australian detainees are over-represented in the prison population and have the highest incidence of literacy and numeracy deficits. These figures indicate that people – Indigenous Australians in particular – with low literacy rates are highly likely to be imprisoned at some time in their life (see also CDJSC 2010).

Willis (2008) used administrative data on readmission to prison across all jurisdictions within Australia to try and determine the extent to which violent Indigenous Australian males reoffend and return to prison. Of the 8,938 violent male prisoners within the survey cohort, 35 percent were Indigenous Australian prisoners, most of whom presented with low levels of education (Willis 2008: 2). For example, approximately 37 percent attained an education level less than year nine (compared to 21 percent of non-Indigenous Australian prisoners), and less than seven percent had an education standard of year 12 (compared to 16 percent of non-Indigenous Australian prisoners).

Previous studies have indicated that higher retention rates at school reduce levels of criminal activity. Feinstein's (2002) research, conducted in an American context, found that a ten percent increase in the number of school graduates would reduce the murder arrest rate by between 14 percent and 27 percent. Moreover, the study claimed that even a one percent increase in graduation rates would lead to a reduction in crime of between 34,000 and 68,000 offences per year. While these figures cannot be directly transferred to the Indigenous Australians population, it does provide evidence that increased levels of numeracy and literacy skills are a factor in reducing the potential for people to commit crime and subsequently reoffend. There has also been data which indicates that increasing literacy skills of prisoners has the potential to reduce criminal offending. Gerber and Fritsch (1995) concluded that vocational and academic programs in adult correctional facilities did have a range of positive effects on adult offenders, including a reduction in recidivism.

Low literacy and impacts on offending

In an Australian context, there are a multitude of ways in which greater literacy rates in Indigenous Australian communities can directly lead to a reduction in criminal activity, and therefore reduce the rate of contact with the justice system. As earlier noted, compliance with Apprehended Violence Orders (AVO) could potentially be enhanced through improved literacy, and result in reduced contact

with the justice system. Furthermore, problems of illiteracy can lead to criminal activity relating to driving offences, criminal justice offences (such as 'breach bail') and offences relating to welfare fraud and other penalty evasions.

Cunneen, Allison and Schwartz (2014) found evidence that some Indigenous Australians in the Northern Territory had legal problems arising from a lack of understanding of communication from organisations such as Centrelink, which lead to incurred debts. In addition, 18.4 percent of focus group participants within Cunneen, Allison and Swartz's study (2014: 232) reported 'legal action threatened against them in the last two years for failure to pay a bill or repay a loan'. The primary reasons cited for these financial problems were a lack of understanding of both English and financial literacy. Circumstances such as an inability to read a penalty notice can then result in a fine default and subsequently, a custodial sentence (HRSCATSIA 2011; see also Boughton & Durnan 2014b; CDJSC 2010). In 2013, in the Western Australian prison system, 1,358 people were imprisoned solely on the basis of fine defaults, 16 percent of whom were Indigenous Australians (Law Council of Australia 2015: 18). In a NSW survey, researchers found that 40 percent of the Indigenous Australian community have outstanding debts with the State Debt Recovery office (Elliot & Shanahan 2008 cited in Williams & Gilbert 2011). The penalties for unpaid fines continue to escalate, with additional enforcement fees added to the late fines.

Cullen et al. (2016) found that fines as result of traffic and non-traffic violations can lead to further enforcement actions where Indigenous Australians are unable to pay fines. Indigenous Australians were:

... identified as highly at risk of fine default, which is largely due to lower income but also relates to issues navigating the fines enforcement system and general lack of understanding of legal processes and requirements. While auto-matic imprisonment for fine default has been abolished in all Australian jurisdictions, the frequent alternative is to impose licensing and/or vehicle registration sanctions on those who default on fine payments (Cullen et al. 2016: 141).

These issues impact the Indigenous Australian population to a far greater extent than the non-Indigenous Australian population. For instance, in NSW, Indigenous Australians are three times more likely to have their licence suspended due to fine default than the non-Indigenous Australian population (Cullen et al. 2016). Indigenous Australians are also 10 times more likely to have had an imposed licence disqualification on them than a non-Indigenous Australian (Transport for NSW 2014: 12). Once a licence has been suspended because of fine default, a person is ineligible to apply for a licence until the fine has been cleared. This can lead to further potential criminal activity where individuals may continue to drive because of their circumstances (such as living in a remote area without public transport to health services); which in turn leads to further fine defaults and potential imprisonment (Transport for NSW 2014).

Further, Cullen (2014) has argued that illiteracy is a critical factor in the over-

representation of Indigenous people within Australian prisons because illiteracy prevents 'indigenous [sic] people from being able to legally perform everyday tasks such as obtaining drivers licences'. In Western Australia, the number of persons imprisoned for driving without a licence increased from 344 in 2004–05 to 688 in 2008–09, an increase of 94 percent (Crawford 2010: 473). Thompson, McGregor and Davies (2016) maintain that 'Aboriginal people make up almost a third of all the people jailed in Australia for driving offences'.

Indeed, the CDJSC (2010: xxvi) has found that '[t]he lack of a drivers licence is a significant contributory factor in the incarceration of Aboriginal prisoners' and that structural issues including 'illiteracy' and 'English as a second language' contribute to these statistics. The Law Council of Australia (2015: 180) claims that traffic laws discriminate against Indigenous Australians living in remote areas resulting in fine default and imprisonment. Similarly, Pilkington has argued in the Northern Territory context:

The other big problem is to do with cars and transport. Lots and lots of people are going to court, getting fines and prison because they don't have a licence or their car is not registered. It's very hard for Aboriginal people in communities to get licences and get their cars registered. There's generally no public transport in communities and between communities, like buses. People don't have a choice but to drive illegally, for example, if they are sick or to get food from the shop. It's also very hard for them to get to court because of this. Communities and shires should think about setting up these services, either as a small business or as a shire service (Pilkington 2009: 7).

In the above study, the issue of illiteracy was also cited as a reason for why Indigenous Australians were unable to obtain a licence and register their car (Pilkington 2009: 188).

These are not new issues. Cunneen (2001: 44) raised the problem of Indigenous Australians being imprisoned for driving offences in connection to a complex interaction of environmental factors. Specifically, this includes: residence in remote areas and, consequently, requiring cars for transport; alongside high levels of unemployment and poverty which mean that people cannot always afford to maintain their cars. In such instances cars can become un-roadworthy and individuals may be unable to secure registration. On this issue, Crawford (2010: 473) found that significant fines and imprisonment did not deter Indigenous Australians in the East Kimberley from driving without a licence because of the systemic problems they faced. Where public transport networks are limited or absent and when private transport (where it exists) is often prohibitively expensive, personal transport becomes necessary to access health facilities and shops. There are also issues associated with the difficulty of obtaining a drivers licence, including lack of literacy in standard English; the need to have a certain number of hours of supervised driving; inaccessibility of testing centres and vehicles; and problems with providing appropriate

documentation and administrative fees in obtaining such documentation (Crawford 2010: 473). Similar difficulties are also recognised in Bourke, where:

[Licensing offences are] resulting in a really high level of contact between young people and the criminal justice system ... Driver's licences are not just licences to drive, they're a licence to participate in the community, to work. There's no public transport in Bourke (Just Reinvest NSW chairwoman Sarah Hopkins cited in Howden 2015).

Consequently, the Law Council of Australia (2015: 18) have stated that an 'amendment to traffic laws or funding to assist Aboriginal people to obtain their licence may reduce instances of unnecessary imprisonment for driving without a licence'.

Access to services, rehabilitation and literacy prison programs

'Language and literacy concerns' have been identified as barriers to Indigenous Australians' engagement with rehabilitation programs (National Aboriginal and Torres Strait Islander Services 2013: 19; see also Centre Australian Aboriginal Legal Aid Service Inc. 2013). This is despite widespread recognition that improved education leads to greater socioeconomic security. For example, Mitrou, Lawrence and De Maio explain that:

One of the most powerful tools for socioeconomic improvement is improving educational outcomes. Aboriginal and Torres Strait Islander peoples experience relative disadvantage across a range of socioeconomic indicators, with education being one of those indicators. The education sector is well placed to make positive long-term change to the life outcomes of Indigenous children, families and communities (Mitrou, Lawrence & De Maio 2006: para. 3).

As earlier noted, Cunneen, Allison and Swartz (2014: 236) emphasised the difficulties Indigenous Australians can have in reading information and writing statements pertaining to the civil and family law systems because of their low levels of English literacy. This can then lead to imprisonment where fines or debts are left unpaid.

Poor literacy rates can also affect Indigenous Australian prisoners when they apply for parole (Apted, Hew & Sinha 2013: 9). Parole applications require a written submission, with rates of success becoming higher with more extensive additional documents (such as references from community members, proof of accommodation or employment post-release). As such, 'it is difficult to envisage how an illiterate prisoner would manage to construct convincing arguments and put them in writing to the Parole Board' (Apted, Hew & Sinha 2013: 9). Apted, Hew and Sinha (2013) proposed prison literacy programs for prisoners to equip them with life-long skills which would enable them to complete such applications.

While there is mixed evidence that academic intervention strategies in fact reduce or influence recidivism, there is evidence that literacy campaigns can

potentially increase the overall socioeconomic situation of Indigenous Australians, and thus reduce the rate of interaction with the criminal justice system (Mitrou, Lawrence & De Maio 2006). With growing recognition of the impact of illiteracy and increased rates of imprisonment, literacy programs have begun to emerge in prisons. On this issue, Gerber and Fritsch (1995) concluded that vocational and academic programs in adult correctional facilities did have a range of positive effects on adult offenders, including a reduction in recidivism.

Storry (2006: 4) asserts that '[f]or parents, literacy offers greater self-reliance' such as in regards to managing health and family budgets, driving and reading news and important documentation relating to property, income and business. Thus, improved literacy can facilitate social engagement and management of affairs and, in so doing, potentially promote compliance with desistance from crime. Additionally, Storry (2006: 4) suggests that 'there is a strong link between the educational levels of parents, especially mothers, and the situation of their children' and so the potential of adult literacy programs positively affecting children's future (and future engagement with the legal and criminal justice systems) should not be underestimated.

Justice Reinvestment, adult literacy, and the criminal justice system

As a concept, justice reinvestment can be regarded as a form of social crime prevention which 'seeks community level solutions to community level problems' (Tucker & Cadora 2003: 2) and 'to reduce the level of crime in the most efficient way possible' (Fox, Albertson & Wong 2011: 121). The origins of justice reinvestment are situated within place-based approaches to public policy (Brown et al. 2016) which focus on specific geographic locations, as opposed to nationwide activities, and often seek to coordinate efforts between different departments and service providers (Gilbert 2012). Brown et al. (2016) explain that the importance of place-based approaches has grown alongside the increasing social and economic research which illustrates the high levels and perpetuating cycles of poverty and disadvantages within particular localities. Place-based initiatives require governments to provide a more coordinated approach to providing services within a local area (rather than relying on statewide delivery models) and ensuring that those services are tailored to the needs of the local community (Gilbert 2012).

As such, place-based initiatives are also premised on the idea that programs need to be driven (or at least accepted) by the community in order to ensure the initiatives are successful. On this issue, Tucker and Cadora (2003: 4) have argued that solutions to community safety need to be 'locally tailored and locally determined' in order to assist the community and reduce interaction with justice systems. Vinson (2009: 5) argues that the 'maximum practicable *engagement of disadvantaged communities* in decisions' is needed for community strengthening. This may mean there is a local 'steering group' or community members are involved in the actual delivery of the program, like in the 'Yes, I Can!' campaign. Brown et al. (2016: 95) contend that place-based initiatives can start as 'top-

down' (government led) or 'bottom-up' (community led) approaches as long as there is community support for the initiative.

Justice reinvestment strategies – financially sound strategies that reinvest money in locations with high proportions of offenders – are increasingly utilised in America, England and Australia. In Australia, such social policy frameworks have been utilised to address over-representation of Indigenous Australians in prisons, by redirecting expenditure from prisons to community-based initiatives that address underlying causes of crime and reduce crime and recidivism (Brown, Schwartz & Bosley 2012; Gooda, Priday & McDermott 2013; Schwartz 2013, 2010). The objective of a community-based justice approach is the idea of promoting community life and wellbeing as a way to break cycles of disadvantage that lead to imprisonment (Brown et al. 2016).

Within Australia, justice reinvestment strategies are often seen as a powerful tool to reduce the inequalities in Indigenous communities. For Brown et al. (2016: 133) 'justice reinvestment has been conceptualised as a way of strengthening Indigenous culture and existing organisational structures'. This is because Indigenous Australian communities have traditionally used early intervention strategies for generations (Priscilla Collins, NAAJA cited in Brown et al. 2016) and with more government financial support, there is the potential for justice reinvestment programs to make a difference at the local level.

Place-based justice reinvestment strategies can suffer from a number of limitations, as outlined by Brown et al. (2016). First, Brown et al. (2016: 99) argue that the 'focus on place' can be forgotten as the main aim becomes centred on reducing prison numbers rather than building long-term community wellbeing. Second, the role of the community and finding localised solutions may be lost, or 'watered-down' in order to be administratively convenient (Brown et al. 2016: 99–101). Third, funds may not always be available, or the funds may not be adequate enough to 'tackle the depth of issues that needs to be addressed' (Brown et al. 2016: 100).

Literacy as justice reinvestment

Until recently, the emphasis placed on education and literacy has focused on the needs of children and adolescents to the 'detriment of adult education and alternative ways of learning and teaching' (Lopez 2013: 112). While literacy campaigns have not thus far been overtly identified as justice reinvestment initiatives, there is potential to characterise as such. In directing money away from the criminal justice system, towards community programs which might address factors associated with marginalisation and disadvantage (and underlying causes of crime, more broadly) crime and formal engagement with the criminal justice system might be reduced. Literacy and vocational education programs have been linked to reductions in recidivism rates and enhanced reintegration (see CDJSC 2010). Additionally, improved literacy can enhance opportunities for government engagement with communities (Storry 2006) and, as such could have great bearing on justice reinvestment involving governmental bodies. Further, improved literacy can enhance the success of self-managed

justice reinvestment initiatives (Hudson 2013).

Researchers are now starting to investigate how literacy programs can be improved for Indigenous learners. In this vein, after talking to literacy teachers working in Indigenous communities across Australia, Eady, Herrington and Jones found that:

before literacy needs can even start to be addressed in Indigenous communities, one must understand the complex nature of the language and underlying layers of personal experiences and barriers that are faced by the Indigenous learners in communities (Eady, Herrington & Jones 2010: 270).

Their research found that in most areas, a Western literacy framework was being used to teach literacy. This was problematic because for some communities, English is the fifth language utilised (Eady, Herrington & Jones 2010: 270) and programs need to be tailored to suit these local communities. The development of culturally appropriate programs and an appreciation of past barriers that Indigenous Australian learners have encountered is imperative. Issues surrounding lack of motivation and lack of confidence can result because Indigenous Australians have had negative early schooling experiences and may not believe that upgrading their English literacy will be beneficial or even possible (Eady, Herrington & Jones 2010: 271). As such, the material and approach of programs need to reflect the local communities and the program needs to have the respect of Elders (Eady, Herrington & Jones 2010: 274). Schmelkes (2011: 93) informs us that 'to be equitable, adult education must be relevant to the specific needs and characteristics of the population it serves'. López (2013) found similar themes in Latin America, arguing that programs to overcome adult illiteracy must be built on a platform of political will underpinned with laws and policy geared towards genuinely improving the life of Indigenous people sustainably, furthermore they must be culturally and linguistically appropriate.

As such, justice reinvestment provides a framework for how a literacy campaign could operate successfully. In particular, the localised nature of justice reinvestment strategies that seeks to tailor responses to local conditions and needs is important. Such a localising strategy reflects the approach adopted by the 'Yes, I Can!' literacy campaign. In particular, the LFLF model utilises a non-formal community –controlled approach in which the community as a whole is mobilised to support and encourage those with low literacy to join. Ultimately, the success of this model depends on mobilising sufficient people, both as learners and as teachers and supporters to bring about an appreciable drop in the numbers of people who have low or very low literacy (Hanemann 2015).

Conclusion

It is evident that literacy impacts on individuals' and communities' encounters with the criminal justice system. Low literacy has been linked with negative justice system encounters, higher rates of incarceration, and poorer

opportunities for rehabilitation within the justice system. Effective literacy campaigns that raise literacy levels should, therefore, play an important role in improving individual and community encounters with the criminal justice system. Despite this, no Australian studies have been undertaken which show that improving adult literacy levels at a population level reduces negative interactions between that population and the law and justice system. The following section of the report details the research methodology adopted to investigate the law and justice effects of deploying the literacy campaign model in the Aboriginal communities of Bourke and Enngonia.

RESEARCH METHODOLOGY

This research examined the 'Yes, I Can!' adult literacy campaign as a form of place-based justice reinvestment initiative using both qualitative and quantitative approaches. Twenty-two interviews were conducted with key informants working as service providers or criminal justice employees within (or previously located in) Bourke and Enngonia. Court and police data, sourced from the BOCSAR, are also used to provide evidence for the types and level of crime occurring in these two locations.

This research addresses the overarching question: What impact has the 'Yes, I Can!' literacy campaign had on Aboriginal community members' encounters with the criminal justice system? Within this overarching question, the following research questions are answered:

1. Has the campaign facilitated improved interactions with officials in the justice system?
2. Has participation in the campaign influenced how community members access legal resources and advocacy?
3. Do informants see any change in the frequency of encounters with the justice system following participation in the campaign?
4. Does participation in the campaign influence how criminal justice officials respond to individual community members?

Despite over two decades passing since the Australian government acknowledged the over-representation of Indigenous Australians in the criminal justice system (Johnston 1991; HREOC 2003), the statistics demonstrate that this is still a very prominent problem and further policy needs to be developed to address this issue. As the literature review highlights, research both internationally and in Australia suggests that low literacy rates can have negative impacts on the interaction that Indigenous Australians have with the criminal justice system, especially police and the courts. As such, this research project provides a provisional assessment of how increased education through the 'Yes, I Can!' campaign can be a potential policy solution to improve Indigenous Australians interactions with the criminal justice system.

The methodology for this project included in-depth, open-ended interviews with key stakeholders, community feedback sessions and analysis of BOCSAR, police, and court data. The study focuses on two geographical areas: Bourke, NSW and Enngonia, NSW.

Interviews

Semi-structured, open-ended interviews were adopted to elicit views and experiences with how the 'Yes, I Can!' campaign affected Aboriginal interactions with the criminal justice system. For this research, semi-structured and open-ended interviews were chosen because of their balance between flexibility and consistency (Bernard 1988) and because interviews present a number of advantages over other methods. For example, interviews permitted the role of

the campaign to be examined in context and allowed key informants' insights to be probed with regards to the influence of the literacy campaign, among other potential factors (Gray 2009). The adoption of semi-structured and open-ended interviews allowed a reflexive data collection process that was iterative and open to learning from informants (Frankfort-Nachmias & Nachmias 2000). Given the small pool of potential participants –service providers in a remote Australian town – interviews provided a suitable data collection method because of their high rate of return (Gray 2009). One consideration, of course, was the cost associated with conducting interviews in a remote location and whether this would limit the data that could be collected (Frankfort-Nachmias & Nachmias 2000). Because the number of organisations who met the participation criteria was modest, and the researchers had already established access to potential participants, this was not an impediment to the research.

During the initial conception of the project, a list of organisations that might yield potential participants from Bourke and Enngonia was compiled. A number of these organisations, such as Maranguka and the Murrawarri Land Council provided letters of support for the research during the design of the study and highlighted the importance of the 'Yes, I Can!' campaign for the local communities. Informants from these organisations are both primary sources, as they have direct involvement with the information sought, and are also expert sources, as they possess superior knowledge regarding interactions with the criminal justice system in Bourke, NSW (Stewart & Cash 2006). Both service organisations and criminal justice agencies were contacted to participate in this study. Ahead of fieldwork the research team identified nine organisations. Of those original nine all but two were represented in the final research (one declined involvement and the other did not fit the eventual research parameters). The number of organisations and agencies who participated, however, increased from this original number during fieldwork, as is evident in Table 6.

