



IMPACT POLICY

Stage 1 CoDesign

Healing Circles Interim Report

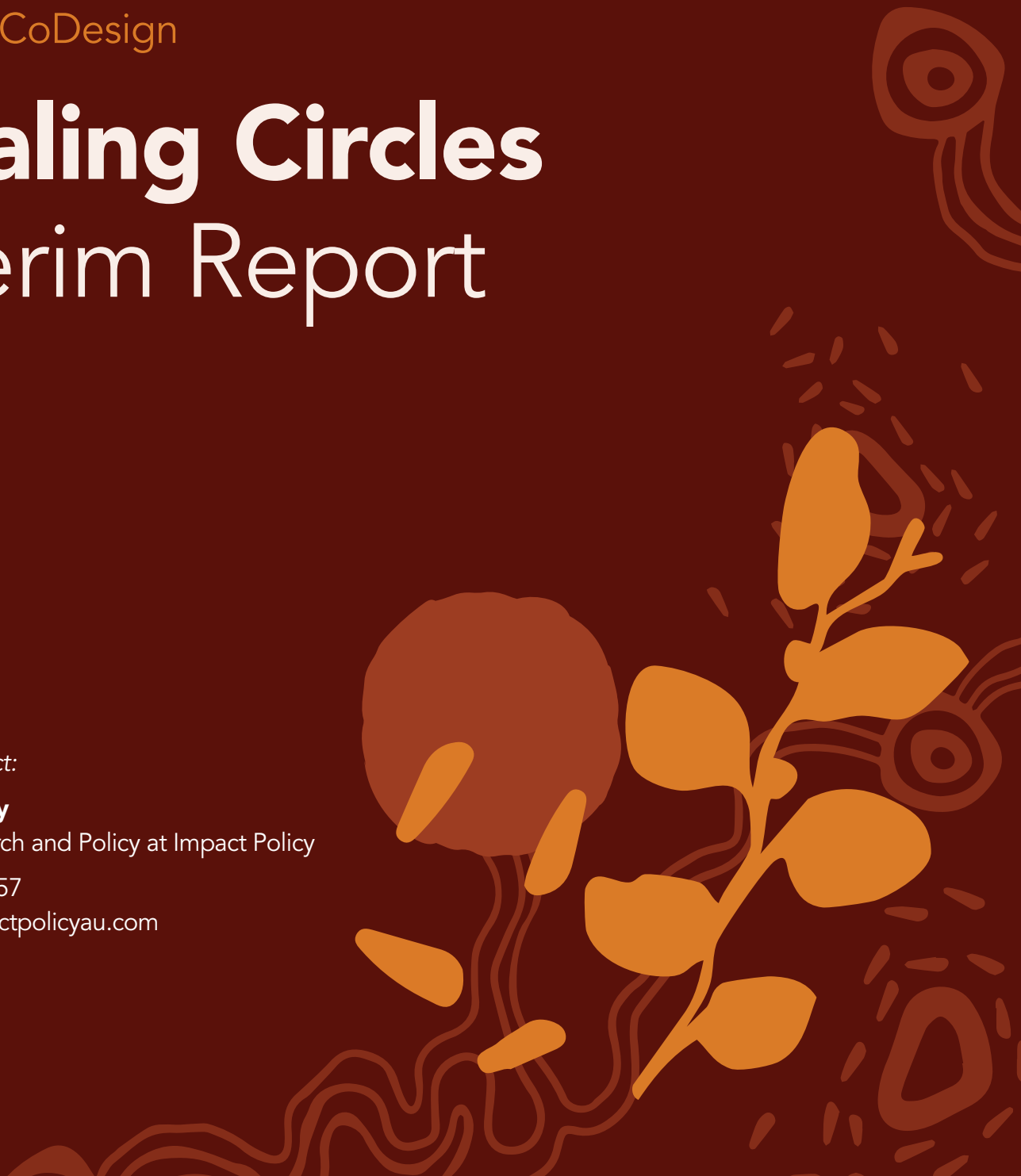
Point of Contact:

Sean McCarthy

Director Research and Policy at Impact Policy

📞 0431 571 157

✉️ sean@impactpolicyau.com



1 Purpose

The purpose of this project was for testing the concept of 'Healing Circles' with Aboriginal people with a lived experience of the coronial inquest process.

