



# Centre for Innovative Justice

2019 Annual Review



Shaping  
the  
world

Life-  
changing  
experiences

Passion  
with  
purpose

## Martin Bean

**CBE, Vice-Chancellor and President  
RMIT University**



At RMIT our purpose is to empower people, staff and students alike, to shape their futures, be their best and belong. We are also committed to making a genuine contribution to the communities we serve and influencing for the common good. The Centre for Innovative Justice (CIJ) reflects this shared passion for standing shoulder to shoulder to protect what is right and champion those in need.

Researching, advocating and applying innovative ways to improve the justice system ensures voices will be heard that would otherwise stay quiet. Moreover, therapeutic jurisprudence, restorative justice and non-adversarial dispute resolution go to the heart of what it means to be human in our most challenging moments.

It's the practical work of the CIJ, year in year out, that generates systemic change and 2019 was no different. The Supporting Justice project gave agency in the legal system to people with disability;

research and advocacy through the Criminal Record Discrimination project, for a spent conviction scheme, gave hope to the vulnerable, including First Nations people forcibly removed as children; and the establishment of Open Circle set in motion remarkable outcomes using restorative justice practice.

As we look to a future of accelerating change, there's no doubt the social and economic impacts of COVID-19 will be felt most by those least able to buffer the tough times.

The most disadvantaged members of our community will need support more than ever and the work of great minds like those at the CIJ will be essential to a progressive, values-led recovery.

My thanks to the team on behalf of those whose lives they make better and whose futures they transform. Congratulations on a year full of many great achievements.

## Tom Bentley

**Executive Director  
Policy, Strategy & Impact**

The Centre for Innovative Justice (CIJ) is a rigorous and progressive RMIT partner, creating social impact and influencing wider systems of policy, service delivery and cross-sectoral change.

CIJ is a part of RMIT's diverse network of partners, working with the talent of our students and our communities to help tackle complex challenges in the systems that deliver justice, health, social services, economic development and business innovation.

Positioned in the RMIT Social Innovation Hub, an inclusive and collaborative co-working space, CIJ along with other entrepreneurial teams work together with RMIT's wealth of academic, technical and educational expertise to explore and develop new solutions.

These solutions aim to shape the future workforces and service systems of these sectors while also building partnerships and achieving crucial policy influence and impact.

CIJ has made a significant contribution in 2019, linking education and research to the complex challenges of re-creating the institutional systems accountable for justice in our society. This includes developing the Open Circle restorative practice, bringing people together and putting people in the centre of the process.

We are all working through a much wider crisis that is creating great social and economic needs, and this will require our institutions to work together in new ways.



CIJ exemplifies how we can do this to improve justice outcomes and RMIT is committed to building on these approaches and applying them in many fields. This includes linking specific locations, including the CBD North area of Melbourne to amplify the efforts of innovators and their partners.

These solutions will need to draw on different fields, disciplines, locations and be worked through together in order for us to rise to the wider challenges ahead: this vital work will continue to be our focus in the year ahead.

## Rob Hulls

**Director  
Centre for Innovative Justice**

In 2019, the CIJ commenced its seventh year of operation, having grown in scale, scope and experience. As such, we anticipated an exciting time for innovative justice initiatives, and we were not disappointed.

Those familiar with the CIJ know we embrace collaboration and multidisciplinary practice, and this was reflected in our move to a new co-location in RMIT's Social Innovation Hub. We took advantage of the opportunity to bring our community legal centre partners, Mental Health Legal Centre and the Law and Advocacy Centre for Women, under the one roof – with capacity to invite Youthlaw into the fray. We believe this co-location will strengthen and enhance our unique student opportunities, as well as further our collaborative, research, and advocacy potential.

During 2019, our organisation expanded to take on the growing demand for research projects and student activities. Many of our projects provide practical solutions and recommendations to policy makers based on the experience of those who have actually come into contact with the justice system – whether they be people with an acquired brain injury, victim-survivors of family violence or Aboriginal Victorians who have been discriminated against due to minor, old or irrelevant convictions.

We also identified a need to expand access to restorative justice, and this year launched a new restorative justice service called Open Circle. This service brings victims of harm and those who have caused that harm together in a restorative process.



As we reflect on 2019, we acknowledge our achievements in striving to attain a positive impact: for our students, our partners in the University, Government and legal sectors, and for those with lived experience of the justice system. Together we continue to work towards a justice system that is a positive intervention in people's lives.

