Youth Voices about Youth Justice

July 2018

Listening to young people's experiences of communication within the youth justice sector in New Zealand

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Acknowledgements

This report is the result of the efforts of many people.

It has been created in New Zealand which has a unique linguistic and cultural context. Many languages are spoken and understood in New Zealand, and in particular we acknowledge Te Reo Māori as the language of Tangata Whenua, and we acknowledge that many of the young people who gave their views in this research identify as Māori. Each culture brings with it unique languages, values and world views and the information presented here needs to be considered through a respectful cultural lens. Communication is inherently cultural.

Mā te tangata te reo e rere, tiakina
It is through people that language flows, cherish them

Point Research and Talking Trouble Aotearoa NZ (TTANZ) would like to firstly thank the young people and their whānau who so willingly participated in this research. We hope we have honoured the information you shared with us.

Special thanks are due to the Tuilaepa Youth Mentoring Service who hosted the interviews, and to Tony O'Connor from Point Research for assistance with data analysis. Their contribution was invaluable.

The authors gratefully acknowledge the support of CAYAD: Community Action on Youth and Drugs, who made this important research possible.

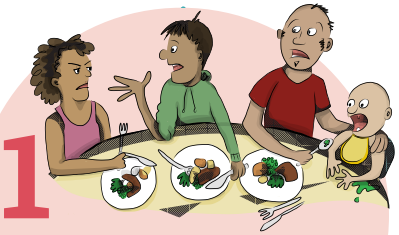
Executive Summary

This research gave young people the opportunity to tell us about their experiences of communication within the youth justice sector in New Zealand. They were encouraged to say what they think the youth justice workforce can do differently to make it easier for young people to participate in all the conversations and processes involved.

Thirteen young people who have experience with the youth justice system in New Zealand were interviewed in July and August 2017. This report shares these young peoples' experiences of communication, and voices their ideas about how the youth justice workforce can make sure that young people can:

- say what they need to say
- be heard, and understood
- listen to, and remember what they hear
- understand the processes they are involved in, such as interactions with Police, and within Family Group Conferences and court hearings.

Things young people told us – key themes from the data



1

Family/whānau matters most

Family/whānau is the most important thing for us but family members are not always the easiest people to talk to.

2

Communication is often a negative experience

We have often experienced negative consequences in talking situations. We don't believe our talking makes a difference. Sometimes when we talk we just make things worse.

3

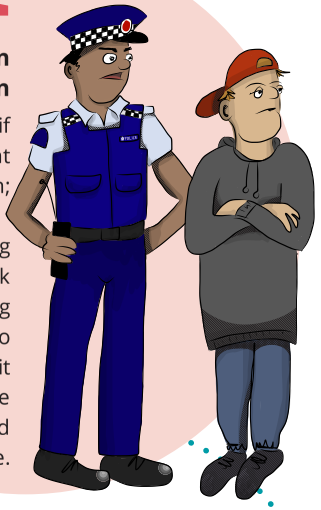
Rapport and trust are essential

We need, and respond to, people who take the time to get to know us. We are more likely to trust, and listen to, adults who are calm, loyal, and genuinely care about us. We want professionals to be 'straight up'.

4

Communication is a transaction

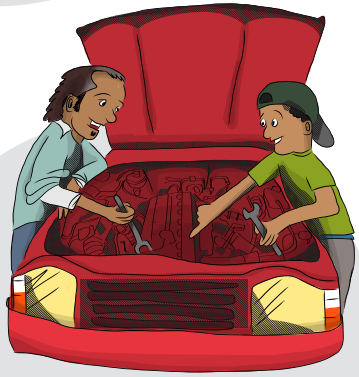
We won't talk to you if we don't see the point of the conversation; there has to be a purpose, and something in it for us. If we do talk to you about something and you don't do anything about it we might not give you a second chance.



5

Feeling safe is important to good communication

We need to feel both physically and emotionally safe to open up and communicate.



6

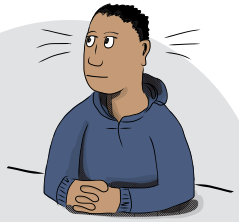
Listening is key to good communication

We want to be listened to. We want people to try to understand our point of view, and our worldview. We are tired of being judged. We want to feel that adults genuinely care about our wellbeing.

7

Institutional language is a barrier to communication

Youth justice situations involve a lot of jargon, and assumed knowledge as well as complex words and concepts. These all create barriers between us (and our whānau) and the people trying to communicate with us.



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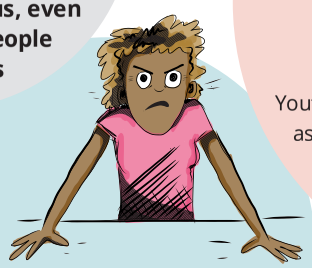
Speech, language and communication needs are not always obvious, even to the young people themselves



8

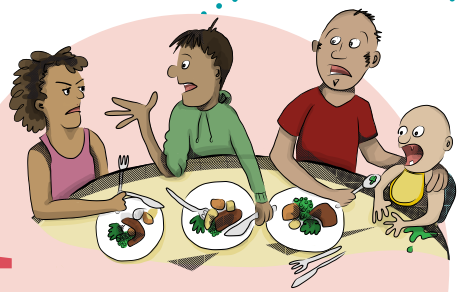
Communication can be a trigger

Communication, and interactions, sometimes make us angry and result in behaviours that get us into trouble.

talking trouble aotearoa nz

*this executive summary has been produced in two versions: a longer version and a less wordy version

Things young people told us – the main messages



1

Family/whānau matters most

Family/whānau is the most important thing for us. Sometimes it is easy to talk to family/whānau.
Sometimes it is hard to talk to family/whānau.

2

Communication can be hard

Talking is really hard sometimes!
No one believes me. No one listens to me.
Nothing I say makes a difference.
When I talk I usually make things worse.

3

Trust

I'm not going to say anything real until I trust you.
Be patient, stay calm, be straight with me.
Show me I can trust you.

4

What's the point?

