



Centre for Innovative Justice

Annual Review 2017

Shaping the world
Life-changing experiences
Passion with purpose

Martin Bean

Martin Bean, Vice-Chancellor and President of RMIT University



The Centre for Innovative Justice stands for many of the things RMIT is about – innovation, collaboration, dynamism, research with impact, and life changing student experiences. That's why in 2017, the RMIT Council selected the CIJ to become one of just five Special Investment Vehicles across the university.

This means the CIJ now has a direct line to the RMIT Council, which we hope will facilitate the Centre to work more easily with other areas of the university, promoting new collaborations and partnerships. By elevating the status of the CIJ, we are recognising its importance as a leader in our university community. While it's still early days, we look forward to seeing how this new position will further enhance the groundbreaking work of the CIJ going forward.

That's also why in 2017 RMIT chose the CIJ to develop an Australian-first Restorative Engagement program as part of our multi-faceted response to sexual harassment and assault on campus. To our knowledge, RMIT is so far the only university in Australia to respond in this way to the damning Human Rights Commission report, *Change the Course: National report on sexual assault and sexual harassment at Australian universities*.

We believe and hope, as the first conferences are held in the future, that it will provide a sensitive and appropriate avenue to repair the harm caused to victims. As we launch our "Be The Change" campaign in 2018, promoting the safety and inclusion of all RMIT staff and students, we are looking forward to adopting the innovative responses to sexual offending long championed by the CIJ.

Whether it's providing practical and evidence based solutions like this to complex justice problems, or offering students transformative and real-world experiences in the law, the Centre for Innovative Justice continues to enrich our university community and uphold the very best of RMIT values.

Kathy Douglas

Acting Head, RMIT Graduate School of Business and Law



Since its inception 130 years ago, RMIT has always been about practical and innovative solutions to real world problems. While we at the Graduate School of Business and Law have not been around since this university's beginnings, RMIT's philosophy informs our approach to teaching and researching the justice system

and legal practice. It therefore seems fitting that in 2017, RMIT's law school decided to become the first in the country to develop a new Innovative Justice subject as a core part of our Juris Doctor program.

This is a recognition by our Graduate School of Business and Law that in a rapidly changing world, our students need – and employers are looking for – more than just the Priestley 11 of law subjects. It's an acknowledgment by us that with advances in technology and an ever-evolving jobs market, the ability to innovate is what gives our graduates an edge, and the law is no different. Additionally, policymakers are increasingly looking for alternatives to the traditional adversarial justice system, and this is where innovative approaches like restorative justice and therapeutic jurisprudence have been proven to be far more effective.

Fortunately for us, RMIT already had a leading player in this field on hand to assist in the design and delivery of our new Innovative Justice course. The Centre for Innovative Justice offers a wealth of experience and expertise in-house, including a former Victorian Attorney-General who, during his time in office, introduced to the legal system some of this state's most innovative practices.

The Centre for Innovative Justice has run our very successful and always in-demand Innovative Justice Study Tour over the past few years, as well as over-seeing our popular Clinical Legal Education course. Now the CIJ and GSBL are collaborating on this exciting new project. Even the way it's taught will be innovative – presenting real-world challenges that students are likely to face in their legal careers, and inviting them to develop solutions both in teams and individually. We are confident our Innovative Justice subject will expose our students to new ways of thinking about the law that will be critical for the next generation of lawyers.

We can't wait to see how our students embrace the Innovative Justice subject in 2018.

Rob Hulls

Director, RMIT Centre for Innovative Justice



If there's one thing I've learnt throughout my career, it's that the imperative for reform never stands still. No sooner have you achieved change, no matter how significant, the need for more change materialises. Nowhere is this truer than in our justice system, where the challenges are so complex; the need for change so great;

and progress so dependent on the ebbs and flows of political cycles and the law and order debate.

Rather than be discouraged by this relentless and sometimes seemingly insurmountable task, at the Centre for Innovative Justice, we have chosen to embrace it. In our fifth year of existence, we have consolidated and deepened our research and our impact in areas ripe for reform: human rights, family violence, user experience of the justice system, and restorative and therapeutic justice. Not only this, but we have also further developed our relationships with governments and those working in the sector, as well as our wonderful students, to achieve change.

So many elements of our approach were vindicated in May with the launch of our report with RMIT law students for the Australian Human Rights Commission on what a Federal Charter of Human Rights would mean in Australian law. The day before the launch, the Victorian Supreme Court ruled that children could not be kept in adult jail because it breached their human rights under our own state charter, introduced more than a decade ago.

It was the perfect example of how important law reform can make a difference, why it's a long game, and why we need to stay the course. It's since been encouraging to see that the Northern Territory and Queensland are now looking to adopt their own charters, similar to the Victorian model. Hopefully we will see more change in this area in years to come.

Likewise, our reports on the links between gambling and crime, and on the startling rates of Acquired Brain Injury in the prison system, were the culmination of many years of consistent and methodical work. That work continues as governments and the sector take up our recommendations and engage with the issues that we have put on the agenda, always with the end goal of creating a justice system that can be a positive intervention in people's lives.

2017 also saw us embark on some further work supporting the implementation of Royal Commission into Family Violence recommendations, as well as major ANROWS funded projects which will make a significant contribution to growing our understanding of perpetrator intervention systems and adolescent family violence.

