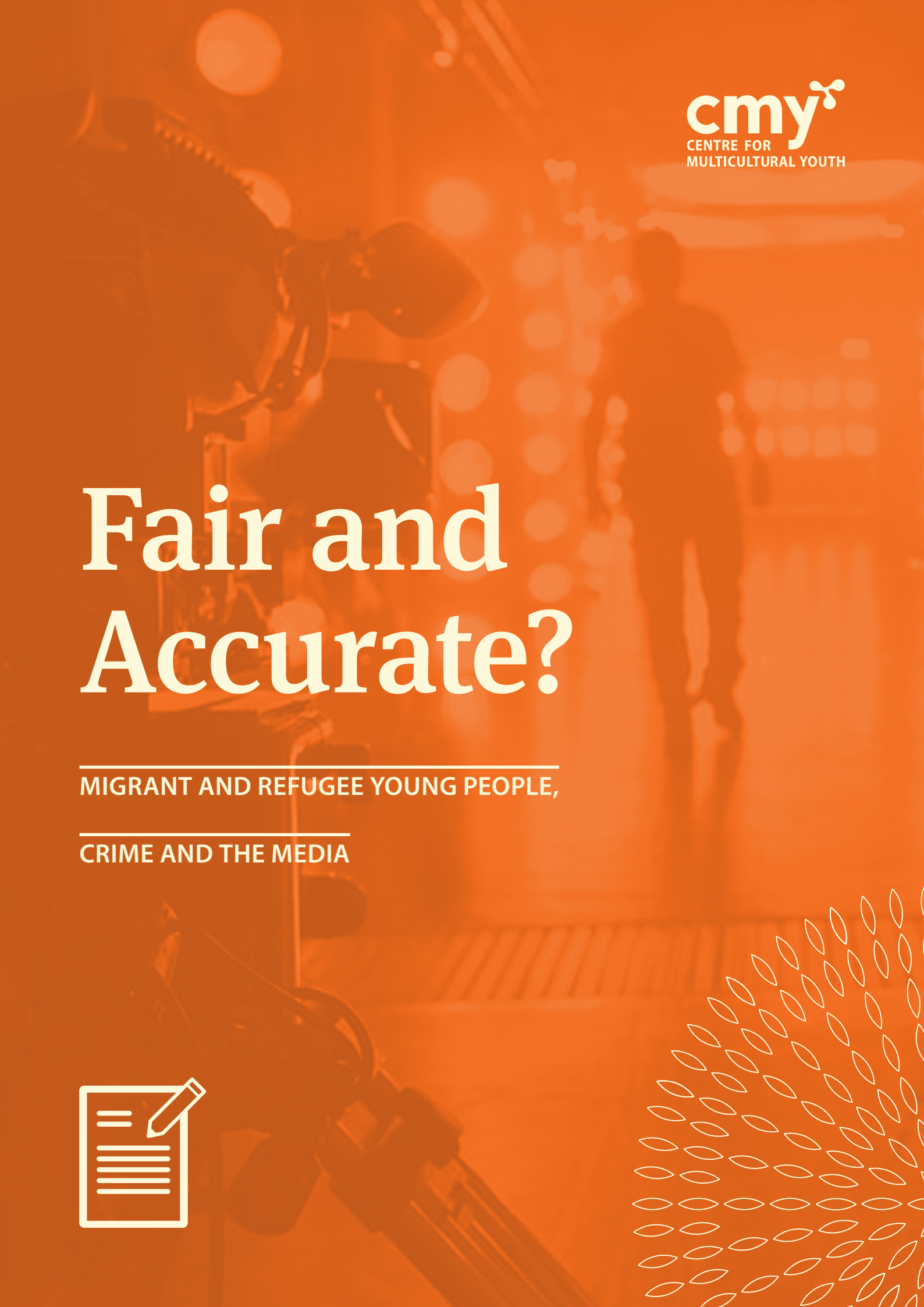

cmy
CENTRE FOR
MULTICULTURAL YOUTH

Fair and Accurate?

MIGRANT AND REFUGEE YOUNG PEOPLE, CRIME AND THE MEDIA

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Fair and accurate? Migrant and Refugee Young People, Crime and the Media

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The Centre for Multicultural Youth (CMY) is a Victorian not-for-profit organisation supporting young people from migrant and refugee backgrounds to build better lives in Australia.

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1. Executive Summary

The public perception of young people from migrant and refugee backgrounds is often associated with crime or offending behaviour. Unbalanced media stories sometimes reinforce these stereotypes.

This paper aims to gain a more accurate picture of migrant and refugee youth offending, by comparing media portrayals with available police, census and Youth Justice (Department of Human Services) data. To set the context, it briefly explores risk and protective factors, with specific regard to the migrant and refugee experience. It also examines the negative impact that misinformed public perception can have upon the lives of young people from migrant and refugee backgrounds.

