

Culturally Informed Clinical Report

IWK Forensic Team Training Day

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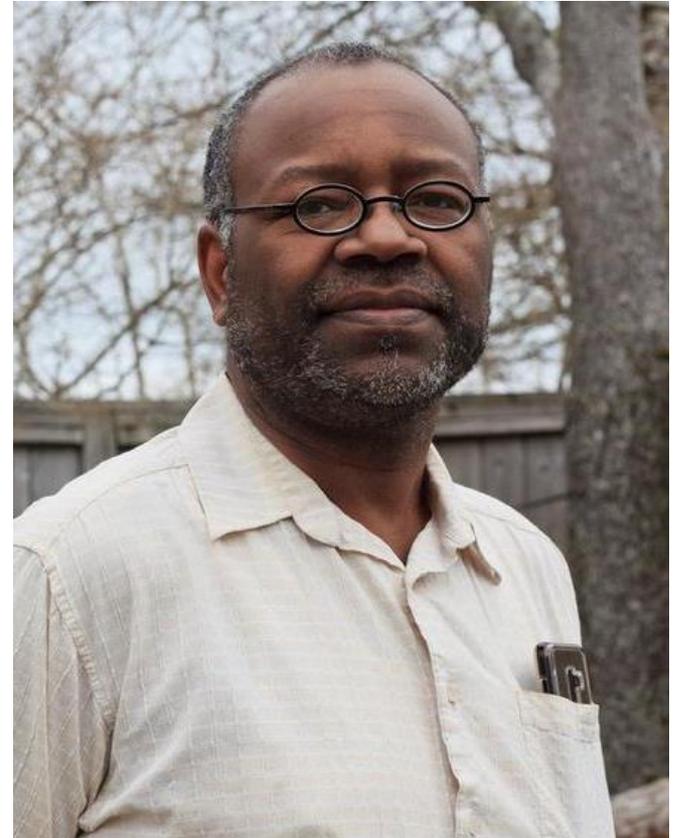
Land Acknowledgement

“I would like to acknowledge that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq and Wolastoqiyik People. This territory is covered by the Treaties of Peace and Friendship.

I would also like to acknowledge that racism is North America's "original sin" and is at the root of all current social inequities. Acts of reconciliation and reparations, both symbolic and substantial, are critical to our collective emancipation and the ability to live peacefully and sustainably on this land."We are all treaty peoples!

Who is Robert Wright?

- RSW Private Practitioner - direct practice and forensics
- Ex. Dir. Peoples' Clinic
- Former Race Relations Coordinator DDSB
- Former CMHW WSP
- Member MHCC Diversity Task Group
- Consultant/Trainer in Cultural Competence
- Pioneer of IRCA



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Circle of Safety

- Race and diversity are extremely sensitive issues
- To have productive conversations about race and diversity we need to have a “circle of safety”
- To make this a safer space:
 - Allow each other space to ask sincere questions
 - Share from your experience
 - Ask about, don't avoid sensitive topics
 - Avoid inflammatory words or phrases (n-word, etc)

Overview

- Rationale for Culturally Informed Forensic Assessments – the Why
- Introduction to Cultural Competence – the What
- Cultural context in formulation & treatment - the How
- The Life of a Criminalized African Nova Scotian – a Case Study and practice

Is There an Elephant in the Room?



SW, RSW
t.ca

Your Questions as we Begin

- What must you take from this session in order for it to be of value to you?
- Take a minute to speak with one person before sharing.

The Rationale

- Increasing understanding that overrepresentation of African Canadians in the criminal justice system is related to systemic racism
- Need to increase skill in understanding and assessing the unique needs of African Canadians to:
 - Provide courts with information to improve sentencing
 - Provide clearer focus for correctional programming
 - Improve equity, justice and inclusion for racialized juvenile offenders (particularly those of African descent)
 - Enhance public safety

DSM-V CFI (DSM-IV-TR – 2000)

Figure. Flow of Cultural Formulation Interview domains for cultural assessment



- CFI, developed over decades, provides a logical framework for cultural formulation
- Establishes the necessity of understanding clients' cultural narratives