With 2018 in full swing we are looking forward to developing a new research priority concerning the steadily climbing rates of women's imprisonment. We are also tremendously excited to be involved in the very first Innovative Justice subject as a core of the RMIT Juris Doctor program. And of course in a state election year there's no doubt we will continue to talk sense and solutions on law and order issues concerning our community.

Centre for Innovative Justice SNAPSHOT

Life Changing Experiences – Students

- 30 JD students enrolled in Clinical Legal Education
- Five JD students enrolled in Legal Research Project undertook a project commissioned by the Australian Human Rights Commission. *A Federal Charter of Human Rights: would it make any difference?*, The report arising from the project was launched by the then President of the Australian Human Rights Commission, Gillian Triggs
- 37 students took part in our legal system Taster Placement program
- Two Master of Social Work and 2 JD students completed placement with CIJ on our ANROWS PIPA (Adolescent violence in the home) research project
- 21 students from across the University enrolled in the social justice stream of the 2017 Fastrack Innovation Program
- 10 JD students went on the New Zealand Study Tour
- Co-location & strategic partnership formed with Law and Advocacy Centre for Women (LACW)
- MoU developed between CIJ, Mental Health Legal Centre and ACW for more life changing student experiences



Shaping the World – Research with Impact

- Secured ANROWS category 1 research grant to examine the prevalence, demographics and responses to adolescent violence in the home across Victoria, Tasmania and Western Australia
- Launched ground-breaking Acquired Brain Injury report
- Commissioned by Worksafe to undertake a two year Restorative Justice (RJ) project for injured workers
- Commissioned by Department of Premier and Cabinet (DPC) to undertake mapping perpetrators of family violence through the justice system
- Commissioned by DPC to undertake mapping perpetrator intervention support services
- Assisted the Magistrates' Court of Victoria with the revision of standard conditions of its family violence IVOs
- CIJ submitted the following papers to reviews in 2017:
 - Victorian Law Reform Commission – Review of the Victims of Crime Assistance Act 1996
 - Victorian Law Reform Commission – The role of victims in the criminal trial process
 - Coronial Council Appeals Review
 - Aboriginal Justice Forum – Criminal Record Discrimination Project (Woor-Dungin)
 - Verbal submission to the Armytage Review into Youth Justice



CIJ Director Rob Hulls and Judge Alex Calabrese from the Red Hook Community Justice Center

Passion with Purpose – Advocacy & Engagement

- Four media articles in The Age, Herald Sun, The Australian, The Conversation, Campus Review as well as international media in NZ
- Numerous radio and TV interviews – The Law Report, Radio National, ABC774, 3CR, SBS The Point, Current Affairs
- CIJ blog, podcasts, video interview series and newsletters attracting wide audience
- Five keynote speeches by Director at Conferences & participation by various CIJ members in 22 forums/seminars/conference panel discussion
- Forums on Positive Interventions for Perpetrators of AVITH - Adolescent Violence in the Home; Human Rights Charter; Justice: Past, Present, Future; Justice not Jail; Compulsion, Convergence or Crime?
- Partnered with Victoria Police in launch of Sex Offending: Myths and Misconceptions resources
- Delivered Design Thinking and the Law workshops for Court Services Victoria and Children's Court Victoria
- Strategic planning conducted for various agencies, including Victoria Police, CommUnity Plus, Department of Justice, ANZSOG & Department of Territory Families (NT)
- Working with advocacy groups on a Queensland and Federal Human Rights Charter

Research - Shaping the World

Restorative Justice

Worksafe

CIJ was engaged by Worksafe to undertake a three-phase project which will be delivered over the course of 12 to 15 months. The intent of the project is to identify opportunities to use restorative justice conferencing with the aim to repair or heal harm already caused to the injured worker and avoid potential harm that might arise as a result of the disputation or enforcement processes. The project includes the development of an experience map representing the injured worker's experience, an end-to-end review of the enforcement and dispute processes with recommendations for change, a report that recommends a model (or models) of restorative justice conferencing to complement the enforcement and disputation processes. The project will also respond to the Victorian Ombudsman's recommendation that a review be conducted of the conciliation process to ensure the model is fair and timely.

Restorative Justice & Family Violence

The CIJ's Mark Madden led a consultation program in partnership with the Department of Justice and Regulation on a framework and a pilot program for the delivery of restorative justice options for victims of family violence. The development of a framework and pilot was a recommendation of the Royal Commission into Family Violence.

Restorative Justice Conferencing Pilot Program

The CIJ is currently running the Restorative Justice Conferencing Pilot Program for people affected by a motor vehicle collision where someone was seriously injured or died.

A restorative justice conference is a way for the people most affected by a crime – the person harmed/the victim, their family and friends and the person responsible for the harm/the offender and their family and friends - to talk about:

- What happened?
- How people were affected?
- What can be done in response to the harm?

A restorative justice conference can result in:

- People most affected by a crime feeling that they have said what they wanted to about what happened;
- The person harmed/the victim getting answers to questions about the crime or about the person responsible for the harm/the offender;
- The person responsible for the harm/the offender offering an apology;
- The person responsible for the harm/the offender making a commitment to carry out actions in response to the harm. For example, the person might agree to engage in drug and alcohol treatment, or to volunteer to educate others about the dangers of drink driving.