I'll talk to you if there's something in it for me, if there's a good reason. If you say you'll do something you've got to do it. If you don't do it I might not trust you again.

5

Feeling safe

If I feel OK with you, if I feel safe,
I might talk to you.

7

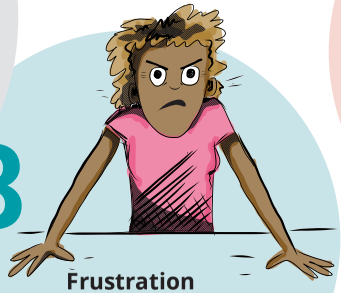
Jargon and complicated stuff

The words and stuff are all too complicated. Make everything simpler!

6

Listening

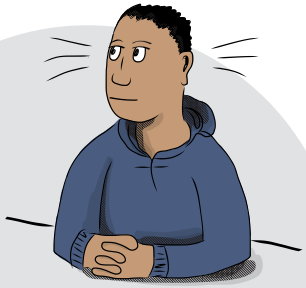
Listen to me. Hear my point of view. Don't judge me!



8

Frustration

I get in trouble cos I get angry when I don't understand stuff, or when I can't say what I want to say.



9

Speech, language and communication needs

Some of us know when talking is hard for us. Some of don't. Think about our communication, think about yours.

talking trouble aotearoa nz

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Introduction

This research aimed to listen to and understand young people's experiences of the communication that takes place when they are interacting with support services (e.g. mentoring, mental health and addiction services) or involved in youth justice processes, such as Police interviews, Family Group Conferences and court hearings. This report voices young peoples' ideas about how communication within youth justice can be more effective. It states young peoples' suggestions about how services can adapt their programmes so that they are more accessible, easier to understand and more motivating.

The following fictitious situation is not unusual for many young people involved in justice processes in NZ. It demonstrates why it is important to consider how communication needs be addressed in some of the 'talkfests' that many young people have to participate in.

Eli has a Family Group Conference (FGC) coming up. Dan is one of the professionals working with him. They have known each other for a while and have a good, relaxed relationship and often connect over a drive to get some snacks and a game of basketball.

Dan has been asked to help Eli prepare for the FGC. He needs to make sure that Eli will understand what is going to happen in this important meeting which will touch on some sensitive and difficult topics. The discussion is likely to be complicated as there are some complex legal processes that need to be talked about, and a range of people who will have their say. Eli will need to pay attention to, and understand the discussion in the meeting. He can have his say too. Eli also needs to consider the goals he wants to target in his FGC plan.

Participating in the preparation for, and within an FGC makes considerable demands on any young person, but Eli has missed a lot of school and has always found communication challenging due to a range of reasons (in his case there are a range of reasons: early hearing difficulties, problems arising from ADHD (Attention Deficit Hyperactivity Disorder, possible Fetal Alcohol Syndrome Disorder, many changes in schools and living situations).

He has missed out on developing the vocabulary, comprehension and expressive language and literacy skills that would make participation easier. He wants to participate and sees this as an important meeting, but he's feeling worried about what is going to happen. The communication demands of this situation will challenge him to

- Sit still
- Listen and follow the discussion
- Keep calm in a situation where he may feel stressed or vulnerable
- Explain his views clearly and in detail.

International research has identified oral communication difficulties in about 50-60% of young people in the criminal justice system.[1] Recent research in New Zealand established that 64% of the young people assessed in a youth justice residence context had significant language impairment compared with only 10% of control peers.[2]

'Speech, language and communication needs', 'language impairment' or 'Developmental Language Disorder' (DLD)[3] are terms used to refer to problems with talking, words and grammar, and following what is being said as language becomes more complex. These can arise regardless of what languages someone speaks. Someone would only be regarded as having SLCN or DLD if they have difficulty communicating in their first language. This is not just about English.

Bilingual and multilingual contexts, where people speak one or more languages are found all over the world, and in many communities in New Zealand. Bilingualism and multilingualism bring positive benefits to most people.

For example, imagine a person was born in Thailand, grew up speaking Thai fluently, and had never heard English. If they came to New Zealand, we would not regard them as having a core SLCN, as it is unreasonable to expect them to understand or speak English if they never heard it.

In contrast, if a person grew up hearing both Thai and English but struggled to communicate easily in either language, they could be viewed as having a language learning difficulty (aka SLCN) affecting both languages.

An awareness of cultural communication styles and values is needed to ensure that young people's communication styles are not misinterpreted. Cultural differences that impact on language and communication need to be better understood and explored in New Zealand.

SLCN = Speech Language Communication Needs

When speech-language therapists detect 'speech, language and communication needs' or Developmental Language Disorder (DLD), they anticipate that a person is likely to find it difficult (in whatever language is being spoken, not just English) to:

- express ideas or what might have happened in an event clearly and with detail
- follow what others are saying and understand expectations and instructions
- remain listening and engaged when language becomes lengthy and more abstract
- develop a wide vocabulary, and make sense of language when it is used in abstract, complex and metaphorical ways
- convey emotions or an opinion about ideas and events
- use language to make, keep and restore relationships and to resolve conflict
- use language to negotiate, debate or make sense of others' perspectives
- build literacy (spelling, reading and writing skills 'sit on top' of oral language skills).

Despite internationally established statistics showing that language difficulties are highly over-represented in populations involved with youth justice (and in care and protection, behaviour and mental health) agencies, most of these speech, language, and communication needs (SLCN) are not yet being identified, or addressed sufficiently in schools, in communities, or in youth justice in New Zealand. In fact, Bryan et al.[4] found that only 5% of young people who had offended who had communication difficulties had had their SLCN identified before becoming involved with youth justice.

In one study, 58 young people who had offended participated in standardised testing of their language skills.

- At least 60% of the young people tested had significant speech, language and communication difficulties
- Only three of these young people's SLCN had been identified prior to their involvement in youth justice.
- The SLCN experienced by the rest of the group had gone undetected and unaddressed. *(ref: Bryan, 2007)*

The obvious consequence of failing to identify SLCN is that young people do not get access to the supports that would enable them to communicate more effectively, participate in, and benefit from the talk-based interventions that are often part of their youth justice orders, or plans.

