



Centre for **Innovative Justice**

Annual Review 2015

Shaping the world
Life-changing experiences
Passion with purpose

Impact, Passionate, Transformative

Leading by example



When Rob Hulls came to me with the Centre's proposal to establish a multi-disciplinary practice (MDP) in conjunction with the Mental Health Legal Centre it soon became clear that it would deliver on the key values, directions and goals contained in Ready for Life and Work, RMIT's new Strategic Plan 2016-2020.

Ready for Life and Work will transform the way we work and learn to achieve positive impact for our students and the wider community. It will support us to deliver research and innovation that is applied, interdisciplinary, and engaged with industry.

A value that underpins our strategy is "impact", through an applied, practice-based approach to meeting contemporary needs and shaping the world for the better through collaborative design, research, learning and problem-solving.

In this context, the Centre's proposed model is a leading example of best practice in the human service professions such as law, social work and health, where there is a growing understanding that complex social problems do not occur in isolation and that human services operate more effectively if professionals from different disciplines work collaboratively to solve problems. In the case of the MDP it will bring lawyers and social workers together to assist vulnerable Victorians. The MDP will also strengthen the link between research and practical outcomes and by doing so continue to shape this new world of service delivery.

The MDP is not only an innovative model, it will provide an ideal setting for unique clinical placement opportunities for RMIT's law and social work students. It will promote the right attributes in graduates to both drive and respond to this kind of innovation as part of their formal education. It will bring academics and students together from across RMIT's Colleges and disciplines to deliver life-changing experiences for our students, where they will have the opportunity to apply, test and expand their knowledge and skills to meet contemporary needs.

A graphic explanation

The graphic image on the cover reflects the aims and ethos of the Centre. It is a series of soundwaves that represent the importance of listening to a more open-minded and fair justice system. In its original form it included a combination of the colours red, orange, and purple to signify the balance between leadership, energy, ambition, transformation and respect. This year we have changed those colours to green, which symbolises growth, and yellow, which symbolises energy and intellect.

The graphic was created by **Jidapha Tiantongnukul** as part of a competition involving 150 second-year RMIT Bachelor of Communication and Design students.

Looking back on the Centre's achievements in 2015, I want to highlight its report on family violence. The report did what it said it would do: put the spotlight firmly on the perpetrators of family violence. Not only did it help shape the debate at a state and national level on this most important of issues, it provided practical recommendations on how perpetrators can be made responsible for their own behaviour and how the justice system can intervene more effectively to break the cycle of violence. In short, research with impact!

Martin Bean

Vice-Chancellor and President of RMIT University

Practical, life-changing



The launch of the Centre's report on family violence served as a powerful reminder not only of the way in which all of us are affected by this scourge in some way, but the way in which all of us have an opportunity – and an obligation – to do something about it. The take up of the report across government and wider policy circles

demonstrates how others recognise this opportunity too, demonstrating the impact that timely, strategic, relevant and practical research can have.

The Centre continued to provide our students with opportunities to see the law in practice and indeed to put their legal knowledge into practice through the 'taster' placement program, the International study tour and the clinical legal education program through the partnership with the Mental Health Legal Centre. The establishment of a multi-disciplinary practice bringing lawyers and social workers together to provide holistic services is not only an exciting new development for the justice sector but also for our students who will get the opportunity to experience a new way of working and meeting the needs of clients.

The Centre, in partnership with Victoria Legal Aid, the legal assistance sector and RMIT's Fastrack Innovation Program also demonstrated that when you put RMIT students together with lawyers and mentors from industry within a design thinking framework you can deliver innovative ways to improve access to justice.

The Centre continues to live our ethos to provide practical, relevant research and unique life-changing experiences for our students.

Mark Farrell

Head, RMIT Graduate School of Business and Law

On board for a cracker!



It's been just over three years since the Centre for Innovative Justice was formally opened by the former Prime Minister Julia Gillard and in that time the Centre has become an exciting force for innovation and strategic thinking.

Not only has the practical research agenda we've undertaken been groundbreaking, but it has given a roadmap to policy makers to follow if they want to be serious about ensuring that the justice system acts as a positive intervention in the lives of those who come into contact with it. The Centre's research has proposed ways to make the perpetrators of family violence more accountable and to break the cycle of violence; put forward alternative pathways to justice for victims of sexual assault and explored how design and technology can improve access to justice. Our innovative agenda also includes a pilot of restorative justice conferencing for driving offences involving serious injury or death as well as the Enabling Justice project, aimed at reducing the overrepresentation of people with an Acquired Brain Injury in our prisons. This innovative agenda is fast making us the go-to place for those wanting to make our justice system fairer and more accessible.

We remain passionate about offering students life-changing experiences and with the expansion of the Mental Health Legal Centre into a multi-disciplinary practice, we will have law students and social work students working alongside each other, providing wrap-around services to clients, including current and former female prisoners. This is holistic justice at its best, with our students at the forefront. We also remain thankful to those in our justice system from lawyers to magistrates and judges who give their time to demonstrate to our students the practical application of the law.

I am confident that 2016 will be another cracker of a year for the Centre for Innovative Justice and I'd urge anyone wanting to be part of an exciting reform and student experience agenda to get on board!

Rob Hulls

Director, Centre for innovative Justice

Shaping the world

Family Violence: The Centre released its ground-breaking family violence report *Opportunities for Early Intervention: bringing perpetrators of family violence into view*. The report, inspired by Rosie Batty's story and launched by Rosie herself, has garnered significant attention due to its distinct focus on perpetrator accountability and the way in which it frames a difficult challenge in an accessible way. The launch attracted national media attention. The report's lead researcher, Elena Campbell, won the GSBL's 2015 Research Impact Award (Law).



CIJ Director, Rob Hulls, with 2015 Australian of the Year, Rosie Batty, and the report's author, Elena Campbell.

Incarceration and Acquired Brain Injuries: A Justice User Group involving people living with Acquired Brain Injury who have had direct involvement in the criminal justice system was established in 2015. The Group members will discuss their ideas for improving the criminal justice system, participate in advocacy and contribute to the final recommendations of the report.

Sexual Offending: The Innovative justice responses to sexual offending report released in 2014 continues to have impact with requests for briefings from Victoria Police and Centre staff playing key roles in an important high-level forum on restorative justice and sexual assault.

Culpable Driving: The Centre received a \$200,000 grant from the Legal Services Board to deliver the Restorative Justice Conferencing: An Innovative Approach to Serious Driving Offences project. Drawing on local and international research and existing programs, a restorative justice conferencing program will be developed, piloted and evaluated over two years in cases where the driving offence has resulted in death or serious injury.

Measuring Justice: The Centre finalised and submitted a discussion paper on the Justice Index, the fourth and final report under our Commonwealth Attorney General's Department grant. The next steps will be to develop a Justice Index that highlights the strengths and weaknesses of different systems. Consultations, including public forums, will continue on this project in 2016.

Mental Health Legal Centre boost: The Mental Health Legal Centre has had a successful year, securing extra funding from philanthropic organisations and government to continue their important work including for two exciting projects: the Royal District Nursing Service Homeless Outreach Project where MHLC lawyers and RDNS homeless outreach nurses will work collaboratively in teams to provide a holistic response to the complex challenges faced by homeless people who experience mental health issues in the city of Melbourne, and the Advance Statements Project, which responds to the important shift in mental health patients' rights and the introduction of Advance Statements as a mechanism for patients to have their treatment preferences documented and respected should they become unwell and require compulsory treatment.



Photo of the Mental Health Legal Centre staff and the people in the photo left to right are: Lucy Carter, Margot Powell, Charlotte Jones, Shani Williams, Melissa McAuliffe, Katherine Ogilvie.

Towards a Multi-Disciplinary Practice (MDP): The CIJ, the Mental Health Legal Centre, Graduate School of Business and Law and the School of Global, Urban and Social Sciences secured support to establish a multi-disciplinary law and social work practice which will provide students from a range of disciplines an opportunity to work collaboratively for the benefit of the most disadvantaged and marginalized members of the community. The practice will be up and running in early 2016.