Cultural Competence: Definition

- Cultural competence refers to an ability to interact effectively with people of different cultures, and to manage and promote diversity and inclusion:
 - A. Acknowledge and address hostility towards diversity**
 - B. Understand our own cultural positions and how they differ from others
 - C. Understand the different social and cultural realities we work in
 - D. Cultivate appropriate attitudes towards cultural difference
 - E. Generate and interpret a variety of verbal and non-verbal responses
 - F. Understand structural oppression and commit to social justice
 - G. Cultivate the ability to manage diversity tensions and conflicts in a way that promotes inclusion and improved team effectiveness**

Acknowledge and Address Hostility

- This work cannot be neutral: . . . racism is North America's "original sin" and is at the root of all current social inequities
- Though assessors are not advocates in a clinical sense, all players must acknowledge that systems are antagonistic towards racialized peoples.
- Cultural formulation in assessment is not championing the cause of individuals, but an attempt to undue systemic harms

Implicit Bias Definition

- An implicit bias is any unconsciously-held set of associations about a social group. Implicit biases can result in the attribution of particular qualities to all individuals from that group, also known as stereotyping.
- Implicit bias is simply the unconscious acceptance of the universal hostility towards “others” that is rooted in our history and permeates our culture.
- A knowledge of how history has affected us is essential to unravelling implicit bias

Legal Foundations of African Marginalization

Dum Diversas – 1452

Papal Bull authorizing Portugal to conquer and enslave Saracens and North Africans

Barbados Slave Code – 1661

Codified British North American slave trade in the Caribbean



Race and Crime – an Example: History of African Substance Use Patterns

- Precolonial, culturally bounded, ritualized use:
 - Fireside use by nomadic traders
 - Hospitality shown to honored guests
 - Religious and ritualistic use
- Qat, Cannabis, fermented beverages, and a range of hallucinogens were in use ritualistically and ceremonially before European colonization of Africa.

European Trade Triangle



Sugar, Rum and People

- African persons stolen, shipped to America to farm sugar (and other crops)
- Sugar (and other crops) sent to Europe to be distilled and refined
- Foreign intoxicants (distilled alcohols) and trade goods shipped to Africa, disrupt local economy and cultural patterns of substance use
- Alcohol used as a mollifying agent to pacify enslaved Africans in America
- Entrenchment of culturally disrupted patterns of substance use among African Americans

Emancipation's Influence

- Classes of African Americans emerge
 - Rural poor – those who remain in subsistence farming
 - Urban poor – establish the foundations of inner city ghettos
 - Working class – largely urban, later form the foundation of the Black middle class

Early American Drug Attitudes

- By the late 1800's, perhaps influenced by prevalent use of morphine during civil war . . .
- Drugs – morphine, cocaine, cannabis – gain increasing popularity

Great Awakening – Temperance

- Religious revivals in late 1700's and mid 1800's create push back against growing drug prevalence
- Temperance movement created the foundation for the policy of prohibition
- Prohibition in US 1920-1933, in Canada 1918-1920's

Illegality of Substances

- Prohibition pushed urban drug and alcohol use underground
- Many speak easies and gin joints were established in African American ghettos
- White ethnic criminal organizations systematically recruit African American persons to traffic in narcotics
- Drug trafficking an entrenched part of Black inner-city economy

Understand Differing Cultural Positions

- Sue and Sue in their classic text, “Counselling the Culturally Different”, proposed several principles, including:
 - The more similar we are the easier we’ll get along together.
 - The more dissimilar we are the harder it will be for us to get along.
- Without intention, diversity causes problems
- With intention, diversity increases capacity
- People are different