Access to potential participants was enhanced by virtue of the longstanding bonds which some members of the research team had with the Bourke and Enngonia communities. These ongoing relationships facilitated interviews with service providers, many of whom were also members of the Bourke Aboriginal community, that would otherwise have been difficult to obtain. In this regard, the research team is especially grateful to our local research assistant, Petina Smith, who is a respected member of the Bourke Aboriginal community and facilitated and assisted in the arrangement of interviews in the second phase of the research. Interviews were conducted by a team member who had not previously worked in Bourke, in order to mitigate any potential bias in conducting interviews between acquaintances.

A number of organisations were approached prior to, and whilst on fieldwork, and provided Participant Information Sheets and contact details for anyone who was interested in participating in an interview. Two rounds of fieldwork were conducted; the first in February 2016 to elicit information of the 'Yes, I Can!'

campaign from service providers; and a second in October 2016. During this second round of fieldwork, a range of interviews with new participants and also follow-up interviews with participants spoken to in February were conducted. Twenty-two participants were interviewed for the study; three of whom were interviewed twice. Although this number may appear modest, it must be considered in context of the location and communities examined in this research. A broad cross section of organisations that fit within the remit of this study participated in interviews. Additionally, most organisations that could be identified as performing relevant work to this study were represented. Table 6 provides an indication of the participants involved with this study.

TABLE 6: LIST OF PARTICIPANTS

Organisation	Number of participants
Criminal Justice Agency	3
Bourke Police	2
Non-identified service providers (both government and non-government)	11
Maranguka	1
Legal Aid NSW	1
LFLF – ‘Yes, I Can!’ Campaign	2
ALS	2
TOTAL	22

The interview schedule sought to elicit insights regarding the influence of the ‘Yes, I Can!’ campaign on interactions with the justice system (see Appendix 1). While the questions were general in nature (to allow all participants to be asked the same set of questions), some questions were also aimed at discovering the different opinions depending on participant’s place of work. As the interview process was exploratory, there were a number of probing questions used to elicit further insight from the participants. This was a strength of the approach, as it allowed for dialogue with key informants so that knowledge specific to participants could be explored (Gray 2009). This was important, as participants were drawn from a wide variety of service backgrounds: law enforcement, justice, health, mental health, legal assistance, social advocacy, housing, and others. Given this range, a standard questionnaire would not have allowed the research team to pursue the unique insights that interviewees possessed in relation to their own work with the communities.

Through including a variety of participants from Bourke and Enngonia’s Aboriginal organisations, service providers and criminal justice agencies, this research reflects a ‘maximum variation’ approach to sampling, as it sought ‘to obtain the broadest range of information and perspectives on the subject of the study’ (Kuzel 1999: 39). This approach to sampling assisted researchers in problematising the data, and in guarding against any tendency to simplify views about the campaign’s potential impacts. However, a limitation of this study is the absence of views and experiences of the Aboriginal people who participated as

students in the 'Yes, I Can!' campaign, which was not a part of the original design study, but should be included in future research.

Community feedback sessions

This research sought to mitigate the risks of imposing a Western lens on the experience of Aboriginal people in this research project. One strategy adopted in this research was to share the emerging themes of the research with participants and also the wider community. Participants were asked whether they wanted a copy of their interview transcript with the option of amending the documents. While most participants wanted a copy of their transcript, very few made changes to their transcripts, and those that did made minor changes to ensure their anonymity. Participants and the wider community were also invited to community feedback forums during the second round of fieldwork.

Two community feedback forums were also held in October 2016; one in Bourke and one in Enngonia. The Bourke forum was attended by representatives from law enforcement, education, non-government agencies, state and federal government agencies and the Aboriginal community. A summary of the themes emerging from the research was discussed in conversation with attendees, who were able to raise their own concerns and express their views on 'Yes, I Can!', literacy, justice and related topics. The Enngonia session was less well attended, but general themes were discussed with representatives from two different local service providers. As these sessions were aimed at further engaging the community, and ensuring that the community had a chance to be involved in the research, neither session was formally recorded.

BOCSAR police and court data

The quantitative data for this study relies on publicly available police and court statistics supplied through NSW BOCSAR. As a result, the data presented is in a 'highly aggregated form and cannot be used to analyse the individuals from or about whom information was originally collected' (Maxfield & Babbie 2015: 333). It is therefore not possible to garner – from these statistics – whether participants of the 'Yes, I Can!' campaign had improved levels of contact with the criminal justice system. The statistics can, however, provide a broader picture for crime levels prior to, during and after the 'Yes, I Can!' campaign was offered in the area.

BOCSAR data was accessed to provide further context on the types of crimes that participants believed the 'Yes, I Can!' campaign had helped to reduce. The NSW Crime Mapping Tool (<http://crimetool.bocsar.nsw.gov.au/bocsar/>) was used to identify data on crimes including: 'domestic assault' and 'against justice procedures' (including 'breach AVO', 'breach bail conditions', 'fail to appear', 'resist/hinder officer', 'other offences against justice procedures'). For most of these categories, the previous four years was analysed to see if there were any trends of reduced offending that could be linked to the 'Yes, I Can!' campaign.

In addition, BOCSAR supplied the research team with Bourke court data for the

period of 2010–15 pertaining to the number of people found guilty of a principal offence by offence type, the penalty, and in the case of imprisonment, fine and Community Service Order what the average duration/fine amount/Community Service Order hours were. Police recorded data was also supplied for the following offences: 'drive while licence disqualified or suspended'; 'drive without a licence'; 'driver licence offences, other'; 'parking offences'; and 'regulatory driving offences, other' for the period of October 2003 to September 2016.

Methodological issues

As this study sought to investigate the impact of the 'Yes, I Can!' literacy campaign on Indigenous interactions with the criminal justice system, the results would ideally be able to be generalised to a wider context, including a different place, different participants and different times. Unfortunately, external validity and generalisability cannot be applied to these research findings. The areas and communities of Bourke and Enngonia are very different from other rural towns in NSW and because there are a number of other justice reinvestment programs being run in both towns, it makes it very difficult to generalise these findings to a wider area.

In addition, the sample size of interviews ($n = 22$) dictates that caution be exercised when generalising from the data. Having observed this need for caution, it should also be noted that the majority of service providers who were identified as working in Bourke were represented in interviews. Additionally, through interviewing a variety of different participants from key service providers and actors within the criminal justice system, the research does demonstrate a number of common themes that can be generalised to a certain extent. Where participants have clearly expressed a belief or opinion that was outside their direct experience, these statements have been portrayed in this report as the person's opinion, rather than a generalised view that is objective or reliable.

Internal validity 'addresses whether or not an observed covariation should be considered a causal relationship' (Calder, Phillips & Tybout 1982: 240). In the context of this study, internal validity would imply that the 'Yes, I Can!' campaign was the main cause of any drop in crime or improved interaction with agencies involved in the criminal justice system. As already mentioned, there are a number of other justice reinvestment programs being run in both towns which, as many of the participants noted, makes it impossible to draw a conclusive link between the 'Yes, I Can!' campaign and improved Aboriginal interactions with the criminal justice system. Throughout the results section the various other justice reinvestment programs will be discussed and considered as alternative explanations for improved Aboriginal interactions with the criminal justice system.

The LFLF campaign is, at best, one element in a comprehensive justice reinvestment strategy. And justice reinvestment is one of a series of strategies to reduce negative interactions between Indigenous people and the legal and

criminal justice systems.

Another challenge with conducting qualitative research is ensuring the research 'fully and correctly captures the true meanings and interpretations of the respondent' (Sarantakos 2005: 46). To minimise problems of interpreting the data, participants were offered copies of their transcripts to ensure that their meaning was fully conveyed throughout the interview. In addition, during the coding of the interview phase, three of the researchers coded the interviews separately and then discussed their codes. A research assistant was then hired to code the data. As such, four people were involved in the coding process – one independent from the research – thus reducing the problem of researcher bias.

Ethics

The research design had to be developed carefully to respect the potential impacts of the research on the Aboriginal community. As a pilot study, the researchers decided to collect data from low-risk participants (service providers and criminal justice workers) to determine whether the 'Yes, I Can!' project was helping to reduce contact levels of Aboriginal people and the criminal justice system. Future research could expand enquiry by approaching the participants in the campaign.

For Indigenous peoples, research frequently has negative connotations. As Tuhiwai Smith (2012) has observed, Indigenous peoples' experiences of research have often been exploitative and self-serving, with negative implications for the indigenous peoples' who have been the subjects of research. While interviews were not conducted with Aboriginal community members who participated as students in the literacy campaign, the research endeavoured to be responsive to the needs and desires of Bourke and Enngonia's Aboriginal communities. Key informants included individuals in community representative roles, as well as their service provider role. Consequently, this research was a collaborative endeavour with key informants who are also members of the community.

In this way, research was conducted in a participatory manner, so that informants who are community members aided in shaping and directing the research agenda. This was key in efforts for the research to reflect 'Indigenous ways of knowing' (Cochran et al. 2008: 22). Such an approach is particularly important for research examining Indigenous experiences of the justice system. As Tuhiwai Smith (2012) notes, academic knowledge is organised into particular academic frames. These frames often reflect a view modified by a Western lens, and do not necessarily reflect Indigenous understandings of justice, the criminal justice system, or their encounters with that system. This research sought to mitigate the risks of simply interpreting Indigenous experience through a Western lens by including key informants from the community in a participatory approach to research. Further, the research built local capacity by employing a local Aboriginal research assistant and other Aboriginal team members, who were able to provide advice and support specific to working with Aboriginal communities.

One of the most significant ethical issues with this research related to participant identity. This was an issue with respect to both participants in interviews, and participants in the 'Yes, I Can!' campaign who may have been identifiable in the stories recounted in interviews. Participants in this study were asked whether they wanted to be identifiable in research outputs. Those who agreed to be identifiable have been identified in this report through their position title only. While the option to remain anonymous was given to the participants, given the size of both Bourke and Enngonia, it is likely that participants may be identifiable to one another and to the wider community.

While a number elected to be identified, most participants did not want to be identified. This also created difficulties where there were multiple people interviewed from an organisation, and some participants wanted to be identified and others did not. As such, where naming a participant's role or organisation could have resulted in a colleague being identified, that participant has also been made anonymous through referring to them as 'Interviewee X'.

Although only service providers and criminal justice actors were interviewed, many participants spoke about members of the broader community and used anecdotal references to participants of the 'Yes, I Can!' campaign. As such, a lot of data has been omitted from this research to ensure the anonymity of research participants and 'Yes, I Can!' participants.

Research team connections to the project area and campaign; and interviews with LFLF staff were also carefully considered as noted in the conflict of interest section.

Limitations

It should be noted that this research is a pilot study. The 'Yes, I Can!' adult literacy campaign is an ongoing campaign and it is expected to be delivered to additional communities in the coming years. This project was designed to explore the impact the campaign has within a community where it was already delivered. This approach necessitated the adoption of a methodology that could examine the campaign in its context, drawing on the knowledge and experiences of informants who are best placed to provide insights as to its impacts. Future assessment is required to include participants of the literacy campaign and local community members, and in particular, community Elders. This is desirable so that work is informed by the insights of those the campaign is designed to assist.

RESULTS

This section presents the data from the study in two parts: in the first part, data from the interviews is summarised to assist in understanding the community's perceptions regarding impact which the 'Yes, I Can!' campaign has had, with specific reference to its impact on the relationships between the Aboriginal communities of Bourke and Enngonia and the criminal justice system. The next section reviews statistics for the study localities from the NSW BOCSAR for evidence that the perceived impacts have been reflected in recent data trends.

Interview results

These findings begin by discussing the need for a literacy campaign, including outlining how participants observed problems in their local area, and how they viewed the relationship between literacy issues and other problems.

Interviewees were drawn from a range of positions, so offered a variety of perspectives on the 'Yes, I Can!' Literacy Campaign. While interviewees felt the impact of 'Yes, I Can!' was difficult to measure, they overwhelmingly thought the campaign had a positive impact. As the Darling River Commander of NSW Police stated:

One of the problems I've found—I've been asked a few times about what I thought about the program and the effects—it is difficult to quantify I suppose the benefits of the program, but certainly the anecdotal evidence and my impressions of having attended a number of their classes and graduation ceremonies and engagement programs is that the program punches above their weight in terms of social outcomes.

Many interviewees were able to cite anecdotal qualitative evidence of where a particular participant of the campaign had been positively impacted, however in some of these cases, it was also recognised that the participant had relapsed into criminal behaviour once the campaign had finished.

Local Problems

Interviewees highlighted some of the problems that were of concern in local communities. They identified a wide range of crime related problems, including a high level of break, enter and steal, youth crime, domestic violence and a perception that there was a significant drug and alcohol problem in the town. 'Dysfunctional families' were also mentioned by some of the participants (in particular Interviewee 1 and 16). Participants discussed a range of health problems amongst Aboriginal peoples in the area, including high rates of drug and alcohol and mental health problems, diabetes and other chronic health conditions (e.g. cardiovascular, renal and other conditions). One participant also noted the high rate of hearing problems amongst Aboriginal youth. Participants also highlighted some of the difficulties that can arise in regards to health management for people with low literacy, for example: managing medications, obtaining and reading information about health conditions and how to manage these.

A significant number of participants discussed the lack of opportunities for employment in the local area, and problems with the local economy. In particular, there was a perception that Aboriginal people were most disadvantaged in finding and securing employment. Some participants commented that there were not enough targeted services (such as mental health services) being delivered in the local area; and more services were available in Bourke than in Enngonia.

Many of the issues identified as facing the local communities were intertwined. For example, a number of the participants spoke about issues such as drug and alcohol problems or unemployment affecting rates of domestic violence. As a result of the intertwining issues, there are a number of different services provided in Bourke (as mentioned previously). A number of the participants, being service providers, discussed these programs as benefiting the local community. Those identified included the ALS; Just Reinvest, drug and alcohol programs attached to the Aboriginal Health Service in Bourke, the warrant clinic and a number of police initiatives (such as the police boxing program) and the police support of Aboriginal cultural dance programs and Aboriginal art gallery. All of these programs were spoken very highly of by the participants as approaches and areas that had improved the community. Participants also highlighted the need for links and coordination between programs and that the problems cannot be solved by just one approach or program.

As highlighted previously in the report, there are a number of differences between the Bourke and Enngonia communities. For the Literacy for Life National Campaign Manager, the main difference between the communities lies in the overall size of the towns and therefore the amount of services available:

I think the main difference is that Enngonia is a very, very small community. It's ... one-and-a-quarter hours from town, from Bourke, it only has a police and a primary school and a pub of course, which also houses a very small and expensive shop ... It doesn't have anything like the access to health services, to legal services, to any services that people in Bourke [have] ... Enngonia, there is absolutely nothing to do during the day or the evening, other than football ... the amount of money you have to spend to survive in Enngonia, is quite, you know, it's high. And people are always in debt. Debt's a huge issue.

In one way, the small size of Enngonia means that there are less 'destructive behaviours' occurring (Literacy for Life National Campaign Manager) because it is easier for the leadership of the Enngonia community to manage and support the residents. However, issues of distance can lead to further exposure to the criminal justice system, especially in regards to driving offences, which will be discussed later in this section.

Local criminal justice system and interactions with the community

The Literacy for Life National Campaign Manager stated that many of the students and all of the staff involved in the 'Yes, I Can!' campaign had previously

been, or knew of family members who had been, involved in the criminal justice system. This interaction included as victims, as offenders (either those arrested; or processed through the court system; or incarcerated; or put on probation or parole) or as family members of people who have had these experiences. Several of the interviewees spoke about the over-representation of Aboriginal people in the criminal justice system in the Bourke and Enngonia regions:

Well, it's one of the things that we're really increasingly focusing on because we know that these areas have significant—were significantly over-represented in the justice system, that the rates of crime in these communities are among the highest in the country per capita (Darling River Commander of NSW Police).

In these discussions, the relationship between the police and local communities was raised. Interviewee 1 considered, the (circular) justifications for and impact of a proportionally bigger police to citizen ratio, remarking:

Well I guess because of its law and order issues. Of course, it's the old argument the more coppers [sic] you throw in the more people get arrested, the more overloaded the system becomes, but when you actually think about it might be 50 odd police officers...I guess in a small town too they tend to know who the offenders are and they know and they're targeted, there's no question, which can lead to some resentment.

Participants described instances of police harassment and intimidation:

The intimidation. Like someone will be...a police officer can walk up to you, like walk up to say [REDACTED] for instance. 'What are you doing [REDACTED], you're still fucking up'. This, that alone, 'who the fuck are you to talk to me like that?!' and then [REDACTED] starts going on stupid and then bang! What he got; charges wherever he might be. That's the way they do it (Murdi Paaki Regional Enterprise Corporation and Bourke LFLF Campaign Coordinator).

Another participant described how Aboriginal people may be inclined to agree with police officers and people in positions of authority, because of the history of colonisation:

...that's just the way society works, police officers are there to enforce the law, they're there to help you, just tell them what they want to know kind of thing. I think there's also, I've ... discussed with colleagues this idea of ... it's a kind of phenomenon that exists in Indigenous communities ... because of the Indigenous history with colonialism and being subjugated to kind of colonial rule is that they have this ingrained kind of habit of just agreeing with propositions that are put to them by authority figures (ALS participant).

Several participants described they believed police officers were targeting youth:

They're here for three years but if you look at the time that they're there and you have a look at how many charges they lay against a child,

unbelievable. Like in the three-year space that these police officers come here and do their time, in that space the biggest majority they deal with is kids (Murdi Paaki Regional Enterprise Corporation and Bourke LFLF Campaign Coordinator).

It is and there seems to be a fair bit of reluctance in order of the granting of police bail... I mean, I asked a police officer the other day, I said, I had a client who I just thought 'why on earth was he denied bail?' and I kind of, like I have a fairly good rapport with the local police officers and in a joking kind of way said, 'couldn't you just give him police bail?' and they were like 'yeah ... once a kid has breached their bail we don't even have the option to give them police bail'. I said, well 'you know it gives you the option, section 77 of the *Bail Act 2013* (NSW) says a police officer can use their discretion to take no action on a breach of bail, particularly for a kid with no criminal history' but that's kind of what we're dealing with at the moment (ALS participant).

However, Interviewee 20 maintained that police-community relationships have enhanced. Significantly, Interviewee 20 asserted this can be attributed – in part – to shifts in cultures within the local police and is evident in shifts in interactions, with fewer or less hostile or antagonistic incidents:

Yeah, we've got very well qualified – generally and it's in the senior management more than front line Police – but I think it's created a completely different culture in police and policing here, than what there was at the late '80s. It was absolutely dreadful there and it was because we had people who didn't have the life experience, the training or the skills here in the police. Just the community relations between the police and Aboriginal community were just I'd say non-existent. That fed a whole lot of it: it fed the council position at the time, it fed a whole lot of other things. It was very, very antagonistic and everything seen in terms of law and order and those sorts of things. I think that still can be the dominant discourse, but I think there's a whole lot of stuff that's really working to change that now.

Participants also highlighted the need for communities and organisations to build and foster bonds with police:

... that's where the relationships and building those relationships with the community, with particularly the police, because of the high sort of intake of police officers coming and going (Maranguka executive director).

But in saying that, they need to be, young police officers that come out, that are sent out this way, need to be made culturally aware by grassroots people. Because I don't know where they get it from but they need to have the understanding of each community so that we can build a relationship with the police officers too, because not everybody's a bad person (Murdi Paaki Regional Enterprise Corporation and Bourke LFLF Campaign Coordinator).

Why Literacy? The need for 'Yes, I Can!' for general community wellbeing

The majority of participants acknowledged that low levels of literacy are problematic for many reasons. While most of the participants focused their discussion on the Aboriginal community when discussing illiteracy, Interviewee 1 also acknowledged that illiteracy was a wider community problem in Bourke:

Illiteracy ...I don't know if I could put a figure or a percentage ... but you often find in these smaller towns there's a percentage of the community, white or black, that have literacy issues simply because they left school at 12 and they were working on properties and doing other things.