Life-changing experiences

Clinical Legal Education & Legal Research Project:

Twelve students completed the Clinical Legal Education program delivered by Stan Winford in conjunction with the Mental Health Legal Centre (MHLC)/Inside Access in Semester 1. The program received **100%** satisfaction in the Course Experience Survey.

Innovative Justice on Tour: Nine JD students took part in the inaugural international study tour to New Zealand, which included visits to The Drug and Alcohol Court, the New Beginnings Court, Rangatahi Youth Court, New Zealand Ministry of Justice and Massey University where students attended a restorative justice workshop

Students Placements: The Centre provided a total of 270 placement days for students from across RMIT, including students doing the Bachelor of Social Work (in partnership with the Mental Health Legal Centre), the Bachelor of Arts (International Studies) and Masters of Social Work and of Criminology.

Taster Placements: A total of 35 students undertook Taster Placements in a range of jurisdictions from the Court of Appeal, the Coroner's Court and the Magistrate's Court (including the Drug Court at Dandenong and the Assessment and Referral List).



The Hon. Justice Chris Maxwell, President of the Appeal Court with RMIT Juris Doctor students, Latha Balaji, Matt Mirabella and Elizabeth Petsinis.

Volunteering & other student engagement: The Mental Health Legal Centre continued to provide volunteering opportunities including through the Inside Access program and the telephone night service. Many students have remained strongly engaged with the MHLC.

Access to Justice through Technology Challenge/ Fastrack Innovation: Fifteen students from across RMIT participated in the first-ever Access to Justice Through Technology Challenge, a partnership between the Centre, the RMIT Fastrack Innovation Program, Victoria Legal Aid and the Federation of Community Legal Centres. The Challenge involved students using their design, technology and critical thinking skills to develop technological solutions to improve access



CIJ Director, Rob Hulls, with students from the inaugural A2JTTC/Fastrack Innovation Program. See 'Access to justice by design' for full details.

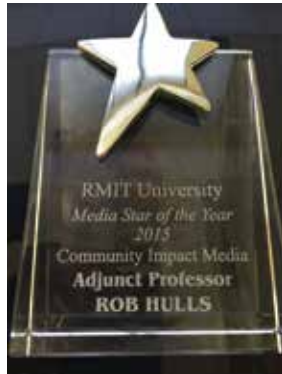
to justice by working with lawyers from the legal assistance sector and industry mentors. The students tackled three key issues: family violence, fines and infringements and debt. The A2JTTC Challenge will be run again in 2016.

CIJ TV: The 'CIJ TV' video interview series continues to be a big hit, both with RMIT JD students and on twitter. Interviews subjects in 2015 included: Jon Faine, Mark Holden, Waleed Aly, the 'boxing barrister' Simone Bailey RMIT JD Alumni, Sepi Sadri. Other videos produced by the CIJ in 2015 included: a family violence video, featuring interviews with Magistrate Kate Hawkins, Bevan Warner, Victoria Legal Aid, Liana Buchanan, Federation of Community Legal Centres and Fiona McCormack, Domestic Violence Victoria; an interview with Elena Campbell on the family violence report, Judge Steve Alm's lecture on the Hawaii's Opportunity Probation with Enforcement (HOPE) program and interviews with students on the inaugural Innovative Justice Study Tour conducted in July.



A snapshot of 2015

Advocacy: Twelve media articles by the Director appeared in a range of media outlets including The Age, The Australian, The Herald Sun and The Conversation. The Director was also involved in 12 radio interviews with a range of programs including Jon Faine – ABC774, Michael Brissenden, Elenor Hall - Radio National, Law Report, Adelaide Radio and won the 'Community Impact Media Star' award at the RMIT media performer awards in recognition of his high profile expert media commentary on issues ranging from criminal corrections programs, the Northern Territory paperless arrest laws, and family violence.



Social Media: The CIJ Twitter account has 642 followers, delivered 485 tweets with regular re-tweeting. The tweet with the most clicks in 2015 was linked to our family violence report.

As we speak: Thirty-three speaking engagements (and lectures) were undertaken this year by the Director and other CIJ members around Australia. (Twenty-four external, nine internal to RMIT).

Global connections: The Centre conducted an inaugural Innovative Justice International Study Tour to New Zealand in July, hosted Judge Steve Alm's visit to Melbourne in relation to the HOPE project and began planning for the 2017 Innovative Justice International Study Tour.

Passion with Purpose: The Centre developed a new Strategic Plan guided by the new RMIT Strategic Plan 2016–2020 'Ready for Life and Work'.

Stop Press! Royal Commission into Family Violence hands down recommendations

On 30 March 2016 as this report went to press, the Royal Commission into Family Violence handed down 227 comprehensive recommendations on improving the Victorian system's response to family violence. Many reflected the recommendations of the CIJ's Family violence report, including a greater emphasis on perpetrator accountability through:

- Greater investment in and development of Men's Behaviour Change Programs
- More proactive responses by the courts, including harnessing the therapeutic function of courts and trialling 'swift and certain' sentencing approaches
- Improved capacity for Victoria Police to respond to the complexity of need they encounter
- Crisis and long term accommodation for perpetrators so that they do not slip further off the radar
- The use of restorative approaches to give women a wider range of options and responses
- The development of a more considered response to the use of family violence by adolescents.

The CIJ will watch with interest as these recommendations move towards implementation.



Report author, Elena Campbell, was awarded the Graduate School of Business and Law's 2015 Research Impact Award (Law).

Putting the spotlight firmly on the perpetrators of family violence

The RMIT Centre for Innovative Justice report, *Opportunities for early intervention: bringing perpetrators of family violence into view*, was launched by Australian of the Year and anti-domestic violence campaigner, Rosie Batty. (Edited speeches by Rosie Batty and Rob Hulls are printed overpage.)

The report makes a range of recommendations highlighting ways in which the justice system can interrupt the cycle of family violence to relieve the burden from victims and make perpetrators more visible by:

- Using each interaction with the system as a way of reinforcing firm and consistent messaging;
- Using each interaction with the system as a means of administering consequences, including swift and certain sanctions;
- Using each interaction with the system as a means of identifying family violence in other offenders;
- Using each interaction with the system to connect perpetrators with relevant services to address associated issues which may be preventing them from addressing their violence.

Thanks Rosie...



"We were honoured to have Rosie Batty launch the Centre's report on family violence. The report's focus on putting the spotlight on perpetrators was strongly influenced by the circumstances of the tragic death of Rosie's son Luke, killed by his father. We not only appreciated Rosie's contribution to it, but her advocacy for its recommendations throughout the year.

The launch, the discussion it provoked, and the take up of the report across government and wider policy circles was a highlight in a year which also saw people with acquired brain injury brought together to advise on how the criminal justice system should be improved to better respond to people with a disability; continuing discussion on innovative justice responses to sexual offending and the securing of a major grant to pilot restorative justice responses to serious driving offences."

Elena Campbell
Manager, Policy and Research

The report also identified an urgent need for a more sophisticated response to deal with the connection between adult family violence and transmission of violence to subsequent generations, not only to children, but to an increasing number of adolescents who use violence against their own families. Funded by Commonwealth Attorney-General's Department, the report has generated considerable public debate and has been taken up across governments and in policy circles.

The language of intervention

Following on from the release of its report on perpetrators of family violence, the Centre for Innovative Justice was approached by the Magistrates' Court of Victoria to assist it in the redrafting of the standard conditions attached to Family Violence Intervention Orders. One of the findings from the CIJ's report was that respondents often did not understand the terms contained in these orders, or accept the authority of the court to impose them. The CIJ consequently assisted the court with two rounds of detailed stakeholder consultations, supporting research, liaison with other state and territory jurisdictions and the development of new draft conditions. These conditions are currently in the pipeline to be 'user tested' and will be released by the Court when that process is complete, accompanied by a report from the CIJ. This work has also sparked further work that the CIJ will be conducting around 'listenability' and the law.