The aim was to inform if investment in CoDesigning a prototype for 'Healing Circles' is a concept that is supported by Aboriginal people with lived experience.

Further, this report also shares emerging themes and feedback from across consultations facilitated by Impact Policy and shares these for further consideration.

Table of Contents

1 Purpose	3
2 Background/Context	4
3 Methodology.....	5
4 Consultation	7
5 Emerging Themes	8
6 Additional Feedback	11
7 Summary and Recommendations	13



2 Background/Context

The Paul Ramsey Foundation funded phase 1 of the Healing Circles Co-Design project. This phase involved the concept testing, analysis and determination of whether 'healing circles' as a concept should or could be CoDesigned in the coronial inquest process.

The engagement and consultation aimed to understand particularly from a Cultural perspective whether a concept such as Healing Circles would be supported by Aboriginal people.

Impact Policy was engaged by the NSW Coroners Court and through the auspice of the Aboriginal Legal Service NSW was funded through the Paul Ramesy Foundation to implement phase 1 of the Healing Circles Co-Design project.

This occurred after the Aboriginal Coronial Information and Support program officers conducted modelling finding that First Nations people were overrepresented in all categories of early, violent and unexpected deaths reported to the Coroner.

No other jurisdiction in either Australia or the world has implemented a 'healing circle' in the coronial setting.

An evidence-based report was provided by **Vanessa Edwige**, a registered psychologist and chair of the Australian Indigenous Psychologists Association and Director on the Board of Gayaa Dhuwi (Proud Spirit) Australia, she noted that:



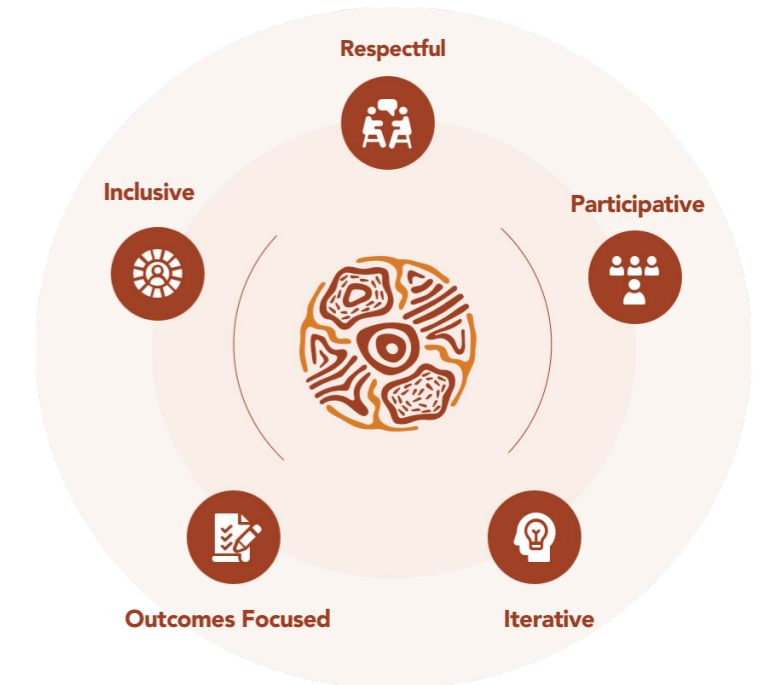
Whilst it is acknowledged that the Healing Circles may not entirely heal families and individuals, they may however, contribute to minimising the deleterious impacts of such overwhelming grief through the ability to share their story, be listened to and acknowledged for the harm that has been caused. This, in my opinion, is the first step in the journey of healing and a strong therapeutic outcome.