While the picture is still incomplete, as the data collected is currently inconsistent, CMY believes that the available data points to migrant and refugee young people being under-represented in the Victoria Police and Youth Justice systems. However, there are particular ethnic groups who appear to be over-represented in relation to their population in Victoria.

There is an urgent need for increased and more accurate data which is essential to develop effective and culturally relevant programs for migrant and refugee youth; decrease the number of migrant and refugee youth entering the Youth Justice system; and to challenge inaccurate stereotypes. This is particularly important in regards to specific groups who seem to be over-represented in crime statistics.

In addition, it is evident that a better response is needed to not only challenges the negative media portrayal of many migrant and refugee young people but also allows these youth to better represent themselves in the media.

2. Background

2.1 The Refugee and Migrant Experience

Although young people from migrant and refugee backgrounds may share common experiences as a result of the migration process – such as leaving behind friends and family, and having to adapt to a new culture and systems - important differences exist between the two groups.

Migrants have generally made the decision to move to Australia, often for employment or educational opportunities. However it is important to note that a young person migrating as part of a family unit may not necessarily have had a say in the matter. In contrast, according to The National Youth Affairs Research Scheme, the 'refugee experience' is defined as exposure to political, religious or inter-cultural violence persecution or oppression, armed conflict or civil discord that includes the following key elements:
a state of fearfulness for self and family members

- leaving the country at short notice
- inability to return to the country of origin, and
- uncertainty about the possibility of maintaining links with family and home. [1]

Often when young people from refugee backgrounds do arrive in Australia, they face a severe lack of social, economic and political opportunities and life choices, making integration into their new homes and new communities difficult.[2]

Both refugee and migrant young people may face a number of challenges upon making their new home in Australia. These can include:

- Learning English
- Recommencing school or education (often after disrupted education)
- Finding employment
- Securing stable, appropriate and affordable housing
- Adjusting to unfamiliar systems and a new culture
- Separation from extended family and friends
- Rebuilding new social networks.[3]

In addition, family configurations and dynamics are often altered as a result of the migration process. Traditional forms of family and community support can be fractured due to separation. Financial resources can also be extremely limited due to the refugee experience, and/or having to provide remittances to family members overseas.

Migrants who are not Australian citizens - for example, those from New Zealand - are unable to access government welfare or Medicare, which can place financial pressure on families and young people if they face illness or unemployment.[4]

1 Coventry L, Guerra C, Mackenzie D, & Pinkney S. 2002, Wealth of All Nations, Hobart: National Youth Affairs Research Scheme, p.15.

2 Centre for Multicultural Youth (CMY), 2011, Refugee young people and resettlement, Carlton: CMY.

3 Victorian Settlement Planning Committee, 2005, Good Practice Principles: Guide for working with refugee young people, Melbourne: Department of Victorian Communities, p. 7.

4 Department of Immigration and Citizenship, Factsheet 17 – New Zealanders in Australia http://www.immi.gov.au/media/fact-sheets/17nz.htm Accessed 6.6.13.

These unique challenges add a layer of complexity and instability to the fundamental transitions that take place during adolescence and young adulthood.[5] In spite of this, young people from both refugee and migrant backgrounds are extremely resilient and adaptive, and demonstrate a strong drive to succeed and build new lives in Australia.[6]

2.2 Protective and Risk Factors

Knowing about protective and risk factors for migrant and refugee young people can indicate their likely relationship with police, the justice system and the broader community. Risk factors are personal or environmental conditions that increase an individual's chances for criminal involvement.[7] Protective factors are the elements that improve an individual's life while reducing the risk for criminal involvement.[8] They can be used to help understand the causes of offending behaviour and the preventative measures that need to be in place.

Table 1 gives a general overview of the risk and protective factors that may impact on a young person, regardless of their cultural background or migration experience

Table 1: Protective and risk factors[9]

Levels	Risk Factors	Protective Factors
Community	• Poverty • Transitions in schooling and into the community • Low neighborhood attachment and community disorganisation • Availability of drugs • Lack of safe, affordable and stable housing	• Good relationships with an adult outside the family • Opportunities for meaningful contributions • Cultures of cooperation • Stability and connectedness
School	• Poor relationships in school • Academic failure, especially in middle years in school • Early and persistent antisocial behavior and bullying • Low parental interest in children	• A sense of belonging and fitting in • Positive achievements and evaluations • Having someone outside your family that believes in you • Attendance at preschool
Family	• History of problematic alcohol and drug use • Inappropriate family management • Family conflict • Alcohol/drugs interfering with family rituals • Harsh/coercive or inconsistent parenting • Marital instability or conflict • Favourable parental attitudes towards risk taking behaviour	• A sense of connectedness to family • Feeling loved and respected • Proactive problem solving and minimal conflict during infancy • Maintenance of family rituals • Warm relationship with at least one parent • Absence of divorce during adolescence • A 'good fit' between parents and a child
Individual/Peer	• Constitutional factors, alienation, rebelliousness, hyperactivity, aggression, novelty seeking • Seeing peers taking drugs • Friends engaging in problem behaviour • Favourable attitude toward problem behaviour • Early initiation of the problem behaviour	• Temperament/activity level, social responsivity, autonomy • Development of special talents/hobbies and zest for life • Work success during adolescence • High intelligence (not paired with sensitive temperament)

