

Welcome

NEIGHBOURHOOD
JUSTICE CENTRE

Community justice — justice systems and citizens partnering to make communities safe and prosperous



“This is the place that saved me.”
‘Jane’ client of the NJC.

The Neighbourhood Justice Centre is currently Australia’s only community justice centre and member of the global community justice movement.

Whether helping someone to break the cycle of offending, or influencing the justice system more broadly, everything we do, we do through forging partnerships that inspire and transform.

We believe that community justice is strong and supple enough to be part of the fabric of any community, anywhere in the world that needs to overcome crime and conflict.

And we share our practices, embrace new ideas, and invite other jurisdictions, governments, communities and citizens to share their ideas and dreams of a just world with us.

Under our roof

We comprise a multi-jurisdictional Magistrates’ Court, defence counsel, police prosecutions, 20 treatment agencies, and crime and conflict prevention teams.

With these related disciplines under one roof we fuse procedural justice with social justice to help people break the cycle of offending, and support victims, including communities to recover from the harm caused by offending.

We tackle community-based crime and conflict by partnering with local government agencies, service providers, citizen groups, and businesses to find viable, long-lasting solutions.

Behind the scenes, we influence professionals and students to adopt the principles and practices of community justice, while our innovators find smart and scalable solutions that improve the justice system more broadly.

Snapshot: Integrated services

Integrated continuity of care

Our integrated services model is a dramatic departure from any other court model, including Drug Courts (our closest justice cousins) and the and Family Law Courts.

The first point of integration sits at the nexus between the court and Client Services in pre-sentencing.

In a ‘mainstream’ Magistrates’ Courts criminal matters in which the person pleads guilty would be finalised quickly.

At the NJC these matters are adjourned so the person receives the necessary assistance. The offender is monitored, encouraged and sometimes cajoled to attend services. In all, the person receives judicial support to walk the path to healing and reform.

The continuum of this complex work continues post-sentencing at the nexus between Corrections, Client Services and the court.

The oversight of post-sentencing occurs through our integrated corrections model and, again, ours is a departure for the usual justice process.

At the NJC — and with the client’s permission — when an offender is released on a community-based order our co-located Community Corrections Services and Client Services teams conduct an extensive hand-over procedure. In this interdisciplinary paradigm, Client Services transfers knowledge to assist Corrections to keep the client focused and on track. We also leaves the door open for Client Services to be called in again if necessary.

From the perspective of Corrections, our integrated model is often the difference between a breach and a return to society.

Corrections work follows the standardised protocols and procedures (as per legislation) but managing the clients on a case-by-case basis is shaped by the relationship between Client Services and Corrections (or pre- and post- sentence management).

Again, in mainstream courts, Corrections tends to supervise people who are, to use jargon, ‘pre-contemplative’, that is, they have not undergone treatment for, nor been challenged about, aberrant or harmful behaviour, and are not actively looking to change.

By the time clients are in the post-sentencing phase of their transition through the system, our Corrections team sees the result of an early intervention model that moves offenders into a ‘contemplative’ stages of change by the time of sentencing.

Our integrated services model has a interesting by-product: neither our clients nor our workers are able to blend into the woodwork. We are all accountable for our actions.

Integration means that our Magistrate has all the available knowledge to hand to make enquiries and changes should he believe something is not quite right or an issue needs to be addressed.

As importantly, our model shows the client that the justice system as practised at the NJC operates as a seamless team that offers a high continuity of care.

Working in an integrated model

Without doubt, the people working in our interdisciplinary treatment model face new and sometimes challenging ways of working.

We influence clients to influence the court, and we focus on stabilising offenders so they are more capable of completing their corrections orders or, indeed, better handle their term of imprisonment.

And notably, the relationship between clients, staff, and ‘the system’ as it operates at the NJC is an evolving one, and evolution often comes from unlikely quarters; we now find that offenders are persuading their friends who are struggling to cope to ask for our help, whether their friend is before our court or simply living in Yarra. That’s the spirit of community justice.

A young man before court had a range of charges and a host of complex psycho-social problems.