Enabling Justice

The CIJ has been conducting its Enabling Justice project throughout 2015, with Jessica Richter coordinating interviews of people living with an acquired brain injury (ABI) on their interactions with the criminal justice system. The Centre has worked together with Jesuit Social Services to establish a 'Justice User Group', a unique body that brings together people with an ABI to conduct their own advocacy around the criminal justice system and how it should be improved to better respond to people with a disability.

With much of the research component of the project completed, 2016 will bring a new focus on advocacy and refining the project's recommendations for changes to law and policy. Look out for the project as CIJ staff will be appearing in a range of forums throughout 2016, promoting the project's recommendations and discussing the research findings.

An overhaul of judicial system is needed

(Edited speech given by Rose Batty at the launch of the family violence report)

Thank-you for inviting me today to launch this report. I am thrilled. We need this. We need this because isn't there a saying that says keep doing what you've always done, you keep getting what you've always got. We have to make change.

The momentum that has grown over the past 12 months–18 months brings us to a point where change is fundamentally possible. We recognise, now, the statistics. So you see, currently, this year alone, there are two women every week being killed by family violence. It's not good enough. It will continue, on that vein, uninterrupted, unless we make significant change. Our response to family violence through our court systems and processes is paramount, integral and integral to the experience the victim receives.

At this point, we place all responsibility for safety on the victim and we still ask the question, 'why doesn't she leave?' Very simply, there are many reasons. Being launched into poverty and homelessness may be one, breaking up a family and leaving the home they have worked hard to build may be another, but the most significant reason and one we're constantly reminded of is because when you do choose to leave, you are at the greatest risk of being killed.

So you see it is about power and control, this is a gender issue. It is a gender issue and it is about power and control. I'm living testament to the worst of those cases, when my little boy Luke was killed as a final act of power and control.

Now Greg was able to dominate and control the court process, because in the current format and the way it operates that happens all of the time. When you do have an incident that you know is serious enough to take to the police, you don't know what danger you are placing yourself in by escalating the situation that you have managed so far. So an AVO (Apprehended Violence Order) is an option that we are given as if it's the final solution and it's going to solve everything.

While for many women, it just doesn't because it is a piece of paper. And do we respond to those breaches seriously? Often, they don't. So right from the very beginning a perpetrator, somehow, through his sense of entitlement, that the woman is his possession and that the children are his possession, doesn't get that firm message right from the very beginning: that this is behaviour that is not tolerated, there are firm consequences should you step out of line, but also, what's absolutely integral is that they are linked into intervention strategies.

Greg had mental health issues. He was homeless, he had marijuana usage but very importantly, he was violent. So if we have a look at how we intervene, with someone like Greg, to potentially stop a disastrous outcome, the court process, the judicial response, can be the most effective player to link all of this together.



But currently, it is a random journey; you may get an informed Magistrate who may understand family violence and its complexities. They may believe the victim and may treat them with respect, but there are a lot of maybes. So potentially, a journey for a victim is harrowing.

You work hard to be even believed and in most cases, unless you have the physical bruises, your violence, whether it be control, financial, psychological, sexual is hard to prove and somehow they're not perceived as dangerous. But a lot of those instances are fatalities. It is power and control, not necessarily the physical violence. But that stepping out of and making a decision to leave the relationship puts you in enormous danger.

So I am thrilled to see a report that places the perpetrator into focus. Currently, we victim blame and somehow the perpetrator goes under the radar. They are allowed to control and dominate the system. Well in this kind of model, they couldn't. They would be given an opportunity to break the violent behaviour, to understand their violent behaviour and to have the symptoms and the other underlying issues treated.

But whilst we are looking after our victims, we need to be looking after and working out effective ways to deal with out perpetrators. As this report indicates, that is working collaboratively and not in silos and that needs a full overhaul of our judicial system. And I believe that we are ready for that, and I believe that there is a lot of good intent within the judicial system, to step outside the square and look at how things can be improved. But we need leadership from government.

I launch the report and I'm really pleased for Rob and his team, again, to have worked so smartly, not just off on a tangent, but to actually invest in stakeholders who are working on the ground, on the frontline services, and have done so for decades because they have helped to contribute to this report. And quite often, those types of services, and those people with this expertise get overlooked. So Rob, I am thrilled that I was part of the report, it's very relevant to me and it's very relevant to every victim that is currently unsafe and going through a very harrowing court process. Thank-you.

No easy solution, but...

(Edited speech given by Rob Hulls at the launch of the family violence report)

A lot's happening, of course, in the area of family violence... and about bloody time too. It's finally an issue on political agendas, a long-term National Plan is in place, the media is fully engaged, and a family violence prevention advocate has been named Australian of the Year. In other words, the nation's ears have finally tuned in to the message that family violence exists, that it's pervasive, that it knows no demographic bounds.

At the same time, however, those who live with family violence – and those who work in this field – know that, despite this increased awareness, the cycle of violence and coercion rolls on. Our existing responses are stretched to the limit, with inexplicable cuts to vital support services making the situation worse. Meanwhile, far from just one of a range of matters which our courts must address, family violence is actually core court business, both directly and as a backdrop to other offending. What's more, it will remain so, and victims will remain at risk, unless we step back and widen our gaze.

Our report attempts to do just that, turning the spotlight on the source of the problem, and bringing perpetrators of family violence into view. In doing so, it explains that, far from a phenomenon that sweeps invisibly through communities, family violence consists of controlling, coercive, abusive or violent behaviour used by identifiable individuals. Contact with the justice system, then, represents an opportunity to intervene with these individuals, an opportunity that, to this point, is not always being seized.

This Report does not suggest, of course, that there is an easy solution, and certainly there is no single one. The cycle of family violence is so complicated that we cannot assume that one policy will make the difference. Instead, we need a range of interventions – ones which a perpetrator encounters repeatedly and which reinforce, over and over, that his behaviour is something that we simply will not accept.

Family violence is, quite simply, the greatest threat to our collective wellbeing. If we're serious about tackling this threat head on, therefore, we need to be prepared to commit to more and targeted resources, for support services first and foremost, but also for additional interventions right along the spectrum which may ultimately see these services experience less demand. After all, we know enough about the costs of family violence to realise that simply doing more of the same is not going to stem its ongoing drain on our social and economic future.



Culpable driving and Restorative Justice

The CIJ was successful in a Legal Services Board grant to develop a restorative justice model to better meet the needs of victims of crime and improve the way the criminal justice system responds to driving incidents and offences that result in serious injury or death.

Drawing on local and international research and existing programs, a restorative justice conferencing program will be developed, piloted and evaluated over two years. Restorative justice conferencing will operate as an alternative and/or an adjunct to criminal justice processes, to be available where charges are not laid, matters do not proceed to trial, and at pre and post-sentencing.

The project will deliver operational guidelines, practice standards and recommendations for legislative reform, as well as training and evaluation frameworks, culminating in the delivery of a restorative justice program capable of expansion across Victoria, to other categories of offences, victims and offenders.

Vale Pippa

Pippa Rudd was an important part of the CIJ team responsible for developing the grant application for this project. Pippa, a 2012 Churchill Fellowship recipient, had a strong commitment to indigenous and youth justice and worked for more than 15 years in these fields with the Northern Territory government and for government Ministers. On hearing of the outcome of the application on 10 July 2015, Pippa said "I am just delighted! What fabulous news. The Centre is well placed to drive an important change to our system. Congratulations on such a well-conceived project." Sadly, Pippa passed away later that month. It was a great privilege to be able to work with Pippa on the development of this submission, albeit for such a short time.

Justice Index

What does justice really mean? What sort of things do we look for in a justice system? How do we measure them or know that they are working effectively? Are there any crucial signs that tell us when it is failing? If it works for some people, does it work for everyone? Is our justice system a system at all?

These are just some of the questions with which the CIJ grappled in the development of its final report to the Commonwealth Attorney-General's Department – exploring ways to scope and then assess the manner in which justice is delivered and experienced in Australian jurisdictions.