## Life Changing Experiences Students



### Innovative Justice subject

78 Juris Doctor students enrolled, focusing on the issue of 'sleeping rough' in Melbourne.

### Clinical student placements

22 JD and Social Work students placed at Mental Health Legal Centre, Law and Advocacy Centre for Women, Young Workers Centre and Youthlaw.

### Financial Counselling

3 Financial Counselling students placed at the MHLFC Financial Counselling pilot program inside the Dame Phyllis Frost Centre.

### New York Study Tour

10 JD students participated in the Innovative Justice Study Tour to New York.

### Taster placements

39 JD and Social Work students took part in taster placements at the Office of Public Prosecutions Victim and Witness Assistance Service and the Child Witness Service; the Court of Appeal; the Fair Work Commission; shadowing a magistrate at the Drug Court and; shadowing a magistrate at Assessment and Referral Court.



Juris Doctor Clinical Legal Education Students with Law Lecturer, Bronwyn Naylor and CIJ's Kate Ottrey and Rob Hulls.

## Passion with Purpose Advocacy & Engagement



### Speaking engagements

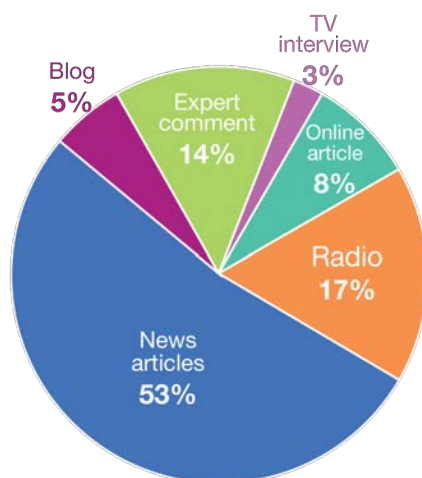
CIJ staff participated in 39 speaking engagements that included keynote addresses, presentations at conferences, international and national panel discussions, workshops, and forums.

### Media

CIJ team members participated in 39 media appearances including radio, news articles and TV. Please refer to: [cij.org.au/news-and-views](http://cij.org.au/news-and-views)



Left: Rob Hulls keynote address at ANZSOC. Right: Stan Winford on Channel 10 news



### Other

CIJ blog, podcasts, video interview series and bi-monthly newsletter



258  
average  
monthly  
profile visits

1972  
followers

21k  
average  
monthly tweet  
impressions

30  
average  
monthly  
mentions



224  
average post  
reach

348  
followers

46  
average post  
engagements

### Submissions & Inquiries

Advocated with Woor-Dungin for **spent convictions reform** in Victoria at the Legal and Social Affairs Committee of the Victorian Parliament Inquiry.

Associate Director Stan Winford chaired the Victorian Government's Workplace Fatalities and Serious Incident (Families) Reference Group, contributing to the formation of **new workplace manslaughter laws** for Victoria.

Contributed to the Victorian Parliament Legal and Social Issues Committee's Inquiry into **Homelessness in Victoria**. The CIJ submitted a joint submission with the Law and Advocacy Centre for Women.



Woor-Dungin team Wenzel Carter, Christa Momot, Naomi Murphy, Uncle Larry Walsh & Stan Winford

Centre  
Innov  
Just

20  
Snap



## Shaping the World Research with Impact

### Family Violence ☐☐☐

#### Positive Interventions for Perpetrators of Adolescent Violence in the home (PIPA)

The multi-jurisdictional PIPA report for ANROWS was delivered, to be published in 2020.

#### New partnership with Youthlaw

Commenced new partnership and co-location with Youthlaw with a new project to explore and test the benefits of early legal and non-legal support options for young people who use or experience family violence.

#### Foundations for Domestic and Family Violence Perpetrator Intervention Systems

The CIJ built on previous work to develop a practitioner resource looking at foundations for developing perpetrator interventions systems.

#### Improved accountability: the role of perpetrator intervention system

The CIJ contributed to three chapters in a major, peer reviewed edited collection looking at the existence or otherwise of perpetrator intervention systems across Australia.

#### Risk & Needs Assessment Practice Team

This work responded to recommendations from the Royal Commission into Family Violence, which called for perpetrators of family violence to be able to be referred to a wider range of interventions.

### Women's Decarceration ☐☐☐

#### Women Transforming Justice

Work commenced on the CIJ's evaluation of Women Transforming Justice, a pilot program run by Fitzroy Legal Service, the Law and Advocacy Centre for Women and Flat Out.