SLCN are not always obvious and many people do not know what signs to look out for. These barriers to detecting SLCN are exacerbated by the fact that some young people are not aware of their own communication difficulties and so don't ask for help, whilst others are very aware of their difficulties with language, and work hard at masking them. These masking behaviours are often mis-interpreted as reluctance, defiance, being unmotivated[5], or having learning or behavioural difficulties, and so the communication strategies that would be helpful are often not used. In some contexts, SLCN are experienced by so many of the young people that the professionals work with, that language difficulties don't stand out as being something that need to be identified and supported.

SLCN create significant challenges for youth throughout the normal, everyday activities which are supposed to enable resilience and prepare them for life, and employment e.g. making and maintaining relationships, participating in education, expressing and managing

emotions, resolving conflict and so on. Imagine how much more complicated life becomes when these young people, and their whānau, are trying to navigate the youth justice context which relies heavily on verbal communication. The young person's speech, language and communication difficulties may result in:

- poor interaction with the police, other youth justice staff, and community services
- an inability to give a good account of themselves, perhaps resulting in a charge
- limited understanding of legal jargon, processes and instructions, e.g. appointment requirements, court orders, remand and probation agreements
- difficulty accessing, and benefitting from intervention programs as most of these involve lots of talking
- poor engagement in 'talked-based' restorative practices such as Family Group Conferences.

We know that when young people with SLCN are under pressure, e.g. within a restorative justice context,[5] they are more likely to give vague, basic, monosyllabic responses to questions. The stress and language demands of a situation can also mean that they may withdraw from the situation or become reactive. These types of responses can be misinterpreted as surliness, or disrespect, and can significantly impact the outcome of their Court matters, as well as, their ability to enact their human rights.

The youth justice sector in New Zealand is gradually becoming more aware of SLCN, and the impact that they can have on young peoples' ability to participate in, and respond to, youth justice processes. However, many youth justice processes do not yet reflect an understanding of how significantly SLCN can impact on a young person's ability to participate in the process. The example on the right unpacks the complex skills required to complete an apology letter which often forms part of a Family Group Conference Plan.

Some of the youth justice workforce underestimate the complexity of the language and processes that they are so familiar with. Some use words, and terminology that are too complicated. They provide too much information at once and give more information without giving enough time to fully process what has just been heard. Some assume that young people will remember everything they have been told.

Apology letters

There is often an expectation that a young person should show remorse and write an apology letter when they have offended. This sounds like a reasonable and straightforward requirement. However, writing an apology letter can be challenging for many people, and both written and spoken language needs can compound the challenge. Working out what to write requires them to wrangle with tricky, abstract concepts, reflect on, and articulate their own perspective and others' perspectives about what happened and the impact the offending may have had. These difficulties can be compounded by previous experiences of negative relationships and attachments, and sometimes little experience of an apology process or empathy being shown to them.

For youth to engage more successfully and achieve more positive outcomes, the processes involved in youth justice need to become more communication accessible. Projects are underway in New Zealand, and some young people are now receiving communication assistance in court and in meetings like Family Group Conferences, but as His Honour Judge Fitzgerald (one of NZ's Judges) commented recently,

> "It was not until CAs (Communication Assistants) became involved in cases that I started to understand how language difficulties impact on young people who come before the Youth Court. That has led me to re-think how I communicate with all young people I meet in court and to see an urgent need to change the language, forms and processes we use to make them capable of being properly understood. This must go beyond simply removing the anachronisms and institutional language; New, fresh and meaningful approaches are required."
>
> Judge Tony Fitzgerald, April 2018, quote used with permission

We hope that these insights will be used to create such approaches.

This resource comes from a series of prompt cards developed by Talking Trouble Aotearoa NZ during a project with Youth Justice practitioners

Methodology

The importance of youth participation in research

Young people's participation in research around service provision is essential; they are a service's 'critical reference group'[6.]

Much has been written, in New Zealand and elsewhere, on the ethics of engaging children and young people in research processes.[6.] Since the early 2000's the right of children and young people to participate in decision-making on issues that affect them has been partly driven by Article 12 of the United Nations Convention on the Rights of the Child (UNROC), ratified by New Zealand in 1993. Indeed, it is the opinion of the writers of this report that we do not 'protect' vulnerable young people by not allowing them to speak to researchers or evaluators, rather, we simply reinforce their invisibility and their powerlessness.

Participation in research can strengthen the social development of young people by increasing their individual involvement, their organisational development and their ability to create community change.[7,8] Their insights can bring about systemic changes that allow more effective participation for all young people in services designed to support them.

A number of NZ agencies and research communities (see box below for examples) have been actively exploring how to effectively ensure that children and young people are consulted and have a voice in processes that involve them.

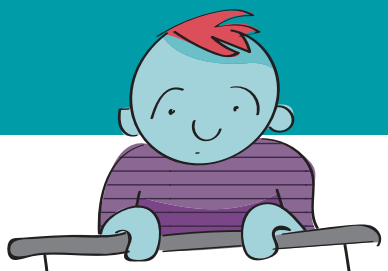
Recent NZ examples of agencies focusing on 'Youth Voice'

1. NZ Office of the Children's Commissioner's **Mai World Project** and **Listening to Kids** advice and toolkits
2. Massey University's Pathways to Resilience Project
3. Oranga Tamariki – Ministry for Children now has a Tamariki Advocate and a 'Voices of Children and Young People' Team
4. VOYCE Whakarongo Mai is an independent connection and advocacy agency for children and young people who are care-experienced.
5. Action for Children and Youth Aotearoa (ACYA)

*links to all provided in the appendix

Now that 'child and youth voice' are appropriately being considered, it is important that ALL children and young people (including those experiencing speech, language and communication needs[9], or who are experiencing mental health, neurodiversity or the impact of negative childhood experiences) have their voices heard, and not just the ones motivated and equipped to easily participate in consultations.

Making sure ALL young people have their say



Legislation requires clear communication.