Participants highlighted the links between low literacy and issues within the community, such as unemployment:

I think because it—you know, reading and writing is pretty important in obtaining a job in one thing and the sense of feeling embarrassed, not wanting to get a job or go down and sign up for jobs and things like that, they're just scared to take that step because they don't know what they're getting into because they can't obviously read and write and I suppose they're more—like I said, I've seen them, they're just more willing to have a go now (Aboriginal Community Liaison Officer (ACLO)).

But I think there's a great relationship between low literacy skills and the jobs that people obtain or don't obtain – their motivation to get jobs. I think it's significant, yep (Interview 12).

Well I think it's just awareness because what we also tested was we conducted an attitudinal survey in the business sector. What came through quite strongly was – we wanted to really test people's views and opinions, perceptions in particular – but what came through quite strongly, the only reason – well this is their excuse – that they're limited in terms of employing an Aboriginal person, whether they be young or mature, is their numeracy and literacy levels. So that's your first barrier. Now we can also provide the evidence around that. We've certainly captured that. That's just the attitudes of potential employer (Maranguka executive director).

Illiteracy also created issues of general disengagement within the community, because people with low literacy often find it difficult to navigate and understand communications in their communities:

Oh, definitely. It's hard to imagine walking down the street not being able to read the signs or read the paper or whatever. So just being able to read about what's happening in your community, you can imagine the flow-on effects for your own feelings of self-worth and empowerment. A lot of these people, they're pretty—they've got a lot of initiative in developing ways of getting by, but at the end of the day if you still can't read a newspaper article or something, well that's a whole lifestyle that you're not exposed to, or you feel like you're out of the loop so to speak (Darling

River Commander of NSW Police).

A major theme across the interviews was a lack of understanding of official communication or documents because of low literacy levels:

You can imagine someone that you've got a piece of paper shoved in them and they probably think it's a bit humiliating to say I can't read. Or they might read something about their rights, 'are you aware we just had [NSW] Legal Aid in town there yesterday talking to people?' but sometimes that could wash over people, they might have attention span issues. But if you get a document, like a leaflet, just reinforcing some of those key points you're certainly more likely to retain those messages (Darling River Commander of NSW Police).

I think it's a big issue. Yeah and even if it's brought up in the jails while they're looking for something to do or a program. And it should ... [be] mandatory that they have to do educational programs. A lot of them, they don't understand a piece of paper. You'll say 'this is a mental health referral, read it.' They don't know what they're reading (Mission Australia participant).

The only reason why he had rental arrears was because the letters that were being sent to him advising that there was going to be a rental increase—because he couldn't read and write that actually sort of accumulated over a period of time to the point the powers to be thought he was just blatantly ignoring it. That wasn't the case at all. They just didn't realise he couldn't read the letters they were sending him (Maranguka executive director).

... overdue notices, lack of payment for electricity, the owing of a debt – all of those debt issues and people not understanding (a) what's available, what are their rights, and (b) even with they...just understanding how you, how you access those systems. So, I think...lack of literacy just...it means you're living in a world where you just cannot, you just can't access what's there, you don't know how to speak...you don't even understand the same language so, all of our students speak a very strong Aboriginal language...Aboriginal English...and that is quite different ... to Australian standard English (Literacy for Life National Campaign Manager).

As a result of the challenges associated with illiteracy, all of the participants saw further education strategies within the community as a positive step towards improving the overall quality of life within Bourke and Enngonia.

In general, most of the participants were very positive about the effects of the 'Yes, I Can!' campaign on the participants and for what it is trying to achieve in the community. For example:

We're moving forward and I think particularly 'Yes, I Can!' has provided the tools to do that. If you have a look at the success rates and the outcomes of particularly the first 18 months it's quite overwhelming and

it certainly exceeded our expectations from the sort of humble beginning (Maranguka executive director).

I don't understand why – this is one campaign that actually gives to your community and it doesn't take. It actually creates the employment, builds the relationships, gets our people to a point where problems should be no more. If there is, well we're trained up to a point to say well this is the way you go about it, we can help you. So even if we just keep creating that rippling effect, I think that with the 'Yes, I Can!' campaign I think we'll overcome a lot of the issues that we have trouble with right across our communities. I just think that our mob will have more of an understanding when it comes to health, crime (Murdi Paaki Regional Enterprise Corporation and Bourke LFLF Campaign Coordinator).

Participants identified a number of strengths of the campaign, including its endorsement by many in the community; community engagement; the 'nurturing environment' offered by LFLF; cost-effectiveness; and some of its links with other agencies or programs. Some participants emphasised how literacy and the campaign can help increase self-determination and provide a 'voice' for community members. The Darling River Commander of NSW Police noted that one of the strengths of the campaign was its focus on achievable outcomes:

That's part of the puzzle, as well. I just think this seemed to be a bit more focused at the grassroots level and more of achievable outcomes and that's probably part of the motivation to get people there more regularly, maybe doing something where they didn't perceive that they were getting a real outcome ...

As can be seen from the above quote, participants perceived the connection with local, grassroots community efforts to be a strength of the campaign:

Yeah. But certainly, one thing I will emphasise is that I think what really drove the success is because we had our local people on the ground employed, who's already had that confidence and trust from the community and from particularly the audience. They've already got that rapport and the confidence and trust that made this process so much easier and that's how we just sort of designed it since it's been sort of—I guess the concept of it and the implementation of it. I see that as certainly being one of the key shining lights I guess, that we have local people driving it (Maranguka executive director).

I think that is a real strength ... I think it's not seen as a white Anglo [sic]; the normal people trying to promote or impose a thing that's not quite fit for purpose. I think it's been a lot more organic in the way it was brought here. I think that automatic level of trust that seems to be with people who aren't associated with the historic dispossession, yeah (Interviewee 20).

This grassroots approach was particularly needed because, as Interviewee 21 noted 'distrust of government in this region is huge'. This connection with the

community was also demonstrated through the acceptance and endorsement of the campaign by the Elders, most of the service providers in the area and by a number of criminal justice organisations. For example, the police and a local magistrate spoke positively about the campaign, as did representatives from the following service providers and government agencies: Maranguka; Mission Australia; and Legal Aid NSW. There were additional service providers who spoke positively about the campaign but elected to remain anonymous in reporting. Nearly all of the participants were able to recount 'real life examples' of the 'Yes, I Can!' having a positive influence on a participant of the campaign. For example:

It was at the time that ... class had just finished, completed, so they'd had a graduation. I met a [someone] who, [their] first comment to me was, 'I've finished 'Yes, I Can!' and I've just got a job at the [REDACTED]' (Interviewee 8).

From that point, I suggested or recommended that he seriously consider going and signing up with the 'Yes, I Can!' program, which he did. So, he signed up and then by the time he'd finished he came out the other side not only having the ability to read and write, but he also came out of the other side with a licence. So that was a life changing experience. Now he has the ability to at least function to help not only his family but also his community, which he participates in quite widely now throughout the whole community and doing some really hard physical sort of work as well (Maranguka executive director).

One of my clients had words, like there had been a sudden change, they started using more appropriate words and knowing how to use them and when she was controlling her emotions it wasn't 'fuck this, fuck this,' all the time, it was 'I don't like this, I don't'—you know. Just having a better understanding of what words and just—she had more decorum about her and just—yeah, she actually could string sentences together. A lot of the clients just [use] verbal abuse because they don't understand what's right and wrong and how to actually speak. So, yeah, it's helped in a lot of ways, we believe (Mission Australia participant).

There was also recognition amongst the participants that the increased attention to literacy issues through the 'Yes, I Can!' campaign was slowly changing community attitudes towards education in general.

... she'll tell you that it changed her attitude towards schooling; it was different to her experience. So then that trickled down to her enthusiasm to encourage the children in her care to attend school on a regular basis (Darling River Commander of NSW Police).

I think it has. Because like I said, one family that I've noticed they're more aware now how important it is to be able to read and write, now that they've got those skills they sort of want to see their kids gaining those skills as well, whereas before they thought, 'well, we'll just get through

the day', because that's all we really know but I've seen that, particularly in one family where they're actually encouraging their child to go to school a bit more now (ACLO).

It's also giving parents a little more empowerment to actually engage with the education system. Whereas once upon a time, if they've had a bad experience, the last place you want to go back to is school, even though you know that your kids have to go to school. So there's that level of small step engagement again ... around the homework or reading it, I can read this possibly with you, or I can read the note now that says we've got to go on an excursion, et cetera, et cetera (Interviewee 8).

So, what I think is that's a significant change, they believe that things could be better, if not just for them, for their children and their grandchildren and that was the reoccurring theme all the time in the classroom (Literacy for Life National Campaign Manager).

From the above quotes, it is evident that educating the adult population was seen to have a significant impact on juvenile literacy rates as it was found to facilitate, within the family environment, a valuing of literacy. Essentially, most of the interviewees agreed that the 'Yes, I Can!' campaign was an effective local campaign for empowering local Aboriginal adults and making it easier for the local community to address literacy problems.

Participants also commented on the ability of the campaign to build better connections within the community itself:

Interviewee 9: One of the strengths it had I reckon was bringing the community closer together, because it wasn't.

Interviewee 10: It did, it did, yes. Brought community all together here while we're all doing it, we'd all laugh and take it in and all get together, it was very good here.

Interviewee 9: They didn't have a really close, that communication, especially with the men. The communication, there was like a breakdown of communication there. But having them all together – because we had more men than women in our class – and it actually brought them closer.

... to me it seemed like one of the few things where the older people and the younger people came together very naturally and were all really engaged in it, really supporting each other through it (Interviewee 20).

The 'Yes, I Can!' campaign also helped the community by encouraging other services to work with the campaign to educate the students on issues such as legal access and health:

The post-literacy phase has as its curriculum, as part of the curriculum, we do legal studies and we get lawyers and advocates and a whole lot of, welfare rights people, all sorts of people in to talk to people about their rights and responsibilities about how to deal with centre care, about how to deal if you get a fine, about how to deal with debt, how you do this...all

those things. And also with things like DV – domestic violence orders – what are they, how do you manage them...and so we try ... [to] deal with helping people understand the criminal justice system ... The other thing we do is we introduce people to lawyers, to legal aid, to the magistrates, to the police ... We have over the years developed now a very good relationship – I believe – ... particularly with Australian legal aid, NSW legal aid ... we consult the students and staff about what are the most important issues that this community's facing in terms of legal issues, where should we put our resources, we can't do everything so what do we do and we try and cover ... different topics (Literacy for Life National Campaign Manager).

So, the 'Yes, I Can!' and everyone in it, even the students, they all encourage one another around when it came to it's really important that we go and get health checks. Bourke Aboriginal Health Service was a big part of the campaign because we had them in the post literacy sessions as a health day. We had [REDACTED], the dietician on one day and we'd have [REDACTED, another health worker] on another day and we'd have the dentist. So, we're giving the mob the idea of having [to] look after themselves, [and] hygiene (Murdi Paaki Regional Enterprise Corporation and Bourke LFLF Campaign Coordinator).

But it was also good. I think they used to get service providers to come in and educate them. Like, it was a place where they could be educated on what is actually out there as well that they can access. Like, because a lot of them don't know what can be accessed in the community (Interviewee 15).

So with our outreach we've been coming out to Bourke and Brewarrina since about March last year. About every six to eight weeks we come out and spend a week out here. Towards the end of last year, we made some contact with the 'Yes, I Can!' program in Brewarrina. Since doing that they've kind of invited us—each time we come out we go and do a community legal education session with the class as well while we're here, which has been a really fantastic experience. We've only done two to date but I think it's something that's going to continue throughout this year as well (Civil Law Service for Aboriginal Communities, Legal Aid NSW participant).

'Yes, I Can!' was also seen to help graduates of the campaign find employment. Interviewee 1 believed that if someone could read and write it would make it easier to find employment. Similarly, the ACLO, argued that the self-worth attached to being able to read and write was crucial to someone's ability to secure employment. A number of the participants reported that empowerment was a direct result of participation in the 'Yes, I Can!' campaign for many of the students:

... [people in the community are willing to report problems to the police] after the 'Yes, I Can!', so it has empowered them, I can tell that it has

empowered these people to speak up more (Interviewee 9).

So there might be cases of people that might be too shy or ashamed to go into a shop. They would actually feel that, 'I can possibly go into a shop, and actually, if I'm confronted by a sales assistant', they could ask a question. Often, as Jack would cite examples of people who can't read medication labels, how to take their medication properly, chronic disease. So there are little differences there. Or it might empower people enough to say, 'look, I'm just looking at this, reading this', and ask a question associated with that. So they're some of the very subtle things that are making changes in people's lives (Interviewee 8).

The campaign was also believed to have contributed to health improvements, reduced alcohol and drug abuse and increased access to health services:

Well more people are accessing the health service and they're not frightened to ask around problems anymore. They know who to go and talk to, they know that if there's something going on that they can access – it mightn't be the health service – but there's certain people in the community they can talk to and there's always someone there who'll join them to that service or try and make some sort of a connection for them. So it's a start (Murdi Paaki Regional Enterprise Corporation and Bourke LFLF Campaign Coordinator).

... she [a particular individual] has a bit of a substance abuse for alcohol, I've noticed her change dramatically over the period of time since she's been doing the ['Yes, I Can!'] program ... She just seems different. She's more confident walking around where before you wouldn't see her much and 90 percent of the time she'd be intoxicated and yeah ... (ACLO).

Further community support for the campaign was evidenced by the success of the graduation ceremony at the conclusion of the first intake in Bourke. The graduation ceremony at the end of the campaign was regarded positively by a number of interviewees:

You possibly can't capture on a voice recorder the impact that the graduation here had, it was exceptionally powerful. To actually see grown men crying, very powerful. A lot of the older people around, the Elders would be saying, 'I've known that child and I know their history, I know they've come from dusty tracks, but I can see a change in their life.' That was powerful (Interviewee 8).

To see and be involved in a professional space, but I'd rather stay in a community space, to actually—on graduation day, when the people—the graduation ceremony was down on the wharf, beautiful setting on the river. Just to be there and knowing some of those guys I'd gone to school, and the ladies, but to be able to go up and receive their graduation certificate, and then read a speech. That was the most powerful part, to actually—the confidence to read a speech in the presence of community, so their confidence alone (Aboriginal Affairs participant).

Support from the community for the 'Yes, I Can!' campaign is ongoing with many of the interviewees expressing a desire to know when the next campaign will begin. Many interviewees also recounted being approached by local Aboriginal people to find out when the campaign would next run:

There's still people approaching people like [REDACTED] and saying, 'when is the next course coming?' Every second conversation we probably have with [REDACTED], she's relaying, more people are still coming to put up their hand, 'when can we do it?' So there's people coming out of the shadows, if you like, now starting to say, you know, the shame factor is dropping, we can step over that barrier, and we want to learn a bit more (Interviewee 8).

Specifically, nine of participants advocated for the 'Yes, I Can!' campaign to function as an ongoing project within their communities:

I think there's some lessons to be learnt and I think it's smart that the Government is investing in programs such as 'Yes, I Can!' or considering that, because that will be the key to addressing dysfunction and the high gap between education levels, the infant mortality and the like between Indigenous communities and non-Indigenous communities (Darling River Commander of NSW Police).

It works, the evidence is there, it works. To continue the program, I think it would be a very, very sad day if they discontinued it. It's something that needs to be continued right across the far west area, in particular in the state. There are urban communities of people who still have an issue around reading and literacy. But in particular, our region, our discrete communities that need this attention, they need to be given the opportunity. The education system hasn't worked for many ... So this is another form ... of education that's delivered in a cultural and sensitive way. It allows for people that have other family responsibilities or may have some other little issues going in their life, whether it's, you know, health problems. But that's all factored in. So the teaching, it's factoring all that in to meet the needs of the individual (Aboriginal Affairs participant).

Many of the interviewees were unreservedly supportive of the campaign as they maintained there were impressive outcomes and achievements associated with it:

I mean the bloody name of it, 'Yes, I Can!', is exactly the heart of it to me. It's about yeah, it's bloody hard work to learn how to read, but it's accessible. It's able – if a community wants to do that it doesn't have to be in a big building with experts and that sort of thing. So, I think that's it, but underpinning all of that is because it comes from a position of knowledge of the community and where they're coming from, what the issues are and what their experience with all of this stuff has been. To me really that's the underpinning sort of philosophy of it and so there's an element of trust there (Interviewee 20).

But the program, as I say, is a lighthouse for Wilcannia, it's a lighthouse for Bourke, and now we're moving into Brewarrina and I'm hoping and I'm believing that it'll be a lighthouse for Brewarrina. All along, you can see the turnaround in people's lives. It's the people that are delivering it, the people that have been empowered by the framework, it's the people that are actually delivering it to their own people (Aboriginal Affairs participant).

Criminal justice system outcomes associated with 'Yes, I Can!'

A number of the participants identified that many of the local issues, such as unemployment, feelings of disempowerment and drug and alcohol problems had a significant role to play in the over-representation of the Aboriginal community in the criminal justice system:

But it's a pretty tall gig when you've got whole sections of your community that feel disengaged and are inclined to for generations not engage in the justice system, not engage in any meaningful work options and obviously out of that flows that real feelings of disengagement, which leads to apathy which then feeds into a reliance on drugs or alcohol. If that's been happening in your family for generations, it's hard to break that cycle and so we recognise through our crime analysis that these are some of the core social factors that are contributing the crime that we're trying to prevent (Darling River Commander of NSW Police).

Participants also identified a range of areas where illiteracy was impacting on the criminal justice system. In particular, the issue of illiterate Aboriginal people coming into increased contact with the criminal justice system because of driving without a licence was cited by ten of the participants:

They—people want to learn to drive a car in Bourke, a lot of people don't have their licence because they can't do the L's [learners licence] test. So, this literacy thing would let them be able to get driver's (Mission Australia participant).

So that doesn't assist in the commission of the offences to start with, and then quite likely literacy issues, access to motor vehicle driver training and so on, has probably I would say anecdotally meant that we have a lot of unlicensed drivers, but hopefully that's changing (Interviewee 1).

Yeah, and a lot of them have got cars, a lot of them have already got cars but I know that if they had their licence they would get their vehicles registered and they would drive, eh? (Interviewee 9).

But when it comes to sorry business, when there's funerals, people tend to if they haven't got a licence, that's not the issue. It's how they're going to get from A to B to pay their respects to a family member or a friend. Time and distance means nothing when it comes to sorry business (Maranguka executive director).

As previously highlighted by the literature, driving without a licence in rural and

remote areas is a significant problem due to lack of public transport and spatial distances of services. The Literacy for Life National Campaign Manager focused on some of these issues, particularly in relation to Enngonia:

... people get a lift into town or drive illegally into town. Because, I think the really big thing to understand about Enngonia and the law is that there is no community bus service that takes people into Bourke or Brewarrina, which are the two closest places, for shopping. There is no community bus service for shopping, or for medical services or for hospital... There were only [a few] Aboriginal houses that had a vehicle, that was registered, and licensed driver. Now that in itself, tells you a lot about the fact that this is a very big problem for the people in that town, in terms of access to, especially hospital.... There were other cars that were not registered and didn't have a licensed driver, and those people would drive the back-roads to Brewarrina... There was no one to drive, there was no health services, no dental service and so ...the fact that they were forced into this situation of taking some action, there is no taxi, there is nothing, you know?

Driving offences was perceived to be a large problem in both the Bourke and Enngonia areas, with many of participants following on this discussion by discussing how the 'Yes, I Can!' campaign was helping to reduce Aboriginal contact with the criminal justice system in areas of driving without a licence. For example:

A lot of young fellows that drive while unlicensed and getting big fines and then ending up not being able to get their licence later on because they've got these massive fines and I think it's helped because they're actually—like I said they're not embarrassed to actually go and sit down and actually do their exams ... Yeah, like I said people are actually wanting to get their licence so that drops the rate of people driving without a licence. Not only that, they're actually being able to sign up and put in for jobs and things like that, which is diverting them from that criminal justice system and keeping them out of jail because they're actually—they're waking up and they've got something to look forward to in their day (ACLO).