5 Ibid.

6 Couch, J. & Francis, St. Participation for All? Searching for marginalized voices: The case for including refugee yount people, Children, Youth and Environments, 16 (2), p. 279.

7 Bartels L. 2011, Crime prevention programs for culturally and linguistically diverse communities in Australia, Report No. 18, Australian Institute of Criminology, p.29-30.

8 Bertrand L, McRae-Krisa L, Costello M & Winterdyke, J. 2013, Ethnic Diversity and Youth Offending: An Examination of Risk and Protective Factors, International Journal of Child, Youth and Family Studies, 1: 166.

9 Ibid.

Young people from migrant and refugee backgrounds can encounter additional risk factors than those described in Table 1 due to their particular migration or refugee experience.[10] These can include:

- History of violence and trauma
- Intergenerational conflict due to varied levels of acculturation
- English language difficulties, low levels of literacy and interrupted education
- Experiences of racism and discrimination
- Distrust of authorities due to negative experiences overseas
- Stress and trauma associated with leaving familiar homes and cultures and settling into a new country
- Adjusting to a different cultural and religious environment
- Lack of culturally appropriate support services
- Lack of culturally relevant, non-commercial activities and outlets to get involved with
- Lack of personal and cultural identity
- Lack of positive community role models (particularly male) and strong community networks[11]

Young people from migrant and refugee backgrounds need to feel as though they can lead a meaningful and worthwhile life in their new environments.[12] Enhancing protective factors for these young people is crucial. These protective factors can be grouped into three main areas:

1). The accepting society needs to provide facilities for adaptation to a new life in a new country.

2). There needs to be opportunities for achievement and betterment at the social, community and economic levels.

3). There needs to be an acceptance of the young people's varied social identities and the development of social support and networks.

2.3 Ethnicity, young people, crime and stigma

The supposed connection between immigrant minorities and criminality is a common theme throughout Australian history.[13] Young people from migrant and refugee backgrounds are particularly vulnerable to these assertions, given they are both 'ethnic' and 'young' – two identifiers that are often associated with criminal behaviour.

This association can often result in young people from migrant and refugee backgrounds feeling stigmatised - by the media, the public and authority figures such as police. Stigma is founded on generalised and unsubstantiated assumptions; it involves stereotyping,

10 Bertrand et al., 2013, p.169.

11 Rossiter M & Rossiter K. 2009, Diamonds in the Rough: Bridging Gaps in Supports for At-Risk Immigrant and Refugee Youth, International Migration and Integration, 10, p. 417 – 419.

12 Ronald F, Armstrong A & Totikidis V. Ethnicity and Crime a Statewide Analysis by Local Government Areas, Centre for International Corporate Governance Research, Victoria University, no date provided, p. 5-6.

13 Collins J & Reid C. 2009, Minority Youth, Crime, Conflict and Belonging in Australia, International Migration and Integration, 10, p. 380.

labeling, status loss, discrimination, social rejection and exclusion.[14] Stigma can create a dehumanising, 'us vs. them' mentality – which can at times be internalised and subsequently reproduced.[15] In other words, when a group is expected to behave a certain way, they will.[16] As a young man of Maori background living in Melbourne commented,

> ***"Some cops, they tell you you're a bad c*** – like trying to piss you off... It's like they're egging you on to f*** up. And they're telling you you're a f*** up and all that – to us, it's like, "Yeah, I'm a f*** up, yeah, yeah. All right, then, I'll be a f*** up then." Just to piss them off. Even though it's what they want, you just do it to get – you just – they piss you off... it makes you want to get them back..."*** [17]

A common perception associated with such young people is that of 'ethnic youth gangs'. This perception perpetuates negative stereotypes about migrant and refugee young people as a threat to the community. To a certain extent, much of the concern about gangs can be a misunderstanding of the nature of youth subcultures, and of ethnic minorities in general. Fear can be generated when there are misconceptions concerning how young people naturally associate with each other in groups in public spaces. [18] These suspicions are nothing new; the diversity of youth subcultural forms has historically been a source of anxiety among certain sections of the adult population.[19]