3 Methodology

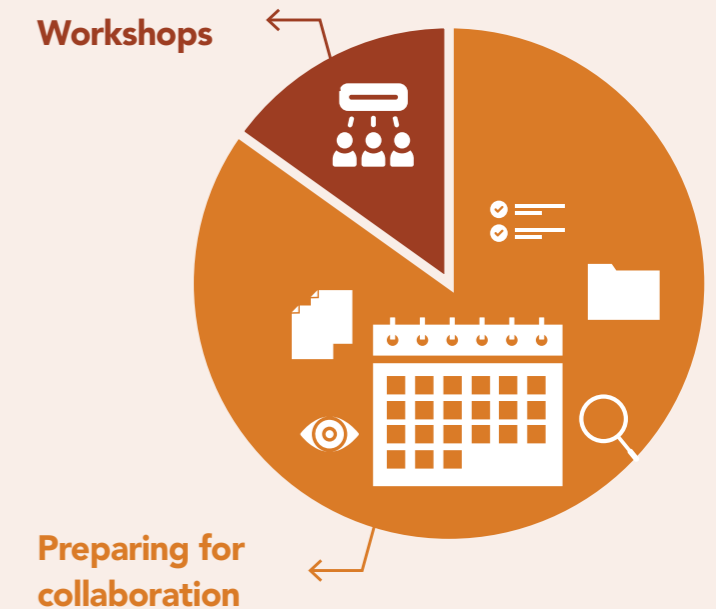
CoDesign of this project was identified as a critical method for developing the concept that was informed by and supported by the Aboriginal community. The critical phase in successful CoDesign involves building the conditions for success.

This includes concept testing, communication, engagement and consultation. Investing in this phase of design has shown to strengthen participation and engagement of people with lived experience in the CoDesign process.

The following methodology was implemented by Impact Policy for this consultation:



Co-design takes significant effort before and outside workshops.



Consultation Design Principles

The design of this consultation aims to ensure culturally safe engagement to facilitate full participation. The methods chosen include yarning circles/focus groups, semi-structured interviews (with Aboriginal researchers) and participation in online surveys as optional.

The design of this consultation seeks to use decolonising research frameworks and methodologies. The design and implementation of this research by Aboriginal people shifts the colonial lens of interpreting the experiences of Aboriginal people and communities by non-Indigenous practitioners or institutions and rebalances that power back to Aboriginal people who bring lived experience to analysis of the data collected through consultations.

Underpinning the consultation are core principles that strengthen the cultural capability of the project and which ensure that Aboriginal participants and stakeholders experience cultural safety and respect. These are that:

1. **Aboriginal knowledge, experience and wisdom is recognised as equal to that of experiences of professionals and broader stakeholders.**
2. **Trauma informed**
3. **Do no harm**
4. **Community led**
5. **Self determination**
6. **ICIP**
7. **Shared access to data (Data Sovereignty)**

An important outcome of the co-design process was the desire expressed by participants to utilise the experience of participation to share other recommendations around their experience of the inquest process in the hope it is heard and maybe helps someone else.

Using storytelling and yarning

The use of Yarning, recognised as a legitimate method for decolonising research practice, reinforces the requests of Healing Circle participants who seek to share their stories and experiences. Yarning not only collects information during the research interview but is also important to 'establish a relationship with Indigenous participants prior to gathering their stories through storytelling' (Bessarab, Dawn and Ng'andu, Bridget, 2010). This is particularly relevant given the sensitive nature of participation for many participants from the around their colonial inquest experience.

Yarning is considered a culturally safe and appropriate data collection method that heightens knowledge systems of Aboriginal people through both connection and relationships. It provides a platform for narrative and storytelling to be shared between participants and researchers that supports addressing relationships with imbalance of power. This is particularly relevant when engaging with people who have experienced trauma and tragedy.

Story is an important qualitative First Peoples methodology that can capture insights, detail and analysis that often text cannot (Williams, Tait, Crabtree & Meher, 2018). Story as a method can thus allow for a more comprehensive and clear understanding of the impact of colonial inquest experiences through lived experience narratives, which structured and direct interview questions do not quite capture.