Oranga Tamariki Act (1989) requires *health, education, social and legal services to be provided in an accessible manner.*

Young people:

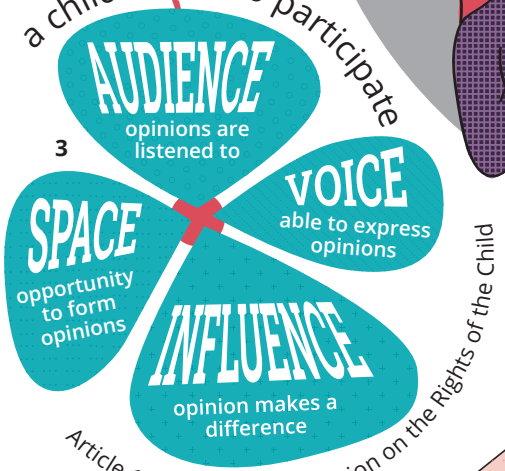
- Must be encouraged and assisted to participate.
- Must be given opportunity to freely express views.
- must be provided to assist them.
- Views must be taken into account.

What are speech language communication needs?

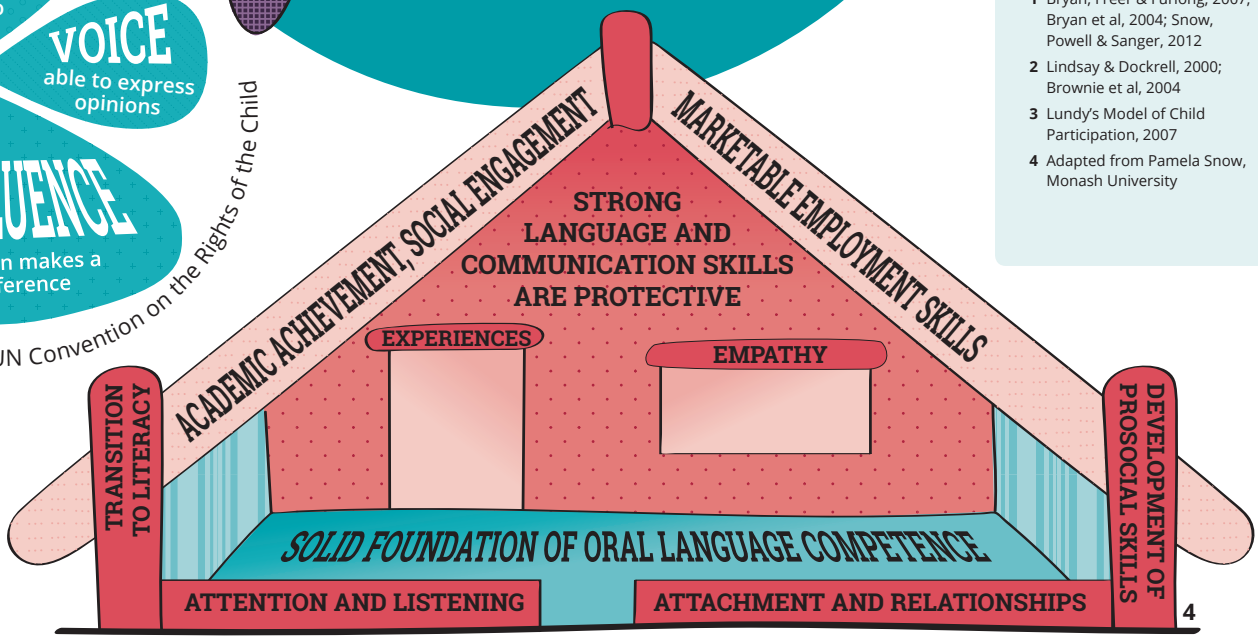
About **60%** of young people in the criminal justice system have an oral communication difficulty[1]

There are strong associations between behavioural and oral language difficulties[2]

a child's right to participate[3]



Article 12 of the UN Convention on the Rights of the Child



1 Bryan, Freer & Furlong, 2007; Bryan et al, 2004; Snow, Powell & Sanger, 2012

2 Lindsay & Dockrell, 2000; Brownie et al, 2004

3 Lundy's Model of Child Participation, 2007

4 Adapted from Pamela Snow, Monash University

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Project ethics

Engaging vulnerable young people in this research project meant there were several ethical issues that needed to be considered. Most of our youth participants had experienced significant challenges, and potentially traumatic experiences, that had led to their involvement in mentoring and youth justice services. Some had had negative experiences that were likely to be difficult to talk about.

Similarly, the research team knew that some of the young people were likely to have speech, language and/or communication needs and might find the interview situation uncomfortable. The interviewers were adults familiar with establishing rapport with and supporting young people. The main interviewer identifies as Samoan and used a 'talanoa' approach to her interviews (allowing young people to speak freely about their issues, realities and aspirations). Kai (food) was offered at all the interviews, and was blessed first. The interviewer knew the young people (and the families she spoke with) as they had all been part of the TYMS (Tuilaepa Youth Mentoring Service) programme where the interviews were hosted. The other interviewer is New Zealand born, and has whakapapa connection to Kai Tahu and Kati Mamoe.

To mitigate any communication needs, a speech-language therapist from Talking Trouble Aotearoa New Zealand provided the research interviewers with coaching in specific communication tools and strategies that can be used to enable young people with speech, language and/or communication needs to participate. The research interviewers also consulted with child interview expert Terry Dobbs from AUT (a registered social worker and registered forensic child interviewer working mainly with Māori taitamariki) with regards to the interview questions and incorporated her feedback into the interview guide. In addition, we:

- held the interviews at the TYMS premise, a safe place for the young people, where trusted people were available for support if necessary (including offering a support person in an interview if requested by the young person).
- made every effort to ensure young people were comfortable in the interviews,
- created a non-judgmental interview environment to ensure young people and their whānau were in a safe and supportive place when sharing their stories.
- offered counselling services if young people required further support after the interview (which none did).

Our project was reviewed by the New Zealand Ethics Committee (www.nzethics.com) which agreed that it met the appropriate ethical standards for social research.