#### Financial Counselling

Established a Financial Counselling program within partner agency MHLC through funding from Victoria Responsible Gambling Foundation.

#### Feasibility study for residential program for Aboriginal women in contact with the criminal justice system

The CIJ was engaged to work with Djirra and PwC Indigenous Consulting to develop much needed alternatives to incarceration.

#### Integrated practice partnership

Partnership with LACW was extended through funding from the Federation of Community Legal Centres.

### Systemic Reform ☐☐☐

#### Victim Services Review

Conducted a review and redesign of Victim Services which support victims of crime.

#### Child Witness Service Review

Alongside the Victim Services Review, conducted a review of the workings of the Child Witness Service.

#### Communicating with Victims about Resolution Decisions: A Study of Victims' Experiences and Communication Needs

Report & best-practice guide aimed at equipping the OPP to better meet the consultation and communication needs of victims launched.



Stan Winford presenting at the Employment Workshop for Aboriginal ex-offenders

#### Reducing barriers to employment for Aboriginal people: rethinking the role of criminal record checks

Held a series of workshops with Woorundgin at the Koori Heritage Trust for Aboriginal ex-offenders and employers wishing to hire Aboriginal people with criminal records.

#### Children's Court of Victoria Service Delivery Reform Project

Provided expert advice to RMIT Graduate School of Business and Law and Huddle Design Consulting, to guide the Children's Court of Victoria's Service Delivery Reform Project.

### Disability Justice ☐☐☐

#### Supporting Justice

Commenced a systems change project working with people with lived experience and key stakeholders from the criminal justice and disability service systems to address the over-representation of people with disability in the criminal justice system.

#### Voices for justice

Partnered with the Self Advocacy Resource Unit (SARU) to develop and deliver a program to support people with disability and lived experience of the criminal justice system to become self-advocates.

### Restorative Justice ☐☐☐

#### Restorative justice conferencing pilot for serious driving offences

Launched report *'It's healing to hear another person's story and also to tell your own story'*.

#### Open Circle - a new restorative justice service for Victoria

Established a new restorative justice service Open Circle launched by the Hon. Ben Carroll, Minister for Crime Prevention, Corrections, Youth Justice and Victim Support.

## Innovative Justice subject



Students heard from presenters about innovative justice including Magistrate Ann Collins, who spoke about the Assessment and Referral Court list and the Koori Court. Greg Barns discussed making justice accessible for prisoners, while Stan Winford shared CIJ's work for the Office of Public Prosecutions on communicating with victims. Brendan Lacota from JusticeConnect shared his experience of human-centred design and technology-based solutions to justice challenges such as fines and infringements.

In 2019 the CIJ and the Graduate School of Business and Law delivered the Innovative Justice subject for its second year. The course aims to teach students innovative justice theories and frameworks such as therapeutic jurisprudence, restorative justice, holistic law, creative problem solving and preventive law.

Students examined the issue of "sleeping rough" as a lens for exploring innovative justice solutions. Students heard from a broad range of perspectives on this issue including Magistrates, lawyers, social workers, council representatives, police and business owners, as well as people with lived experience of homelessness. Based on these presentations and further research, students were invited to develop and present their own innovative justice responses.

Creative responses included ideas for improving the way in which police interact with rough sleepers, a mobile legal advice service, and a community referral hub.



Semester 1 Juris Doctor students

## Taster Placements



The CIJ provided 39 RMIT Juris Doctor and Social Work students opportunities to experience the legal sector and court system through unique taster placements:

### Fair Work Commission

A five-day placement in which students observed unfair dismissal hearings, meet a Commissioner and see how practical case management works behind the scenes.

"Shadowing Commissioner McKinnon and her associate was an incredible privilege, as was witnessing private conciliation and arbitration sessions. I was able to see many of the subjects I have studied in action. Most inspiring was the Commission's commitment to Innovative Justice, as they work towards improving access to justice for parties. The placement was one of the most valuable learning experiences of my studies so far, and I couldn't recommend it more highly for any JD student."

Alex Rankine,  
JD student

### Shadow a Magistrate – Drug Court at Melbourne Magistrates' Court

A two-day intensive placement

### Shadow a Magistrate – Assessment and Referral Court at Melbourne Magistrates' Court

A five-day placement

### Court of Appeal

A one-day placement where students observed a Court of Appeal hearing and spoke with the judicial registrar, judges and registry lawyers.