4 Consultation

Impact Policy aimed to ensure consultation was led by Aboriginal people and that, given the trauma and sensitivity of the project, wanted to ensure that people with lived experience and Aboriginal communities were not retriggered and re-traumatised as a result of participation.

Development of a central communications landing page was created online with project information, video presentations, FAQs and links to how to participate through survey links and EOI registrations for 1-1 or group interviews.

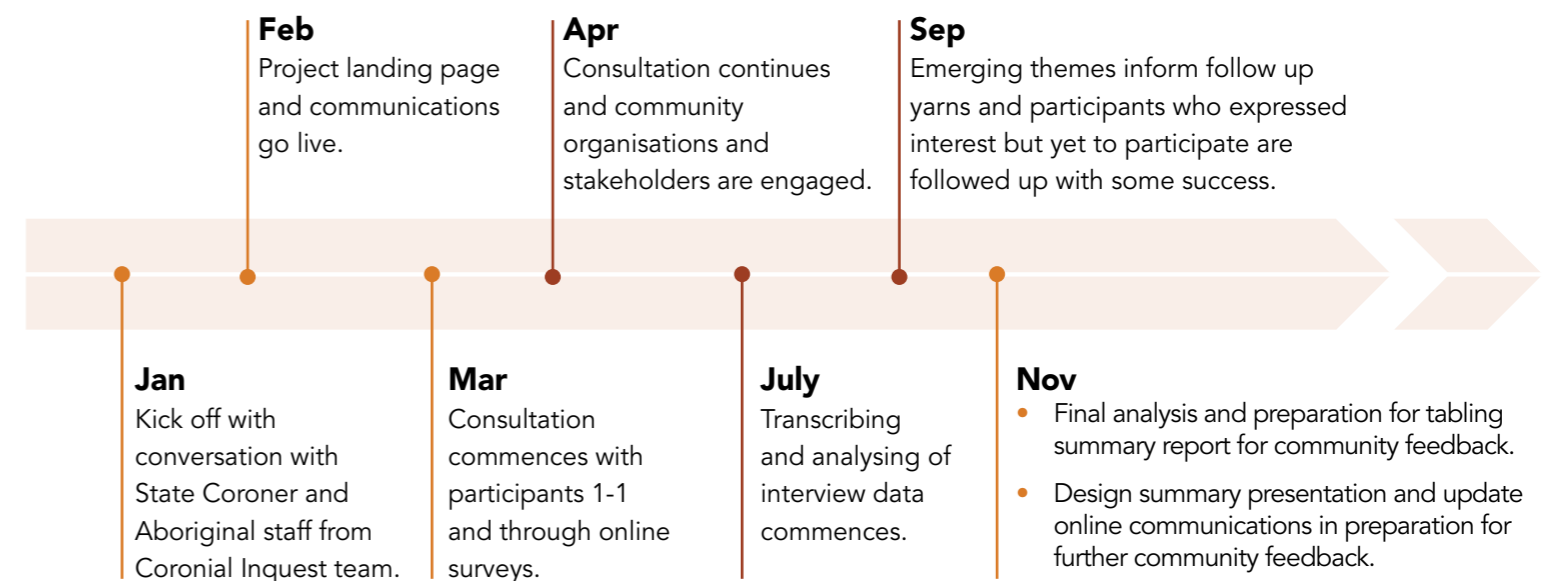
The decision for this approach to consultation was grounded in Aboriginal communities informing the location for consultations. Traditional consultations often pre determine locations and focus areas without consultation with those stakeholders they intend to engage. The decision to seek EOIs in advance meant that our approach to consultation and engagement was informed by Aboriginal stakeholders and was community led.

Initial project design assumed that consultation primarily would be face to face and family/group

workshops consulting on the concept. However following the EOI process what Impact Policy discovered was that many participants expressed the desire to participate in private 1-1 consultations and that online or over the phone was the most preferred approach because of its accessibility and due to the sensitivity of the topic.