Research participants

Thirteen young people and three whānau participated in this project. Interviewees were males aged between 12 – 21. Twelve identified as Māori and/or Pacific ethnicities, and one Pakeha. We asked for volunteers from the young people who access services from the mentoring organisation to participate in this project. We did not have any eligibility requirements regarding things like languages spoken by them or their whānau, any identified or suspected language, learning or other diagnoses/difficulties. Anyone who wanted to participate in an interview was welcome. No specific information regarding the home languages of the young people was collected, nor any information about any diagnoses or identified speech, language or learning needs. This cohort may have included young people with speech, language and communication needs that would be evident with language testing, but this information was not gathered.

Most of these interviews were conducted by a person experienced in working with youth in the area where the young people reside. The interviews were conducted in English, and if anyone had wanted to use a different language in the interview, this would have been accommodated.

All interviewees had some experience with the youth justice system. Three were currently residing in a youth justice residence, the remainder lived with extended family and whānau.

All came from households or communities where they experienced at least two of these factors:

- Single-parent household
- Broken families
- Overcrowded household
- Having a CYF/Oranga Tamariki finding of abuse or neglect
- Transience (moving more than three times in two years)
- A parent, sibling, or other close relative who is either in prison, serving a community sentence, or is known to the police
- Households suffering severe financial stress or dependent on benefits.
- Deprived neighborhood
- Poor household living conditions
- At least one parent who is deceased.

All of these young people had been exposed to:

- Gangs and/or
- Violence and/or
- Drugs and alcohol and/or
- Neglect and abuse and/or
- A parent or sibling who suffers from a mental illness and/or
- Truancy due to financial stress & high living costs.

Research method

We conducted 13 interviews over six weeks in July and August 2017.

Figure 1: Insight mining

Point Research and Talking Trouble Aotearoa New Zealand then participated in a one-day insight-mining process to unpack, analyse, and organise the interviews. The process involved a series of steps that were exhaustive, but necessary to ensure rigour and validity of the end product. Central to this process also was the need to empathise with the stories from our young participants, taking note of what was important to them, what they needed, and how they wanted those needs to be met.

Project collaborators

Talking Trouble

Talking Trouble Aotearoa New Zealand (TTANZ) is focused on enabling family/whānau, and communities to support the speech, language and communication needs of their children, young people and adults.

TTANZ is passionate about building young people's communication skills by creating communication-friendly environments in the communities were young people live, learn, and go for support. TTANZ advocates strongly that the workforce within these communities needs to be aware of, understand, and be able to adapt to the speech, language and communication needs of these young people. TTANZ supports staff to adapt interactions and create resources that enable young people to understand and participate in the interventions designed to help them e.g. mentoring services, drug and alcohol services, care and protection placements, education, counselling, general health and mental health, and behaviour services. TTANZ's interventions help grow young people's communication skills.

TTANZ operates as a social enterprise/profit for purpose organisation where any profits generated after individuals carrying out the work have been paid are used for pro-bono, training or research activities. No owner dividend is taken.

talkingtroublenz.org

Tuilaepa Youth Mentoring Service

Tuilaepa Youth Mentoring Service (TYMS) is a relationship-based intervention that supports, and nurtures Pasifika and Māori children and young people primarily aged 6-18 years, who are struggling to engage in learning, and are at risk of being excluded, or already are excluded from education. Those young people (primarily young men) demonstrate behaviours that contribute to social and academic underachievement and they have family members, school administrators, and often the police, who are concerned about their wellbeing, and want something better for them. For 6-18 months, these young men work at least twice a week with their TYMS mentor and receive whānau advocacy support tailored to their needs.

www.tyms.org.nz

Point Research Ltd

Point Research is a social business which supports change agents and change agencies within the philanthropic, government and NGO's spaces to capture evidence, understand impact and work out how to evolve their practice to meet the complex social needs that we find ourselves facing in the 21st century.

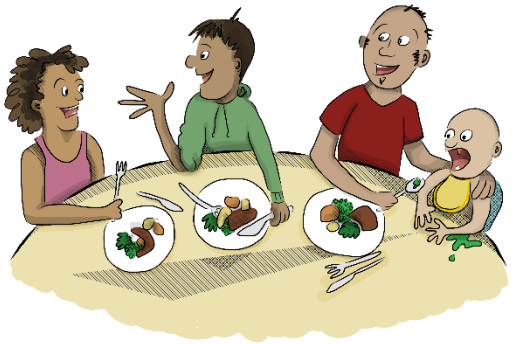
www.pointresearch.co.nz

Summary of Findings

1. Family/whānau matters most

Family/whānau was the most important thing for these young people but family members were not always the easiest people to talk to.

The vast majority of the young people we spoke to stated that their family/whānau was the thing they valued most in the world.



All of our participants were part of complex, and/or blended family/whānau. Many of them had grown up with absent, or estranged fathers. Many had lived with extended family/whānau for periods of their life. For some young people their family/whānau dynamics meant that family members were the easiest people to talk to or get along with. For others, their family/whānau dynamics meant that their family members were very difficult to talk to.

> Interviewer: "Who is easy to talk to?"
>
> YP: "My mum, because she's been there for me all these years"

> I only talk to my mum. Me and my dad talk, but only when I get in trouble"

> When I lived with my mum and her partner, whenever she'd go to work, I'd never talk to him. Because I always used to say something wrong whenever I used to speak. I used to always something wrong that'd piss him off, and then he'd come around with something to hit me. And I'd run away. So I'd rather just shut up, and not get in his way."

The youth justice workforce, and youth justice processes, often require young people, and their family/whānau to talk, to collaborate, to identify goals, to negotiate how the goals will be achieved and resolve differences of opinion. This may be feasible when family/whānau find it easy to talk to each other but is unrealistic when family/whānau 'wind each other up.' The youth justice workforce needs to think about how it can adapt its processes, and support family/whānau, when they find it hard to communicate with each other.

2. Communication is often a negative experience

Talking situations often cause negative consequences for these young people. Some of them do not believe that their talking makes a difference. In some cases, their experiences have taught them that when they talk they just make things worse.

We heard from several young people who had experienced adverse or violent consequences because of their talking, either at home or at school. Most were used to environments where violence was used as a form of communication.