Our Magistrate deferred his sentence so that Client Services could prioritise his needs. At the time he was resistant to help — he would talk the talk, but not walk the walk.

During his deferral he had a Problem Solving Meeting which had a profound effect on him. As he told his case worker later, he’d never had so many people put so much effort into helping him.

He was sentenced to a community-based order during which he worked with NJC’s mental health worker. He’s now actively handling his treatment plan, and requesting help in a number of other areas in his life.



Problem Solving Process

Unique to the NJC, our Problem Solving Process (PSP) assists people address the underlying causes of their offending.

The process is inspired by therapeutic jurisprudence and the notion that people are “more likely to make positive changes in behaviour when authorities do things *with* them, rather than to them or for them.” (McCold and Wachtel, 2004)

How does it work?

An out-of-court process, Problem Solving involves bringing as many people as required to the table to assist an offender to produce an individually tailored set of activities geared towards breaking the cycle of offending.

Who does Problem Solving help?

Problem Solving can be triggered at any point during a person’s involvement in the criminal justice system, from the point of being charged with an offence, to the final stages of a sentence.

In all but contested criminal matters, any person with a criminal matter listed in the NJC Court is potentially eligible for Problem Solving:

- Accused person in a criminal case (adult or children’s jurisdiction). Accused is required to plead guilty or give a formal indication do so.
- Accused person found guilty and sentenced to a community-based order.
- Person on a community-based order at risk of breaching the conditions of their order, or has done so, but expresses a motivation to address the problems that led to the breach.
- Parties to some family violence matters.

Problem Solving is as much about motivation for the person to change as it is about the legal aspects of the case, which is why candidates must have the personal stability to participate meaningfully, and must consent to participate.

The process also works for people from culturally and linguistically diverse (CALD) backgrounds; almost 60% of participants come from a CALD background.

How does the process work?

Problem Solving comprises four steps: referral, assessment, meeting, and outcomes, all of which are managed by our Neighbourhood Justice Officer (NJO). Note: the NJO does not refer clients the process.

Assessment

Once a candidate is assessed as suitable, the NJO convenes the Problem Solving Meeting, the heart of the process.

Who participates in the meeting?

First, the referred person and their legal representative and convenor must attend.

Support people, including Elders, case workers, Youth Justice and police may also attend.

Of note, participants attend at the consent of the referred person.

What happens at the meeting?

The NJO convenes the Problem Solving Meeting (PSM), which takes around 90 minutes and is underpinned by a set of guidelines (confidentiality, participation, voluntariness, goals, and consensus).

The convenor has the support of the court to encourage the client to take accountability for their actions. And together, all parties assist in finding realistic, achievable activities to help resolve the issues hindering the client’s ability to heal and reform.

While the goals of the PSM are primarily practical and specific, discussion traverses a wide range of personal, interpersonal and community issues. It requires teamwork and can foster an environment which can have therapeutic and transformational outcomes.

The process is:

- Voluntary, confidential. Referred person can pull out at any time
- Fully protective of legal rights
- Focused on practical goals
- Efficient. Most meetings are no longer than two hours

Roles

- Referred person: central role. Expert in their own life

- Convenor — mirrors interests of the Court, maintains momentum
- Professionals — expert opinion and testing the liveability of proposed outcomes
- Support people — (family, spouses etc). Emotional support
- Minority community representatives — specific cultural contributions
- Magistrate — interested in the outcomes.

What happens after the meeting?

The convenor provides the court with a brief report that includes a comment on how the meeting went, the main problem, and outcomes. All parties to the meeting receive a copy. Importantly, all parties must agree to what is reported to the court. Other than the report, nothing else is shared with the court unless the parties agree or the court grants leave in exceptional circumstances.

Benefits of Problem Solving

The process offers many benefits:

- Provides an informed context for the Magistrates’ decision-making
- A ‘circuit breaker’ to help people change persistent negative patterns of behaviour
- Gets people to services and supports to change their behaviour
- Increases the referred person’s problem-solving and decision-making skills
- Strengthens links between the court, agencies, community services, the referred person and family/supporters
- Generates practical actions and simplifies logistics for the referred person
- Builds unity and consistency among parties to the process
- Cost-effective and efficient – it is not a program and it is not complex to organise
- Transparent and respectful process that builds confidence in the justice system.