This program supports the person harmed/the victim to talk with the person responsible for the harm/the offender.

Family Violence

PIPA Project

Following on from its identification of the crucial issue of adolescent violence in the home, echoed by the Royal Commission, the CIJ was successful in being granted funding by Australian National Research (ANROWS) to conduct the PIPA Project (Positive Interventions for Perpetrators of AVITH – Adolescent Violence in the Home). PIPA is a two year, multijurisdictional project examining prevalence, demographics and responses to adolescent violence in the home across Victoria, Tasmania and Western Australia. The project will also follow the implementation of the Royal Commission recommendations regarding AVITH through a Steering Committee of high level representatives from the justice and youth services sector.



Tanya Langford, Elena Campbell and Peel Youth Services Manager Be Westbrook



Victorian PIPA forum panel

Perpetrator Journey Mapping

In late 2016 the CIJ was commissioned by the Department of Premier and Cabinet (DPC) to start to map the journey of family violence perpetrators as the service system becomes aware of their behaviour. This has informed the early work of the Expert Committee on Perpetrator Interventions, as well as the Victorian Premier's 10 Year Action Plan, released in November. The CIJ conducted research and consultations around a range of service areas and identified numerous opportunities for intervention and scrutiny. In 2017 the CIJ embarked on a more extensive phase of this work, part of which will support the implementation of Recommendation 85 by the Royal Commission to map the roles and responsibilities of agencies in relation to perpetrator interventions.

The 'Rec 85 team' spoke to practitioners from 25 different service areas, including education; primary health; Alcohol and other Drug services; law enforcement; legal assistance; Culturally and Linguistically Diverse (CALD) services and many more to introduce the framework of roles and responsibilities developed by the CIJ and to hear how their practice might sit within this framework in the coming years. As services begin to gain a more sophisticated understanding of how to work with people who use family violence, the CIJ also conducted focus groups with perpetrators to test how these service interactions might be viewed. Findings from these focus groups and broad observations from the consultations will be included in a report to Department of Premier and Cabinet (DPC) early in the new year.

Family Violence Intervention Orders – User Testing of Standard Conditions

In anticipation of the Royal Commission's recommendation, the Magistrates' Court of Victoria sought the CIJ's assistance with the revision of the standard conditions of its family violence IVOs. After extensive consultations with internal and external stakeholders, the CIJ proceeded to user testing the conditions with focus groups of perpetrators (linked with Men's Behaviour Change Programs) and victims (linked in with specialist services). This work will then inform the finalisation of the new standard conditions.

Swift, Certain & Fair Sentencing of Family Violence Offenders

The CIJ provided a submission to the Sentencing Advisory Council's (SAC) review into Swift, Certain and Fair Sentencing of family violence offenders. This review responds to the recommendation of the Royal Commission into Family Violence that the Attorney-General refer the question of Swift, Certain and Fair (SCF) sentencing approaches to the SAC for consideration in the Victorian context.

SCF approaches can be understood or conceptualised in various ways. As the SAC has described these approaches in its Discussion Paper, the term 'SCF' applies to very specific compliance based court models used primarily in US jurisdictions to respond to drug and alcohol offending. Understandably, the SAC queries the capacity to transfer models that have been created for use in other jurisdictions to the Victorian criminal justice context, particularly to family violence offenders, rather than drug or alcohol offenders.

In its submission, however, the CIJ encouraged the SAC to work backwards in its consideration – starting first with a detailed examination of the nature and variation of family violence perpetration; the fluctuating nature of risk; and then consider the evidence which indicates that prompt, clear and consistent consequences are the most effective response that a justice system can deliver.