Currently no mechanism exists to do this and the CIJ is keen, as always, to spark momentum, this time by working towards the creation of a 'Justice Index' which can highlight the strengths and weaknesses in different jurisdictions and therefore urge governments to aim high.

The CIJ will be looking to build on this initial work over 2016 and beyond, partnering with industry and inviting a wider audience to participate in the ongoing debate. Together, we need to redefine what justice means and what our expectations of policy makers are in order to make it a reality, particularly for those most in need.

Sexual offences report

The CIJ's report on innovative justice responses to sexual offending continued to generate discussion and debate. The report was informed by national and international research and key stakeholder input. It concluded that despite hard-won improvements to laws and procedures implemented across Australia over the past decade, the adversarial system is failing to deliver access to justice for many victims of sexual assault. A great strength of the report is that it proposes a comprehensive restorative justice framework that would enable more victims to pursue a justice outcome tailored to their needs, and encourage more offenders to accept responsibility for their behaviour.

There is still HOPE for the law

The Centre recently hosted Judge Steve Alm, founder of Hawaii's Opportunity Probation with Enforcement (HOPE) program, on his visit to Australia where he met with the ACT and NT governments to discuss the innovative court program. We took the opportunity to invite the Judge to speak to the Centre and our networks about the program and the extraordinary outcomes it is achieving in Hawaii.



Leading edge clinical education experience

The Centre's partnership with the Mental Health Legal Centre continues to strengthen, with the benefits flowing to vulnerable Victorians and to RMIT students who will get the opportunity to do clinical education in a leading-edge model of practice.

Our shared vision for a multidisciplinary practice (MDP) will be implemented in 2016 following the recruitment of social worker, Katherine Ogilvie and a move to new premises next door to accommodate the expansion of services under the MDP model. The MHLC will be located on the ground floor while the Centre will take over the second floor of Building 97.

The MDP will be an innovative multi-disciplinary student-operated practice, supervised by qualified lawyers and social workers, that will provide integrated social work and legal assistance to clients of the MHLC, particularly those who have previously been lost through complicated and poorly monitored processes that constantly send people from one service to the next, often leading to 'referral fatigue'.

A year of multi-highlights



"There were many highlights in 2015, but none more exciting than the Vice-Chancellor's support to proceed with the development of a multi-disciplinary practice in partnership with the Mental Health Legal Centre.

It was a vote of confidence in the CIJ and the MHLC and the work of those, including RMIT students, who helped develop and refine the proposal over the past two years.

The employment of experienced social worker, Katherine Ogilvie, will allow the MHLC to deliver enhanced services to vulnerable clients and provide RMIT students from legal and social work backgrounds the opportunity to gain clinical experience in a leading-edge practice.

Integrating social work and legal assistance is the way of the future... and it will be happening at RMIT in 2016!"

Stan Winford
Principal Coordinator, Legal Programs

Initially it will incorporate the use of social work and law students as part of their student placements; however the possibility of involving other student cohorts such as health sciences, language interpreting and finance will also be explored. The MDP will provide legal assistance to clients with mental health concerns that are exacerbated by, or causing legal problems. We will update progress on our website.

The decision to implement the MDP capped off an important year for the Mental Health Legal Centre, which has a much improved financial position and some key funding successes.

A number of innovative multi-year projects that have been a long time in development found partners and philanthropic support.

The advance statements project, funded by the Helen McPherson Smith and R E Ross trusts, in partnership with a number of other organisations and pro bono lawyers, will continue the MHLC's long-term objective of breathing life into the promise of advance statements, a new, still under-utilised means of delivering dignity, treatment choices and autonomy to people experiencing mental illness.

Another project, Partners in the Community – Mental Health Legal Centre & Royal District Nursing Service (RDNS), funded by the Victorian Legal Services Board, will enable the MHLC in partnership with the RDNS to deliver a health-justice partnership that will provide multi-disciplinary support to extremely vulnerable and disadvantaged individuals who are socially isolated, at risk of or experiencing homelessness and currently have very limited access to social, legal and health support.



Understand the law's ability to solve and be the problem...

The aim of our Clinical Legal Education program is to expose students to much more than a narrow view of what the law is about. We aim to get students to think creatively and innovatively about the law, to help them understand the law may be only a small part of the answer to a problem and sometimes, the law itself may actually be the problem! We want our students to have an opportunity to learn about the process of law reform rather than merely learning about how to interview clients and write letters.

The Clinical Legal Education program is provided in partnership with the Mental Health Legal Centre. This partnership not only provides clinical legal education opportunities, it also responds to the unmet legal needs of disadvantaged members of the community. The experiences of clients and a deep understanding of the issues they face drives and informs the Centre's research, law reform and policy development activities.

People with mental illness experience a range of legal problems that can compound if they are not addressed in a timely way. Even seemingly insignificant legal problems, unresolved, can lead to financial hardship, social exclusion, discrimination, unemployment and homelessness. In chronic and severe cases, a lack of assistance in dealing with legal problems at an early stage can lead to imprisonment.

The legal needs of people with mental illness include specialist representation before mental health review boards for involuntary patients, as well as advice and assistance for a range of legal problems that are commonly experienced by people with mental illness, including:

- Minor criminal offences, infringements and fines
- Criminal records and employment conditions
- Disability discrimination
- Family relationships including divorce, child support and family violence
- Social security entitlements, debts and bankruptcy
- Homelessness, tenancy, insurance and consumer contracts
- Privacy, freedom of information and complaints against government agencies

Students enrolled in Clinical Legal Education through the Mental Health Legal Centre and its Inside Access program help meet these needs. In particular, students are involved in the direct delivery of legal assistance services to prisoners in Victorian men's and women's jails who have inadequate access to legal advice in a range of areas of law. For example, the Inside Access program provides free civil legal services to people experiencing mental health issues in Victorian correctional and forensic facilities. The aim of the

service is to support the eventual transition of inmates back into the community and reduce the likelihood of reoffending. With the support of Corrections Victoria, the program visits Port Phillip Prison, Thomas Embling Hospital, Metropolitan Remand Centre, Barwon and Hopkins correctional facilities, as well as the Melbourne Assessment Prison on an as-needs basis. In particular, however, Inside Access is the only civil legal service that routinely visits the Dame Phyllis Frost Centre (DPFC), attending on a fortnightly basis to provide advice and case work.

Involvement of students with MHLC means that they are providing advice and assistance to people experiencing mental illness with their legal problems, but also participating in the identification of systemic problems arising from individual cases, and through their research, working towards developing and implementing innovative solutions to these problems.

In 2015, twelve students completed the Clinical Legal Education and Legal Research Program delivered by Stan Winford in conjunction with the Mental Health Legal Centre (MHLC)/Inside Access in Semester 1. The program received 100% satisfaction in the Course Experience Survey.



You can't get this in the classroom!

Nine JD students took part in the inaugural international study tour to New Zealand, which included visits to The Drug and Alcohol Court, the New Beginnings Court, Rangatahi Youth Court, New Zealand Ministry of Justice and Massey University where students attended a restorative justice workshop.

Rob Hulls said the study tour provided a unique opportunity for students' to engage with the community in judicial settings, and to broaden their understanding of the potential for innovation in the justice system. "It was a fantastic opportunity for these JD students to see that the justice system can be a positive intervention into people's lives: when people start to innovate; when they look at therapeutic justice; when they look at restorative justice they can make a profound difference. I just hope that the tour not only broadened the minds of these students, but actually sets them on a pathway to ensure that they use the privilege of a law course for the betterment of other people."

Stan Winford said there was "no better way to give real meaning to some of the things our students have learned about through reading journal articles and textbooks and so on."

"The way they use their courtrooms to achieve these outcomes was an amazing learning experience for our students," he said.

Feedback from students was extremely positive. *(The full video interview with the students can be found on the CIJ website.)*

Kurstyn Miller would like to see more of these courts in Australia. "To see the way that the judges and the judicial

system over there nurtures their young people and their offenders I think has a lot to say about the way that they administer their justice over there, and I think it'd be great to see more of that in Australia." Frank Aloe learned more about holistic justice: "That there are other ways than the traditional court systems that you may be exposed to in Melbourne or Australia. That there are some really innovative things going on around the world and there are some really holistic ways to go about the justice system."