Interested in learning more about Problem Solving?

We will provide you with support, mentoring, advice, training, templates and more.

Email: jay.jordans@courts.vic.gov.au

Snapshot: Community Corrections & Registry

Around 60% of Community Corrections Orders in Victoria are breached (that is, the offender breaks a condition of the order). So why does the NJC have a breach rate of 23%?

The answer lies in the support and opportunities we give to offenders (our clients) to turn their lives around.

As part of our integrated services model, the NJC is home to a branch of Community Corrections Services (CCS). The team supervises people who live in the City of Yarra, or are Aboriginal with ties to Yarra, or are people experiencing homelessness, and who are:

- Sentenced by the Magistrates' and County Court to community-based orders
- On parole

Our CCS team works under the same roof as around 20 independent but integrated treatment agencies (Client Services) which in turn have operations in our local community. This network enables CCS to provide clients with effective and efficient continuity of care, and helps the NJC to identify and rectify gaps in the system.

Pre-sentence treatment

The NJC lays the groundwork for people to successfully complete their community-based orders by addressing underlying causes of offending as early as possible.

As appropriate, our Magistrate and legal representatives make pre-sentence referrals to Client Services so clients start treatment as soon as possible. And note: the person before the court can also self-refer.

This early intervention means that by the time a client is sentenced, he or she is working through tailored treatment.

Does this happen at mainstream courts? Actually, not entirely. 'Mainstream' courts have limited interventions (usually revolving around drug and alcohol addiction treatment) and services are brought in later in the legal process.

Assessing an accused person

As with courts across Victoria, Community Corrections Officers at the NJC assess an accused person's suitability for a community-based order. The rigorous assessment process establishes the person's family and social situation, employment status, work history, mental health, substance use and history, as well as their motivation to turn their lives around so that appropriate actions are recommended to address these issues.

When assessing an accused person's suitability to undertake a community-based sentence, the CCO may also identify issues previously unknown to the Court and which may adversely affect the person's ability to comply with their order. In these instances — and unique to NJC's practices — the CCO will recommend to the court that sentencing is deferred until the issues are addressed. Again, this gives people greater chance of successfully completing their orders.

Post-sentencing continuity of care

The role our CCOs play throughout the duration of a client's community-based order should not be underestimated, particularly in relation to supporting the client with their treatment.

Our CCOs coordinate a client's transition and ongoing management from the NJC's Client Services to locally-based treatment services.

A key role of the CCOs is to prevent gaps in the services offenders need to turn their lives around. CCS also refers people on CCOs back to the NJC to receive much needed assistance such as financial counselling, jobs training and accommodation support.

At the beginning of an order, our CCOs meet their clients frequently. When their client is stable and the conditions are in place, the number of contact hours is reduced.

Behind the scenes, the CCOs monitor a client's well-being and compliance through updates with treatment providers. This network highlights any issues the

client is having on the road to reform and healing.

Long-term continuity of care

At the end of a successfully completed community-based order, the court discharges the matter. However, many of the NJC's clients have such complex issues that we continue to offer them support and sanctuary.

Our CCOs remind clients that the NJC's doors are always open and encourages them to come back to us as soon as their lives begin to derail. Clients seek our help at a point when they are struggling to cope, and therefore well before the point of re-offending. We attribute our low re-offending rates to our ongoing support and our client's trust in us.

Community Corrections Orders are orders imposed by the court on an offender. Whether an alternative to prison or a conditional release, CCOs are strict, strictly supervised and play a significant role in breaking the cycle of violence.



Snapshot: Client Services

Around 20 independent agencies form the NJC's interdisciplinary Client Services team.

Client Services delivers comprehensive assessment and screening, as well as individual treatment plans and counselling to individuals involved in the justice system including offenders, victims and witnesses. Services are also available to people living in the City of Yarra.