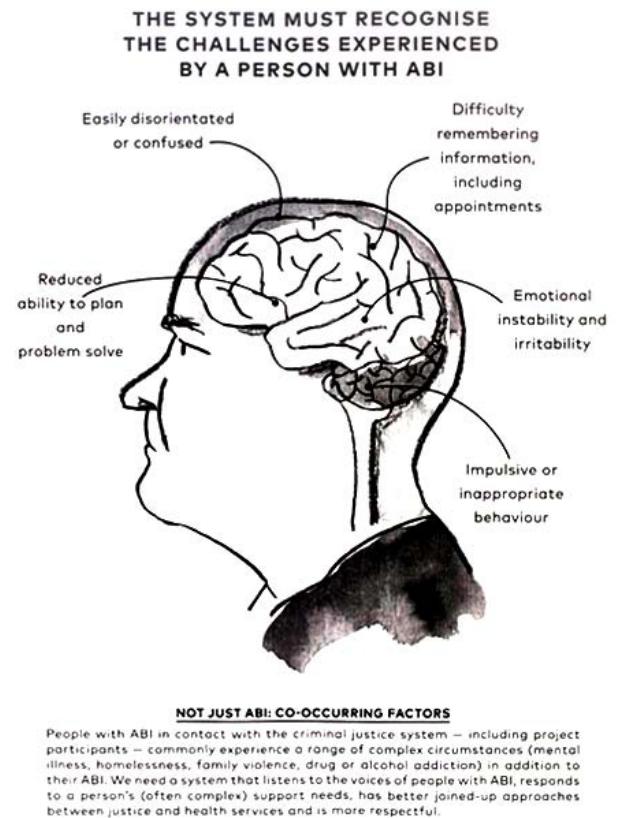


Systemic Reform

Acquired Brain Injury Report

In August—during Brain Injury Awareness Week—the Public Advocate, Colleen Pearce, launched our landmark report from the Acquired Brain Injury (ABI) project 'Recognition, Respect, Support: Enabling Justice for People with an Acquired Brain Injury'. The launch featured an interview conducted by CIJ's Director, Rob Hulls, of two participants from the project's Justice User Group who have lived experience of ABI and the criminal justice system. The participants delivered powerful examples of how the criminal justice system has failed to recognise their disability and has failed, time and again, to provide them with respect and support. The report finds that the gross over-representation of people with an acquired brain injury in our prison system will only be reduced if the voices of people with an ABI are taken seriously and their needs are addressed by the criminal justice system.

Two versions of the report are available—one short and one long interactive version—along with a short video featuring participants from the Justice User Group. The Enabling Justice project was undertaken in partnership with Jesuit Social Services and was funded by a grant administered through the Office of the Public Advocate. Rather than the end of a process, we view the launch of this report as, in the words of a project participant, the first of many "stepping stones to making things different".



Public Advocate Colleen Pearce, Victorian Aboriginal Legal Service CEO Wayne Muir, Jesuit Social Services CEO Julie Edwards, CIJ Director Rob Hulls



CIJ staff who researched and wrote the ABI report, Anna Howard, Stan Winford and Jessica Richter

Mapping the Toll Infringement System

A 'journey map' of Victoria's toll infringement system was developed and unveiled as part of a collaborative approach led by the CIJ and the legal assistance sector to redesign the toll infringements system. The map is the first time the system has been 'visualised' from beginning to end. Two workshops were held bringing together stakeholders from all parts of the system from toll operators to the Magistrates' Court.

The workshops were working to a 'design thinking' brief to redesign the system for all road users so that:

- High levels of compliance are maintained
- There is early intervention so that people in genuine hardship don't get caught in a spiral of fines/debt and ultimately a criminal record or prison
- Pressure is taken off our courts and justice system so that resources can be more effectively deployed to areas such as family violence
- It is consistent with government values and the desire of toll operators to ensure that 'time is better spent' and that transport truly 'strengthens communities'

The map, which was developed in conjunction with design-thinking company Sheda, was updated following the workshop feedback and made available for printing and distribution to stimulate further discussion, debate and problem solving.

Gambling Report

In October the CIJ launched its report examining the intersection of gambling and contact with the criminal justice system. While our legal system still does not ask questions about people's gambling behaviour, the CIJ's research revealed that gambling problems are a 'sleeping' issue in the justice system – 'in the mix' of offenders' lives more often than the community might expect. The CIJ's research also revealed that multiple pathways can take people between gambling and offending and back again. These include women who have experienced family violence and are either coerced into offending or who fall into debt when they seek refuge from the violence in gambling venues.

As the CIJ always tries to ensure that the process is as meaningful as the product, we were delighted that, as part of the project, VLA designed and conducted 'snapshot' surveys of clients in its summary crime lists at four separate court locations. Asking questions about gambling for the first time, VLA established that a substantial number of clients were experiencing some sort of harm from gambling. Similarly, participation in our research prompted the Magistrates' Court of Victoria to include gambling in its professional development training and, for some Magistrates, to start to ask questions in their court. As one Magistrate said at the launch of our report 'I have changed my practice as a result of your research'.

The CIJ hopes this work has opened the door to questions being asked and data being collected on a more systemic basis, and will continue to advocate for greater awareness, including through ongoing speaking engagements and collaborations with agencies who provide support to gamblers.



Mapping the toll infringement system workshop



Design Thinking and the Law workshop

Design Thinking & the Law

The CIJ's first Design Thinking and the Law workshop took place in Shepparton on July 20 and 21. The two-day workshop was delivered in collaboration with Court Services Victoria by award-winning design thinking educators and researchers: RMIT Graduate School of Business and Law's Associate Professor Ingo Karpen and Patrick Sharbaugh, a Senior Program Director with the LUMA Institute, a global leader in design thinking instruction.

The program was tailored to the needs of participants through consultation with the courts and legal assistance sectors.

It introduced participants to the basic principles, processes, and practices of design thinking, and then brought their ideas and creativity to bear on some of the key challenges facing our courts and tribunals. The new court complex at Shepparton provided the backdrop and the opportunity to think about some key issues, such as: how might we re-imagine how legal services are delivered and experienced?; how might our courts and tribunals be less of a place and more of a service?; how might different courts and tribunals align to provide a seamless justice service?, and how might we avoid 'fossilising' old and out-dated legal processes and practices in a layer of new technology?

Woor Dungin

The Centre for Innovative Justice has continued to work with Woor-Dungin on the Criminal Record Discrimination Project. Aboriginal people in Victoria are disproportionately disadvantaged by the lack of a spent convictions scheme and the absence of any protection from discrimination on the grounds of irrelevant criminal records. These two obstacles constitute a significant extra barrier for many Aboriginal Victorians looking for work, at a time when there is considerable disparity in employment rates between Aboriginal and non-Aboriginal people across Australia.