This appeared to be a more successful approach that allowed Impact Policy to conduct more in-depth consultation in a more private, trauma informed manner.

Impact Policy pivoted their plan for engagement and focused on one on one interviews. This included also opening up participation to Aboriginal people with a lived experience professionally of the colonial inquest process. That being, that while they may not have lost a family member directly that they were very familiar with the inquest process and experience and could provide insights from a Cultural perspective in line with the purpose of this first phase of concept testing 'Healing Circles'.



5 Emerging Themes

5.1 Cultural Appropriateness

All participants described that the concept of healing circles was, at face value, culturally appropriate and valuable granted they were introduced on an opt-in basis, and that Aboriginal families had agency over the structure, attendance and process.

Most participants also described benefit in having more therapeutic options and support that is available for Aboriginal families. This included that coronial inquest processes should have more therapeutic and support options for families.

It was noted that healing circles could provide an opportunity for families to access support services, ask questions about the process, and express further how the process was affecting them in a space that was accessible and culturally safe.

5.2 Structure

Most participants suggested that healing circles should be offered at different stages of the coronial inquest process. This included considering holding circles before, during and after the coronial inquest in consultation with participating families.

It was suggested that considering a healing circle prior to the inquest would allow families to gain an understanding of the process, go into the inquest in a more culturally informed way, and make an informed decision about how to proceed. This would also allow for anxiety to be eased as well given it could provide greater certainty and direction to families.

Holding a circle during proceedings would allow for families to be able to express how inquests were affecting them, allow them to access support if necessary, and be able to seek clarification on matters they were unsure about.

Hosting a formal healing circle or a semi structured version like a debrief/check-in post inquest was also seen as valuable and necessary given it allowed families to debrief, and access support as needed. It was noted that families often only start the grieving process once inquests have finalised, so this check-in was discussed as a vital way for providing support and assistance.

All participants noted the circles should be facilitated by Aboriginal people with expertise, and knowledge in facilitation, mediation, trauma care, and psychology. All participants advised that a list should be created of suitable people that could facilitate the circles. Families should then be allowed to choose who they felt was most appropriate to facilitate circles.

This approach could allow for families to have agency over the proceedings and structure and ensure a level of comfortability with facilitators. This approach would also allow for the needs of families to be better met. Given they would be approving facilitators who they believed would best meet their families needs during the coronial inquest process through participation in healing circles.

5.3 Location

Participants noted the Coroners Courts and court houses in general were part of colonial structures placed over Aboriginal people and communities and the historical and contemporary wrongs done to Aboriginal people at these places were consistently raised. Many participants reinforced that these colonial structures and court houses were symbols of ongoing oppression and racism. Based on this many felt that it would not be appropriate to hold healing circles within the court houses or Coroners Court. Some participants suggested venues such as community organisations or even just private locations that could be removed from the Coroners Court location but that was accessible for families.

Some alternative suggestions included hosting them in a yarning circle or around a fire. Other suggestions included hosting them outside, on-Country surrounded by nature.

It was noted these approaches are more representative of Aboriginal cultural practices.

Other participants felt healing circles provided an opportunity to create a more therapeutic, culturally appropriate and respectful environment at the courts. It was also noted that hosting healing circles within meeting rooms of courts could help create a safe space for families, assist in providing a run-through of events and expectations for proceedings and help families 'acclimatise,' to the court.

There were other suggestions that involved creating yarning circles on the court lawns or premises like the one at the Coroners Court in Lidcombe.

It is noted that the next phase for CoDesign should consider closely the most appropriate location for the development of the prototype.

5.4 Cultural Practices

All participants thought there was value in ensuring and embedding cultural practices into healing circles or more broadly, the coronial inquest process. Some participants spoke about the value and impact of smoking ceremonies. They felt this allowed them and venues/courts to be cleansed and encouraged healing. They spoke of deriving strength from this cultural practice.

Suggestions also included having Elders involved, integrating country into the circles, and potentially incorporating other traditional and cultural healing practices.