Some of the young men we talked to said they had stopped communicating because they were never believed. Others told us that talking would get them into trouble and that family members would hit them or 'put them down' for being 'smart'. These young men learned to withhold their communication as a protective measure.

> "because I'll be talking to them and they won't be listening or they'll put me down and say I'm a little s***."

> "they give me hidings so I learn my lesson and don't do the same thing again…they say how useless I am and how I'm never gonna succeed in life"

> "the thought of him not understanding what I'm saying, and he might take it the wrong way"

> "they would rather listen to the other teachers than to me and then they make decisions for me. Pretty much if I don't tell them what they wanna hear, they'll just listen to someone else"

3. Rapport and trust are essential

Young people need, and respond to, people who take the time to get to know them. They tell us that they are more likely to trust, and listen to, adults who are calm, loyal, and genuinely care about them. They want professionals to be 'straight up'.

When we respond warmly to a young person's attempts at interaction we strengthen the connections in that young person's brain and fortify them against toxic stress. In other words, young people respond well to people with a caring, and patient demeanour.

Every young person who spoke to us told us that rapport was an essential precursor to communication. Often, professionals expect trust, co-operation from young people, and a willingness to talk about sensitive and difficult topics, without investing time in getting to know the young person. This is unrealistic especially as many of these young people may have had negative, or disorganised, attachment experiences. Several young people told us about negative experiences with professionals who had assumed a relationship where there was none, or who had spoken to them in a way they felt was disrespectful and overly familiar.

> "I had this … [youth justice worker] always coming over to my house, and we'd like do stuff like behave and s***, but it was never good enough. Like I didn't wanna change then, so she was just a pain in my arse, always coming over to my house telling me that like 'nah you're still f****** up' or 'you're being a little s***"

Others told us how people earned their trust and respect by spending time getting to know the young people, by showing unconditional regard and by listening to them.

> "When I first met [youth mentor], I was trouble, I didn't really listen to him. I pushed his buttons but he was always supporting me and over time that changed me"

> "I trusted him [youth mentor] …I always tell him everything ….he talks me out of it"

The young people stated that they were more likely to respond when they were spoken to 'nicely', 'politely' or 'respectfully'.

> "I think before anyone talks to like someone who doesn't really like to talk to people about anything I think the most important thing before you actually wanna talk to someone is to spend your time getting to know them so you can build that trust, especially if it's someone that doesn't like talking to anyone and if they bring it up, like their family and stuff then ask them about it then"

> "He talked to me in a polite and nice way so I could think more better about my anger but my mum just goes nuts off at me and it's hard and confusing"

Interestingly, they also suggested some 'rapport shortcuts:' Their comments implied that if an adult took them out for food, or spent time going for a drive with them, or doing a physical activity such as a game of 1:1 basketball it made it easier to nurture a positive relationship. This may because these types of activities are active, and do not require much talking or eye contact.

> "I prefer anything physical over the brain stuff"

Similarly, these young people tended to value people with an unthreatening persona and body language (described variously as kick back, kind, happy, positive, polite).

> "It's important to get to know them before like because no one is going to look up to someone if they just walk in the room and they're like "oh I heard you've been doing this"

4. Communication is a transaction

Young people won't talk to you if they don't see the point of the conversation; there has to be a purpose, and there has to be something in it for them. If they do talk to you about something and you don't do anything about it they might not give you a second chance.

Several of the young people we spoke with saw their talking as part of a transaction. They needed to see that the 'talking' would create some sort of benefit for them before they would engage in it.

> "When the police caught me I just talked to them and told them the truth. It was my first time, so they said, "we'll let you off this time" … if I lied to them it would have been worser"

Two young people we spoke to will no longer talk to counsellors as they don't think it will change anything.

> "I've got my counsellor to talk to but she doesn't really do nothing about it. So I just don't tell her what I think she wants to hear when me and my family have our sessions"

5. Feeling safe is important to good communication

Young people need to feel both physically and emotionally safe to open up and communicate.

Exposure to the kinds of risk factors that our participants have experienced is likely to have resulted in a hypersensitivity to perceived threat, and a frequent re-triggering of physical threat responses. This leads to a tendency to:

- misread ambiguous or non-threatening situations as threatening
- sense anger or hostility even when there is none
- exist in a constant state of high alert, even in the absence of any significant or real stressors or threats

> “One time I got angry because someone called me something, like when I got the ball in, and then I got angry but it was actually a famous basketball player, but it sounded like a weird name and [my mentor] was there and he told me. But it sounded like a mock”

> “I just got angry and anyone that tried to touch me, I just pushed them away. In my head I'm thinking like self-defence, but in their head they're just trying to help. So the second time around, I notice he was trying to help too. Because every time they grabbed me I didn't like it, and then I started like finding my fists, and that's what got me in trouble”

Several young people told us that they won’t talk or communicate if they feel unsafe. Some said that this feeling of safety was physical, for example in a residential home or youth justice facility. Some said it was emotional, such as when they don’t trust the adult they are talking with to keep their secrets. Young people also told us they are less likely to ask questions or clarify things they are not sure about as a result of not feeling safe.

> “Interviewer: Did you ever get to ask questions in those meetings?
>
> YP: I could’ve but I didn’t. I didn’t trust them enough. I was uncomfortable. I don’t know – I’ll always be uncomfortable with them”

6. Listening is key to good communication

Young people want to be listened to. They want people to try to understand their point of view, and their worldview. They are tired of being judged. They want to feel that adults genuinely care about their wellbeing.

Listening actively, and with empathy, is an important first step in gaining a young person's trust and rebuilding their confidence. Young people who have at least one trusted adult in their life who cares about their wellbeing and who can provide motivational, emotional, and practical support experience far better outcomes than those who do not [11].

Several of the young people we spoke to just want to be listened to with understanding and without judgement. They told us they respond positively when people listen without "assuming about things" and find these people easy to talk to.