Interviewee 2 also thought that more people in the community were getting their licence, although they perceived that this was a result of a partnership between LFLF and other organisations such as Maranguka and Birrang (an organisation that sought to provide driver training to Aboriginal peoples). The Literacy for Life National Campaign Manager outlined how LFLF also contributed to students (enrolled in the campaign) obtaining their licence in two main ways. First, students enrolled in 'Yes, I Can!' were able to practice the computer tests during classes; second, the staff in 'Yes, I Can!' worked with Birrang to enrol several students to go to driver education and licensing sessions.

The links between low literacy and involvement in criminal or civil proceedings was highlighted by participants, who emphasised the ramifications of failures to

understand and respond to forms and official communication.

Which now I'm getting to the point of using this real-life scenario where I was approached—it was a court day—I was approached by an individual, an Aboriginal guy, in this community. He called me aside and he spoke with me in confidence ... he received a letter or multiple letters from the landlord to the point where one particular morning the police, the sheriff, the social housing provider, they all showed up on his doorstep and they evicted him (Maranguka executive director).

... look we all know that if you can't read and write and speak, in standard Australian English, you're going to have real difficulty in manoeuvring your way, navigating your way through the legal system ... People's use of language, their capacity to understand what they are being told by police or legal...even lawyers...who are there to help them, let alone what goes on in the court room...all of those things...like I don't know how many times people brought us statements or brought us stuff and said 'can you help us understand this, what does this mean?' or people's mothers would come down and say "this is what's happened to...you know... what's it about? What do I do?" ... one of the biggest issues regarding literacy and justice is that people don't even understand the system. They don't know their rights, they don't even know when they're doing things wrong half the time...like parole...what is...they don't even know what that means half the time and even though they'll have ... an underfunded solicitor that's dealing with their causes, their crisis...you know, bail...what's bail, how do you get bail, what do you gotta do to get bail? Now all of those things, that's what literacy...that's what precludes people being able to get justice if you like. So even when they've committed a crime, it precludes them, even if they haven't committed a crime but have been wrongly accused, it's difficult, even if they are just trying to – it's not a criminal thing – it's just a civil thing about debt and so on, you know...just impossible. And the thing out there there's very few services where people will help you and the legal service is just completely overwhelmed and under-resourced (Literacy for Life National Campaign Manager).

For those already involved in the criminal justice system, there is the problem of being unable to understand the requirements of orders (for example court appearance notices) or information presented at court. Agreement to, or compliance with, orders may be seemingly given, but not intended, because of the phenomenon of 'gratuitous concurrence'. Described by Hunyor as a 'widely recognised cultural tendency, this term refers to the practice whereby an Aboriginal person says "yes" in answer to a question but it often does not mean "I agree with what you are asking me". Instead it often means "I think that if I say yes you will see that I am obliging, and socially amenable and you will think well of me, and things will work out between us"' (Eades 1992: 6 cited in Hunyor 2007: Section14). In *R v Anunga* [1976] 11 ALR 412, Foster J noted how this can

occur in the criminal justice context, as 'most Aboriginal people are basically courteous and polite and will answer questions by white people in the way in which they think the questioner wants. Even if they are not courteous and polite there is the same reaction when they are dealing with an authority figure such as a policeman' (R v Anunga [1976] 11 ALR 412 cited in Hunyor 2007: Section 15). The ACLO recounted similar difficulties in understanding orders and the complication of gratuitous concurrence, commenting:

As I said some people have—when I first sort of started I realised that people are coming in, they're signing statements and that and they're not realising what they're actually signing up to. Even when I attend court they're saying yes, yes, yes and then later on looking at me and going I didn't understand what happened and I just said yes because I thought I had to. So, I think it's a benefit – it will be a benefit for people because they actually might have a bit more of an understanding of what's being said because obviously if you haven't gone through school and you don't understand certain words and what their meanings are they just – because they're such vulnerable people they feel like they're just obligated to say yes because that's what's being said.

Victims, particularly of domestic violence, were also disadvantaged through their lack of literacy when trying to make victim statements for the court:

... you have victims that come in and they can't read through their statements because they get an electronic statement or whatever and then the statement is put in front of them and they just sign it and there could be things in there that they really don't understand they just sign it anyway because obviously, it's been typed, it's put in front of me so I'll just sign it. So, like I said to read and write it's pretty important, it doesn't affect that moment, it affects their whole life (ACLO).

Participants also made reference to Aboriginal community members coming into increased contact with the criminal justice system because they have been unable to understand communication regarding tenancy, debts and other issues.

Because a lot of our people get the letter and then throw it away, oh, the officials say 'they're ignoring us, we're going to breach them', and all this. But it comes down to the fact they couldn't read it (Aboriginal Affairs participant).

We put a paper down and we'll say 'here, sign this', we'll sign it and that's what a lot of our people do out there, that's why a lot of them end up back in the prison. They don't even know what they're signing, a lot of them consent to whatever you say they did and they don't even realise they just done that (Interviewee 9).

As such, illiteracy appears to be having an impact on how Aboriginal people are interacting and responding to the criminal justice process. In these recounts, the participants also commented on how the 'Yes, I Can!' campaign was helping its students in these types of scenarios. One account noted that:

Even around guys that are with fines, or a letter to appear at the court or whatever. They're getting the notices but not able to read it, so then the continued overflow effect of, 'he's not adhering to the court appearance,' an instant warrant is put out for his arrest, or her, and then they end up—what's the story? But not one would ever make an admission that he couldn't read the—even to the magistrate. Because there's a bit of a shame, that stigma, so just nod your head, that's all. I've seen it, just nod your head, it's nodding to something that they shouldn't be nodding to. So, I've seen a change where the guys in particular that were part of the program, I saw a difference in the change, the empowerment they received, being able to now read letters. So, if there's anything around that justice system, they're confident to read it, or confident enough to say, 'I can't understand this word, I'll go and get someone to help me understand this word' (Aboriginal Affairs participant).

For the Literacy for Life National Campaign Manager, the 'Yes, I Can!' campaign was providing the students with more awareness and confidence to 'manage the system':

...that people actually walk into a legal aid service or even to the police and the court and are prepared to stand up and say something to a magistrate, that's pretty empowering, you know? ... feel like they know how to manage the system when they get into trouble if they do, or a family member does, who ... know that they can go to the police for help. That's one of the things people have no trust in and I did see that change. I'm not going to pretend it was a huge change but I did see that some women, especially, started as a result of having a better relationship and discussing the law and having legal aid people come in a talk about the law, not just criminal aspects but...I saw that people had a greater trust in the legal system could help them, it wasn't just there to lock them up...could protect them, protect their kids.

The Darling River Commander of NSW Police believed that victims of abuse were becoming more empowered by the campaign to feel comfortable reporting the abuse and making statements and going to court:

I know that certain participants—it's clear to me that they've got to a point of confidence where they go you know what, I don't have to cop [sic] that smack in the ear every night when I go home and I'm at a point where I'm confident enough to stand up for myself and follow through. As much as a lot of people might report stuff, they wouldn't follow through and it would be difficult for the police to prosecute someone if they don't have victims cooperating.

However, Interviewee 2 had not seen a change in the students enrolled in 'Yes, I Can!' and their ability to understand court proceedings. Further, Interviewee 2 did not believe they had seen any difference between 'Yes, I Can!' students and those who had not enrolled in the campaign and the way they understood court proceedings.

Although some were sceptical about the benefits, there was recognition by some participants that the cycle of illiteracy and criminal records had an ongoing damaging effect, not on the individual but the wider community as a whole:

Yes, because they can't work, they've got a criminal record. Once you've got a criminal record— 'I feel stupid and dumb, the only thing left to do is break into a car'—criminal record. You know, the meat—the abattoir is meant to be coming to Bourke to employ maybe 200 people. Half the people can't get employed there because they'll have criminal records. Yeah, so that's the big problem (Mission Australia participant).

Interviewee 8 and 12 stressed that, in order to improve community wellbeing and reduce engagement with the criminal justice system, literacy rates had to be enhanced. Unfortunately, they maintained that this connection was not fully appreciated by all in the community:

That's a space that this community, as a collective, hasn't moved to yet. We're taking for granted— and again, 'it's the problem of the person who can't read, it's their problem.' We're not addressing this as a community-wide problem. If there was that community-wide realisation that poor literacy is directly attributable to crime, I'm sure a lot of people in this community who have been broken into might think, 'gee, if we did something about helping everybody read, it might reduce our crime rate.' But again, those two dots haven't, for example, two of the many dots haven't necessarily been joined by all the people in this community. I'm talking the mainstream community (Interviewee 8).

I think where people have increased their knowledge base through literacy, it can only improve their standard of life. It is less likely that they will come back into contact with the criminal justice system. It increases their prospects of getting better employment, better income. It increases their prospects of being able to travel more broadly beyond the confines of the Bourke township without risking coming into contact with the criminal justice system. Therefore, it can open their eyes, and once eyes are opened, well, who knows where people will go (Interviewee 12).

Indeed, the Darling River Commander of NSW Police was able to provide some anecdotal evidence for the 'Yes, I Can!' campaign reducing levels of offending and interactions with the criminal justice system. He articulated that:

Clearly a person that was disengaged with society, had no purpose in life. This was a fellow that probably, in part thanks to a lot of the older people that had a lot of courage to go and engage in this system and be trailblazers, he [sic] signed up for the program and attended very regularly; gave him a purpose in life. To my knowledge, he did not come to the attention of the police or the other authorities in his time on the program.

Many of those people in the program at least had a period of non-offending or a lack of interaction or fewer interactions perhaps while they

were involved in the programs there, 100 percent. It goes further than that because, as I say, I would go down there and I'd talk to the people in their homes or whilst they were at the program, and you could, their lived, in their demeanour, walking tall, they're shoulders are back, they're getting out of bed.

A participant from Aboriginal Affairs also provided support for the Darling River Commander of NSW Police's claims:

Also from another perspective is that the people that didn't engage with 'Yes, I Can!' did continue to be part of the criminal justice system. So, there was opportunity to engage but some chose not to, but you could see the difference. If old brother boy [sic] used to be part of the crew and he's gone into the 'Yes, I Can!' and he's got a focus moving this way, and old brother says, 'no, it's not for me.' Then within a couple of weeks or six months, he's down back in, you know. So, when he comes out, old brother that now can read and write, he says, 'listen, you should have come with me, boy, you should have come over here.' That's the type of communication.

There were also comments about how the 'Yes, I Can!' campaign helped to keep the students out of trouble, or 'off the streets' with the police just because they had a place to go every day (Interviewee 16), which could explain a perceived reduction in crime. There were also suggestions that it was impacting on crime levels because the students had a greater sense of pride and empowerment as a result of being able to read (Interviewee 9). However, there were also cases where students enrolled in the campaign either reoffended or broke parole.

There was also some evidence that the 'Yes, I Can!' campaign was used to help its students when they did come in contact with the criminal justice system. For example, the Darling River Commander of NSW Police argued that participation in 'Yes, I Can!' facilitated student engagement with local police:

It goes without saying that the more engaged people feel, the less likely they are to rebel against authority, throw bricks at the police cars when they turn up. The more educated they are they're more they're likely to get it rather than focus on some narrow-minded stereotypes of police or authority figures. They're happy really to think a bit more rationally and maybe read a bit more widely on issues. It's pretty obvious that that's going to—I see it all the time. The people that maybe we've had—traditionally, we've had very confrontational, adversarial relationships with, they get involved in this and then they interact with the police at a different level. Then they're a lot easier to deal with and resolve conflicts with, because they're more open-minded to other points of view I suppose.

The Darling River Commander of NSW Police also participated in some of the 'Yes, I Can!' activities by attending classes and speaking to the students about what the role of the police is in Bourke. According to the Murdi Paaki Regional

Enterprise Corporation and Bourke LFLF Campaign Coordinator, the students were very interested in this and then had a greater understanding of 'why police officers do what they do'.

In a further example of 'Yes, I Can!' helping students who came into contact with the criminal justice system, a previous Magistrate of the local area provided information on a specific case where an Aboriginal person with a history of driving offences approached him through the court to have his habitual offender declarations quashed so that he could go for his licence. Because he had completed the 'Yes, I Can!' campaign, the Magistrate 'had no hesitation in granting the application and quashing the habitual offender declaration. So, he was free to go and apply for his licence'. The 'Yes, I Can!' campaign has also been used by some magistrates in the local area as a condition of bond:

I do recall a number of participants, I think, getting bonds where it may have been a condition of their bond that they continue with the Literacy for Life campaign program ... bonds are a very common sentencing option available in Bourke, because we don't have some of the other programs that might be available in the larger regional centres in the cities. That leaves you with the alternative of custodial sentences (Interviewee 1).

The Literacy for Life National Campaign Manager was able to talk about several instances where a previous female magistrate cited a students' commitment to the 'Yes, I Can!' campaign as a way to give a minimal sentence, such as community service. She also discussed how she wrote support letters for several students attending court whilst enrolled in the campaign. However, the Magistrate interviewed in this study did not make the 'Yes, I Can!' literacy campaign a condition of bail:

I didn't see it as my role to command a person to do a literacy course. I would certainly, quite often, in describing the sentence that was being given – I'd quite often call people up to the microphone and have a chat with them and would explain to them that their life might really change if they'd engage in the program, but I didn't make it a condition of a bond ... If you put a person on a bond generally the experts in assisting people, guiding them through that bond period which is Community Corrections or Juvenile Justice, they're in touch with all the various agencies that may be able to assist. So, it's really up to them to then guide people in that direction, rather than force people I think in that direction.

Despite this, a few of the other participants reported that participation in the 'Yes, I Can!' campaign was impacting on the sentencing decisions of the courts; one of the lawyers recalled citing the campaign when making submissions to the magistrate:

... generally anything that a client is doing that is positive in their life, that's looking to up skill them in order to be able to help them become more productive in the community that's something that I would always put to the judge when considering options on sentencing. It reflects well

on the client that they're actually positively engaging with services in the community. It reflects the fact that they're eager to try and better themselves and up skill themselves and become more productive in society. So that's the main way that I would use the 'Yes, I Can!' program in submissions ... I'll just say things like, 'my client instructs me that they're engaging in the 'Yes, I Can!' program, the program assists them with numeracy and literacy'. So, reading and writing and they're doing this with the intention of et cetera, et cetera, et cetera ... So, it just helps – it just helps to show the judge that it's not – the person who they're engaging with is not just someone who is sitting around doing nothing all the time. It's someone who is actually trying to have a go (ALS participant).

Some of the participants reported that the 'Yes, I Can!' campaign improved the relationship between the Aboriginal community and criminal justice organisations such as the police:

But I still see it as a two-way street as well. It's learning from each other, but it's building that rapport and building a relationship where police—now that when there's—for instance when there's a class of 'Yes, I Can!' students the police are coming in on a regular basis and introducing themselves. They're making that sort of contact, as opposed to the next time you see them they're dragging you off in handcuffs (Maranguka executive director).

In Bourke, in particular – we were able to develop a very good relationship between the police and our students. The police...it started because the commander there ... could see that a community development approach was really working – one day he saw our students having a BBQ as part of their cooking class down in the park and he wandered up to us and said 'hello, what are you all up to' and of course they just turned their backs on him and looked away and then ... the Aboriginal staff engaged with him and offered him a Kebab and all this stuff, anyway as a result of that there was a dialogue opened up, and what he said to us was that 'this is really important because when his young recruits police officers come to town, they don't have any way of engaging with Aboriginal community as people'. They only engage with them as either victims of crime, you know, where they've been bashed or hurt or something, or as the perpetrators of crime. And he said that...so he asked us if we could have this social engagement and we got the police to come down and talk to our students, not about policing but about being a police person, and about...just listening to our students talk about what are the issues and why...and you know we...it was a very, very useful thing. That happened over 18 months ... it gradually built up, so that in itself created a very good intervention into the justice system in my view and it wasn't just our doing, it came from this...the commander ... as well. So, it was a good partnership where we helped each other. And that meant that when

students got into trouble or students' family got into trouble, meaning they were...not just that they were arrested or they were accused of something but when something was happening that was wrong in their family, in their community, they knew that there was a bloke on the desk, that his face they knew, and they went down there. Or they'd grab one of our staff, the Aboriginal staff, and we'd...take them down there. We wouldn't talk, we'd just be there as a witness, as a support person ... I think it's worked the other way where, being taken seriously by people like the police, so when they see them they don't just walk past them, they'll stop and say, 'hey how you going mate', you know that sort of thing. That's been...that changes your whole self-concept and your dignity, you know (Literacy for Life National Campaign Manager).

There were also a number of discussions about how supportive the Darling River Commander of NSW Police of the area was of the campaign. For example:

[The Darling River Commander of NSW Police] has been excellent ... he's always praising the students that went through the 'Yes, I Can!'; he talks very highly of the campaign and its impact (Murdi Paaki Regional Enterprise Corporation and Bourke LFLF Campaign Coordinator).

However, concerns were raised that continuing negative encounters between the police and Aboriginal students in 'Yes, I Can!' were still occurring in Enngonia (Literacy for Life National Campaign Manager). There were areas where interviewees highlighted more proactive steps were needed from the police in relation to identifying and redressing illiteracy problems:

One of the things they could establish, when he's[sic] being charged and he has to sign his name or whatever, it's a great opportunity to pick up, 'oh, this guy can't write his name.' Or, 'do you understand what I'm saying?' Because they just nod. Straightaway, as a pathway, the police can create the relationships with the ALS or with Maranguka and say, 'look, when this guy—when he's charged and released back in the community, we need to link him up'. Be that advocacy (Aboriginal Affairs participant).

There were also suggestions from the Darling River Commander of NSW Police about how cost effective the 'Yes, I Can!' campaign was for the criminal justice system:

It ['Yes, I Can!'] produces very good social outcomes and with a relatively low level of inputs in terms of salaries, infrastructure, employees and the like ... I think the costs of the operation are relatively lean, and when you compare it with the outcomes I just think it's really sensible. I suppose if you want to put it back to a cost-benefit analysis again, one of those lads that went to the program is now in full-time custodial juvenile detention. I think that can cost upwards of between—you're talking up to potentially half a million dollars a year there. I know that the 'Yes, I Can!' program is probably run for 12 months on that, and that's keeping one person out of custody; what about all the other indirect benefits?

On these costs, in 2012-13, \$13.5b was spent on criminal justice, which was an increase of 24 percent since 2007-08. In 2012/13, \$80,999 was spent for every prisoner and \$8,384 for each offender sentenced to community corrections programs (AIC 2014).

In addition, some of the participants discussed how the 'Yes, I Can!' campaign was changing the overall quality of life for some of its students and that this was deterring them from further crime:

I think, too, people putting their hand up to do the course is an admission of, 'I want to make a difference in my life.' Making that statement or that sort of thinking is actually saying, 'I'm making a difference in my life, I don't necessarily want to do crime,' or for whatever reason, 'I'm trying to educate myself, I'm trying to get healthier, I'm trying to stay out of the legal system,' to not have contact with the legal system ... I think, too, some of the conversation ... of talking with people here, they're more open because of that confidence to talk about, yes, we've come from dusty tracks, yes, we used to do crime. But we're starting to see a little bit more reason, there's another pathway in life, it doesn't have to be that lifestyle. We can move away from that, we've got a little bit more confidence (Interviewee 8).

Well in the community here, I can tell you, with criminals' things. But a lot of blokes was [sic] here and done the class, not one of us [sic] didn't get in trouble with the law yet, only one bloke might have got in trouble drunk driving plus unregistered car. Get drunk ... but I never seen them get in trouble with that after that law (Murrawari LALC participant).

Because it can be a struggle for people who can't read, because it not only empowers you it's to help you stay away from places like the prison system (Interviewee 9).