Journalist Denise Ryan describes the way in which public perception and stereotyping can impact upon social cohesion in an Opinion Piece in The Age newspaper;

"Many people report to Victoria Police community liaison officers and youth workers that they feel intimidated by groups of young African Australian men waiting around public places. Those workers try to explain that these youth live in crowded commission flats or rental properties and so have nowhere to meet friends. A lack of familiarity with young Africans, and the knowledge that some do commit crime, has made many people hesitate before greeting, let alone welcoming, our latest wave of migrants."[20]

3. Media and the construction of multicultural youth identities

The media is a powerful tool that has the ability to reach wide and diverse populations. It has significant influence over the construction of public opinion. Frequently the media's portrayal of migrant and refugee young people is not balanced with an emphasis on problems and conflicts.

14 Link B & Phelan J. 2001, Conceptualizing Stigma, Annual Review of Sociology, vol. 27, pp. 364-367.

15 Ibid.

16 Ibid; Bolzan N. 2003, 'Kids are like that!': Community attitudes to young people, National Youth Affairs Research Scheme.

17 CMY interview with young person of Maori background regarding interactions with the police and the justice system, 2012.

18 White R. Perrone S, Guerra C & Lampugnani R. 1999. Ethnic Youth Gangs in Australia: do they exist? Australian Multicultural Foundation, p.3.

19 Ibid.

20 Ryan D, It's up to us to help young Africans fit in, Opinion Piece, The Age, 16 May 2012. http://www.theage.com.au/opinion/society-and-culture/its-up-to-us-to-help-young-africans-fit-in-20120515-1you7.html, 16.5.2013.

The use of sensationalised language and negative reporting can lead to the establishment of fear within the public realm,[21] while also indicating to migrant and refugee youth communities that they are 'outsiders' in terms of belonging to the broader Australian community.[22] At the same time, the perspectives of multicultural young people are also often absent from mainstream media, which results in the sideling of alternative voices that could potentially counter mainstream portrayals.

The following are examples of recent newspaper headlines which emphasise the link between young people, ethnicity and crime:

"Melbourne home to more than a dozen race-based street gangs"
– Herald Sun, 23 August 2011

"Migrant groups going gang busters"
– The Australian, 9 March 2011

"Warning of UK-style riots in alienated pockets of Melbourne (re: African-Australian youth)"
– The Age, 14 May 2012

"African youth crime concern"
– The Age, 20 August 2012

"Fear of Cronulla-like unrest as refugee lawlessness grows in Melbourne"
– Sydney Morning Herald, 20 August 2012

As one young person responding to negative media stories about African young people commented:

> ***"Imagine opening up your newspaper only to find a headline which suggests that all young people like me, who have my skin colour, are criminals. There are so many good Australians out there working against the racially discriminatory and divisive stereotyping that makes it so hard for me to feel like I belong in this society. We're not all criminals – in fact very few of us are. And we're not all disengaged, although every time we see another instance of racial discrimination or racial stereotyping, it makes us feel just a little bit more disconnected from the very society that we call home."***[23]

The level of negative media attention given to migrant and refugee young people appears to be disproportionate to their actual rate of offending in the community overall. In an article in The Age by Dan Oakes, the rates of Sudanese and Somali offending are reported as being particularly high compared with the broader community; "The rate of offending among the Sudanese community is 7109.1 per 100,000, while for Somali people it is 6141.8 per 100,000. The figure for the wider community is 1301.0 per 100,000."[24]

However, the article then goes on to clarify that "It is important to note that the overall proportion of crimes state-wide committed by the Sudanese and Somali communities is

21 Martin, A. 2008, Television Media as a Potential Negative Factor in the Racial Identity Development of African American Youth, Academic Psychiatry, 32 (4), pp. 338-339.

22 Ibid

23 IMARA Advocacy, A letter from a disengaged African youth, 20 August 2012.

24 Oakes, D. African youth crime concern, The Age, 20 August 2012.

only 0.92 per cent and 0.35 per cent respectively."[25] Given that these groups then constitute only 1.27% of youth crime committed in Victoria, it is important to question the extent of media coverage devoted to African young people - while the 98.73% of remaining offenders are not considered newsworthy.

Analysis undertaken by Jesuit Social Services draws a similar conclusion with regard to the disproportionate rate of media coverage compared to actual youth offending by African Australians. Based on Victoria Police statistics from 2010-2011, Jesuit Social Services highlights that despite frequent news coverage, African Australian young people do not pose a significant problem in terms of public safety.[26] Of the 50,666 individuals who were dealt with by police for offences in 2010-11, only 338 were Sudanese young people and 66 were Somali young people (up to 24 years old).[27] The figures for other African youth were so low they were not published in police statistics for that year.[28]

If community attitudes and policy decisions are to successfully reflect the realities of migrant and refugee young people and crime rates within Victoria, the media needs to be committed to fair and accurate reporting. Additionally, opportunities must be provided to ensure that the voices of young people being reported on can also be heard.