All participants noted that cultural responsibility including returning to country, and kinship arrangements needed to be included into healing circles and better considered by, and integrated into, the coronial inquest process.

Many participants noted that healing circles should be offered to extended families and networks because of the broader and more extensive kinship structures Aboriginal families have.

All participants felt there was strength in culture and there was an opportunity to better embed First Nations cultural practices, ways of being and doing, into the healing circles approach.

5.5 Term 'Healing Circles'

Most participants felt that Healing Circles was a misleading term and didn't properly encapsulate the concept.

They felt it was misleading as the traumatic nature of the coronial inquest process prevented them from healing. Healing was also linked with justice with participants noting that it was difficult to heal without justice. In many instances, participants felt that justice was not provided or served during

coronial inquest proceedings which inhibited and prevented their healing.

Many felt that choosing an Aboriginal Language name was not appropriate. They noted it would be difficult in NSW to properly choose a name that represented the concept and language groups. Participants also didn't want the strength of culture to be associated with negative, colonial systems.

Alternative names were not suggested. There was a consensus that further workshops and consultations on the term should be performed. Themes such as justice, support or respect were suggested to help lead these discussions.

5.6 Agency and Influence

All participants agreed that Aboriginal families needed to have greater agency and influence over healing circles. This included having control over who participated in the healing circles and at which stage healing circles occurred. It was suggested that Aboriginal families should be able to choose the setting that healing circles are held in, thereby ensuring they have a choice over proceedings and are also able to choose a setting and environment they feel safe and secure in.

5.7 Support Networks

Participants raised the idea of developing a support network amongst Aboriginal families with lived experience. The support network could help provide comfort and empathy to families going through the process and could also help families prepare for what to expect during the proceedings.

The idea was that families could help each other heal by being able to understand each other through lived experience, and the network would be an opportunity for families to share stories.

It was suggested this network could be built on an online platform. This would allow for families to regularly connect and share useful posts and information about healing processes and support that could be helpful to other families.

5.8 Therapeutic Options and Trauma Informed Approaches

All participants felt there would be benefit in progressing with healing circles if therapeutic options were included. This could be through the offering of counselling, and grief services to families or providing access to psychologists.

Most participants described that healing circles needed to be underpinned by a trauma informed approach, noting also that development of Healing Circles as a concept is in itself trauma informed.

5.9 Cultural Safety

Some participants noted that any staff or any person involved in healing circles needed to be working and operating in a culturally safe manner. For healing circles to be successful and effective, they needed to be a culturally safe space.

To achieve this, it was suggested that training needs and responsibilities should also be considered, and that pre-training should be provided.

6 Additional Feedback

Additional feedback on the Coronial Inquest process was obtained during consultation. The feedback directly relates to concerns around cultural safety and processes that inflict trauma.

6.1 Coroners Act

Many participants felt the Coroners Act was antiquated and outdated particularly in relation to Aboriginal people and communities. They noted how Aboriginal people were viewed and treated when the Act was created and felt this influenced how the Act treated Aboriginal people through the coronial inquest process.

Participants described feeling this led to the coronial inquest process being biased towards Aboriginal people or otherwise not meeting or considering Aboriginal communities and people as having the same rights and interests as the rest of the population.

Almost all participants called for the Act to go through a law reform process to properly consider the needs of Aboriginal people.

6.2 Coroners Recommendations

All participants raised issues with the coroner not having the power to implement or enforce recommendations. There was frustration and anger over seeing deaths occur that could have otherwise been prevented if recommendations had been implemented.

Many expressed fears of other Aboriginal families going through the same grief and trauma they experienced. They did not want others to

experience the death of a loved one particularly if that death could be avoided by implementing the coroner's recommendations.

They also noted that seeing families go through this trauma was triggering particularly when a death was preventable.

Participants also felt there needed to be a greater emphasis on human lives and that recommendations needed to be enforced to ensure the safety of the broader community and population.

6.3 Next of Kin

The process for determining next of kin was an area of concern for some participants. In these situations, they felt that next of kin had been determined by a unclear process that didn't consider evidence.