Michael Anthony questioned the role of adversarial justice: "Compassion plays a major part in our justice system and will continue to grow as we realise that the adversarial system isn't as appropriate for our society today."

Paul Sutton says the tour was unique: "I think the learning that you get on a tour like this, you can't get anywhere else. I've had the ability to, I've had the privilege to ask questions of judges about why they did things in court and that doesn't happen in other settings, so a tour like this is fantastic."

So too did Poppy Jacobs: "It really elevated what we've learnt at uni to a whole different level. I don't think you can learn the kind of stuff we've seen this week in a classroom."

In 2016, the JD study tour will be taking students around Victorian courts to meet with Magistrates and judges and talk about innovative justice, while observing specialist family violence, children's, youth, indigenous, drug and problem solving courts, as well as other interesting innovations.



Pictured outside the Rangatahi Court with Judge Eddie Paul (centre) are JD students Grezah Padro, Poppy Jacobs, Frank Aloe, Marita Ri, Leah Innes, Karl Sharmi, Michael Anthony, Paul Sutton and the Centre's Rob Hulls and Stan Winford.

That is an interesting career you have...

RMIT JD students did some more 'career speed dating' with mentors from across the legal landscape at our 2015 Career Mentor Forum. The forum is designed to help JD students understand the breadth of employment options a law degree offers, the pathways that are open to them, and the opportunities for using their qualifications to improve the law and contribute to a fair and just society.

We would like to thank the mentors, who included Magistrate Ann Collins, Director, Criminal Law Review, Department of Justice and Regulation, Greg Byrne, the Executive Officer, Federal of Community Legal Centres, Liana Buchanan (now Child Safety Commissioner), Barrister Carolyn Burnside, Principal, Bayston Group, Alister Bayston, and RMIT JD alumni, now a Judge's Associate, Sepideh Sadri.



Student TV, podcasts score a 'touchdown'...

Created as a resource for law students, the Centre for Innovative Justice video interview series features Rob Hulls speaking to people from across the legal landscape. These videos contain tips and insights about study and career options and provide background to the Centre's research.



A taste for the law in practice

Thirty-five RMIT JD students got a taste for the law in practice at the Court of Appeal, the Assessment and Referral Court, the Drug Court, the Royal Commission into Family Violence, the Coroners Court and the Victorian Civil and Administrative Tribunal as part of the CIJ's 'taster' placement program.

A record 21 students in two separate streams completed a week-long group internship at the Court of Appeal. Participants got access to the material used by the parties in cases, met with Court staff in various roles, had a legal research tutorial from Court research staff, and were able to have Q&A sessions with several Court of Appeal Judges about the work they do and their own career pathways.

A number of students also completed placements with the Assessment and Referral Court, the Drug Court, the Coroners' Court, and the Victorian Civil and Administrative Tribunal. The placements, which generally lasted a week, gave students the opportunity to meet judicial officers, lawyers, court staff and other professionals in the justice sector and to get an exciting experience 'at the coalface'. Some students played a more active role during their short placements, completing research or other support tasks as requested by the host organisation. Many students reported that these brief, informal placements provided some of the best educational experiences of their legal studies, yielding enormous inspiration and insight to inform their future career paths.



One student, Dina Grilli, also had the opportunity to shadow Commissioner Marcia Neave at the Royal Commission into Family Violence (pictured above), observing the hearings, attending meetings and conducting research for the staff of the Royal Commission during her time there.

The CIJ was also able to deliver the equivalent of 270 Work Integrated Learning placement days in 2015. In first semester, a team of three RMIT students from Masters of Social Work, Masters of Criminology and Bachelor of Arts (international studies) completed their placements working collaboratively to contribute to a powerful joint submission to the Royal Commission into Family Violence from the CIJ and the Mental Health Legal Centre's Inside Access program. The submission addressed the frequently overlooked experience of women prison inmates who have been directly affected by family violence, and the complex interaction between trauma and offending.

In second semester, the CIJ provided support and supervision to pilot the placing of Bachelor of Social Work students with the Mental Health Legal Centre in direct client contact roles to fulfil their 70-day field placements. This pilot informed the development of a multidisciplinary practice (MDP), which was approved in late 2015.



JD students Frank Aloe and Amy Roseman with Rob Hulls.

Going far beyond the lecture and textbook



"When students tell you the experience is life-changing, it's more than satisfying, it's inspiring!"

The Centre and our students appreciate the time and effort contributed by leading figures in Victoria's justice sector to provide these life-changing 'taster'

placements where the law and its practice moves from the lecture theatre and textbook to practical application in our courts and tribunals.

So, to all of the judicial officers and support staff in our courts and tribunals who support our program and provide the life-changing experiences, we simply say thank you."

Jessica Richter
Project Coordinator

Student feedback

Here are just some of the comments we received from students about their experiences:

Drug Court

“

Looking back at my Juris Doctor studies much of what I have learned has seemed like a blur of sitting in lectures, reading cases and cramming for exams; however my experience in the drug court was one of the most enjoyable and education-packed periods of learning, and an experience that I recommend to everyone.

Although I had previously learnt about therapeutic jurisprudence, listening to the stories of those who are grappling with addiction, crime and the court system provided important perspective on how innovations in the justice system can actually impact individuals and provide benefits over conventional processes.

Additionally, interacting with some of the lawyers involved in the court provided the opportunity to discuss the practical legal issues they deal with in their day to day work, and allowed me to better understand what is involved in advocacy and their role in the court.

Frank Aloe

“

I now have a more nuanced understanding of the current state of the criminal justice system regarding drug related offences. From this experience I feel that I am better educated on the need for these types of alternative orders that go beyond the tradition of imprisonment. I have no doubt that the widespread availability of this type of order would benefit our society. The effectiveness of the Drug Court is only hindered from expanding across the state by a scarcity of funding and resources that are available from the government.

Amy Roseman

ARC List

“

I didn't quite expect to come out of my observation of the Assessment and Referral Court (ARC) list feeling like it was a whole life experience....For me, the placement has completely affected how I will interact with my JD degree.

Helen Metzger

“

It's inspirational to witness the positive changes that occur in the participants as they progress through the program, to see them become empowered, their determination to complete the program, to see the layers of self-loathing peel away and their smiling faces as they shake hands with the magistrate upon successful completion. This experience has restored my faith in our justice system and I would love to work in this program at some point during my career.

Dee Munday

Royal Commission into Family Violence

“

As she told her story of physical and emotional abuse lasting for years, I stared at her, marvelling at her strength and resilience, and also her youth. I knew that family violence was an insidious and all too common occurrence in Australian society, but while listening to her I was starkly reminded of the reach of family violence on our society.

Dina Grilli

Victorian Coroners Court

“

Writing with the knowledge that a family member may scrutinise your words certainly adds a dimension to your legal writing skills that you do not learn at law school.

Paula O'Byrne

“

In many ways, I leave the VCC with the feelings of a child. A child who has been awed and excited by a new and unexpected experience. A child who is still able to cherish the discovery of a place of belonging and wonder.

Alexis Beebe

Court of Appeal

“

The highlight for me though would have to be meeting with the judges themselves. Silly as it may sound, it was reassuring to see them without their wigs and robes and to hear them speak honestly and openly about the challenges of being part of the judiciary. These conversations brought the Court to life for me, and reminded me that even the most scholarly, erudite and successful of judges were all law students once.

Poppy Jacobs

“

The highlights of the week were seeing the law in action and how the judges conducted themselves during the trial. The level and breadth of their knowledge of the cases and key issues, and the questions they asked to ensure the appeal was truly based on a question of law, was not only impressive but showed the level of ability and skill that is required to be a judge, which is something I could only aspire to one day.

Angela Schirripa

“

It's hard to list all the things I learned in the space of those few days but the biggest thing I've taken away from it is a certainty that I want to be involved in the administration of justice in one way or another, and that I've chosen a career path that can be incredibly exciting and fulfilling.