> "[When] people listen to me and care about me genuinely, I feel safe"

> "Some of them have been down the same road that I had been through, back when they were younger, and I could relate to them"

Many of the young people had strongly held beliefs and assumptions, rightly or wrongly, about how other people perceived them and about who would be able to understand their worldview, and point of view. Some felt they had experienced racism.

> "They wouldn't believe me because they're white, they wouldn't understand"

> "Racism…all the time because we look brown"

7. Institutional language is a barrier to communication

Youth justice conversations, and processes involve a lot of jargon, and assumed knowledge as well as complex words and concepts. These all create barriers between young people (and their whānau) and the people trying to communicate with them.

Not surprisingly, many of the young people told us they had trouble understanding institutional language. Terms such as "stood down", "minor" and "rights" were confusing for some. They told us that when they don't understand the language that is used, they don't understand what they are supposed to have done, or what is happening because of it. Moreover, they are unlikely to ask for clarification. This is exacerbated by the fact that, for some of the young people we talked to, it is highly likely that they may also have SLCN or other learning challenges which are unlikely to have been diagnosed and addressed.

> "Some of the CYFs workers were confusing. I didn't understand them. The way he speaks is hard as to understand. I'm like 'yep, yep', when in my head I'm like "what's he saying?"

> "The first time I heard my rights I didn't know what it was all about, didn't know what they were saying and talking about so I actually learnt what all those meant"

> "When I was younger I didn't know what stood down was. I thought it was a good thing and then I go home and I get in trouble"

8. Communication can be a trigger

Communication, and interactions sometimes made the young people angry and resulted in behaviour that got them into trouble.

They generally perceived themselves as having bad tempers, or anger management problems and one acknowledged that he didn't "really do feelings and that." They talked about the different interactions and situations in their everyday life that made it difficult, and often impossible for them to manage their emotions.

> "I hate people when they tease me. I just want to smash them"

> "Even teachers will put you down and that's what makes me angry, when I get put down"

> "I smash stuff when I get angry ……. if someone makes me angry get bullied"

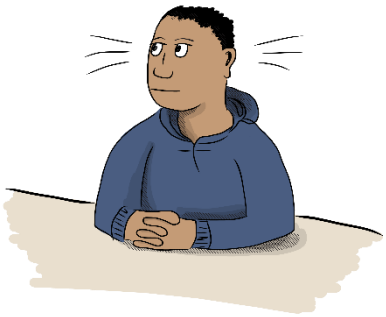
Several young commented about how helpful it was to have a calm person to be with, and perhaps talk to, in these situations.

> "Yeah…he doesn't get angry fast…he already knows how it is, he gets me"

> "I can say anything to him and he listens….. [we] drive around in the car, get something to eat, talk about my anger and how to control it"

9. Speech, language and communication needs are not always obvious, even to the young people themselves

Poor communication skills can be 'masked' by, or misinterpreted as, limited cooperation, poor behaviour, attitude, and mood and so on. It is very easy to miss signs that a young person might have speech, language, and communication needs, especially if the young person does not have good insight into their communication skills.



Some of the young people who spoke to us found it easy to be articulate, and were able to provide specific, and detailed information about their experiences. The majority of the young people in our research used short, basic sentences and vocabulary to talk about their experiences. Most young people did not really want to think about their own communication skills and they avoided, or side-stepped the topic. This is a common response; young people often use this as a strategy to mask their communication difficulties and so it is worth gently persisting with finding out what young people think about their own ability to communicate.

Some young people were able to reflect on their own communication skills and were able to identify strengths, and/or challenges in their communication skills.

> Interviewer: "Do you have a problem with your talking?"
>
> YP: "I think my talking is alright"

> Interviewer: "What do you think about your talking? Is it easy for you to talk?"
>
> YP: "Yeah, It's just some words I can't pronounce properly"

Some young people were able to talk about why their communication skills made it hard for them to participate in conversations.

> Interviewer: "What's the worst thing about your talking?
>
> YP: "When I stutter and mumble. It's like I forget things sometimes. Like, when I'm thinking of it ... And my mind thinks of something else. Like, when I look at it ... And then I think of something else. I'll forget about it.

> Interviewer: “Is there something about the way you talk that you find hard?”
>
> YP: “Yeah, anything”

In contrast, some young people who had difficulty communicating their ideas effectively did not seem to attribute these difficulties to having speech, language and communication needs. They put their difficulties down to other things such as personality.

> Interviewer: “What’s the best thing about your talking?”
>
> YP: “I don't really like talking aye, I'm more just to myself person”

> Interviewer: “What do you think about your talking? What's the best thing about it? Do you think you're a good talker?
>
> YP: “A good talker, what do you mean? ……Like am I a people's person? I don’t know, I can say I’m average compared to everyone else

This group of young people are particularly at risk; if you don’t know when you are having communication difficulties, you are less likely to realise when you have misunderstood something, or your ideas are not coming across clearly to others, and you are even less likely to ask for support or clarification.

A couple of the young people who realised that they had difficulty listening to, understanding, and or remembering conversation suggested that visual strategies helped them to keep track of what was going on.

> Interviewer: “What do you think would make it easier for you to understand stuff, do you like visuals or just talking?”
>
> YP: “Probably pictures”

One young person talked about how he had really appreciated it when a policeman showed him important information in a book rather than just talking at him.

> He was just talking to me properly. He treated me with respect…and then he was showing us his book that had his information in it like showing us the rules of the police book……..he wasn’t telling me off like those other police officers”

Conclusion

Our research confirms the findings of a similar recent study by Lount [21] which highlighted that "listening to the voices of a group of adolescent males in the YJ system in New Zealand showed that the difficulties they experienced communicating had the potential to leave them feeling as though they had no control or 'voice' … [the young people] said that the relationship they had with professionals was a key factor for making communication easier."

Like the young people in Lount's [12] research, the young people we spoke to talked about a number of barriers to their ability to talk and communicate within the youth justice context. However, the young people in our research also identified ways in which the adults who work with, or support them, can engage with them in more productive ways.