Continuing negative media portrayals linking young people, ethnicity and criminality have the potential to sow the seeds of alienation and disengagement amongst the very communities being reported on. It also has the potential of reinforcing existing stereotypes for individuals in positions of power, eg. members of the police force.

4. Interactions with police

CMY welcomes Victoria Police's commitment to ongoing dialogue with refugee and migrant communities, including the current inquiry into how Victoria Police deals with racism.[29] Similarly, CMY commends the strong condemnation demonstrated recently by both Chief Commissioner Ken Lay and northwest police commander Assistant Commissioner Andrew Crisp in regard to the discovery of racist stubby holders at Sunshine and Bairnsdale police stations.

In spite of these developments, the relationship between migrant and refugee young people and police can sometimes be a difficult one. At times police show a lack of understanding and can make decisions based on stereotypes or prejudicial attitudes.[30] Research undertaken with 120 young people from refugee backgrounds in Melbourne revealed that 13% had experienced discrimination at the hands of police.[31]

Young people from refugee backgrounds have often had negative experiences of the police and authority figures prior to arrival in Australia, which can result in fearful and/or

25 Ibid.

26 Jesuit Social Services, Just Advocacy, 19 July 2012, http://www.jss.org.au/policy-and-advocacy/just-advocacy#four Accessed 5.5.13.

27 Ibid

28 Ibid

29 Victoria Police, 2013, Community Consultation, http://www.police.vic.gov.au/content.asp?Document_ID=39350 Accessed 4.7.13

30 White R. 2009, Ethnic Diversity and Differential Policing in Australia: the Good, the Bad, and the Ugly, published online, Springer Science, pp. 361-362.

31 Gifford S, Correa-Valez I & Sampson R. 2009, Good Starts for recently arrived youth with refugee backgrounds, Melbourne: Latrobe Refugee Research Centre.

aggressive responses to what may be common police procedures in Australia.[32] These negative interactions between migrant and refugee young people and the police can breed mutual mistrust and disrespect.

> ***"Police go out of their way to give you a hard time. But they don't help you when you need it."***
>
> – Young man, Horn of Africa background

There are several factors which have been identified as contributing to higher levels of police interaction with migrant and refugee young people. These include:

1). The extent to which the young people are new arrivals as opposed to established groups;

2). The degree to which they seek to preserve specific cultural and religious identities and practices which differ from the Anglo Australian mainstream;

3). Their socio economic status; and

4). Their level of visibility within the public streetscape. [33]

The heightened attention by police to particular groups of young people is often the result of conscious and sub-conscious stereotyping. This can at times lead to differential policing of a whole population group, based on racial or ethnic appearance.[34]

> ***"It's this mentality that is implanted in officers' minds that because we're African, because we're young and hang out in the local area, we're more likely to cause crime."***
>
> – Daniel Haile-Michael, African Australian background[35]

Racial profiling is a form of systemic racism which occurs when police use race to motivate and justify their actions to stop, question, target or search a person.[36] This behaviour is done under the assumption that a person's ethnicity is a strong determinant of whether or not they are more or less likely to have committed a crime. This is a clear violation of an individual's human rights.

Victims of racial profiling can experience a sense of alienation, social rejection, disengagement and lower levels of health and wellbeing than those who are not subjected to racial profiling.[37] It also discourages minority groups from reporting crimes and seeking assistance from police, and generates high levels of distrust.

An Age article on 8 March 2013 reported that in 2006, Flemington police conducted an initiative that specifically targeted African young people in Flemington – referred to as 'Operation Molto'. The Operation was based on the assumption that young Africans were responsible for significant amounts of crime in the area.[38]

However analysis of police LEAP data between 2006 – 2009 revealed that African Australians in the Flemington area committed significantly less crimes on average compared with males of other cultural backgrounds in the area.[39] Despite this, young Africans were almost 2.5 times more likely to be stopped by police.[40]

These statistics were made available as part of the recent Haile-Michael and Others v. Commissioner of Police and Others race discrimination case held in Melbourne in February 2013, where six young people of African descent claimed racial profiling against Victoria Police. Police 'field contacts' were reviewed in the Flemington area which showed a statistically significant disproportion between the amount of times phrases such as 'gang', 'no reason', 'nil reason', 'move on', and 'negative attitude' were recorded with regard to interactions with African males, in contrast with males of other ethnicities.[41]

As Jeremy Rapke, QC, Victoria's director of public prosecutions at the time of Operation Molto commented: "Its racism, because what you are doing is you are targeting an individual based on his race rather than based upon any other legitimate policing criteria."[42]

32 YRIPP, Training Manuals for New Volunteers: Issues for Refugee and Migrant People, Centre for Multicultural Youth, 2013, pp. 1-3

33 White, 2009, p. 365.

34 White, et al., 1999, p.3.

35 Franklin, N. Victim of Victorian Police Racial Profiling with Neil Mitchell, 3AW, 19 February 2013.

36 Flemington and Kensington Legal Centre (FKLC), Racial Profiling http://www.communitylaw.org.au/flemingtonkensington/cb_pages/racialprofiling.php, Accessed 23.5.2013.