On 21 September, Victoria's Attorney-General, the Hon Martin Pakula MP, acknowledged the work of Woor-Dungin's Criminal Record Discrimination Project in bringing to light the historical practice of charging children with neglect (and other 'offences') that led to them receiving criminal records. The Attorney-General said that he was "extremely concerned about the nature of these historical practices" and indicated that he had "asked the Department of Justice and Regulation to advise me about actions to address these historical practices, including any legislation that may be required to correct these records, so that care and protection orders for children are recorded appropriately." The work of the project also resulted in a motion successfully moved in the Victorian Parliament on 15 November 2017 calling for a formal apology to Victorian care leavers affected by these practices, and report on the response of the government to this issue, which received significant media coverage. During the Parliamentary debates the government re-stated its commitment to taking action to address this issue and foreshadowed a legislative response.



The CRDP team with Greg Wilson at the 49th Aboriginal Justice Forum, Swan Hill, 13 Dec 2017. (L-R) CIJ's Stan Winford, Michael Bell, Simone Spencer, Christa Momot, Bronwyn Naylor, Naomi Murphy, Wenzel Carter, Greg Wilson

Students - Life-Changing Experience

Law and Advocacy Centre for Women

The CIJ welcomed the Law and Advocacy Centre for Women (LACW) which has co-located with the Mental Health Legal Centre on the ground level of RMIT's building 97 (CIJ occupy level 1). Ellie Pappas, Jill Prior and new recruit Asha Zomer have made a seamless transition to the new premises and are well set up to continue their great work with women who are in or at risk of entering the criminal justice system. LACW provides comprehensive, wrap-around services to the greater Melbourne area, including preventative case management and engagement with therapeutic services.

The LACW will provide Law and Social Work students with work integrated learning opportunities as part of our multi-disciplinary practice.



Clinical Legal Education

Clinical Legal Education (CLE) is all about learning practical skills, helping people to access justice, and coming up with real solutions and strategies to address legal problems. In 2017 30 students completed CLE with placements at the Mental Health Legal Centre (MHLC) and the Neighbourhood Justice Centre (NJC).

Multidisciplinary Practice

Since the launch of the social work and law multidisciplinary practice in mid-2016, the partnership between the Centre for Innovative Justice and the Mental Health Legal Centre (MHLC) has been consolidated and there is now social work support embedded across a number of programs within the Mental Health Legal Centre.

The multidisciplinary clinic has been mostly delivered within the Inside Access prison support program, which provides civil legal and social work support to people with mental health issues or cognitive impairment, at the Dame Phyllis Frost Centre women's prison. The social worker, Kat Ogilvie, and RMIT social work students (Masters and undergraduate) have been providing holistic assistance to people in prison and post-release, to help break the cycle of recidivism and incarceration.

Alongside lawyers and law students, social workers and social work students have provided support around issues such as lack of housing, tenancy advocacy, access to or contact with their children, post-release support and being linked to local services in the community. Clients have received a quality, holistic service, which looks beyond just the legal issue. Students have gained experience in service delivery, sector referrals and gained the capability to identify systemic injustices impacting on people who are incarcerated.

Social work placement students have also supported MHLC's telephone legal advice Night Service, which provides confidential legal advice and social support over the phone two nights a week. Many people that contact the MHLC seeking legal advice have overlapping issues associated with their legal matter, such as mental health, housing, employment, family violence and financial hardship. Students have assisted with intake calls for the legal team, bringing a trauma-informed and strengths-based perspective to their information gathering when speaking with people who have complex support needs, many of whom receive compulsory mental health treatment in the community or in an inpatient context.

We know there is substantial value in integrated legal and social work services for client outcomes, staff wellbeing and long-term economic savings through the prevention of legal and other issues arising in the future. The service delivery work of the Mental Health Legal Centre is stronger and more responsive because of the support and capacity building of social work students and the development of the multidisciplinary practice. To date, more than 190 clients of the Mental Health Legal Centre have been assisted by a social worker and Field Education 1 social work students, in just two semesters of placements.

Federal Charter of Human Rights

In 2016 the Centre for Innovative Justice was approached by the Human Rights Commission to conduct a project exploring and evaluating the impact that a federal Charter of Human Rights would have had on the outcomes of significant Australian cases and laws.

The five JD students undertaking the project—Veronica Snip, Brigitte Rose, Helen Metzger, Luke Fowler and Frank Aloe—were mentored by David Manne (Refugee Legal) and Emily Howie (the Human Rights Law Centre). The project formed the basis for the students' assessment for the elective Legal Research Project. The report was launched by Emeritus Professor Gillian Triggs in May 2017.

I don't think that I can rate the benefits of this experience highly enough. It provided us the unique opportunity to contribute to a national conversation, and have that contribution be recognised and supported by leaders in the field. All of which seemed well beyond our reach as law students at the beginning of this project.

The project has re-shaped my understanding of my ability to create tangible outcomes through the law. I think that these sorts of projects are genuinely transformative and I recommend anyone with the chance to get involved in a similar opportunity to do so.