Services include drug abuse treatment, financial and emotional problem solving, housing assistance, mental health care, specialised Aboriginal support, and support for people newly arrived to Australia.

Helping to break the cycle of offending

Our treatment model is a key reason the NJC enjoys significantly lower recidivism rates than the State average.

The majority of people who come before our court struggle with complex psycho-social issues including substance abuse, cultural displacement, and mental health issues. Under the weight of such burdens breaking the cycle of offending is often a lonely, potentially impossible journey.

But we also know that unless we get to the root causes of why people offend, the downward spiral of offending continues.

The majority of people who use Client Services are referred through our Magistrates' Court. Clients are also referred for treatment by their legal representatives. The individual themselves can also refer.

When imprisonment occurs we seek to put in place structures to help reintegrate people post-release.

Helping victims overcome harm

Client Services supports victims of crime — and the people close to them — to repair the harm caused to them.

Pertinently, many of the victims we see struggle with complex psycho-social issues as offenders. As such, the

assistance we extend to victims plays a role in breaking cycles of offending and the cycle of 'victimhood'.

Benefits of NJC's Client Services model

Our 'one-stop-shop' enables clients to enlist multiple services without the 'run around', and enables each agency to mobilise far greater tiers of resourcing, expertise, knowledge and capacity sharing than would be possible working in isolation.

And because each agency based here represents a point of entry to their own service operating independently in the community, a client's pathway from the NJC to ongoing support outside the justice system is a smooth one.

Working in an interdisciplinary team

Our model strengthens the links between clients, the court and the community, and gives our partnering agencies a raft of benefits including:

- Provision of immediate support and treatment to applicants and respondent
- Safe working environment— onsite care has meant we have never had a serious incident in which anyone was in danger
- Confidence in the system — Legal representatives have confidence in a justice system that tends to the psycho-social needs of their clients
- Knowledge exchange — agencies transfer knowledge thereby filling services gaps
- Skills exchange — better use of resources, and efficient service delivery.



Not your average court Registry

While the administrative tasks of Registry are the same in any Magistrates' Court, the special legislation which established the NJC allows for greater flexibility when it comes to Registrars responding to clients who present with multiple underlying issues.

This is only achievable because of our integrated model, which includes Client Services.

Case Study: a client presents at Registry after the Sheriff attended their home to arrest them for unpaid fines. The client has mental health and substance abuse issues, is unemployed and at risk of homelessness. In a mainstream court the Registrar could:

- Recall warrants for arrest if substantial payment was made towards fines
- Initiate a payment plan for the fines; or
- Convert unpaid fines into community work.

Without attention to the underlying causes of the offences, the client is likely to default on the payment plan or community work and end up in the same position later. More fines are likely to follow.

In contrast, at the NJC, the Registrar could do all of the above steps plus:

- Ask Corrections to ascertain if the client could complete community work
- Make on-the-spot, meaningful referrals within NJC to a mental health worker, financial counsellor, drug and alcohol counsellor, as well as a lawyer for advice and representation at the upcoming court hearing.

With this close attention to the issues underlying people's offending behaviour, there is a much greater chance of reducing rates of offending and creating a safer community.

Snapshot: NJC Magistrates' Court

The NJC Court hears a variety of civil and criminal cases — all resolved in the one courtroom.

The NJC magistrate hears the following matters:

- (most not all*) Criminal matters
- Children's Court (Criminal Division)
- Victims of Crime Assistance Tribunal
- Victorian Civil and Administrative Tribunal

(*does not hear contested hearings, or sex offence matters.)

Differences that count

Our court does most of the work of a mainstream court, but it is set apart by a number of important distinctions.

At first glance, when court is sitting it looks very similar to many other courts — there is a bar table before the 'bench' and a witness stand.

However, at the NJC defendants sit not in a dock, but at the bar table beside their lawyer.

Another critical difference is the presence of the Neighbourhood Justice Officer (NJO), the critical thread linking the court to the client's service providers.