The young people's advice to the youth justice workforce is:

- Adults need to be prepared to invest time and effort into building trust and rapport if they want to develop a positive, effective relationships with us.
- Adults need to show us they care; active listening and unconditional regard is essential to the development of a respectful relationship that might result in us changing our behaviour.
- Adults need to create safe physical and emotional spaces if they want us to feel relaxed and feel secure enough to tell them about all the stuff that has happened to us, and all the things that are important to us.
- Adults need to use language we can understand, stop using jargon, and tell us the important stuff in ways we can understand.

They identified things that make it harder and things that make it easier, which are depicted in the following visual.

Stuff that makes it harder
Stuff that helps

How I communicate with you depends on how I feel, and think about the world, other people and myself.

When I lived with my mum and her partner, whenever she'd go to work, I'd never talk to him because I always used to say something wrong. I used to always do something wrong that would piss him off and then he'd come around with something to hit me. And I'd run away. So I'd rather just shut up, and not get in his way.

I had this youth worker always coming over to my house, and we'd do stuff like behave and s***, but it was never good enough. Like I didn't wanna change then, so she was just a pain in my arse, coming over telling me "nah you're still f***** up" or "you're being a little s***".

They would rather listen to the other teachers than to me and they make decisions for me. Pretty much if I don't tell them what they wanna hear, they'll just listen to someone else.

When people listen to me and care about me genuinely, I feel safe.

Some of them have been down the same road that I had been through, back when they were younger, and I could relate to them.

When I was younger I didn't know what stood down was. I thought it was a good thing and then I go home and I get into trouble.

I think before anyone talks to someone who doesn't really like to talk to people about anything, I think the most important thing before you actually wanna talk to someone is to spend your time getting to know them so you can build that trust, especially if it's someone that doesn't like talking to anyone and if they bring it up, like their family and stuff then ask them about it then.

He was just talking to me properly. He treated me with respect... and then he was showing us his book that had his information in it like the police showing us the rules of the police book... he wasn't telling me off like those other police officers.

When I first met my mentor I was trouble, I didn't really listen to him. I pushed his buttons but he was always supporting me and over time that changed me.

I can say anything to him and he listens... we drive around in the car, get something to eat, talk about my anger and how to control it.

They wouldn't believe me because they're white, they wouldn't understand.

talking trouble aotearoa nz

Additional information about the young people's language profiles would have been useful when interpreting their interview information. However, it was beyond the scope of this project to collect detailed information about the languages the specific young people involved had been exposed to as they've been growing up. We also did not collect information about any relevant factors that might have impacted on language development for the young people who were interviewed such as educational and developmental experiences, occurrences of head injury, diagnoses such as ADHD, FASD, dyslexia etc. We did not seek to assess each young person's oral and literacy profile within this project. However, this type of data would be useful to consider in future projects looking at communication and young people involved youth justice.

The primary purpose of this project was to get a snapshot of young people's voices so the views represented here come from a small number of people in a specific context. These might not be the views of all young people involved in youth justice in New Zealand. However, as practitioners aiming to improve communication with young people, we found it useful to pay attention to the views of young people who have experienced the youth justice system. We found it useful to engage in 'co-production' with young people as a core practice for generating solutions. We would encourage others to do the same.

The results of this project challenge professionals to look closely at the communication involved in their work with young people and take action:

Challenges for the workforce

- Are agencies and the individual professionals working within them equipped with knowledge and strategies that allow them to authentically listen to ALL young people's voices? Are they equipped and supported to establish rapport, relationships and safe spaces for effective engagement and communication?
- Do they use models of Positive Youth Development [13] to help them understand and communicate effectively the young people they work with?
- Do they understand how SLCN and adverse childhood experiences such as exposure to violence, abuse, neglect and poverty may interact to create complex challenges for effective communication? They need to understand how these may interact with racism and implicit biases. They need to know how they can manage these effectively.
- Do they have the tools and strategies in their communication toolkits for detecting and responding to speech, language and communication needs?
- Have they explored how their systems and processes could be truly communication accessible for all, and can they be easily adapted for those with learning, oral language or literacy needs?

Resources and tools are available in NZ that may assist and some links to these are given in the appendix

The young people interviewed in this study have provided valuable insights and advice about their experiences of being heard. For professionals to be effective in achieving better outcomes for the young people they serve, they need to listen carefully to what they have said:

> “[When] people listen to me and care about me genuinely, I feel safe”

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Appendix

Office of the Children's Commissioner

The NZ Office of the Children's Commissioner's website provides useful tools, frameworks and examples of how agencies can listen and engage with children and young people. Their recent 'Mai World' reports describe the process and findings from a wide-ranging creative consultation with children and young people about their lives in NZ.

Listening to Kids resources
http://www.occ.org.nz/listening2kids/
Mai World
http://www.occ.org.nz/4youth/maiworld/

Action for Children and Youth Aotearoa

ACYA is a coalition of non-governmental organisations, families and individuals. ACYA promotes the rights and wellbeing of our children and youth through advocacy and education using the United Nations Convention on the Rights of the Child and other international human rights instruments. ACYA prepares and presents the Aotearoa New Zealand periodic alternative reports to the UN Committee on the Rights of the Child.

http://www.acya.org.nz/childrenx27s-voices.html

Ara Taiohi

Ara Taiohi provides training and resources on working effectively with young people.

http://www.arataiohi.org.nz/resource-centre

Massey University's Pathways To Resilience Project

The Youth Pathways and Transitions major research project undertaken in NZ by Massey University as part of an international Resilience Research Centre's research and provides useful information and frameworks and training for practitioners. For example, their PARTH framework provides a useful model to address the themes that emerged from our research reported here.

http://www.youthsay.co.nz/

VOYCE Whakarongo Mai

VOYCE - Whakarongo Mai stands for Voice of the Young and Care Experienced - Listen to me. VOYCE describes the organisation as believing children and young people in care need to be heard and their voices kept at the centre of all the decisions made about them.

https://www.voyce.org.nz/

Oranga Tamariki – Ministry for Children

Oranga Tamariki describes itself as dedicated to supporting any child in New Zealand whose wellbeing is at significant risk of harm now, or in the future. They also work with young people who may have offended, or are likely to offend.

https://www.orangatamariki.govt.nz/