37 Flemington and Kensington Legal Centre; Ontario Human Rights Commission (OHRC), Paying the Price: The Human Cost of Racial Profiling, Toronto: OHRC.

38 Waters J. Secret Police Operation 'targeted' African-Australians, The Age, 8 March 2013.

39 Daniel Haile-Michael& Ors v Nick Konstantinidis & Ors, VID 969 2010, Summary of Professor Gordon's and Dr Henstridge's first reports, http://www.communitylaw.org.au/flemingtonkensington/cb_pages/files/Summary%20of%20Experts'%20report.pdf Accessed 20.6.13.

40 Ibid.

41 Ibid.

42 Waters, 2013.

The impact of racial profiling should not be underestimated. In the words of a young man of African descent living in the Flemington area who was the lead applicant in the race discrimination case,

> ***"[Racial profiling] makes you feel like you never belong in society. That you're not welcome here and that you are a second class citizen no matter what... For any migrant community, police are a reflection of the government and the mainstream community."***
>
> – Daniel Haile-Michael

Notwithstanding these issues, CMY is optimistic about the outcomes from Victoria Police's current inquiry into field contacts and the potential benefits of cross cultural training. There is currently a unique opening to investigate and put an end to racism and discrimination, and to improve the future of policing with regards to young people from migrant and refugee backgrounds.

5. What is the data telling us about offending?

CMY strongly welcomes the Victorian Government's announcement of funding in the 2013 May Budget for the establishment of a crimes statistics agency. Accurate data is critical in ascertaining the reality and extent of offending behaviour amongst migrant and refugee young people.

However, data on youth offending and ethnicity can be difficult to access and is collected inconsistently across government departments and government funded services. For example, in some instances data is collected according to country of birth, at times by 'racial appearance', and in some circumstances by self-identified ethnicity. The cultural background of large numbers of young people are often unaccounted for in both Youth Justice (DHS) and Victoria Police data; categories are often left blank or listed as 'unknown', and refugee status is not recorded.[43]

These inconsistencies and inaccuracies make it difficult to ascertain whether in fact migrant and refugee young people are overrepresented in crime statistics and the justice system, as media reports might suggest. For example, collecting data according to country of birth alone can be misleading, particularly in the case of Pasifika[44] young people born in New Zealand. Similarly, not all young people who identify as being from migrant or refugee backgrounds were born outside Australia, so country of birth fails to take into account cultural and ethnic identity.

5.1 Migrant and refugee youth offending

Police data currently available indicates that young people born overseas are less than half as likely to be alleged offenders compared with other young people. In 2011-12, only 8%

43 Department of Education and Early Childhood Development, 2011, Refugee Status Report: A report on how refugee children and young people in Victoria are faring, Melbourne: DEECD, p. 78.

44 Pasifika is a term used to refer to both Pacific Islanders and Maori communities.

of alleged youth offenders (aged 10 – 24) were born overseas,[45] see figure 1, whereas 2011 census data shows that more than 19% young people aged 15-24 years in Victoria were born overseas.[46]

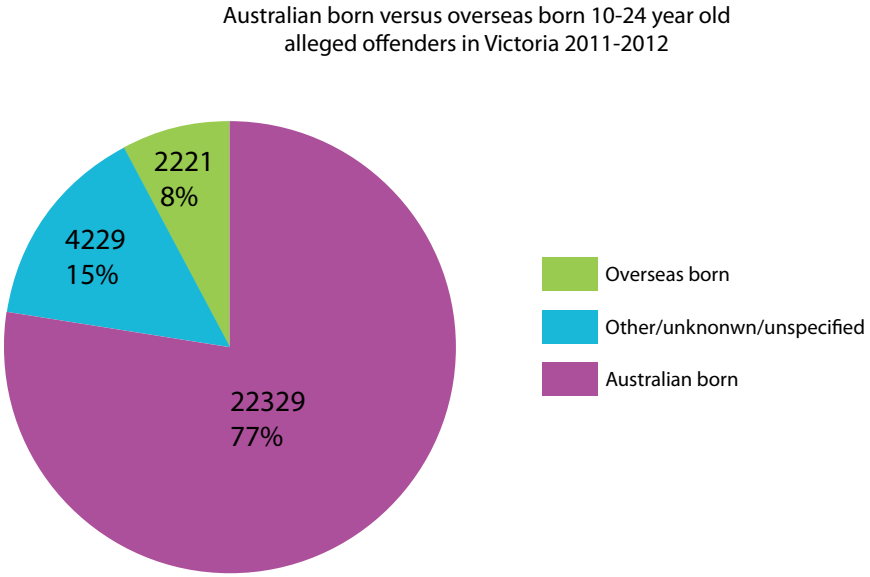

Figure 1: Australia born versus overseas born 10 – 24 year old alleged offenders in Victoria - 2011- 2012 (Victoria Police data)