– Frank Aloe



Anna Howard, Helen Metzger, Brigitte Rose, David Manne, Luke Fowler, Veronica Snip, Hugh de Kretser, Gillian Triggs and Rob Hulls

FF

I think the work is in-depth, it's measured, careful, accurate work, and I commend them and I think if there was a Vice Chancellor present.....you'd all deserve a PhD for it!

– Gillian Triggs

LL

Fastrack

Victoria Legal Aid, the Federation of Community Legal Centres and the CIJ partnered with RMIT's Fastrack Innovation Program for the third year to bring together some of RMIT's brightest minds to tackle a set of some complex, large-scale challenges to improve access to justice for those most in need. Students from a range of disciplines worked with mentors from the legal assistance sector, business and the University on four key challenges over 13 weeks. The challenges for 2017 were:

Fitzroy Legal Service

- How might we improve the effectiveness of the FLS volunteer night service, so that meaningful services can be provided to as many in need as possible?

Duty Lawyer services

- How might we improve the efficiency and effectiveness of duty lawyer services, so that clients can receive the information they need, at the right time, and in an accessible and understandable format?

Acquired Brain Injury

- How might we ensure that people with ABI receive the information and support they need, to move through and comply with the Community Corrections Order process?

Family Violence registry

- How might we improve the co-ordination of people, services and cases across family violence matters in the Magistrates' Court, to both improve efficiency and effectiveness of court processes, and ensure safety of victims at all times?



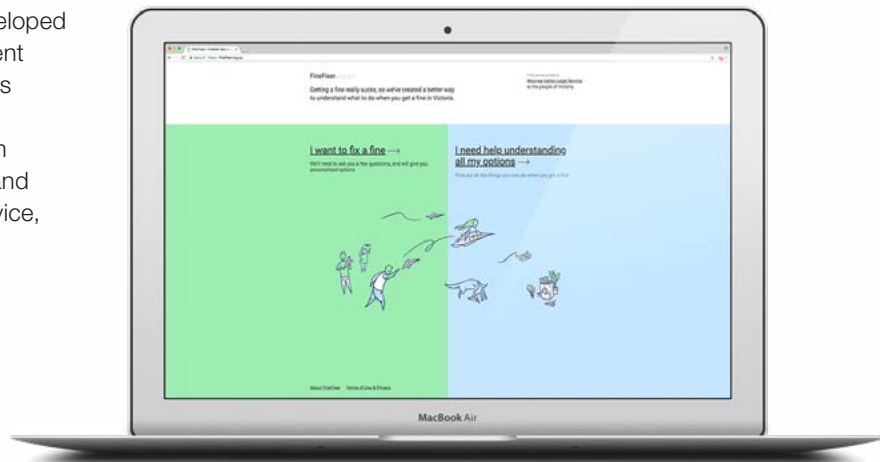
Fastrack students receiving the award for outstanding team



Fastrack award ceremony

FineFixer Launch

In August, FineFixer, a fantastic new web-based tool developed by RMIT students in the Fastrack Innovation Program, went live! The tool aims to help users understand all the options in relation to their fine/s and provides advice on how to access the assistance they might need. With a grant from Victoria Law Foundation the tool was further developed and refined with Brendan Lacota of Moonee Valley Legal Service, mentoring the developer students Josh Lee, Alexandra Laurence and Rebecca Aiezza throughout the process.



Josh Lee and Alexandra Laurence



Brendan Lacota, and VCOSS CEO Emma King

JD Study Tour

In August Rob Hulls and Stan Winford led a group of 10 JD students on a week long study tour of New Zealand's innovative courts. Students observed the workings of courts including Rangatahi Youth Courts, Alcohol and Other Drug Treatment Court and the New Beginning (homelessness) Court as well as taking part in a workshop at Massey University on restorative justice principles, including briefings from world-renowned RJ practitioners. The study tour had a profound effect on these students and their ideas about how justice can and should be delivered.

Students also developed research proposals inspired by their tour, and presented them in an engaging "three-minute thesis" style workshop at the CIJ in October. The research papers were on diverse topics, including whether judges are adequately equipped for the expanded judicial role required of them by problem-solving courts; whether technology might play a role in helping deliver alcohol and other drug treatment courts in remote communities; whether cultural practices incorporated into the New Zealand court system actually deliver better outcomes for Maori; how the role of defence lawyers might be reimagined in the context of sexual violence; a comparison of police powers and their relationship with youth offending in New Zealand and the Northern Territory; and reducing over-representation through culturally appropriate justice responses. There were also a broad range of papers on the potential for restorative justice to provide responses to problem gambling; elder abuse; trauma in youth justice; and the harms associated with justice, court and legal processes

Recently, the students' reflections were selected for publication in *Therapeutic Justice in the Mainstream* which is part of an international project that seeks to promote the use of therapeutic justice approaches in mainstream legal settings.

Probably the highlight for me was the drug court...seeing one of the graduates go through his graduation and seeing the Haka afterwards. I've never seen that sort of community and connection in an adversarial system. It was something I'll never forget.

– Dushan Perera

I thought it was amazing to see all the diverse range of courts. I wasn't expecting to be so enlightened to be honest. I thought I kind of knew what I was getting myself into but it's been amazing. I've learnt so much and just to be, in New Zealand and see the sense of community within the Indigenous culture and the justice system is fantastic.