Oliver Williams

“

It was very inspiring and has only fuelled my passion for the law.

Emma Oliver

“

The Judges were candid and it was great to see a completely different side of them before and after each case. It is easy to forget just how human they are and that cases can affect them just as much as it can affect anyone else. I found it really interesting to listen to each judge's different story of how they got to where they are now. This really energised and excited me for the endless possibilities that await me in my legal career.

Gabrielle Tuppini

“

A final unexpected benefit of the internship was the opportunity to meet a group of similarly passionate students. I have been able to keep in contact with a number of these students and feel as though I was able to grow a better network of people who are transitioning into legal careers and with which I share a passion.

Frank Aloe

VCAT

“

My week at VCAT provided a great opportunity for me to understand the types of cases and jurisdictions that reach the Tribunal. I was able to observe parties, gain insights from a Member's daily work, and evaluate my future prospects of legal practice. The scope and duties of becoming part of the legal profession is undisputedly broad and all-encompassing, having seen the variety and diversity of cases and issues handled at VCAT.

Janeca Carranza



Access to justice by design

There were doubts from the start about whether it would work, and for good reason. Undergraduate students with no legal background were about to be asked to use their design and technology skills to tackle complex social and legal issues. They would be given just 13 weeks from late July 2015 to work with mentors including from the legal assistance sector to develop and present their solutions, costings and advice on implementation.

They would be part of the first Access to Justice Through Technology Challenge (A2JTTC), a partnership involving the Centre for Innovative Justice, the RMIT Fastrack Innovation Program Victoria, Legal Aid and the community legal sector

Doubts, then none...



“For decades now we have been told to think ‘outside the box, square or envelope’: that is to be more creative, to think differently; to look at an issue or problem from another perspective or from a range of different perspectives. While the catchphrase is easy to say, it is not always easy to do. Often you need

someone from outside your ‘box’ to challenge you to think and do things in a different way.

This was the premise behind the first Access to Justice Through Technology Challenge (A2JTTC), a new stream of RMIT University’s long-standing Fastrack Innovation Program which brought students from across the university with no legal background (that is, outside the box) together with lawyers from the legal assistance sector who would act as mentors to see if design thinking and technology could be used to improve access to justice.

There were many doubts at the beginning, but by the end, there was no doubt about the potential of design thinking and the law. The CIJ wants to especially thank Associate Professor, David Gilbert, who established Fastrack, for taking on the A2JTTC stream as well as Sandra Arico, Fastrack’s senior manager, and the coaches and mentors for their support.”

Mark Madden

A/Manager, Policy and Research (Feb-July)

The 2015 Challenge would be the first time the Fastrack Innovation Program had a social policy stream. The Challenge involves two phases, consultation with the legal assistance sector to identify the issues and then engagement with the students through the Fastrack Innovation Program, led by Associate Professor David Gilbert, who established the program nine years ago.

By the end of the 13-week program, the mentors had no doubts about the value of the program. VLA’s Toby Verey said the “students were tremendous at what they were doing, they were all across the sector really quickly, and they didn’t need to know a lot of the really gritty details that bog us down. They had the ease of messing with certain things and they were then able to throw themselves into the project so I was amazed by what they could do and I think that’s a lesson to me as much as any other lawyer at Legal Aid.”

Brendan Lacota from the Moonee Valley Legal Service said that the entire sector could benefit greatly from new innovative approaches. He said he was “really impressed with the passion of the students to try and get their hands on some really difficult problems and try and tackle them with a new approach that hadn’t been tried before in the legal assistance sector.”

Liana Buchanan, the FCLC’s then Executive Officer, said she was impressed by the speed with which the students grasped the complexities and subtleties of the issues with which they were dealing.

Monica Ferrari, Manager Community Legal Education at VLA, said that mentors had been impressed by the enthusiasm, commitment and intellect of the students. She said the outcomes vindicated VLA’s decision to support the Challenge over three years.

“The benefits and learning go both ways. For students it means gaining new understanding about important social and legal issues as well as the complexities of the justice system. Mentors and students also get exposure to design thinking and to see the power that design thinking and technology has to drive innovation in the justice system,” she said.

The challenges and the solutions

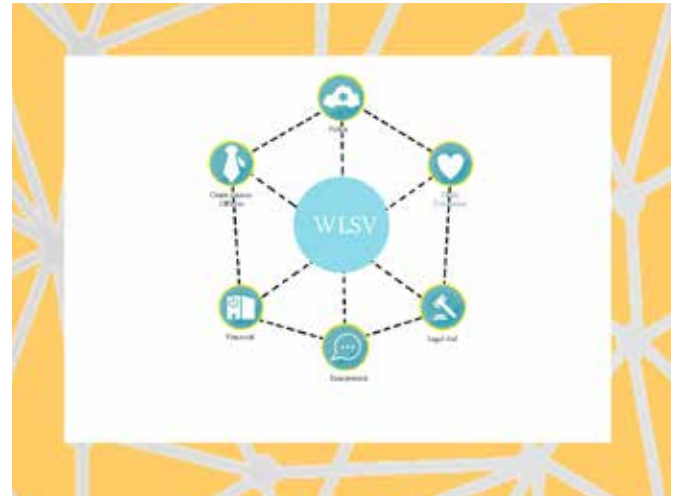
Four teams were involved in the 2015 Challenge: the 'Justice League' and 'Closing the Loop' who tackled the family violence challenge, and 'Les Bourgeoisie' and 'Legally Blonde' who tackled the fines and infringements challenge.

Family Violence and the critical legal issues

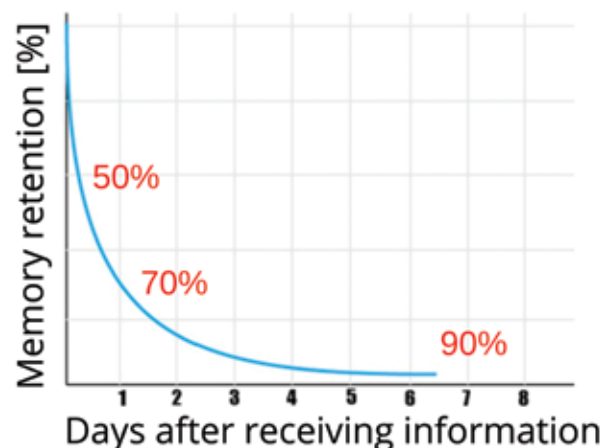
Timely legal information and referral is key to ensuring women and children experiencing family violence are safe and do not develop more complex legal problems in the future. So the challenge put to the students was "how do we ensure that we effectively address the critical legal issues of women experiencing family violence?" The initial focus was on the Critical Legal Issues Map, a unique 'road map' developed by the Women's Legal Service Victoria (WLSV) for family violence support workers to identify clients' critical legal needs. The 'map' assists them to ask specific questions at the right time, prioritise legal issues to prevent a legal crisis, make timely and appropriate referrals to lawyers and other services and prepare clients for court. While one option was to digitise the map, the teams developed two different solutions to the challenge, one using 'big data', the other a website where the key information was never more than two clicks of the mouse away.

The Closing the Loop team argued that limited collaboration between disciplines or stakeholders (police, legal representatives and lawyers, courts, support workers for housing, childcare and financial services etc) was a key reason for the breakdown in the timing and accuracy of legal directions or advice given by support workers to clients in initial triage appointments. They argued that better data gathering, analysis and mapping would allow for better links and relationships between professionals and organisations; improve communication and collaboration between professionals and ultimately generate more effective responses to clients' complex needs and situations.

The team's solution was an online 'check-in' system to be used by professionals in a support chain where they could note when they had seen a client. The online front-end system would use simple and intuitive design and apply game mechanics to engage its end users. The back-end of the system would store the data on when and whom a client has seen. This data could be aggregated and mapped to deliver a clear picture of the family violence support network and its accessibility to stakeholders. This system would deliver a range of benefits including being able to see traffic flows between referrals both in-house and on a wider scale, identify where clients enter and leave the system and which services were sought most and least.