Nichols' Model for Understanding Cultural Difference

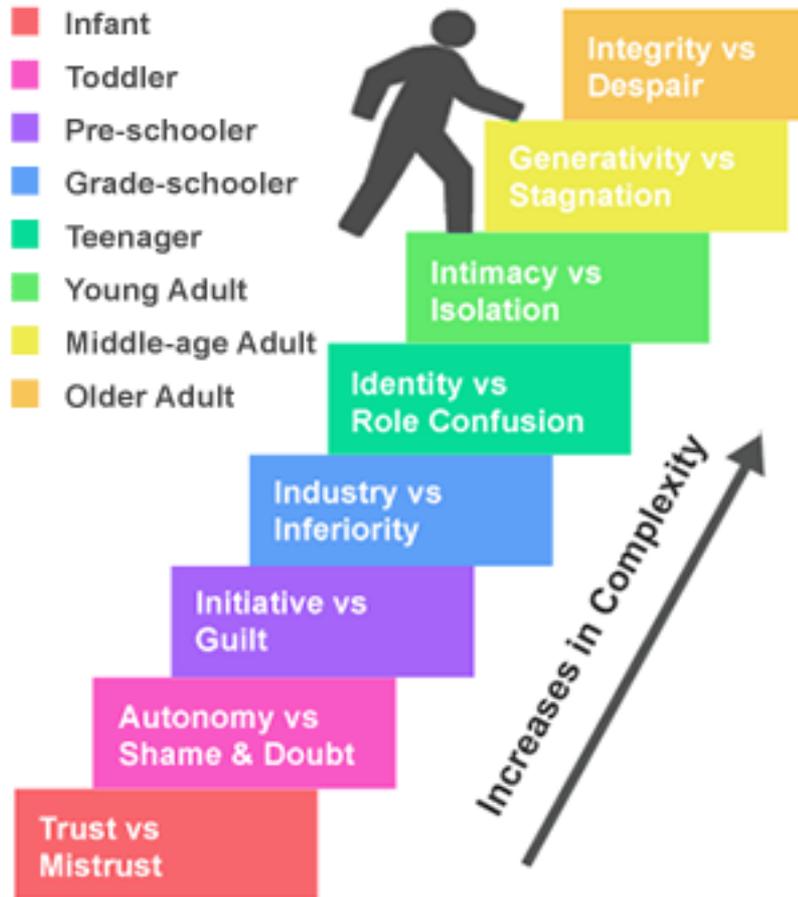
Philosophical Perspective on Cultural Difference. Edwin Nichols (cf. work of Jung)

- Different world cultures developed out of differing physical socio-political environments producing different world views
- World view constructs:
 - Axiology (values)
 - Epistemology (way of knowing)
 - Logic (principles of reason)
 - Process (practice of reason)

THE PHILOSOPHICAL ASPECTS OF CULTURAL DIFFERENCE DEVELOPED BY EDWIN J. NICHOLS, PH.D.

ETHNIC GROUPS ETHNIC WORLDVIEW	AXIOLOGY	EPISTEMOLOGY			LOGIC	PROCESS
		APPLIED	PEDAGOGY	METHODOLOGY		
EUROPEAN EURO-AMERICAN	Member-Object The highest value lies in the object or the acquisition of the object	One knows through Counting and Measuring	Parts to Whole	Linear and Sequential <i>-Assembly line-</i>	Dichotomous <i>Either/Or</i> <i>-Newtonian theory-</i>	All sets are repeatable and reproducible <i>-Technology-</i>
AFRICAN AFRICAN AMERICAN LATINO/A ARAB	Member-Member The highest value lies in the relationships between persons	One knows through Symbolic Imagery and Rhythm (function) <i>-Gladwell <u>Blink</u>-</i>	Whole Holistic Thinking <i>-The BIG picture-</i>	Critical Path analysis <i>-Cut to the chase-</i>	Diunital <i>Union of opposites</i> Difrasismo <i>-Aztec thought-</i> The In Between <i>Ibn 'Arabi</i> <i>-Quantum theory-</i>	All sets are interrelated through human and spiritual networks <i>-Black church-</i>
ASIAN ASIAN AMERICAN POLYNESIAN	Member-Group The highest value lies in the cohesiveness of the group	One knows through Transcendental Striving <i>-Tree the forest-</i>	Whole and parts are seen simultaneously <i>-To read a Chinese word-</i>	Cyclical and Repetitive <i>-Stroke order in writing a Chinese word-</i>	Nyaya <i>-The objective world is conceived independent of thought and mind-</i> <i>-Chaos theory-</i>	All sets are independently interrelated in the harmony of the universe <i>-Keiretsu-</i>
NATIVE AMERICAN	Member-Great Spirit The highest value lies in oneness with the Great Spirit	One knows through Reflection and Spiritual Receptivity <i>-Purification rites-</i>	Whole is seen in cyclic movement <i>-Seasons-</i> <i>-Medicine Wheel-</i>	Environmentally experiential reflection <i>-Rites of Passage-</i>	Great Mystery <i>-A set of 4 and a set of 3 form the whole-</i> <i>-Super string theory-</i>	All sets are interrelated through the elements, plant, animal, and spiritual networks <i>-White Buffalo-</i>