– Jordan Smyth



JD study tour dinner



JD students visiting a court in Auckland

Taster Placements: Fair Work Commission



JD students Georgia McRae and Larissa Iglesias spent a week at the Fair Work Commission, shadowing Commissioners, working with Registry staff and becoming familiar with the many aspects of its work.

My week at the Fair Work Commission was both eye opening and informative. Given my academic interest in employment law, this placement was a highlight of my legal studies to date. It exposed me to various areas of the Commission, ranging from registry to Chambers.

I was fortunate enough to meet Commissioners, their Associates, lawyers working on Enterprise Agreements and Modern Awards, and staff at registry. This provided me with a truly holistic and colourful experience.

I observed hearings throughout the week from the vantage point of the Associate's bench. This was a real novelty, as I've only ever watched legal proceedings from public galleries. I loved watching the interaction between legal representatives and unrepresented litigants. It was a privilege to observe advocates in action, which was an opportunity to reflect on how I can build upon my own advocacy skills. It was also heartening to see how the Commission instilled fairness in proceedings where parties lacked legal representation.

My experience didn't just focus on the law, but allowed me to gain a better understanding of policy and the mechanisms that affect legal change. The well-rounded nature of the placement gave me a taste of practice and allowed me to realise the immense career opportunities available to me.

There are the wide-ranging benefits of a career at the Commission. I thoroughly enjoyed meeting people from all corners of the tribunal to hear about their work, the law and their thoughts on the sector. I finished my placement with an enormous amount of enthusiasm and motivation to continue working towards a career in employment law.

– Georgia McCrae

FF

It was a privilege to observe advocates in action, which was an opportunity to reflect on how I can build upon my own advocacy skills.

– Georgia McCrae

JJ

Taster Placements: Court of Appeal

In April, ten JD students spent four enlightening days in the Court of Appeal as part of their internship program.

The program included:

- attending appeal hearings – with students given access to the written materials before the Court
- meeting Judge's associates and other court staff to gain an idea of the different careers of law graduates within and connected to the Court
- meeting judges - before and after court hearings. Judges will speak to students and answer questions, about their career experiences and the substance (and challenges) of their role
- touring the Old High Court, the Supreme Court Library and the old holding cells
- touring the registry, and meeting senior registry staff, with a presentation from them on legal research skills and strategies
- an industry lunch with legal professionals working in a range of interesting roles



The Court of Appeal internship program has been one of the most practical parts of my Juris Doctor at RMIT

– Stuart Dodds



The Court of Appeal internship was valuable to me for many reasons, but perhaps most important was the ability to talk with the judges and lawyers about their experiences and how they achieved their current positions. As a first-year student, it was very useful to hear that there is not one 'correct' way of approaching a career in law. It was also beneficial as in insight into the life style once you have come to the bar and helped me to evaluate future career options.

The chance to hear judges speak personally with us was a great opportunity to see that judges are not as intimidating as they first appear. I found that every judge who spoke with us was incredibly friendly and encouraging of us as students to work hard, be resilient and keep ourselves open to opportunities.

– Elizabeth Jeffcott

I believe this opportunity should be offered more often (every semester, even more if possible) because while we always talk about going to court in class and read from textbooks, few students have actually been inside a court and/ or understand how a case is presented to a judge/judges. While our compulsory moots in Civil Procedure and Evidence give us some understanding, to have been able to witness 'the professionals' do it first hand has provided me with a greater understanding and ideas of how to approach my moots and advocacy in general as it is my ultimate objective to become a Barrister in civil law.

– Patrick Iafrate

This was my first ever experience in a court and it was marvellous. To be given so much information regarding each of the cases on the first briefing day was very helpful in creating a better understanding of what was transpiring in the three days of actual court attendance. What a wonderful and insightful opportunity to hear also from the judges themselves as well as the barrister and some solicitors after each case.

– Artemis Wilkinson



JD students at court of appeal taster placement

Law + Social Work Dual Qualification

RMIT announced a unique innovation in postgraduate education, providing an opportunity for students to complete the Master of Social Work and Juris Doctor programs concurrently, in three years full time. Designed for students with a passion for social change, this opportunity responds to the increasing integration between legal and welfare sectors, preparing students for careers which require in-depth legal knowledge and an understanding of complex social issues, as well as skilled advocacy and high level interpersonal skills.

Students enrol in both programs side by side, and classes are offered face-to-face in the evenings, as well as online or in intensive delivery modes over weekends. Students also undertake social work field education in legal settings.

Student research on PIPA Project

Social work students completing their second (Field Education 2) placements have contributed to timely and important project or research work with CIJ and MHLC over the last year, including the PIPA Project (Positive Interventions for Perpetrators of Adolescent violence in the home). The PIPA Project is looking to highlight the complexity faced by families living with adolescents who use violence. Two Field Education 2 students built the capacity of the research team through tasks such as undertaking a significant file review of files from the Children's Court of Victoria, as well as Youthlaw community legal centre. This allowed CIJ researchers to better understand the stories of the young people that were presenting at Court, or in need of legal assistance. This work assists CIJ to engage policy makers and practitioners as they engage with the challenge of responding to the next generation of individuals who use family violence.