The Justice League team took a different approach and proposed a user-friendly informational website targeted at women experiencing family violence. The team's research revealed (1) that the journeys women went through in the support system were often highly complex and nonlinear and as a result women were typically confused, stressed and overwhelmed and did not know who to go to for help, (2) if they did find help and were referred to particular services, they did not know how to prepare for their interactions and how to make the best of their time with these service providers, (3) there was significant information loss, with people forgetting 50% (see graph below) of what they are told within an hour, 70% within 24 hours and 90% within a week, and (4) if a person can't get to their information within 'three clicks' of their mouse they will give up and leave the page. The team argued that for women who had been victims of family violence, who were already stressed, overwhelmed and traumatised, three clicks was two clicks too many. The information contained in the Critical Legal Issues Map as well as additional advice was used for the content of the site. The aim was for victims of family violence to be able to easily 'dip in and out' of the website to get the information they required as it suited them.

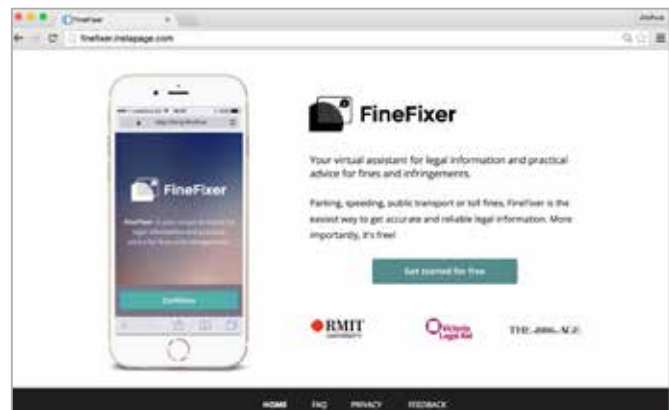


Fines and Infringements: millions of fine and lots of complexity

In 2013-14 about 5 million infringements were issued in Victoria (59% traffic, 34% parking). The infringements system in Victoria is governed by the Infringements Act 2006 (the Act). And if you have ever received one, you know that infringement information is hard to understand, is often inaccessible, is not personalised or interactive and the system is hard to navigate. In addition, many people have fines they can't understand and can't pay. They often feel overwhelmed, particularly if there are multiple fines. So the challenge given to the students was how do we make relevant information easy and available for clients and their support workers so that they can deal with their infringements and fines more effectively? Again the teams developed two different approaches, one a new digital platform called FineFixer that used a 'virtual assistant' to help people get answers to their procedural and informational queries and a streamlined system to enable people with 'special circumstances' to deal with their infringements in a straightforward and timely manner.

The primary aim of the **Les Bourgeoise** team's FineFixer is to help users understand and pay their fines, or get the assistance they require, through a simple, quick and easy web-based process. This solution would allow fines and infringements to be acted on earlier and more efficiently. It would help prevent the accumulation of costs and penalties for individuals, and free up valuable time and resources for VLA and for enforcement agencies. FineFixer is a virtual assistant that asks a series of questions about the user's current situation within the fines and infringements system, collates the information, and offers solutions and needed actions that aid the user along their journey.

FineFixer is primarily focused on consumer engagement, using conversational sentence structure and grammar, two-way dialogue and inclusive language as much as possible as well as approaches used in electronic game playing. To cater for short attention spans, it uses short sentences, multiple choice answers and click throughs to get users to complete the survey within three minutes or less.



If the user needs legal assistance, Fine Fixer would relieve legal service providers from having to do the preparation work by collating the information provided into a user profile. This profile would be tagged with an identification number specific to that user and then passed on to a database within Victoria Legal Aid. If the user called the VLA legal help phone or visited their centres, they could recall their identification number and the representative would already have the background of the person they were assisting. This would also reduce the preparation time of the legal service provider and increase efficiency within the system.



The 'pioneers' from the legal assistance sector who came to the first A2JTC design thinking workshop.

Life-changing Experiences

The **Legally Blonde** team's research suggested that in the majority of cases, disadvantaged individuals or people with special circumstances did not actively seek legal help for fines and infringements, nor did they know that legal assistance was available through VLA and CLCs. In addition the legal system that supported them was set up to deal with cases individually, rather than as a group or in bulk, the process was repetitive, time-consuming and costly. There was a lack of collaboration between key stakeholders, and as a result lawyers were performing time-consuming and repetitive tasks, including collecting supporting information, liaising with doctors and support services and conducting multiple face-to-face meetings taking up to an hour each. Applications would still have to be lodged on a case-by-case basis.



The team's solution 'Streamlinefines' combined well-established stakeholder engagement principles with new technology that allowed stakeholders to collaborate more effectively, collect all the relevant information required for clients' cases and ultimately allow for the bulk processing and revocation of fines.

Their solution with the working title of 'Streamlinefines' was designed to 'help more people in less time at reduced cost.'

The team argued that based on their consultations with a number of different enforcement agencies the processing of multiple applications in bulk was possible if the correct supporting documentation was provided. With more effective collaboration involving organisations that have 'special 'circumstances' clients, such as hospitals, prisons, psychiatric wards, drug, alcohol and mental health services and homeless shelters, 'Streamline Project Teams' (SPTs) could be established to collate the relevant information, complete the applications and submit them in bulk. The SPT's would be supported by a Streamline web tool that would connect caseworkers, lawyers and enforcement agencies. The cases would be accumulated in the Streamline database via input from the caseworker and approval of the lawyer and then processed in bulk by the enforcement agencies leading to the withdrawal of the infringements. This technology they argued would facilitate discussion and the allocation of tasks between parties, the progressive compilation of cases, the ability (via email/SMS) to notify caseworkers and their clients when a lawyer makes comments or updates tasks and the ability for caseworkers to notify lawyers when tasks have been completed or when legal assistance is required. Data would be stored securely and the web tool could be accessed via a computer or smart devices (smartphones or tablets).

Their research suggests that this process would bring significant saving per case as well as a range of other benefits for clients and support workers, including being able to deal with more clients in less time. In addition, the analytical data collected by the system could be used to make the case for reform, based on solid evidence.



Mentors Toby Verey, Brendan Lacota, Lucas Rutten, and Annie Davis with RMIT Deputy Vice-Chancellor and Vice-President, Paul Gough, with Associate Professor, David Gilbert, FLC Executive Officer, Liana Buchanan and VLA's Hans Wolf.



The winning team members Sophie McDonald, Ben Grant and Jake Allan with RMIT Deputy Vice-Chancellor and Vice-President, Paul Gough, with Associate Professor, David Gilbert, FCLC Executive Officer, Liana Buchanan and VLA's Hans Wolf.

And the winner was...

All teams had to present their solution to their mentors and a judging panel made up Associate Professor David Gilbert (Fastrack), Monica Ferari (VLA, Liana Buchanan (FCLC) and Mark Madden (Centre for Innovative Justice). In a very tight contest, the Legally Blonde team (Streamlinefines) took out the Most Outstanding Team and the Audience Award for Best Pitch. The Les Bourgeoisie team (FineFixer) won the Most Viable Solution Award and Sarah Longhurst from the Closing the Loop team won the Butterfly Award in recognition of her outstanding growth and transformation over the course of the program.

The teams were:

Legally Blonde: Sophie McDonald, Jake Allan and Ben Grant.

Closing the Loop: Laura Kayes, Sarah Yee and Sarah Longhurst.

Les Bourgeoisie: Alexandra Laurence, Joshua Lee, and Rebecca Aiezza.

Justice League: Edmond Chung, Talib Erfan and Tatjana Hercegovac.



At the first A2JTTC workshop – lawyers from the legal assistance sector applying design thinking to access to justice issues.

Passion for innovative justice

Our Purpose

We exist to Improve access to justice through: strategic and accessible research that makes an impact; practical advice, assistance and collaboration with government, justice and dispute resolution systems (public and private) and stakeholders (local, national and international), and sustained advocacy. In the process we aim to deliver transformative student experiences and to help solve public policy problems.