Critically, the court focuses on the underlying reasons why people offend. Traditional criminal justice systems and criminal courts focus on the nature of the offence. In our problem-solving approach, we place great emphasis on why a person offends in the first place.

Finally, the most significant difference is that, true to the community justice model, only one magistrate hears all cases from start to finish at our court. This 'one court, one magistrate' model is a very beneficial one:

- Our magistrate has a deeper understanding of the neighbourhoods and conditions affecting the person before the court
- Our magistrate gains in-depth understanding of why the person offended, not simply what offence was committed

- Reduces the number or severity of disruptions that stall the progress of a matter.
- No hiding when you come back to face the same Magistrate who knows your circumstances and the promises you made to reform.
- People are more involved in, and cognisant of the process and therefore tend to be more satisfied with how their case is handled.

Magistrate's role in post-sentence monitoring

Our court's Court Review process plays an important role in why our re-offending rates are much lower than the state average.

Across Victoria, Magistrates meet accused persons on CCOs to see for themselves how the accused is complying with the conditions of the order and handling their road to reform.

Called Judicial Monitoring, this process comes from the NJC's Court Review, a more informal and more frequent process.

Our Court Review involves the Magistrate meeting with individuals he has sentenced to CCOs. Meetings take place every eight weeks for the duration of the order, and include case managers from CCS.

The case manager provides the Court with a progress report on the current circumstances of the offender including their compliance.

And note, the case manager goes through the report with the client before the hearing so that any changes can be noted and reported to the Court.

During the review, the Magistrate sits opposite the offender and their case manager at the bar table. The court is closed; only those involved in that matter (family members of the offender or support workers) are in the Court for that hearing.

The Magistrate has a conversation with the offender and reinforces messages pertinent to their current circumstances

such as positive reinforcement for progress made, or encouragement to persevere.

The Magistrate also reinforces messages around compliance should a 'warning shot across the bow' be required.

Regular contact with the Magistrate during the course of the order adds a layer of accountability that should not be underestimated as a positive influence on the commitment of the individual to their CCO obligations.

How to avoid our court

Mediation services are offered at the NJC so that, where possible, disputes can be settled at the neighbourhood level before they escalate to the point of being taken to court or VCAT.

Free mediation services are available at the NJC for residents, government departments, agencies and community organisations within the City of Yarra. These services are provided by the Dispute Settlement Centre of Victoria (DSCV).

What is mediation?

Mediation is an informal problem-solving process where people in dispute meet with a skilled and impartial mediator, discuss the issues in dispute, identify options, consider solutions and work toward a mutually acceptable agreement. Mediation is a voluntary and organised at locations convenient to all people involved.

Example of disputes that can be mediated

- civil actions in court
- neighbourhood disputes
- organisational disputes (clubs and committees)
- workplace disputes
- planning and environmental issues
- school disputes

How successful is mediation?

Less expensive and less stressful way of resolving disputes than going to court, about 85% of disputes successfully resolved.

Snapshot: Community Engagement & Crime Prevention

Active and positive community engagement is an essential element of the NJC.

Community engagement:

- Increases community participation in the justice system
- Engages the community in crime prevention
- Contributes to community development

Central to our community engagement model is the development of partnerships between the NJC and local and state government agencies, services providers, schools, local traders, residents and community groups.

The NJC participates in, supports or has instigated more than 60 community partnerships, and a raft of projects.



Creatively solving community problems

We forge creative partnerships to make our streets safer, and an exciting example is our work with Australia's pre-eminent street artists.

Graffiti gives the perception that our streets are seedy and dangerous. But sometimes the best way to fight fire is with fire.

The NJC funded street artists and award-winning art company Juddy Roller to create a piece of art on the walls of the Collingwood power substation. Commissioned by Citipower, the City of Yarra and the NJC, the work rids our streets of illegal graffiti while adding to the artistic vitality of Yarra.

The NJC also supports Juddy Roller's youth-at-risk program for kids who are in trouble with the law.



Such a long journey

In 2012, NJC's Crime Prevention team took the first steps on a long journey to resolve long-standing problems between Yarra's traders, the police and the local Indigenous community, notably the self-named Parkies.