Yeah and the main thing, it's a focus to the people where the cycle, it begins and ends. To break – like what I believe around the 'Yes, I Can!' program, it's something that can help us break that cycle around the impact – or...How can I put this? Well break the cycle of repeat offending, going back – there's so much you know. But if we're going to break the cycle we need to get those ones down there to meet these ones up here and we all need to come halfway. It's very true; it's not – if someone's down there who can't read and write, well it's not their problem, it's ours. It's up to us to find a way to help them overcome that problem. By doing 'Yes, I Can!' program, it says a lot. It speaks for itself (Murdi Paaki Regional Enterprise Corporation and Bourke LFLF Campaign Coordinator).

However, there were a small number of participants (only two) who stated that they had not really observed an effect of 'Yes, I Can!' on crime. Some participants noted that it was hard to separate out the impact of different programs such as 'Yes, I Can!', the bail clinic, *Bail Act 2013* (NSW) and the driving school. Overall,

however, these participants (for example Interviewee 20) were seeing an impact on improved quality of life and differences in interactions with the criminal justice system.

Criticisms of 'Yes, I Can!'

Only a very small number of the participants (two) considered that the campaign had not had any observable effect on outcomes particularly in terms of criminal justice. One participant, in particular, was heavily critical of the campaign. For example:

So, I'm not going to sit and pee in your pocket and tell you that something's of value to our people when it's not. I think if people come out, and even if they learnt the ABC, then say at the end of this program this is what we've got. You know what I mean? Don't come out and say well we've spent a lot of money on [Bourke] and now the education problems sealed and justice and criminals, it's all done in one bucket. That's a load of rubbish ... But it had a lot of media while [it was here though]. A lot of media. I knew from friends in high places that they were saying oh this wonderful [program], crime dropped for them. Huh? I live with that community. {underlying tone that the crime rate had not dropped} (Interviewee 17).

The same person further criticised the campaign for providing cash incentives to student graduates and perceived that students were enrolling just to receive the money. Further, Interviewee 17 argued that the promises made by the 'Yes, I Can!' campaign were unrealistic and could not be delivered to the students. This is linked to a comment made by the Maranguka executive director, who believed that programs such as 'Yes, I Can!' were unable to address many of the underlying problems within the community, which were beyond the scope and not a target of the campaign such as 'the mental health of cognitive issues'. The Maranguka executive director also wanted to see larger intakes of students into the 'Yes, I Can!' campaign so that more members of the community could improve their literacy skills.

There were many participants who did perceive weaknesses of the 'Yes, I Can!' campaign. Two of the participants (Interviewee 17 and the Maranguka executive director) both thought that the campaign should be opened up to young people as well as adults. Interviewee 17 argued that if the 'Yes, I Can!' campaign wanted to reduce crime rates in the area then youth needed to be the target populations of the campaign. Four of the interviewees felt that the major weakness of the campaign was that it was only a short-term project without any real guarantees of becoming a long-term permanent program:

If you have a look at the success rates and the outcomes of particularly the first 18 months, it's quite overwhelming and it certainly exceeded our expectations from the sort of humble beginning. So, I think the only downside or resentment is that there's nothing sort of ongoing (Maranguka executive director).

Because some people were incarcerated, in gaol, they've missed out on that opportunity and if it, if we don't, if it doesn't come back it's those people that still struggling in places like Enngonia, how small it is. Those people are still left to struggle (Interviewee 9).

Maranguka executive director: See, the other thing is that people offer to come in and their first barrier is, now that 'Yes, I Can!' is not operational here, they then – so if we refer them to TAFE [Technical and Further Education], well they don't want to go to TAFE. So, they just go home and they just reserve themselves until, wait until 'Yes, I Can!' comes back. So again, they're the barriers that people are really challenged by. Or the other option, do they try and find the ways to either go to Bree [sic] to engage to get those necessary skills? But that's just the reality of it.

Murdi Paaki Regional Enterprise Corporation and Bourke LFLF Campaign Coordinator: And they lose hope. Just fall back into the system again.

Maranguka executive director: Back in the same old cycle.

But come on, come along behind them and say 'well darling this is the next step now, we really want to follow you through'. You can't come out and say 'yeah, we sat in a group, we had a good time and that's the end of the day'. All of us need to be encouraged in some way. If it was a self-esteem bracket then wonderful, but was that the outcomes that it set out for, and what kind of cost? I don't know... I suppose just coming back to the community and saying this is what we have to offer, how can we get people in. This is a stepping stone, not the end of the road (Interviewee 17).

Discussions around this issue also focused on participants falling back into old habits once 'Yes, I Can!' finished. On this issue, the Darling River Commander of NSW Police mentioned one student who stopped offending during the 'Yes, I Can!' campaign, but then started to reoffend once the campaign ceased and now has a custodial sentence. Interviewee 14 saw the gap of services at the end of the campaign as a 'let down' to the students.

A number of recommendations for improvement were suggested by the participants. Interviewee 14 and Interviewee 17 discussed the need for accreditation or a certificate that would allow students of the campaign to be measured against other educational institutions, such as TAFE. The Maranguka executive director and Interviewees 16 and 17 all commented on the need to have further links between the different services in the local area, such as drug and alcohol services, 'job ready' programs, and TAFE.

So, we know clearly that if I'm a student I'm signing up, yes, I'll be given the skills and tools to read and write. But I also know that other opportunities will be made available to me as part of that whole professional development capacity building. So I think that's where we really need to be. I think it really relies on drawing other contributing services as well. Making those linkages so it's not just up to one sort of program—everyone working in collaboration—because that's key on

moving forward (Maranguka executive director).

While LFLF do conduct participatory evaluations, annually, which are included in reports to funding agencies and local organisations; a more formal evaluation of the campaign was also recommended by the Maranguka executive director and Interviewees 16 and 17.

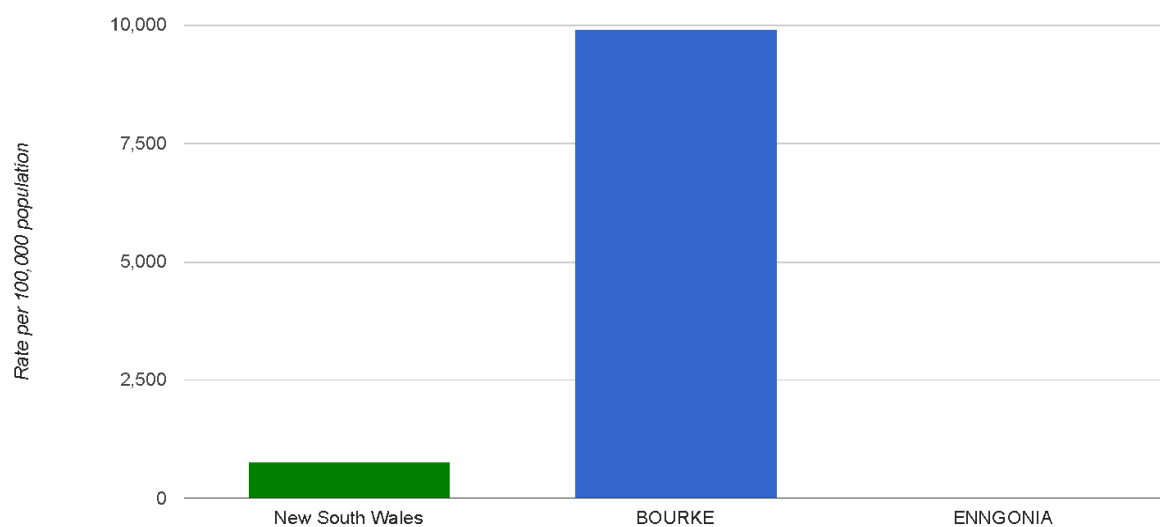
Quantitative Data Analysis

General crime rates for offences relating to the categories of assault, theft and sexual assault were presented in the background section to provide an initial indication of crime levels within Bourke and Enngonia. This section presents more detailed statistics on crime levels relating to information provided during the interview process. As the previous section highlighted, there were crime types that interviewees maintained had reduced as a result of the 'Yes, I Can!' campaign. The following graphs and tables use official statistics to determine whether there may be any correlation between the 'Yes, I Can!' campaigns and the crime rates for offences of 'against justice procedures' and 'driving offences'. An important caveat to the following data is that in locations with small populations the activities of a few, and even a single, offender can influence changes in crime rates across reporting periods. For instance, the incarceration or release of a certain individual may contribute to an increase or decrease in the number of arrests or recorded offences in a short period. We can see with regards to 'against justice – fail to appear' offences (discussed below) that although only five such offences were recorded over a two-year period, that was sufficient (given Bourke's small population) to be reflected in a rate per 100,000 that was much higher than the rest of the state.

Against justice procedures

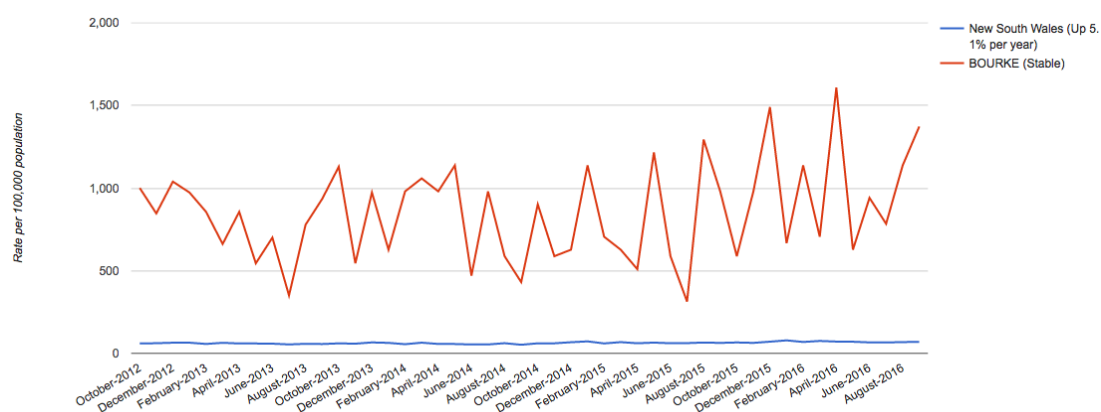
Using the BOCSAR Crime Mapping tool, Figures 12 and 13 provide a contrasting image of the high rates of 'against justice procedure' offences recorded in Bourke compared to the rest of the state. The following Figures all reflect this imbalance in rates between Bourke and NSW. Results for Enngonia did not register on the crime mapping tool, except for specific information about where and when certain types of crime was occurring (see later in this section for examples). As such, much of the following results focus on Bourke only. The following figures also do not differentiate between Aboriginal and non-Aboriginal offenders.

FIGURE 12: INCIDENTS OF 'AGAINST JUSTICE PROCEDURES IN BOURKE AND ENNGONIA', FROM APRIL 2015 TO MARCH 2016



Source: NSW BOCSAR 2017a

FIGURE 13: INCIDENTS OF 'AGAINST JUSTICE PROCEDURES IN BOURKE', FROM OCTOBER 2012 TO SEPTEMBER 2016

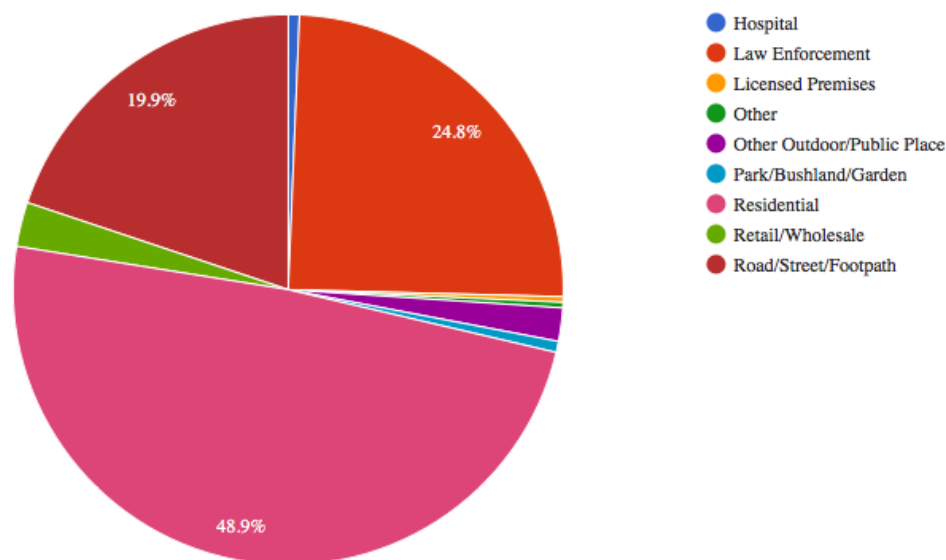


Source: NSW BOCSAR 2017a

To provide further context, incidents of 'against justice procedures' in Bourke, from October 2015 to September 2016 were more likely to occur during the night (53.7%; compared to 46.3% in the day) and through the week (64.2%; compared to 35.8% on the weekend). Enngonia displayed similar statistics with 57.1 percent of incidents occurring at night (compared to 42.9% in the day) and 71.4 percent occurring during the week (compared to 28.6% on the weekend).

Figure 14 illustrates that 48.9 percent of incidents of ‘against justice procedures’ in Bourke occurred in residential areas; followed by 24.8 percent on law enforcement property; and 19.9 percent on the road/street/footpath. In contrast, in Enngonia, there were only two categories of premises: ‘residential’ (85.7%) and ‘road/street/footpath’ (14.3%).

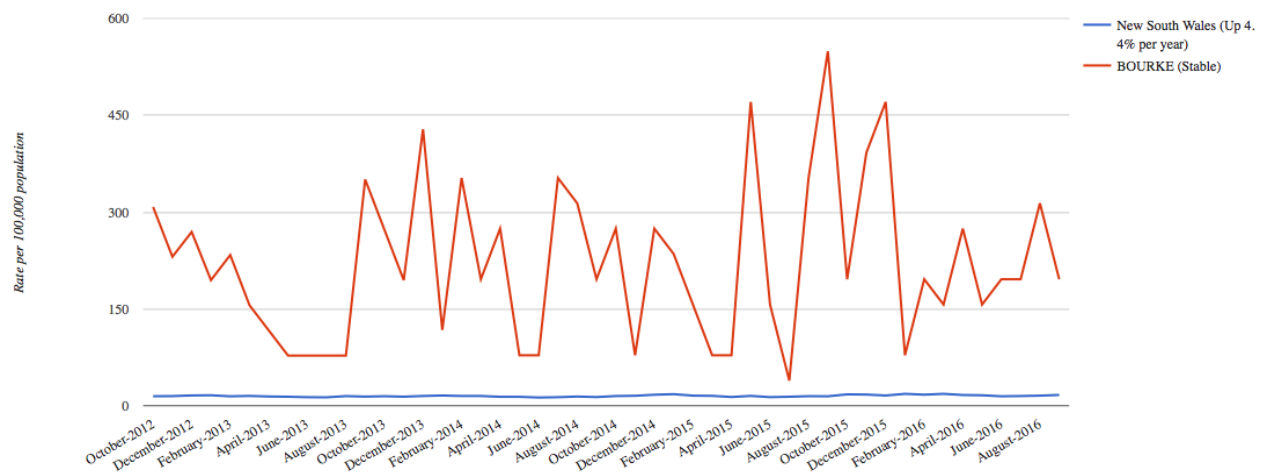
FIGURE 14: INCIDENTS OF ‘AGAINST JUSTICE PROCEDURES’ IN BOURKE SUBURB, FROM OCTOBER 2015 TO SEPTEMBER 2016 BY PREMISES



Source: NSW BOCSAR 2017a

Breach AVO is one type of ‘against justice procedures’ that could be directly linked to literacy issues. Undoubtedly, if the recipient of an AVO cannot read the restrictions, they could easily breach their AVO unknowingly. Certainly, it is the responsibility of the respondent to clarify and follow the conditions of an AVO and breaches of AVO are serious and can indicate threats to victim wellbeing, safety and security. In addressing and seeking to prevent breaches, stigma associated with illiteracy and how the notion of ‘gratuitous concurrence’ (Hunyor 2007) in seemingly indicating compliance in the court setting might be overcome and warrant further attention. When comparing this data (see Figure 15) to the campaign dates of the ‘Yes, I Can!’ campaign in Bourke, there are some correlating declines in rates for breach AVO. A minor decline is observable in rates throughout 2014, which could be a result of the three campaigns between 2013 and 2014. However, the rates appeared to increase again during the fourth intake of the campaign during 2015.

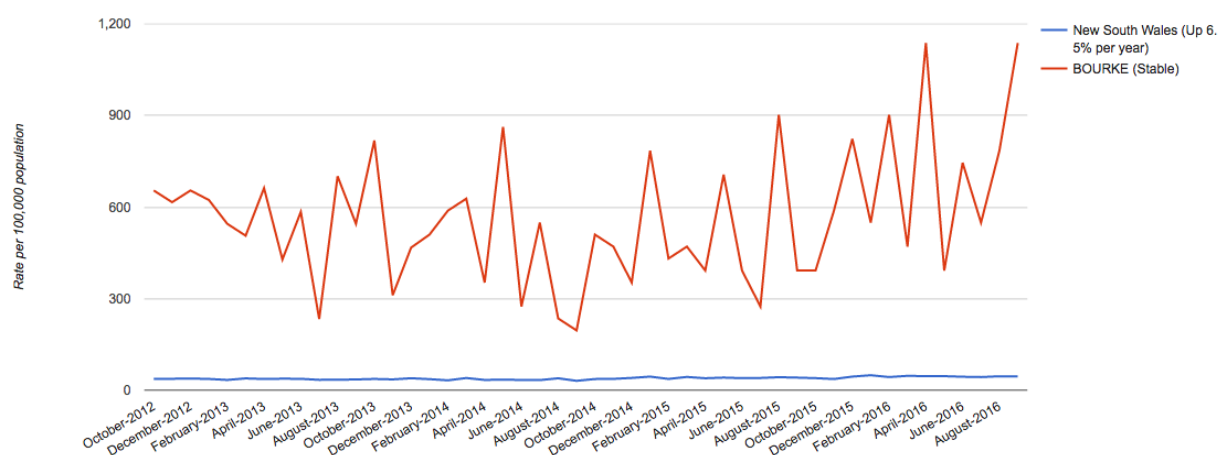
FIGURE 15: INCIDENTS OF 'AGAINST JUSTICE PROCEDURES (BREACH AVO)' IN BOURKE SUBURB, FROM OCTOBER 2012 TO SEPTEMBER 2016



Source: NSW BOCSAR 2017a

Sanderson, Mazerolle & Anderson-Bond (2011) noted that Indigenous Australians can be particularly disadvantaged by not understanding their bail conditions which can then lead to the further offence of 'against justice procedures - breach bail conditions'. Figure 16 demonstrates that this offence features at much higher rates in Bourke as compared to the rest of the state, with a rate of 8470.6 per 100,000 population compared to 534.1 per 100,000 population in NSW (NSW BOCSAR 2017a). Looking at the 'Yes, I Can!' campaign dates, the literacy campaign may be a contributing factor for the minor reductions in this offence during 2013 and 2014.