We research and advocate with a particular focus on therapeutic jurisprudence, restorative justice and alternative pathways to justice. We aim to turn this research into practice and in turn use practical experience to inform our research. We promote understanding and adoption of this broader conception of justice through our teaching and learning and in all things strive for excellence.

Pushing the boundaries



"When you bring together people with common goals and a real passion for social justice, magic happens. In the short time it has been in existence the Centre has positioned itself at the leading edge of innovative justice, through its research, public advocacy and practical projects.

The Centre is also focussed on providing life-changing experiences to RMIT students, including hands-on Clinical Legal Education, international study tours, 'taster' placements in our courts, the excitement of the intense 13 week Access to Justice Through Technology Challenge/ Fastrack Innovation Program and helpful tips and guidance from legal professionals in our video interview series and career mentor forum.'

The Centre pushes the boundaries in every way (including administrative!) and all of this activity puts some inevitable strain on administrative and support processes. However with the support of my colleagues at the Centre, the Graduate School of Business and Law and right across RMIT from finance, marketing and communications, to property services we get it done. It has been challenging and fun!"

Mina Hilson
Centre Co-ordinator.

Our Vision for Justice

We want communities to recognise there are many pathways to justice, and to ensure that justice systems (public and private) provide these pathways. We believe that justice systems should be accessible, resolve disputes large and small efficiently and effectively; act as a positive intervention by dealing with the causes of crime as well as its consequences, focus on the needs of victims, offenders and the communities affected by crime, empower communities and individuals to resolve and prevent disputes, and reduce crime.

Our Focus

We focus is on alternative pathways to justice including non-adversarial dispute resolution, therapeutic jurisprudence and restorative justice. We approach many of these issues through design thinking which puts the person and/or the community at the centre of the process.

Our values and practices and approach to our work

We embrace RMIT's values and practices: passion, inclusion, impact, courage, imagination, agility. We want to make a difference to the lives of students and to communities here and around the world. We also want to enjoy the work we do by being clear about what we want to achieve, celebrating our successes, learning from our mistakes, bringing a sense of hope and optimism to our work and by using humour and story-telling as a way of engaging with people in the process of reform.

Our approach to change

We believe that for change to occur, those in the community and justice system need to understand that justice systems bring together a broad range of disciplines and skills, not just lawyers and judges. They also need to be open to new ideas and innovation including the benefits of restorative justice, therapeutic jurisprudence and alternative or non-adversarial dispute resolution and be willing to explore and implement new models of legal service delivery. The adoption of a 'design thinking' or 'people-centred' approach is fundamental to successful innovation as is the desire to be smart about crime and its causes and the insistence on evidence-based policy and informed debate.

Who we are



Rob Hulls is Centre Director. Rob was Victorian Attorney-General from 1999 to 2010. As Attorney he introduced a series of innovative reforms to the justice system that focussed on therapeutic jurisprudence and restorative justice, including the Neighbourhood Justice Centre, the Drug Court, the Assessment and Referral Court, Koorie Courts and specialist family violence courts.

Elena Campbell is Manager, Policy and Research. Elena is a policy lawyer and writer, with a background in social justice reform. She was the author of the report on family violence Opportunities for Early Intervention; Bringing Perpetrators of family violence into view.

Stan Winford is Principal Coordinator, Legal Programs. Stan is a practising lawyer who has held a number of senior roles in government and in the community legal sector. He is also the chair of the Mental Health Legal Centre.

Jessica Richter, Project Coordinator, ABI Project and Co-ordinator of Student Placements. Jessica is an experienced criminal lawyer who has worked largely with clients who experience mental illness and cognitive impairments.

Mina Hilson is Centre Co-ordinator. Mina is an accomplished administrator and coordinator with experience in the public, private and not-for-profit sectors.

Mark Madden was A/Manager, Policy and Research (Feb-July) following the recruitment of **Mary Polis**, to be the CEO of the Victorian Royal Commission into Family Violence. The Commission delivered 227 comprehensive recommendations, on time and below budget. In early 2016 Mark was appointed to the newly-created role of Deputy Director.

Nareeda Lewers joined the team in early 2016 to manage our Restorative Justice in Culpable Driving project. Previously, Nareeda worked as a criminal lawyer in community legal centres and at Victoria Legal Aid.

Katherine Ogilvie, a social worker, also joined the team in early 2016 and will be working across the Centre for Innovative Justice and the Mental Health Legal Centre, looking at an integrating social work support with existing legal services.

Anna Howard, an experienced community lawyer and litigator, has joined the team to replace Jessica Richter, who at the time of going to print was soon to have her first child.



A short Introduction to Innovative Justice

Innovative justice is the key to making modern justice systems (criminal and civil), more affordable, effective, understandable and efficient. It deals with the causes as well as the consequences of crime; gives attention to the needs of victims and offenders, as well as the community affected by the crime; and helps to strengthen communities to prevent crime. It also involves strategies to ensure that disputes, large and small, are resolved fairly and in a timely, cost-effective way.

Innovative justice challenges the conventional 'adversarial' approach of a judge presiding over dueling lawyers which in many circumstances can compound or exacerbate the harm it seeks to address. Innovative reforms are therefore primarily 'non-adversarial'. They focus on changing the culture and practice of the law and the delivery of justice; as well as changes to laws, policies and procedures. It is about new thinking for old problems and developing a 'menu' of options, which recognises that not all cases require the same response. Examples of these alternative options include restorative justice, which is principally concerned with the repair, to the greatest extent possible, of the harm caused by a crime. The focus is on victim inclusion and offender accountability.

Restorative justice practices involve a facilitated discussion between the victim, offender, their communities, families or representatives. Therapeutic justice is principally concerned with addressing the underlying reasons for offending, which could include mental health and other health issues, alcohol and drug addiction, unemployment and homelessness. It sees contact with the justice system as an opportunity to intervene in a positive way and to help get an offender's life back on track.

Truth telling provides a victim of crime with an opportunity to tell their story in a safe and supported environment, and to communicate the impact of the offending to a body or a person of standing, such as a member of the judiciary, a member of parliament or an expert panel. Truth telling practices provide victims with the opportunity to have formal acknowledgement of the harm done, and in some instances, to have input into systemic change.

Legal services innovation has a critical role to play in ensuring that everyone, no matter what their income, has meaningful access to justice.

Emerging innovations in legal practice take a consumer-focused approach and recognise that transparency and flexibility about services and costs are the key to maintaining a sustainable legal profession. Innovations such as fixed fees, discrete task assistance, and online and virtual legal services are all practices that have developed as responses to a sector that, for many people, has become out of reach and irrelevant. A change of culture is needed for these approaches to be developed and implemented effectively, a culture informed by 'design thinking' that puts people and community at the centre; which understands that justice systems bring together a broad range of disciplines and skills; which is prepared to be smart about crime and its causes; which insists on evidence-based policy and informed debate; and which is willing to explore new ideas and implement new approaches.

Breaking the Cycle through Innovative Justice Intervention



Figure 1: Innovative approaches to justice can be used at various stages to break the cycle of crime.

Advisory Board

The Centre's Advisory Board brought together leaders in their profession to provide a sounding board for the Centre's work plans, priorities and projects and help guide the Centre's long-term sustainability strategy. Members include John Cain, who took up the position of Solicitor for Public Prosecutions in November 2015; Penny Armytage, former Secretary of the Department of Justice now National Sector Leader, Justice & Security at KPMG; Penelope Weller, Program Director of RMIT's Juris Doctor Program, and Greg Manning, First Assistant Secretary, Access to Justice Division, Commonwealth Attorney-General's Department.

Your invitation to be involved

The Centre for innovative Justice welcomes ideas and suggestions for future areas of investigation, opportunities to collaborate on research projects and policy development; enquiries about consultancies and program evaluations; requests for speakers or media commentary and opportunities for placement of students and other volunteers within community and public sector organisations. If you would like to find out more, please contact us at:

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