Youth Justice (DHS) data also suggests that the numbers of young people from migrant and refugee backgrounds in the youth justice system are slightly under-represented when compared with Victoria's overseas born population of young people. Youth Justice (DHS) statistics for 2011-12 show that 18% (258 out of 1,403) of young people on custodial or community orders were from migrant and refugee backgrounds, based on self-identified ethnicity.[47] This figure is slightly less than the number of overseas born young people (15 – 24 years) in the Victorian community (19%). It is worth noting that this 19% does not include young people born in Australia who may identify as being from a migrant or refugee background.

These findings resonate with research undertaken in other states, such as NSW, which revealed that contrary to common belief, young people who spoke a language other than English at home were less likely to be involved in crime than their English speaking counterparts.[48]

5.2 Sudanese and Pasifika young people and offending

Although it appears that overall migrant and refugee young people may be under-represented in police and youth justice statistics overall, the situation seems to be different when analysing data for particular groups. Figure 2 presents the top 10 countries of birth for

45 Victoria Police, Crime Statistics 2011-2012, http://www.police.vic.gov.au/crimestats/crimestats2011-12.pdf. Accessed 5.5.13.

46 Australian Bureau of Statistics (ABS), 2011 Census Community Profiles, http://www.censusdata.abs.gov.au/census_services/getproduct/census/2011/communityprofile/2 Accessed 5.5.13.

47 De-identified Department of Human Services data 2011-12, unpublished.

48 NSW Bureau of Crime Statistics and Research, 1998, Juveniles in crime - Part 1:Participation rates and risk factors, Media Release, NSW Attorney Generals Department.

overseas born alleged offenders, highlighting that both young people born in New Zealand and Sudan are two key groups that feature strongly in Victoria Police statistics.

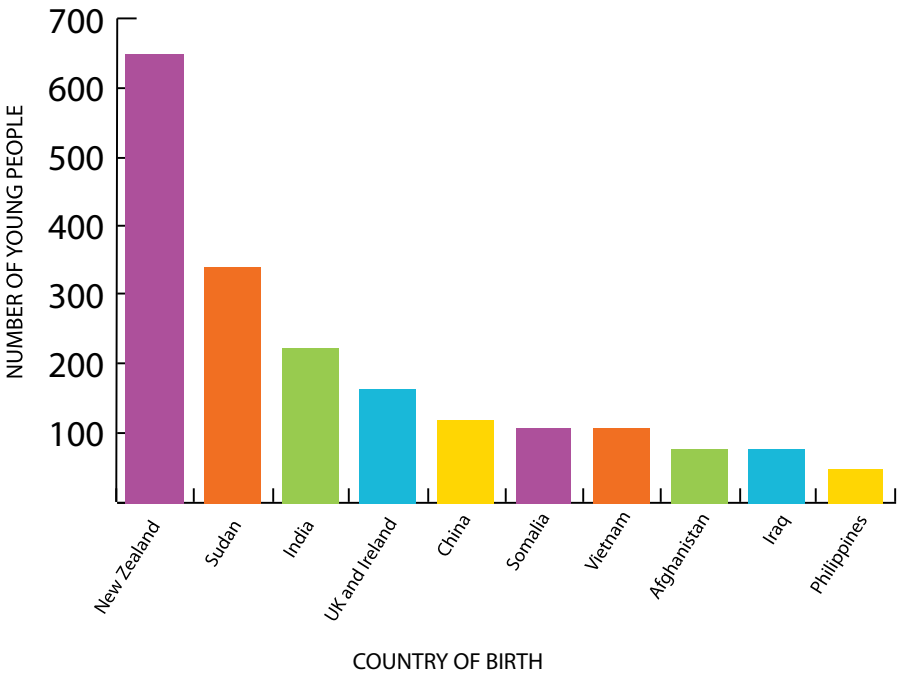

Figure 2: Top 10 countries of birth for overseas born alleged offenders whose country of birth was known (Victoria, 2011-2012)[49]