The Parkies are some of our State's most disadvantaged people; many are victims of the Stolen Generation. Long-standing tensions between the Parkies, traders and the police had been hurting everyone for decades.

Over many months, Crime Prevention met with the Parkies, local Elders, police, traders and others on street corners and in boardrooms.

As old wounds and hurts emerged, the NJC drew together a Smith Street Working Group comprising of the Parkies, police, traders and a variety of social services. The aim: transition Smith Street through gentrification

without displacing people who have every right to be here, as well as to protect our heritage, and ensure economic activity thrives.

Within months of forming, this alliance embarked on an unpredicted test of friendship and reconciliation — they held an Indigenous music festival. And held it on the corner of Smith and Stanley Streets, a long-standing meeting place for Aboriginal people.

The first Smith Street Dreaming festival was held in 2013. In 2015, the third festival played to critical acclaim.

Police call-outs for Indigenous-related issues dropped from ten a day to less than ten a month.

Smith Street Working Group won the Australian Institute of Criminology's prestigious 2015 Crime & Violence Prevention Award and the City of Yarra 2014 Community Event of the Year.



Yarra's professional artists and talented amateurs turn our centre into an art gallery.

All of the artwork at the NJC is produced by members of our community. The work not only brings colour to our day, but is a vital part of creating a calm ambience for the wide cross-section of the community who use our building every day.

Stopping youth offending before it starts

The NJC is a key player in Communities That Care (CTC), a whole-of-community program improving the health and well-being of Yarra children and young teens.

The program takes a 'prevention is better than cure' approach to preventing young people from getting into trouble with the law.

CTC dovetails with the principles of community justice as it gives young people a chance to have a say in shaping their futures.

Worldwide some 800 communities use the CTC program, and Yarra joins 17 communities in Australia.

Snapshot: Innovation and the spirit of change

The NJC develops innovations that further its goals and the community justice model. It also provides technical assistance to other courts and communities who wish to adopt and learn from its innovations.



Winging it in court

Courts are like international airports but without all that handy flight information. People race about looking for the right courtroom or spend hours sitting around wondering when they'll be called.

That's why we're developing Australia's first court user messaging system.

Soon people attending our court will have information about their cases at their fingertips.

Called MyCase, legal teams will send their clients messages so they know who to talk to, what to bring, and where to be as their hearing progresses.

Why the need? People often wait for hours to go before a court, and we think that courts need to manage citizens' time in this often tense and scary world much better.

Using MyCase, the court will let citizens know if they've time to grab a bite to eat, organise childcare, or call the boss to arrange more time off without fear that the one time you leave the reception area, is the one time you'll be called into court.

MyCase was inspired by a trip to Bali. When looking at the departures board at the airport, our Innovation Manager realised that the aviation sector had much to teach courts about managing people. By the time her flight was called, MyCase was taking off.



In an Australian first, our centre has created an online family violence intervention application process (FVIO Online).

Anyone living in Yarra aged 18 years and over can now apply for a Family Violence Intervention Order where and when it suits their safety needs the best — apply at home, work, a friend's house, even at a public library.

Up to now, FVIO applications have required applicants to wade through a confusing hard copy application.

Unlike the hard copy application, FVIO Online is password protected and applicants can only reset the password by coming to the NJC in person. In this way, the application protects their information.

The form can be saved for 30 days, giving applicants time and space to complete it when it suits them.

It also includes a checklist of the behaviours the law classifies as family violence to give applicants a greater

understanding of the risks they face.

And applicants can quit the form rapidly using a quick exit button that opens a generic Google search page.

Importantly, FVIO Online flags high-risk applications so our court moves swiftly to assist people in immediate danger.

And with helpful explanations and definitions the form is simple and clear.

Our online intervention form doesn't replace the paper version, and we encourage applicants to choose the method that works best for them.

The Victorian State Government awarded us \$365,000 from its Public Service Sector Innovation Fund to roll out the form to additional Magistrates' Courts in Victoria. At the time of writing, an additional \$365,000 is in the pipeline.

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