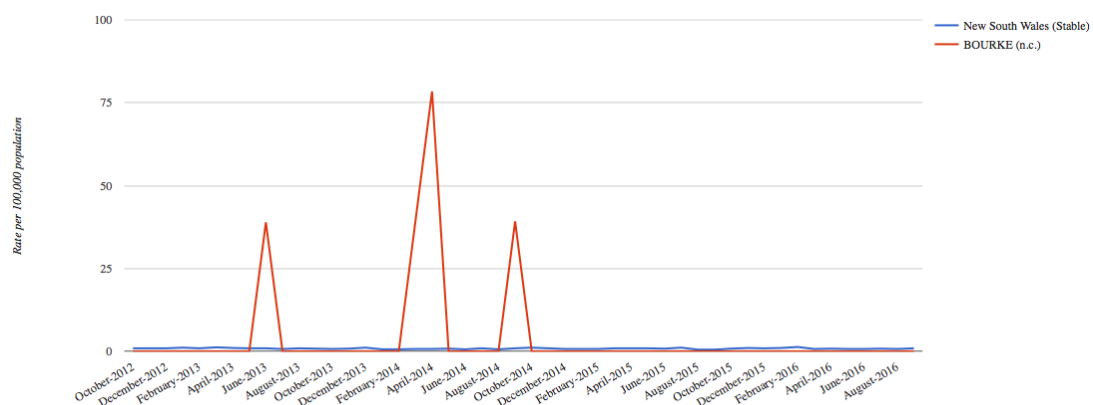
FIGURE 16: INCIDENTS OF 'AGAINST JUSTICE PROCEDURES (BREACH BAIL CONDITIONS)' IN BOURKE SUBURB, FROM OCTOBER 2012 TO SEPTEMBER 2016



Source: NSW BOCSAR 2017a

There are very few counts of ‘against justice – fail to appear’ in Bourke (see Figure 17); from September 2012– September 2013 there was one and from September 2013– September 2014 there were four (NSW BOCSAR 2017a). There have since been none. However, when comparing the rate per 100,000, Bourke is still much higher than NSW for this two-year period. The absence of any further counts could be related to the ‘Yes, I Can!’ campaign through improving literacy levels allowing defendants to understand court summons documents more readily. However, this could also be linked to the opening of the warrant clinic in 2015.

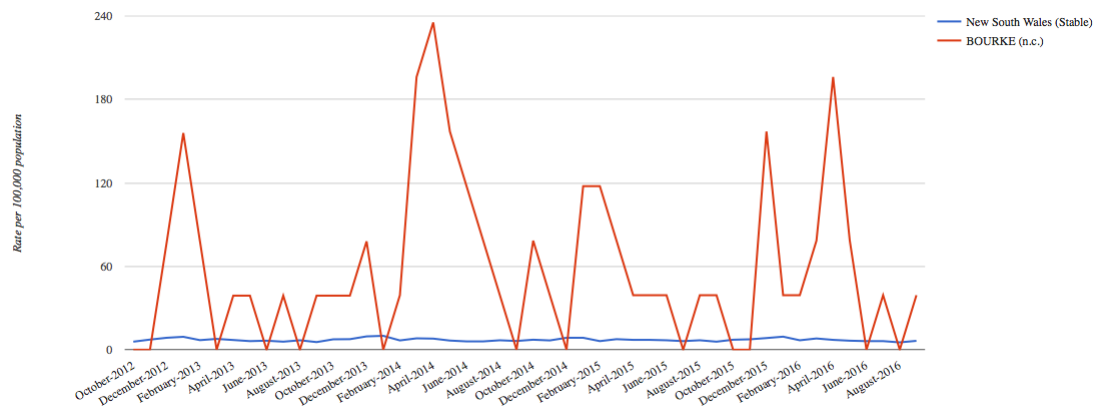
FIGURE 17: INCIDENTS OF ‘AGAINST JUSTICE PROCEDURES (FAIL TO APPEAR)’ IN BOURKE SUBURB, FROM OCTOBER 2012 TO SEPTEMBER 2016



Source: NSW BOCSAR 2017a

It can be hypothesised that crimes of ‘against justice procedures – resist/hinder officer’ can be linked to issues of underlying relationship problems between local police and the Aboriginal community, because of issues of colonial legacies (Cunneen 2001; Willis 2011), lack of trust (ABS 2016f; ABS 2010b) and over-policing (Anscomb 2005; Cunneen 2001; Johnston 1991; Willis 2011; Wright 1999; Wundersitz & Hunter 2005). However, as this graph is not restricted to Aboriginal rates of ‘against justice procedures – resist/hinder officer’, this correlation cannot be conclusively made. There are periods, as evidenced by Figure 18, where there are peaks of this type of activity. In addition, there are some periods of lower rates that might match the initial campaign dates for the ‘Yes, I Can!’ campaign between September and December 2013; however, there is a spike when the second and third campaign was run (November 2013– March 2014; April– July 2014).

FIGURE 18: INCIDENTS OF 'AGAINST JUSTICE PROCEDURES (RESIST/HINDER OFFICER)' IN BOURKE SUBURB, FROM OCTOBER 2012 TO SEPTEMBER 2016



Source: NSW BOCSAR 2017a

As Table 7 illustrates, the rate of Indigenous people appearing before the Bourke local court on charges of 'offences against justice procedures, government security and government operations' is substantially higher than the rates for non-Indigenous offenders for the same categories. While non-Indigenous people are less frequently fined, the average amount of a fine penalty (\$1000 in 2014 and \$1200 in 2011) is substantially higher than the fines imposed on Indigenous peoples (from \$258 in 2010 to \$450 in 2015). More Indigenous people were sentenced to imprisonment, with much longer durations (from four months to seven months) compared to only one non-Indigenous person being sentenced to imprisonment during the six years with only a two-month sentence.

TABLE 7: PENALTIES FOR 'OFFENCES AGAINST JUSTICE PROCEDURES, GOVERNMENT SECURITY AND GOVERNMENT OPERATIONS' IN BOURKE LOCAL COURT, INDIGENOUS AND NON-INDIGENOUS, 2010-15

	2010		2011		2012		2013		2014		2015	
	N o n - I n d i g e n o u s	I n d i g e n o u s	N o n - I n d i g e n o u s	I n d i g e n o u s	N o n - I n d i g e n o u s	I n d i g e n o u s	N o n - I n d i g e n o u s	I n d i g e n o u s	N o n - I n d i g e n o u s	I n d i g e n o u s	N o n - I n d i g e n o u s	I n d i g e n o u s
Imprisonment	16	0	12	1	6	0	7	0	13	0	22	0
<i>Average penalty duration (NPP) - months (excl. Life)</i>	4	na	7	2	5	na	4	na	4	na	4	na
Intensive correction order	0	na	0	na	0	na	1	na	0	na	1	na
Suspended sentence with supervision	1	0	2	0	0	1	3	0	3	0	3	0
Suspended sentence without supervision	3	0	2	1	0	0	2	0	5	0	3	0
Community Service Order	1	na	1	na	2	na	4	na	1	na	1	na
Bond with supervision	2	0	3	0	8	0	13	0	5	1	8	0
Bond without supervision	5	0	6	0	7	1	6	0	6	0	7	0
Fine	6	0	6	1	8	0	10	0	13	1	6	0
<i>Average penalty amount - Fine</i>	258	na	422	1200	260	na	360	na	394	1000	450	na
Nominal Penalty	2	na	3	na	5	na	2	na	4	na	2	na
Bond without conviction	2	1	3	0	0	0	0	0	0	1	0	1
No conviction recorded	0	na	1	na	1	na	1	na	1	na	3	na
Other penalties	1	0	5	0	5	0	15	2	18	2	15	0
Total	39	1	44	3	42	2	64	2	69	5	71	1

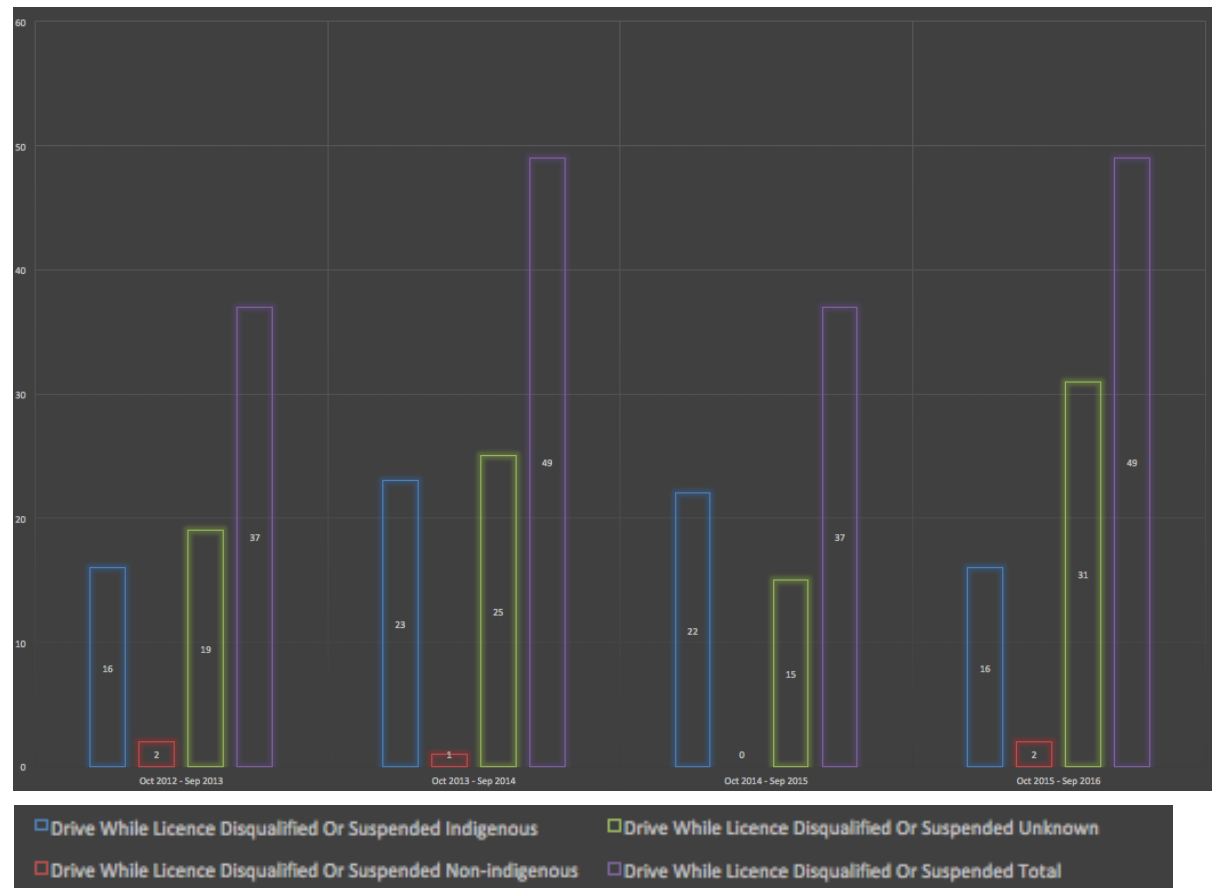
Source: NSW BOCSAR 2016b

Driving related offences

NSW Police in Bourke proceeded against significantly more Aboriginal Persons of Interest than non-Aboriginal Persons of Interest in all categories for driving

related offences. Figures 19 -26 illustrate the significant over-representation of Aboriginal people being charged with driving offences in Bourke. However, every graph demonstrates a high proportion of 'unknown' status, so it is possible that more non-Indigenous people are being proceeded against by the police than is shown in the statistics (this is also true for more Indigenous people being hidden by the 'unknown' statistic).

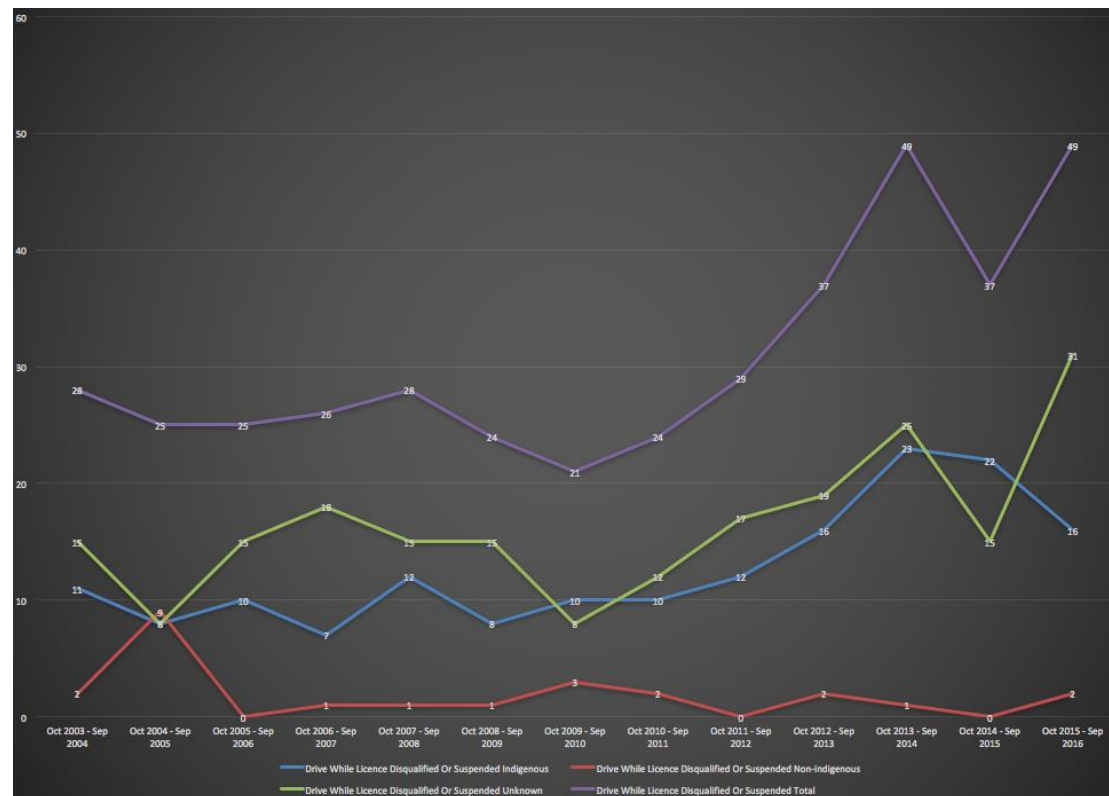
FIGURE 19: INCIDENTS OF 'DRIVE WHILE LICENCE DISQUALIFIED OR SUSPENDED', FROM OCTOBER 2012 TO SEPTEMBER 2016



Source: NSW BOCSAR 2017b

Figure 20 shows that non-Indigenous offenders exceeded the number of Indigenous offenders for the offence 'drive while licence disqualified or suspended' for only one year, from October 2004 to September 2005. Indigenous people far exceeded non-Indigenous people for every other year. Figure 20 also indicates that the number of incidents increased during the 'Yes, I Can!' campaign periods (2013– 15).

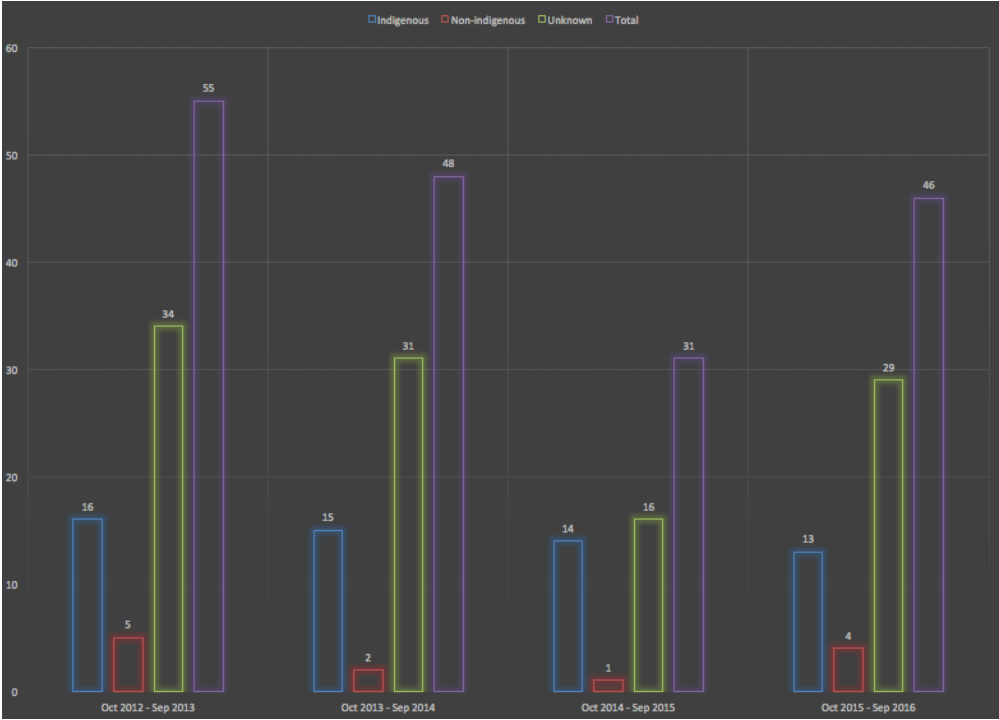
FIGURE 20: INCIDENTS OF 'DRIVE WHILE LICENCE DISQUALIFIED OR SUSPENDED', FROM OCTOBER 2003 TO SEPTEMBER 2016



Source: NSW BOCSAR 2017b

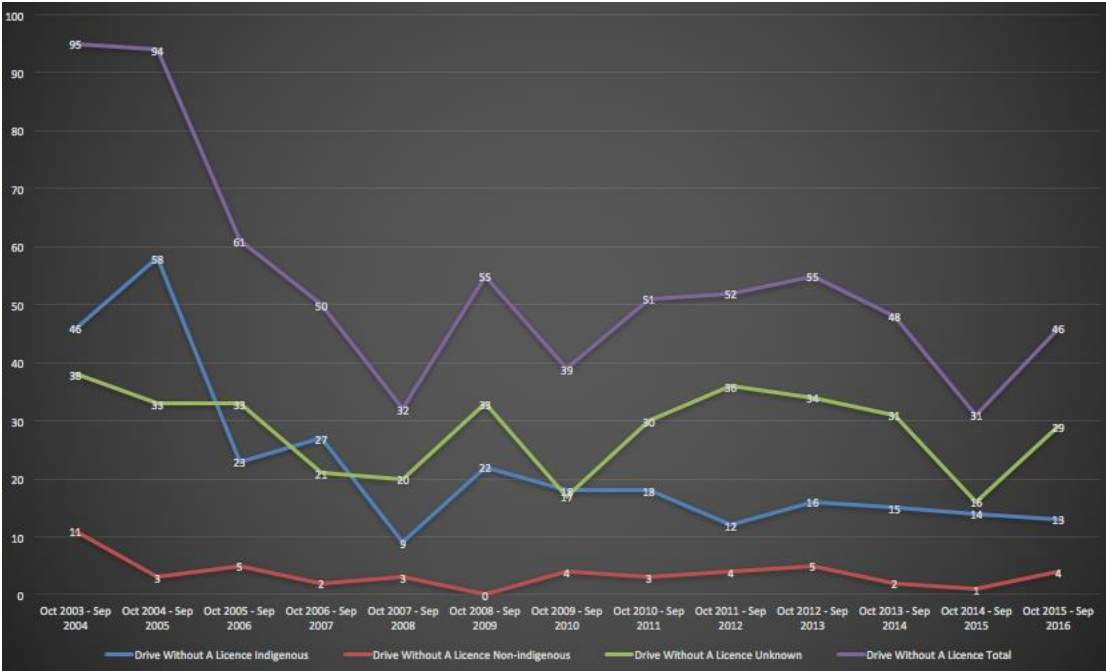
Overall, there are much higher numbers of incidents of 'drive without a licence' in Bourke LGA. Figure 21 provides a snapshot of October 2012 to September 2016, while Figure 22 provides a longer timeframe of October 2003 to September 2016. From both Figures, it is clear that there is a declining trend of incidents of 'drive without a licence', and even a decline in Aboriginal offender numbers within this category. The decline began in October 2004, as shown by Figure 22, which indicates that the 'Yes, I Can!' campaign may not be a direct link to these trends.