Current Victoria Police data suggests that young people born in Sudan are nearly five times more likely to be processed as alleged offenders than other young people. In 2011-12, just over 1% (342 out of 28,779) of alleged offenders aged between 10-24 years were born in Sudan. Yet 2011 census data reveals that 0.23% (1648 out of 720,446) of young people aged 15-24 years in Victoria were born in Sudan, making them over-represented in police statistics in terms of their population. This is further reinforced by Jesuit Social Service, which analysis suggests that during 2010-2011, 338 out of the 2,898 young Sudanese migrants living in Victoria were processed by the Victorian Police, making a Sudanese migrant 6.8 times more likely to be processed by police compared to other young people.[50]

Similarly, Youth Justice (DHS) data for 2011-12 reveals that 2.14% (30 out of 1403) of young people on custodial or community orders were of Sudanese background,[51] making them over nine times more likely to be in the Youth Justice system than their population in Victoria might suggest.

Young people born in New Zealand are just under two times more likely to be processed by police as an alleged offender compared with the broader population, according to Victoria

49 Victoria Police, Crime Statistics 2011-2012.

50 Jesuit Social Services, 2012.

51 De-identified Department of Human Services data 2011-12, unpublished.

Police data. Their alleged offender rate is 2.3% (650 out of 28,779), whereas they represent only 1.47% (10,616 out of 720,446) of the Victorian population aged 15 – 24 years. However it is difficult to know whether these young people of Pasifika backgrounds, given they are recorded as being born in New Zealand rather than according to ethnicity.

Significantly, Youth Justice data (DHS) indicates that Pasifika young people are just under five times more likely to enter the youth justice system than the New Zealand born youth population in Victoria would suggest. In 2011 – 2012, 7.06% (99 out of 1403) of young people on either custodial or community sentences were from Pasifika backgrounds.[52] Similarly, the 2011-2012 Annual Report from the Youth Parole Board reveals that 8.5% of young people in detention alone in Victoria were of Pasifika backgrounds, which continues the trend of the over-representation of this group in the youth justice system.[53]

6. Conclusion

The inadequacy of available data makes it challenging to obtain an accurate picture of precisely how young people from migrant and refugee backgrounds are faring in regard to offending. Overall, migrant and refugee young people appear to be under-represented in police and Youth Justice data, particularly when compared with the level of negative media attention they sometime attract.

Continued adverse media association of young people from migrant and refugee backgrounds with criminality is worrying, given the powerful negative influence media can have upon young people's sense of self and belonging, public perception and social cohesion more broadly.

Yet, there are certain ethnic groups who do appear to be over-represented in crime statistics and Youth Justice data compared with their population in the Victorian community. Strategic responses must be developed that take into account the protective and risk factors that are particular to these groups of young people. Such responses must be culturally relevant, and must include a whole of community approach.

Ultimately, increased accuracy, consistency and availability of data is essential in order to build a more precise understanding of offending amongst young people from migrant and refugee backgrounds.

Without more accurate data, it will be difficult to tailor evidence-based and culturally relevant community interventions and/or responses for particular groups of young people from migrant and refugee backgrounds in order to decrease offending rates.

52 Ibid.

53 Victorian Government, Youth Parole Board and Youth Residential Board Victoria: Annual report 2011-12, Melbourne: Department of Human Services, p. 16.

7. Recommendations

1. Establish consistent and accurate data collection across government and government funded departments, including processes to ensure it is available to the public.
Data should incorporate:

a) country of birth,
b) language spoken at home and
c) self-identified cultural background of young offenders.

This will enable more accurate analysis of the reality of migrant and refugee youth offending, and will assist in taking the next steps in terms of developing culturally relevant responses.

2. Research underlying causes of offending behaviour specific to cultural groups over-represented in crime statistics and the youth justice system, in partnership with the communities concerned. This will inform services on how best to develop effective, culturally relevant responses.

3. Evaluate the success of already existing programs designed to support migrant and refugee young people with regard to offending (both early intervention and more tertiary responses). This will allow the identification of good practices and provide a framework for future initiatives to decrease rates of offending.

4. Evaluate the cultural appropriateness of current police responses, sentencing options, diversion and prevention/early intervention programs, with particular attention to young migrant and refugee communities that are currently over-represented in crime statistics and the youth justice system.

5. Develop and resource effective, culturally tailored intervention responses (both early intervention and more tertiary focused programs) for groups of migrant and refugee young people who are over-represented in the youth justice system. Previous measures have included programs that build positive relationships between police and particular groups of migrant and refugee young people; employing culturally specific workers in juvenile and young adult justice services; training and cultural support provided to court services; and culturally appropriate and specific programs lead by respected community leaders.

6. Resource training programs and opportunities for young people of migrant and refugee backgrounds to learn media skills, and to develop their own media initiatives.
This will promote the representation of diverse voices in the media, and build up the pool of young spokespeople from migrant and refugee backgrounds in the community.

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