Understanding Clinical Differences



- We all understand the basic theories of human development that underpin our assessment work
- Our culturally informed assessments need to critique and expand them

Racial Identity Development

Stage	Age	Critical Issue	Process for Resolution	Significant Relationship(s) & Resources
Pre-school	0-5yrs	comfort with visible racial differences	Adequate and enlightened physical care	primary physical caregiver
Early school	5-9yrs	understanding of personal equality & competence	Facilitated success in social and academic pursuits	extended family members/school personnel
Early adolescence	11- 14yrs	ability to appropriately negotiate racial issues with peers	Knowledge of history & politics of race	same race role models culturally specific & anti-racists education
Later adolescence	15 - 18yrs	comfort with personal choices in context of race	Knowledge of family values re: race, sex, reproduction & vocation	peer group, same race role models, community censors & informal agents

DeGruy's PTSS – Race and Trauma

- Post-traumatic Slave Syndrome - explains the origin of maladaptive survival behaviors in African American communities throughout the Diaspora.
- Caused by multi-generational trauma **and** a lack of resources and opportunities to heal
- Transmitted through social learning and epigenetic mechanisms
- Primary symptoms include:
 - Vacant Esteem – hopelessness, depression, self-destruction
 - Marked Propensity for Anger and Violence
 - Racist Socialization and (internalized racism)

Bell on Cultural Pain

- “Feelings of insecurity, confusion, uncertainty, and inadequacy are all examples of cultural pain. The history of slavery, racism, and segregation, added to today's conflicting expectations and pressure of being a(n) . . . African American, all combine to create cultural pain. By addressing self-identity issues, you can begin to develop new coping skills that enhance your own recovery.” (From Hazelden.org’s description of the Bell text)
- Add to this the shame of emasculating un/under-employment, the increased stigma of homophobia in the AA community, the confusion and struggle to accept or reject “the hustle”, perceptions of selling out when one “goes straight”

Understand Different Social and Cultural Realities

- A black man who runs from police shouldn't necessarily be considered suspicious – Massachusetts Supreme Judicial Court says (reported Sept. 21, 2016)
- "Such an individual, when approached by the police, might just as easily be motivated by the desire to avoid the recurring indignity of being racially profiled as by the desire to hide criminal activity. Given this reality for black males in the city of Boston, a judge should, in appropriate cases, consider the report's findings in weighing flight as a factor in the reasonable suspicion calculus."

Cultivate Appropriate Attitudes

- Cultural competence requires that practitioners actually *value* diversity, not just tolerate it. In a nation that acknowledges multiple founding peoples, that was built up on the foundation of ethnic/immigrant labour and whose future depends on immigration any other attitude should reasonably be seen as unacceptable. (cf. “reasonable person” RvS)

Communicating Across/About Difference

- Cross cultural communication is a complex study in cultural hermeneutics. In sociology: the context of a person's world view is necessary for the proper understanding and interpretation of behaviour and rhetoric (c.f. Voyvodic, pp. 16, 17)
- Before meaningless, unnatural, non-human or immature behaviour and corresponding values are attributed to people of another culture, it is better to begin by doubting the adequacy of one's own judgment and knowledge - **Elmar Holenstein**

Elmar Holenstein Paraphrased

Before you conclude that I
am crazy you should consider
the possibility that you are
stupid!

Communicating About Culture

- Helpers must have the ability to speak the unspeakable and make visible the invisible. This presumes that the helper knows those things that are not spoken and can see the things that most cannot see.
- This requires knowledge, courage, and the projection of confidence. Ask questions authoritatively and not as a cultural tourist. Do not pretend to be an expert on the client's culture. Give them homework to research unexplored aspects of their history and culture.

Understand Structural Oppression

- What have you done/do you do that demonstrates generally that you understand structural oppression and are therefore accessible to and identified as an ally to racialized, Aboriginal, immigrant and otherwise marginalized individuals?
- Does your language in explaining perceived racism demonstrate this commitment?