This affected families ability to plan and partake in funeral arrangements and led to ongoing stress and trauma in trying to obtain information about their loved ones, obtain funeral details and in some cases, the way in which next of kin was determined did not allow for families to undertake cultural responsibilities.

The impact of this included family members describing not burying their loved ones on Country and returning them to Country. There were instances of family members not being aware of funeral services or able to attend funeral services because of next of kin arrangement and situations where the body was released to another party without their knowledge.

Family members described having to travel long distances to visit their loved one's graves which created further stress and strain. It also prevented their loved ones from visiting the grave as a result of access and transport resources.

This also prevented or hindered the grieving process as well and prevented family members from partaking in a healing journey.

It was noted that families often had a cultural and personal responsibility to their loved ones to ensure their memory was respected. At times, not being listed as next of kin meant that family members were kept in the dark about proceedings and did not have access to key information.

The next of kin arrangements also did not properly or adequately recognise Aboriginal kinship structures particularly the importance and roles of broader family members.

6.4 Truth Telling and Power Imbalance

Most participants felt that truth-telling should be an important and integral part of the coronial inquest process. They felt this did not occur in many instances or there was no onus on witnesses and participants to tell the truth.

They felt there was often a power-imbalance for families which impacted upon the coronial inquest process itself. Families often described having to seek answers and fight for justice whereas certain institutions and at times, police did not have to answer honestly to questions. Many felt this was inherently unfair and was not conducive to seeking justice.

6.5 Humanisation

Participants felt their loved ones were often dehumanised during proceedings. There was a recognition that, given the clinical, forensic nature of evidence and some parts of the proceedings, this was unsurprising. However, many felt that too often proceedings failed to recognise their loved ones as humans, who came from families and left an impact and imprint on the people around them.

They felt that, first and foremost, the human behind the proceedings needed to be recognised, and their life story needed to be told. This would lead to more respectful proceedings and ensure that a more therapeutic, trauma-informed approach is being taken. They noted this had already begun to be implemented in some cases and saw this as a positive step forward. They also felt these efforts could be bolstered.

6.6 Aboriginal Coronial Information and Support Program

Many participants spoke positively about the role of the Aboriginal Coronial Information and Support Program team. They relayed the team had provided support and helped them navigate the complexities of the process. They also helped families to prepare for the process.

Many participants felt the role should be expanded and the team increased to allow for more in-depth support to families and the ability to support a greater number of families.

7 Summary and Recommendations

It was important before any decision was made around design and implementation that consultation and consent was ascertained from community stakeholders.

Based on the feedback received through consultation, engagement and participation Impact Policy believes that there is strong support for Healing Circles as a concept.

Understanding this support was the purpose of Phase 1 CoDesign Healing Circles.

We have included some broader recommendations for consideration that while outside of the direct scope of concept testing may be relevant to consider with relation to the Coroners Court and NSW Government.

- ① Commence CoDesign of a Healing Circles prototype for trial for families navigating the coronial inquest process.
- ② Develop a proposed structure and process for Healing Circles to be included in the coronial inquest process. Different options should be included, and further community consultation through a CoDesign process should occur once this has been developed.
- ③ Consider different names and titles for the concept and include this in the CoDesign process.
- ④ NSW Government should consider resourcing a digital platform to host a network for Aboriginal families with lived experience.
- ⑤ Consider a law reform process in relation to the Coroners Act. Ensure that Aboriginal families with lived experience are consulted during this process to help understand what reform priorities exist for Aboriginal communities.
- ⑥ NSW Government should consider amending the next of kin process and protocol to make it more aligned with Aboriginal culture.
- ⑦ NSW Government should consider increased funding and resourcing to the Aboriginal Coronial Information and Support Program to ensure they can provide increased support and services to a broader range of Aboriginal families.



IMPACT POLICY

📍 15/47-55 John St Leichhardt NSW 2040

📞 0466 036 006

✉️ sam.johnson@impactpolicyau.com

www.impactpolicyau.com