FIGURE 21: INCIDENTS OF ‘DRIVE WITHOUT A LICENCE’, FROM OCTOBER 2012 TO SEPTEMBER 2016



Source: NSW BOCSAR 2017b

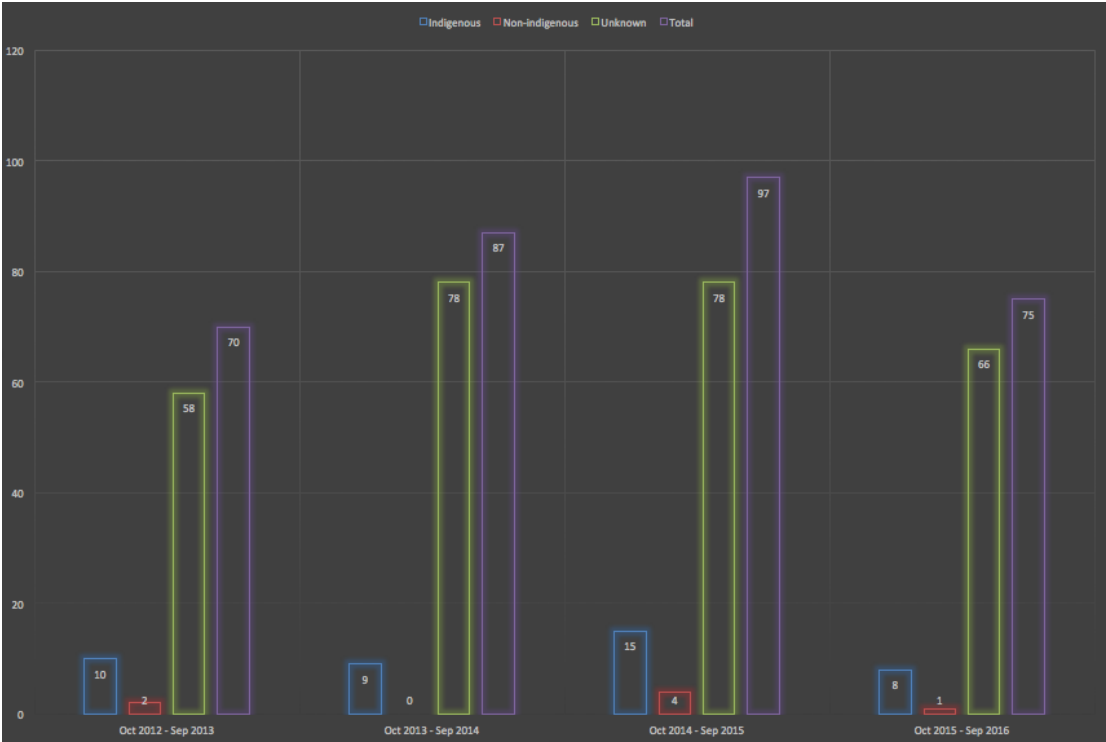
FIGURE 22: INCIDENTS OF ‘DRIVE WITHOUT A LICENCE’, FROM OCTOBER 2003 TO SEPTEMBER 2016



Source: NSW BOCSAR 2017b

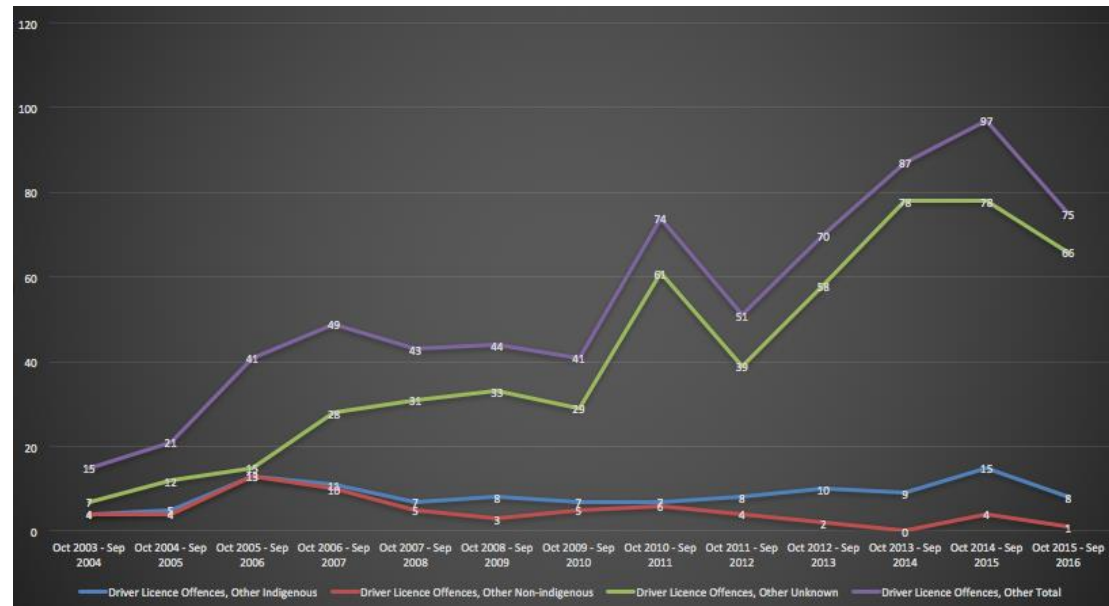
Figures 23 and 24 show incidents of ‘driver licence offences, other’. This category could include not holding an appropriate category of licence, or holding a licence that had expired two or more years ago (NSW Roads and Maritime 2014). The Indigenous status of the offender is not frequently recorded for this type of offence, as evidenced by Figures 23 and 24. However, both graphs do show, that where the status is recorded, that Indigenous people are still over-represented, although to a lesser degree than other driving offence types.

FIGURE 23: INCIDENTS OF ‘DRIVER LICENCE OFFENCES, OTHER’, FROM OCTOBER 2012 TO SEPTEMBER 2016



Source: NSW BOCSAR 2017b

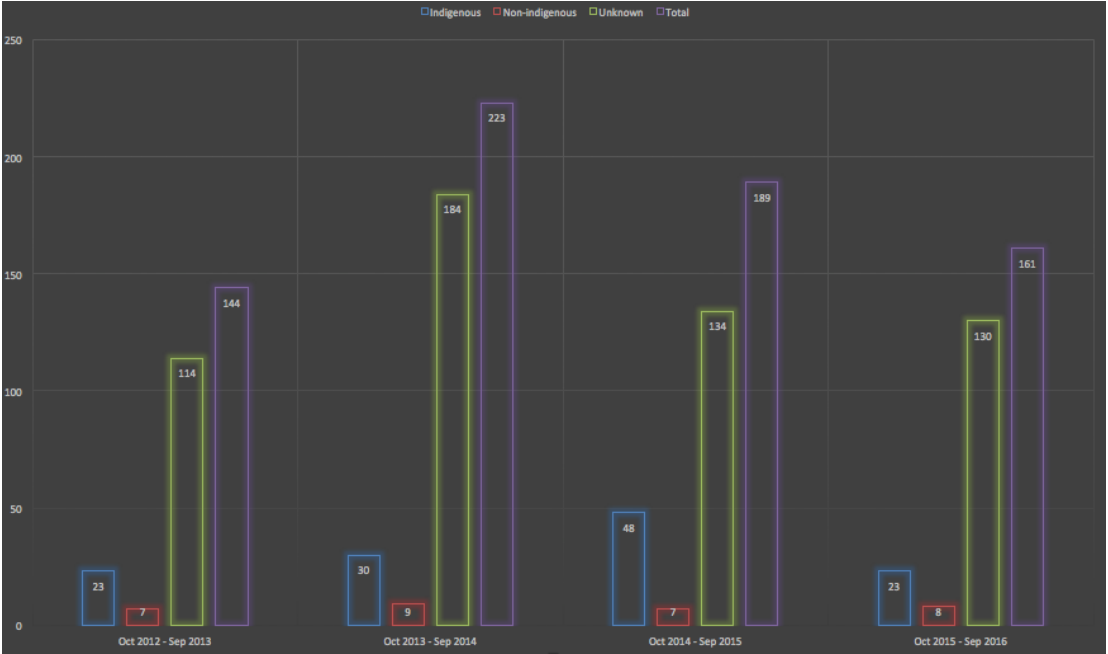
FIGURE 24: INCIDENTS OF 'DRIVER LICENCE OFFENCES, OTHER', FROM OCTOBER 2003 TO SEPTEMBER 2016



Source: NSW BOCSAR 2017b

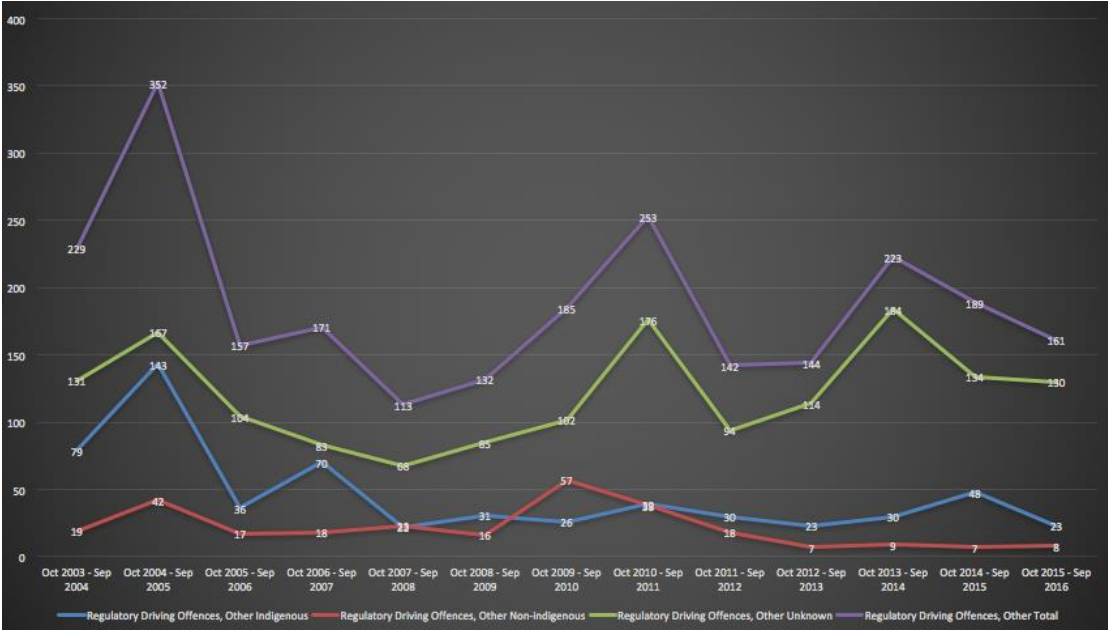
Figures 25 and 26 again illustrate the over-representation of Indigenous people in Bourke being proceeded against for regulatory offences. However, from Figure 26, it is clear that this has not always been the case, with non-Indigenous offenders exceeding Indigenous offenders in October 2009 to September 2010.

FIGURE 25: INCIDENTS OF 'REGULATORY OFFENCES, OTHER', FROM OCTOBER 2012 TO SEPTEMBER 2016



Source: NSW BOCSAR 2017b

FIGURE 26: INCIDENTS OF 'REGULATORY OFFENCES, OTHER', FROM OCTOBER 2003 TO SEPTEMBER 2016

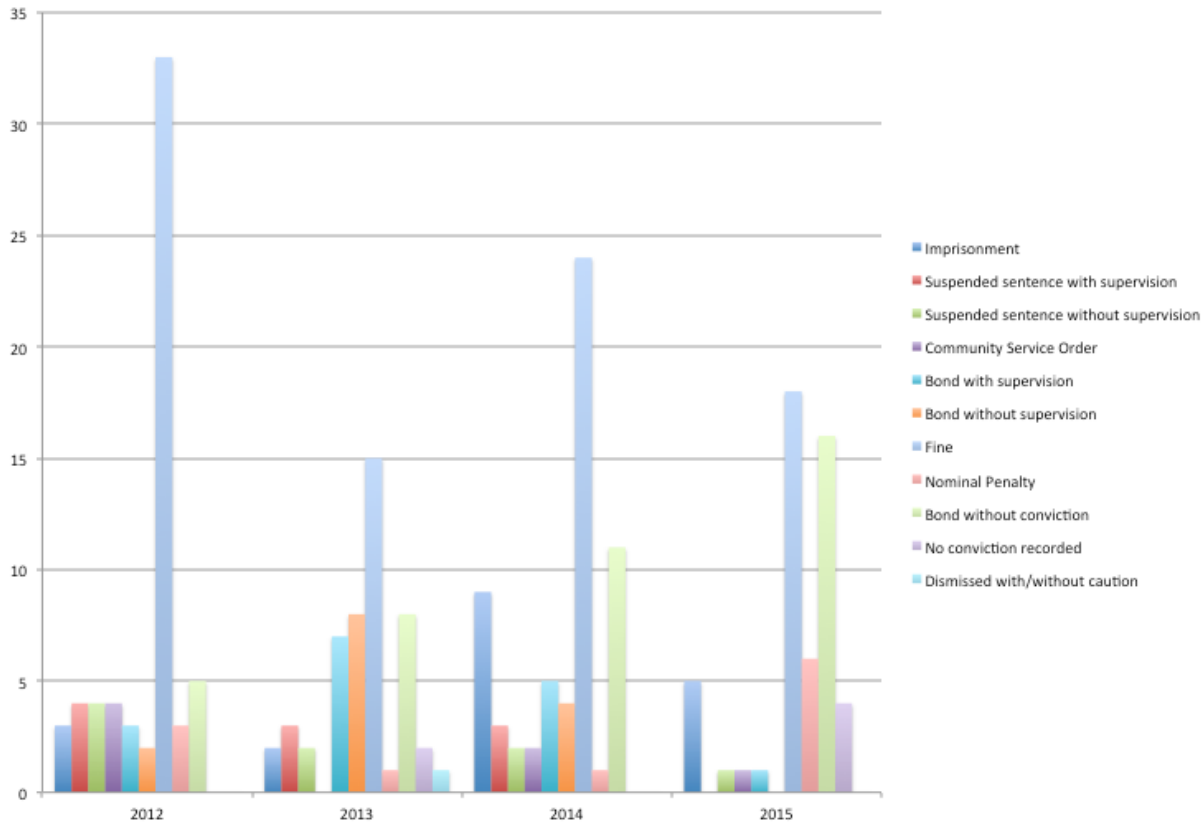


Source: NSW BOCSAR 2017b

Looking at Bourke Local Court data, there are a range of penalties being administered for offenders found guilty of 'traffic and vehicle regulatory

offences’. From Figure 27 it is clear that fines are the most common penalty distributed by the court to Aboriginal people in Bourke, followed by bond without conviction.

FIGURE 27: PENALTIES FOR ‘TRAFFIC AND VEHICLE REGULATORY OFFENCES’ IN BOURKE LOCAL COURT, INDIGENOUS, 2012– 15



Source: NSW BOCSAR 2016b

As Table 8 illustrates, the rate of Indigenous people appearing before the Bourke Local Court on charges of ‘traffic and vehicle regulatory offences’ is substantially higher than the rates for non-Indigenous offenders for the same categories. Where an Indigenous person was sentenced to imprisonment for ‘traffic and vehicle regulatory offences’, the average number of months per year ranged from five months (in 2014) to eight months (in 2010 and 2012). In contrast, non-Indigenous offenders in Bourke received an average of six months for 2010– 12 (there were no recorded guilty cases in the Bourke Local Court in 2013– 15). For both groups, the length of imprisonment issued in the Bourke Local Court was substantially less than the maximum court-imposed gaol term allows for either driving while disqualified (18 months for a first offence or two years for a second or subsequent offence) or never licenced (18 months for a second or subsequent offence) (NSW Roads and Maritime 2014).

The average fine for ‘traffic and vehicle regulatory offences’ ranged from \$283 in

2011 to \$472 in 2015 for Indigenous offenders; compared to \$325 in 2015 to \$725 in 2012 for non-Indigenous offenders. Again, the fines issued in the Bourke Local Court are substantially less than the maximum court-imposed fine allowed (for driving while disqualified: \$3,300 for the first offence and \$5,500 for a second or subsequent offence; for never licensed: \$2,200 for the first offence and \$3,300 for a second or subsequent offence) (NSW Roads and Maritime 2014).

TABLE 8: PENALTIES FOR 'TRAFFIC AND VEHICLE REGULATORY OFFENCES' IN BOURKE LOCAL COURT, INDIGENOUS AND NON-INDIGENOUS, 2010– 15

	2010		2011		2012		2013		2014		2015	
	N	o	N	o	N	o	N	o	N	o	N	o
	-	-	-	-	-	-	-	-	-	-	-	-
	I	I	I	I	I	I	I	I	I	I	I	I
	n	n	n	n	n	n	n	n	n	n	n	n
	d	d	d	d	d	d	d	d	d	d	d	d
	i	i	i	i	i	i	i	i	i	i	i	i
	g	g	g	g	g	g	g	g	g	g	g	g
	e	e	e	e	e	e	e	e	e	e	e	e
	n	n	n	n	n	n	n	n	n	n	n	n
	o	o	o	o	o	o	o	o	o	o	o	o
	u	u	u	u	u	u	u	u	u	u	u	u
	s	s	s	s	s	s	s	s	s	s	s	s
Imprisonment	7	2	4	1	3	1	2	0	9	0	5	0
<i>Average penalty duration (NPP) - months (excl. Life)</i>	8	6	6	6	8	6	7	na	5	na	7	na
Suspended sentence with supervision	3	na	3	na	4	na	3	na	3	na	0	na
Suspended sentence without supervision	1	0	0	0	4	0	2	0	2	1	1	0
Community Service Order	3	na	2	na	4	na	0	na	2	na	1	na
Bond with supervision	2	0	1	0	3	0	7	1	5	2	1	0
Bond without supervision	1	0	3	1	2	0	8	0	4	0	0	1
Fine	24	4	18	6	33	4	15	8	24	7	18	2
<i>Average penalty amount - Fine</i>	326	375	283	458	312	725	460	538	427	700	472	325
Nominal Penalty	2	na	5	na	3	na	1	na	1	na	6	na
Bond without conviction	2	1	2	2	5	0	8	0	11	1	16	6
No conviction recorded	2	1	1	0	0	0	2	1	0	1	4	1
Dismissed with/without caution	0	na	0	na	0	na	1	na	0	na	0	na
Total	47	8	39	10	61	5	49	10	61	12	52	10

Source: NSW BOCSAR 2016b

DISCUSSION AND CONCLUSIONS

The qualitative data from this pilot study shows almost overwhelming community support for the 'Yes, I Can!' campaign. While there were a few participants (two in particular) that were sceptical of the campaign, the rest of the participants saw the campaign as a real windfall for the Bourke and Enngonia communities. One of the strongest themes to emerge from the research was the appreciation of the way that 'community' has occupied a central place in the campaign; the localised context and the grassroots approach which has been adopted. This finding mirrors those in previous studies by Boughton and Durnan on perceptions of the 'Yes, I Can!' campaign in other Western NSW communities. They note that:

... the 'Yes, I Can!' model, which is contextualised to local circumstances as much as possible, and adapted to local realities. In fact, the degree of local control exercised by facilitators and participants, which is one of the model's strengths, makes it almost inevitable that people will 'take hold' (Maddox 2007) of literacy during the campaign in ways that accords with their own cultures and histories (Boughton & Durnan 2014a: 19).

Overall, the information emerging from interviews in this study suggest that the 'Yes, I Can!' campaign has the ability to effect and enhance community member's lives in a myriad of ways. Essentially, participants saw the campaign as enhancing the self-esteem of students and contributing to feelings of empowerment and increased agency on an everyday level. These shifts were thought to be observable in interactions with other community members, with organisations and services (such as real estate agents and medical health practitioners). The campaign was also seen as a pathway to encourage younger people to engage with literacy at school, because of the example set by the adults enrolled in 'Yes, I Can!'.

However, the focus of this study was to try and determine if the 'Yes, I Can!' campaign was impacting Aboriginal community members' encounters with the criminal justice system in Bourke and Enngonia. This question, and the four research questions within this overarching question were difficult to address using both the qualitative and quantitative data. Complicating assessment, is the fact that there are a multitude of programs operating in Bourke, and to a lesser extent Enngonia. Subsequently, it is difficult to exclude the influences of these programs on the success stories of 'Yes, I Can!'. Regardless, the data does provide some preliminary findings which indicate the 'Yes, I Can!' campaign has the ability to not only reduce the number of negative encounters with the criminal justice system, but also to improve the overall experience Aboriginal people have when coming into contact with the criminal justice system, whether as victims, offenders, or just as community members.