Inclusion vs. Diversity

- “Diversity is being invited to the party.
Inclusion is being asked to dance.”
– Verna Meyers

Manage Diversity Tensions Effectively

- Within our work team
- In our interactions with justice personnel and other professionals
- In our work with families that we serve
- When negotiating resources from our larger systems
- In defending ourselves and our work in the larger public

Cultural context in formulation & treatment

The Advent of RvX and IRCA

Adult Development - Erik Erikson

- Born in 1902 in Germany, Danish/Jewish
- Influenced by Anna Freud to study psychoanalysis (VPInst.)
- Emigrate to USA in 1933
- Taught at Harvard, Yale, Berkeley and Austen Riggs
- Psychosocial vs. Psychosexual emphasized importance of environment
- Professional drive came from his personal search for self

https://en.wikipedia.org/wiki/Erik_Erikson



Early Exposure

- In March of 1989 my undergraduate alma mater sponsored an international conference:
 - Conference on **Culturally Sensitive Impact & Substance Abuse: Therapeutic Practice With Multicultural Groups. Atlantic Union College: So. Lancaster, Mass.**
- Co-founded Nia Centre, Africentric substance prevention programme c.1995

Cultural Assessment Firsts

- FCSAC and E.B. & J.G. in the matter of the child Katie
 - Cultural competence of prospective adoptive parents
- RvX
 - Assessing the impact on that the race and culture of an African Nova Scotian youth

Culture Assessment Conceived – Sentencing Principles

- “718.2 A court that imposes a sentence shall also take into consideration the following principles: (e) all available sanctions, other than imprisonment, that are reasonable in the **circumstances** and consistent with the harm done to victims or to the community should be considered for **all** offenders, with particular attention to the **circumstances** of Aboriginal offenders.”
- This section was amended to address Aboriginal over-representation within the criminal justice system c.1996

Culture Assessment Conceived – Gladue

- The Gladue decision and Gladue reports come from 718.2(e), sometimes referred to as “aboriginal sentencing guidelines”. The reports were designed to provide the court with a documentation of the “circumstances” to be considered.
- Given the similar overrepresentation of African Canadians under correctional supervision, and that 718.2(e) applied to **all** offenders, it was left then to simply construct a format for presenting the “circumstances”.

Culture Assessment Constructed – Sentencing Principles

- Built on legacy of Gladue, Cultural Assessments involve 4 levels of consideration:
 - What is known about African Canadian experience generally and as it relates to crime and justice;
 - How does the individual's experience with culture and crime play out;
 - How does this knowledge inform the assessment and classification of APAD and the services and resources that could facilitate rehabilitation and reintegration for this offender?
 - May also comment on or contextualize other reports

Culture Assessments – Emerging Themes

- Social history of individual, including: geographical isolation, systemic educational disadvantage, economic marginalisation, poverty, criminal history including systemic-racialized-recruitment
- Community displacement through relocation or gentrification
- Modern economic collapse & increased demand for education
- Particular patterns of violence and crime (incl. Black on Black*)
- Community and individual experiences of violence and trauma
- Tragic family of origin issues intensified by racial location
- V64.2 Target of Adverse Discrimination . . . Sometimes by police

Towards a Cultural Assessment Framework

- Take a social history: Ask the client about their life, from the time of their grand parents until now.
- Ask specifically about how being Black (African Canadian, etc.) factors and figures in the stories.
- Ask about community, school and family conditions. Probe about race in these settings.
- Ask about introduction to criminal/delinquent behaviour.
- Ask about history of trauma (physical, sexual, emotional, violence)
- Ask about use of “helping resources”. Were they helpful? Did they understand you as a Black person?
- Ask about attachment to the Black community and racial identity.
- Ask directly: How do you think being Black affected you and resulted in you being here?

Review of RvX Assessment

- I have not released the whole of the RvX Assessment before.
- We can review it here in full, though non-identifying version

The Life of a Criminalized African Nova Scotian Case Study and practice

Case of Tyler Richards



The Exercise

- Let us review Tyler's life as presented by Lezlie Lowe of the Coast
- Apply a cultural formulation using the attached template
- We will amend his story simply to imagine that instead of his end being death, that he instead was convicted of a serious trafficking offense just prior to his death.
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Final Q&A

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