Student research on Advance Statements

The Mental Health Legal Centre hosted two Field Education 2 social work students to support a qualitative research project to look at the experience of mental health consumers and their Advance Statements under the Mental Health Act 2014 (Victoria). An advance statement sets out a person's treatment preferences in case they become unwell and need compulsory mental health treatment. Students were engaged to undertake a literature review; organise, observe and transcribe the interviews; and participate in the analysis and report writing. The project ultimately documented the experience of people who use mental health services in completing and using an Advance Statement. This important information will be used by MHLC to inform the broader discourse relating to Advance Statements, the Mental Health Act and the Mental Health Tribunal.



Defah Dattner - PIPA Student



Keiran Hough - PIPA Student

Advocacy - Passion with Purpose

Our Purpose/Role

Our role is to improve access to justice through:

- Research and innovation that is strategic, accessible and practical;
- Sustained advocacy, and
- Practical advice, assistance and collaboration with justice systems and organisations (local, national and international).

To solve public policy problems, and
To deliver transformative student experiences.

Our Vision for Justice

Communities that recognise there are many pathways to justice. Justice systems (in communities and in organisations) that provide these pathways and which:

- Are 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, and that
- Empower communities and individuals to resolve and prevent disputes and reduce crime.

Our Focus

Our primary focus is on alternative or 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 Vision for the Centre

To be recognised across the university, national and international communities as a driver of innovative change to improve access to justice.

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.

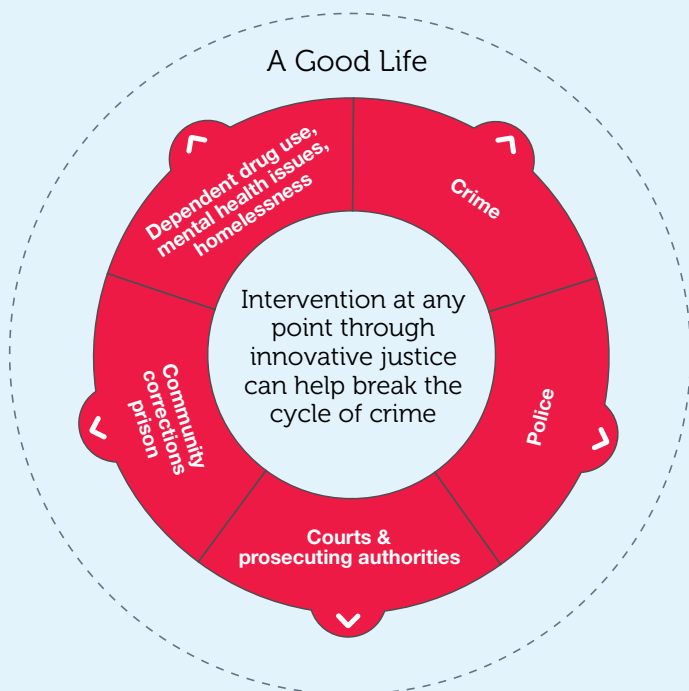
Innovative justice challenges the conventional 'adversarial' approach of a judge presiding over dueling lawyers which in many circumstances can compound or exacerbate the harm it seeks to address. Innovative reforms are therefore primarily 'non-adversarial'. They focus on changing the culture and practice 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



Staff Profiles



Elena Campbell, **Associate Director, Research, Advocacy and Policy**. 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.



Katherine Ogilvie, **Social Worker**. Kat works across the Centre for Innovative Justice and the Mental Health Legal Centre. Kat has been overseeing the integration of the multidisciplinary practice in the Mental Health Legal Centre since March 2016, which has included social work student supervision.



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



Heidi Phillips, **Administrative Officer**. Heidi is currently in her first year of the Juris Doctor.



Anna Howard, **Student Program Coordinator**. Anna joined the team in early 2016 to Coordinate the Enabling Justice Project and to oversee student placement opportunities through the CIJ. Anna has a background as a lawyer with a social justice focus spanning native title, personal injury and community law.



Cordelia Rice, **Administrative Officer, Research and Projects**. Cordelia is a writer with a background in arts and higher education administration.



Jessica Richter, **PIPA Project Coordinator**. Jessica is an experienced criminal lawyer who has worked largely with cognitive impairments.



Rob Hulls, **Centre Director**. Rob was a 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, Koori Courts and specialist family violence courts.



Claire Slattery, **Senior Coordinator, Advocacy and Engagement**. Before joining the CIJ, Claire worked as a journalist in the ABC's Melbourne newsroom reporting for the broadcaster's flagship radio current affairs programs AM, PM and The World Today. Claire has also worked as a journalist in regional Victoria and Southeast Asia for ABC News, the Phnom Penh Post and The Weekly Review magazine.



Nareeda Lewers, **Research Officer**. Previously, Nareeda worked as a criminal lawyer at Victoria Legal Aid/ Nareeda has also worked in the community legal sector and in clinical legal education. She also has a background in academic research and has published peer-reviewed journals.



Stan Winford, **Associate Director, Research, Innovation and Reform**. Stan is a practicing 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.



Mark Madden, **Deputy Director**. Mark brings to the role more than 30 years' experience in communications, strategic planning, government and public policy.