The following sections offer a discussion of the results and outlines potential policy implications that this pilot research has on enhancing and perhaps transforming Aboriginal encounters with and experiences of the criminal justice

system.

Improved interactions with criminal justice officials

Before this study was conducted, there was anecdotal evidence that the various campaigns of 'Yes, I Can!' in Wilcannia, Enngonia and Bourke, had beneficial impacts on offenders and their level of interaction with the criminal justice system (Boughton & Durnan 2014a, 2014b). This study strove to locate further empirical evidence that the 'Yes, I Can!' campaign had facilitated improved interactions with officials in the criminal justice system. Interview data from both the Darling River Commander of NSW Police and a (previous) local Magistrate indicates that the 'Yes, I Can!' campaign has indeed bettered interactions with justice officials.

Police

There have, as earlier acknowledged, been historical and ongoing problems with relationships between Indigenous Australian community members and police across Australia. Evidence suggests that Indigenous Australian people come more frequently in contact with the police, and that this is escalated in rural areas (ABS 2010b), either as result of over-policing (Anscomb 2005; Cunneen 2001; Johnston 1991; Wright 1999; Wundersitz & Hunter 2005); because they are more likely to use public spaces (Cunneen 1988); or because of ongoing tensions with the police (Cowlshaw 2004; Pilkington 2009; Willis 2011). Elsewhere in this report, the proportionally large ratio of police in Bourke was reviewed and, reflected to be a potentially attributable factor to increased levels of contact with the criminal justice system and contributing to community resentment towards the police.

The results from this study reflect many of the themes identified in the literature review. Unfortunately, in Bourke, the history of colonialism impacts on community relationships with the police (ALS participant). Interviewee 1 asserted that the large number of police in Bourke and the potential for officers to target community members leads to further – festering – resentment. The Murdi Paaki Regional Enterprise Corporation and Bourke LFLF Campaign Coordinator also discussed police intimidation within Bourke and several others discussed how the front-line police had a poor relationship with the Aboriginal community. Certainly, there was a feeling that these relationships were improving and suggestions that the 'Yes, I Can!' campaign was helping in developing and maintains these relationships.

On this issue, the results section explored the Darling River Commander of NSW Police's participation in and support of the campaign was altering relationships between the police and the students, in part by providing a better understanding of police work. The Darling River Commander of NSW Police asserted that the increased literacy ensured that the students were more likely to engage more reasonably with the police, rather than 'throwing bricks at police cars' – responding with hostility and suspicion – as soon as they arrived. Both the Maranguka executive director and the Literacy for Life National Campaign

Manager saw the campaign as a way of building informal relationships between students and police that was separate from the normal situation of having contact with the police because they were being arrested. As a result of these informal interactions, the relationships between the police and the students have improved and become more respectful and trusting, on both sides.

Following on from the success of the 'Yes, I Can!' campaign, the Darling River Commander of NSW Police has begun discussions with the Bourke and Enngonia campaign coordinators about involving the police and the literacy campaign participants in a cross-cultural education program for new police arriving in the regions. Developments like this demonstrate that the campaign has potential to operate as a broker to bolster relationships between the community and the local law and justice system.

Campaigns such as 'Yes, I Can!' have the power to increase public trust in the police, where the police are actively involved. In Bourke, in particular, the police have made a commitment to the campaign that, as the interviews indicate, has already started to better relationships between the police and the wider community. Accordingly, this is likely to affect the long-term interactions and the degree of official contact that Indigenous Australians have with the criminal justice process and will eventually reduce the rates of arrest and future incarcerations.

Courts

Indigenous Australians continue to be over-represented in Australian courts, and this is especially true in rural areas (Cunneen 2016; Hogg 2016). As discussed, existing research has documented the difficulties Indigenous Australian witnesses and defendants face within the court setting. Low literacy levels can disadvantage Indigenous Australians in regards to bail and remand decisions (Sanderson, Mazerolle & Anderson-Bond *nd*) and for Indigenous Australians being able to understand the conditions placed upon them.

Similarly, research has indicated that on several occasions, campaign participants within 'Yes, I Can!', who appeared before the courts have been released back into the community (rather than receiving a custodial sentence) because magistrates have been convinced that continuing with the campaign will be of benefit and, presumably, facilitate desistance. In this research, the Magistrate discussed how he favourably considered enrolment in the 'Yes, I Can!' campaign when making decisions such as quashing a habitual offender declaration. Admittedly, the role of individuals is key here; some magistrates may be more receptive to the campaign than others, and so the success of the campaign and perceived contributions will be influenced by the specific magistrate and their term in the region. The Magistrate was not present for all of the 'Yes, I Can!' campaigns in the area, so it is possible that this study failed to capture instances of Magistrates not convicting offenders because of their association with the campaign. Indeed, the Literacy for Life National Campaign Manager statements referred to a female magistrate and other interviewees discussed lawyers presenting the 'Yes, I Can!' enrolment information to court to

assist clients. Certainly there is the potential for the campaign to determine – to some extent – criminal justice outcomes; some advocates (such as a participant from ALS) would emphasise to a magistrate that an offender was enrolled in the campaign to demonstrate that the person was trying to engage with the community and improving their literacy skills.

The ‘Yes, I Can!’ campaign can provide Indigenous Australian participants with the basic literacy skills required to understand these court processes and adhere to the directions of the court. For the Literacy for Life National Campaign Manager, the ‘Yes, I Can!’ campaign has enabled students to understand more about the criminal justice system, including their rights and how they should be operating within the system. Throughout this literacy process, students in the campaign have developed a greater confidence, enabling them to seek help from criminal justice practitioners. The limited evidence from this study also demonstrates that magistrates may be changing the way they interact with defendants appearing in court who have been enrolled in the ‘Yes, I Can!’ campaign.

Influencing access to legal resources and advocacy

The literature identified numerous ways in which illiteracy, or low literacy rates, can negatively impact Indigenous Australians with regards to accessing legal resources and advocacy. Moreover, without the ability to read basic information such as flyers, Indigenous Australians are often unaware of the services that they can access to help navigate court processes.

The interview data from this research identified a number of ways in which the ‘Yes, I Can!’ campaign has improved how community members enrolled in the campaign have been able to access legal resources and advocacy. As the ‘Yes, I Can!’ campaign invited a number of local services to attend and be involved with the campaign, the students were exposed to a number of different services within the local area. This is a real strength of the campaign and it was highlighted by many of the participants, although some participants wanted to see more links forged with services, especially once the campaign ceased running. Furthermore, participants commented on how the language of students enrolled in ‘Yes, I Can!’ had evolved and transformed how they were seeking help from services. Their capabilities and confidence in literacy enabled services to respond to (and perhaps better address) the needs of the student. This was not just restricted to services and organisations associated with the criminal justice system; it extended into areas of health and employment.

Some of the participants in this study had also seen a change in how students enrolled in the ‘Yes, I Can!’ campaign were responding to official documentation, which in the past may have led to further criminal offence charges. Indeed, some interviewees discussed how Aboriginal people would frequently have increased contact with the criminal justice system because they did not understand fines or court summons sent to them, which often led to additional criminal charges. The ‘Yes, I Can!’ campaign, however, has aided in empowering these individuals to

follow up on this official correspondence, even if that means asking someone to assist them in translating and understanding the document. This, in turn, may result in long-term reductions in individual engagement with the criminal justice system.

As such, the 'Yes, I Can!' campaign offers offenders (and potential offenders) an opportunity to engage in a community based project that offers support and skills-building. The achievements of the campaign, working in partnership with other agencies, have the potential to begin a process of change, creating a foundation for people to take more control of their lives and their relationships with the justice system. Lastly, the campaign has the potential to help offenders and victims through the criminal justice process by providing them with necessary capabilities in literacy to understand and navigate criminal justice processes.

Frequency of encounters with the criminal justice system

The statistical results clearly illustrate that Aboriginal people come into far more contact with the criminal justice system within Bourke and Enngonia than their non-Indigenous Australian counterparts. Despite making up only 32.2 percent of the Bourke population, and 26.5 percent of the Enngonia population, the rate of Aboriginal people appearing before the Bourke local court on charges of 'offences against justice procedures, government security and government operations' and 'traffic and vehicle regulatory offences' was substantially higher in all categories of offences. As Weatherburn, Snowball and Hunter (2006) assert, such populations are most at risk of economic disadvantage and therefore may have more contact with the criminal justice system.

The literature, the quantitative and qualitative data from this study all provide evidence for the substantial amount of contact Indigenous Australians have with the criminal justice system as a result of driving offences. Certainly, as has been documented in this report, illiteracy prevents Aboriginal people from being able to obtain their drivers licence (Cullen 2014). As many of the social and geographical structures remain unchanged, for example the legal requirement to pass a written drivers licence test and the geographical problems associated with rural towns and lack of public transport (George & Harris 2014; Pilkington 2009), Indigenous Australians will, therefore, continue to come into contact with the criminal justice system in regards to driving offences. Increased literacy can improve these contact levels to some extent, by providing Indigenous Australians with the skills to successfully pass the driver's license test.

Previous information has indicated that 'the number of people jailed for driving offences in Bourke is now the lowest it's been in 10 years' (Thompson, McGregor & Davies 2016: para. 26). Generally, the data from BOCSAR reflects this trend, with Figure 22 indicating that there was a decrease in 'drive without a licence' offences from 2004–05 to 2016. However, the 2016 data does show that it had higher trends than some previous years.

The data from the interviews indicated that driving without a licence was the

most significant source of Aboriginal community members coming into contact with the criminal justice system. The statistics indicate that there is also a high number of incidents for driving while licence is disqualified or suspended, at 49 incidents (16 Aboriginal; two non-Aboriginal) in the period of October 2015–September 2016. The number of incidents for driving without a licence was much higher, with the highest at 95 (46 Aboriginal; 11 non-Aboriginal) in the period of October 2003– September 2004 (see Figure 22).

The review of sources also identified problems with Indigenous Australian communities regarding courts discriminating against Indigenous Australian people charged with traffic offences living in remote areas (Law Council of Australia 2015: 180). This previous research found that Indigenous Australians were often given fines, which frequently led to fine default and then imprisonment. In this current study, data from BOCSAR indicates that Aboriginal people are appearing more frequently in court on charges of ‘traffic and vehicle regulatory offences’, and that they were receiving slightly longer imprisonment sentences (average of five to eight months for Indigenous people compared to six months for non-Indigenous people) (BOCSAR 2016). Aboriginal people also received a significantly greater number of fines in the Bourke Local Court than non-Aboriginal people, but were often fined less (BOCSAR 2016). This data lends support to previous studies which indicate that Indigenous communities in rural areas are frequently fined and more likely to be imprisoned than non-Indigenous Australians in the same area.

Statistically, however, the data is too inconclusive to state with any certainty whether the ‘Yes, I Can!’ campaign is having an impact on the frequency of encounters Aboriginal people are having with the criminal justice system in Bourke or Enngonia. Similarly, the interview data cannot be used to answer this research question. While many of the interview participants were able to provide accounts (of their own observations) of some students in the ‘Yes, I Can!’ campaign having reduced contact with the criminal justice system, these narratives cannot be used to say there is an overall trend. In addition, the interview data in one instance indicates that the impact of the campaign is greatest when the students are actively engaging in the classes, with the possibility that some return back to offending once the classes are over. This suggests that there are underlying issues within the Bourke and Enngonia communities that need to be addressed in conjunction with literacy issues, such as more employment opportunities, which most of the interviewees recognised as a significant problem for the area (this is also in line with previous research, such as Weatherburn, Snowball & Hunter 2006).

Limitations

There are a number of limitations with this current study. First, while the interviews indicate that there may be a link between the ‘Yes, I Can!’ campaign and reduced reoffending, this study has not been able to conclusively prove a link. For example, the limited statistical data available does not indicate an overall decline in crime rates. In addition, a difficulty with evaluating place-

based and justice reinvestment initiatives has been that, as they are delivered over multiple years, it can be challenging to link interventions with outcomes (Gilbert 2012). This is because isolating particular programs from their context is difficult and the effects of a program may not be seen immediately within the statistics. Additionally, in Bourke in particular, there are numerous justice reinvestment programs occurring. As such, it is difficult to identify which program is having the greatest impact on reducing recidivism rates. The ability of proving a link between the 'Yes, I Can!' campaign and reducing reoffending was further complicated by the absence of the voices of participants themselves. This was beyond the scope of this study, but a longitudinal study could be conducted, to include their perceptions and reporting of campaign effects.

Many of the interviewees in this study could not provide evidence of a direct impact of 'Yes, I Can!' on interactions with Aboriginal people and the criminal justice system. Nevertheless, both the Magistrate and the Literacy for Life National Campaign Manager identified several students whose appearance in court were positively affected by their involvement in the 'Yes, I Can!' campaign. Nevertheless, the statistics from BOCSAR do not show any direct link between sustained reduced crime rates during, or following on from the various campaigns of 'Yes, I Can!' in Bourke. Indeed, there were reports of participants within the campaign who continued, or began to offend, and proceeded formally through the criminal justice system, including the correctional system. On the latter, it should be noted that some participants became involved with the campaign in the lead up to a court appearance, as opposed to offending during the campaign. Their offending may have ceased or lessened as a result of their involvement in the campaign. This suggests that the pathways from participation in the campaign to improved relationships between the community and the law and justice system need to be examined more closely. Clearly, most people believed that raising adult literacy levels has a positive impact on individuals, families and the community as a whole. But how that positive impact translates into improved relationships with the criminal justice system cannot be said with certainty based on this study.

A third limitation is that, as a pilot study, this research was confined to two of the seven communities which have joined the campaign. A larger study taking in more communities and significantly more participants across a bigger geographical area may reveal effects at that level which are not discernible at a local level.

Next Steps

As a next step, the 'Yes, I Can!' campaign should be further evaluated within a longitudinal framework, with pre- and post-campaign data collection. Ideally, future studies should be on a larger scale, across multiple communities, and seek to obtain consent from the participants of the 'Yes, I Can!' campaign to link with their de-identified data in publicly available data sets such as police and court records.

The interview data from this study points to some of the changes that occur in individual attitudes and behaviour as a result of the communities' participation in the campaign. It also shows that the attitudes of law and justice officials are also influenced by the success of this model for helping to improve literacy levels and consequently, social circumstances.

Future research could be informed by a more complex model of the pathways and outcomes that could be linked to the activities of the adult literacy campaign. For example, the following areas should be evaluated in future studies to determine whether the campaign is impacting on the local communities' interactions with the criminal justice system, such as in relation to:

- Reductions in offences committed by community members
- Reductions in illegal activity e.g. Unlicensed driving, illegal drug use
- Reductions in custodial sentences imposed on community members
- Reduced fine burdens on community members
- Improved community-police relations
- Greater understanding of citizen rights and responsibilities
- Increased access to and of legal advice and support
- Improved community safety
- Reduction in antisocial behaviour
- Reduction in inter-community conflict/increased social cohesion
- The development and further evolution of locally controlled organisations
- Relationships and (culturally appropriate) communications with professionals and service providers in the criminal justice system.

Policy Implications

Indigenous Australians continue to be over-represented in all levels of the criminal justice system. Existing literature and data from this research suggests that limited literacy or illiteracy can impact on and can contribute to engagement with the criminal justice system. As such, programs or campaigns that can help to minimise this level of over-representation are of paramount policy concern. This research area provides important data for the following policy considerations:

1. The 'Yes, I Can!' campaign demonstrates that it does empower Aboriginal community members in the Bourke and Enngonia areas and this increased empowerment and education can potentially lead to a greater confidence in approaching service providers and criminal justice agents for assistance, as victims and alleged offenders.
2. There is some evidence (within this research) to suggest that the 'Yes, I Can!' campaign is assisting Aboriginal people in the local area to obtain their drivers licence through increased literacy levels. As such, this may offer a crime reduction strategy for governments, where the campaign may, in the long-term, reduce the level of contact Aboriginal people have with the criminal justice system in relation to this offence. With higher literacy levels, there may be greater compliance with or response to

- orders (such as AVOs), fines or documentation that may lessen engagement with the criminal justice system.
3. The research has also highlighted the need for government and non-government agencies to work together at the local level to develop and offer culturally appropriate community-based solutions in these areas. The 'Yes, I Can!' campaign offers the Bourke and Enngonia communities one such solution.
 4. As noted in this study, improved relationships between the police and Aboriginal people have been achieved through the 'Yes, I Can!' campaign. The Darling River Commander of NSW Police is interested in developing future police training programs that promote a cross-cultural education program for new police officers coming into Bourke; and also, to continue police involvement in any future campaigns.
 5. The study illustrates the great value which the community places on programs which are staffed and run by community members, and this should be taken into account when designing future justice re-investment strategies.

Conclusion

The 'Yes, I Can!' campaign offered the Bourke and Enngonia community an effective place-based justice reinvestment strategy. It engaged the local community to teach its own community an important life skill. The 'Yes, I Can!' campaign did not adopt a Western literacy framework, but rather was based on a model from the Global South, adapted and delivered by local Aboriginal staff to meet the needs of the local community. Most of the participants in this study commented on the fact that this campaign is designed to meet the needs of the Aboriginal community and does not impose the 'white Anglo' (Interviewee 20) way of thinking. As such, the 'Yes, I Can!' campaign in these locations met the criteria deemed critical for making literacy – as a justice reinvestment strategy – a success for Indigenous communities.

The participants in this study recognised that although there may not be hard evidence, yet, that 'Yes, I Can!' is reducing contact with the criminal justice system, it is taking steps to disrupt the cycle that leads Aboriginal people into contact with the criminal justice system. It is, therefore, an important component of existing justice reinvestment platforms in Bourke and Enngonia, and in the wider region. As literacy levels within the community improves, other problems leading to crime will also improve; for instance, people will be more likely to be able to obtain a job (if the opportunities are present); people will be more able to engage with the local community and understand, and be able to respond to, official documentation; people will be able to legally obtain their drivers licence; and health issues will also be minimised. In addition, there is some evidence to suggest that the 'Yes, I Can!' campaign is slowly transforming the personal and official interactions between the students and criminal justice officials such as the police, lawyers and local magistrates. Improved relationships between the

community and the criminal justice system can only have a positive effect on how Aboriginal people engage with the justice system, especially when they are victims of crime.

Over time, increased literacy would ideally result in safer communities. This is because improved literacy, improved school retention rates, increases in meaningful employment, strong parenting abilities and the reduction of crime are all components of a safe community (Day, Francisco & Jones, 2013). As the campaign expands in coming years, it should therefore be possible to demonstrate that raising people's literacy level in this way, through a coordinated community-driven campaign, makes a significant contribution (along with other justice reinvestment programs) to diverting people from committing crime and thus reducing the rate of incarceration.

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APPENDICES 1 – INTERVIEW QUESTIONNAIRE

1. Can you please tell me a bit about your role in _____?
 - a. Do you provide services to both Bourke and Enngonia?
 - b. How long have you been in this role?
 - c. Are there any differences between the communities of Bourke and Enngonia that you feel would be relevant for this research?
2. What can you tell me about the 'Yes, I Can!' literacy campaign?
3. What impact do you think the campaign has had in Bourke/Enngonia?
4. How is illiteracy or low rates of literacy relevant to justice issues for the Bourke and Enngonia Aboriginal communities?
5. In your experience working with the Bourke/Enngonia communities, has participation in the 'Yes, I Can!' literacy program had any influence on people's interactions with the justice system?
 - a. If so, how?
 - b. If not, why?
6. Who has the program benefitted most in relation to criminal justice system interactions? Why?
7. In your experience, has participation in the program empowered individuals in their interactions with the criminal justice system?
8. From the perspective of addressing inequalities for Aboriginals within the criminal justice system, is the literacy program an effective initiative?
 - a. How and why?
 - b. What does it do right?
 - c. What could it do better?