### Innovations in support for victims

A one-day intensive placement where students were hosted by the Child Witness Service, the Intermediaries Pilot Program, and the Office of Public Prosecutions.

"I left the day feeling incredibly hopeful and excited about the growing field of work between law and social work and how these programs are at the forefront [of] creating a more adaptive and holistic approach to justice."

Danielle Watts,  
JD & Master of Social Work student



Master of Social Work and Juris Doctor students with Lucy the Court Support dog at the Office of Public Prosecutions

"It was exciting to realise how many jobs exist where interdisciplinary and collaborative work is happening between lawyers and social workers. It made me feel like I was heading in the right direction with my studies! To top it off, meeting Lucy and learning of the therapeutic effects of court [support] dogs was incredible - all in all an awesome day."

Eliza Hew,  
JD & Master of Social Work student



## Study Tour Observing Innovative Courts in Action



Each year the Centre for Innovative Justice leads a study tour for RMIT Juris Doctor students to see first-hand how alternative forms of justice work by visiting specialist courts and having opportunities to meet and hear directly from the people involved.

In 2019 the CIJ and students were hosted by New York's Center for Court Innovation, which developed a thought-provoking and inspiring itinerary with visits to community courts at Red Hook, Newark and the Bronx and Community Solutions in Brownsville. Studnets observed the power of procedural justice and the importance of non-legal services that can keep people out of the justice system – including housing, employment, social welfare, mental health treatment, drug treatment and community support.

"The NY study tour has been a life-changing experience that has impacted me as a lawyer in training. In whatever career path I eventually end up in, I will certainly apply these values in any way I can. Thank you so much for the inspiration!"

**Dee Divina**  
Juris Doctor Student

"It was so interesting to learn and see how the New York justice landscape changed for the better as a result of innovative justice reforms in combination with community education and consultation. Learning about the positive impact community integration can have in the justice system will definitely impact me in my future career."

**Heidi Phillips**  
Juris Doctor Student

"... an experience that has changed me as a person and definitely influenced my career in the legal sector."

**Shefton Parker,**  
Juris Doctor Student



*Clockwise from top:  
2nd Chance St and Perseverance Road – this mural is on a wall inside the Red Hook Community Justice Center. Pictured is the study tour group with Red Hook and CCI staff;  
Artwork inside Newark Community Solutions in New Jersey. NCS is a community court within the existing Newark courthouse;  
On tour at the Express Newark art gallery, a partnership between Rutgers University and the local community. Express Newark provides facilities and teachers for free art classes, photo shoots, film sets, music recording studios. Pictured is CIJ's Rob Hulls and an Express Newark staff member;  
Study tour group outside NCS building.*

## Student placements Clinical Legal Education and Social Work Field Education



22 Juris Doctor and Social Work students took part in these placements across the year at the Law and Advocacy Centre for Women (LACW), the Mental Health Legal Centre (MHLC), the Young Workers Centre and our new co-located partner, Youthlaw.

Our student placement opportunities allow the students to work and learn in integrated practices, where social workers work alongside lawyers and other professions such as financial counsellors in the community legal sector to support vulnerable people in the community.

The benefits of multidisciplinary and integrated practices that assist people to address underlying causes of their legal issues are seen by the clients of services, but also by the courts and the support sector.

**"I have come away with a thorough understanding of the Mental Health Act, Victoria's social housing policy, and the process of sentencing and remand, but also with countless examples of client rights under the MHA being ignored, their urgent need for housing dismissed, and the enormous cracks through which people can fall when they are released from a period of incarceration...I am glad to say after this opportunity that I am surer than ever that I am someone who wants to do it"**

**August Parkinson,**  
Bachelor of Social Work student

Social work and law students work alongside lawyers and social workers to provide integrated and holistic support to address the underlying causes of the legal issues that clients in the criminal justice system are facing. These issues may include homelessness, family violence, substance addiction, family breakdown, as well as poverty and intergenerational trauma.

Social work students were also offered the opportunity to complete an issues paper that explored a critical social work perspective on Victoria's Mental Health Tribunal System with reference to Recovery-Orientated Practice.

**"My placement...allowed me to see first-hand the strengths that can come from social workers working alongside lawyers to provide quality support and positive outcomes for clients of all walks of life."**

**Nicole Blazinovic,**  
Bachelor of Social Work (Honours) student



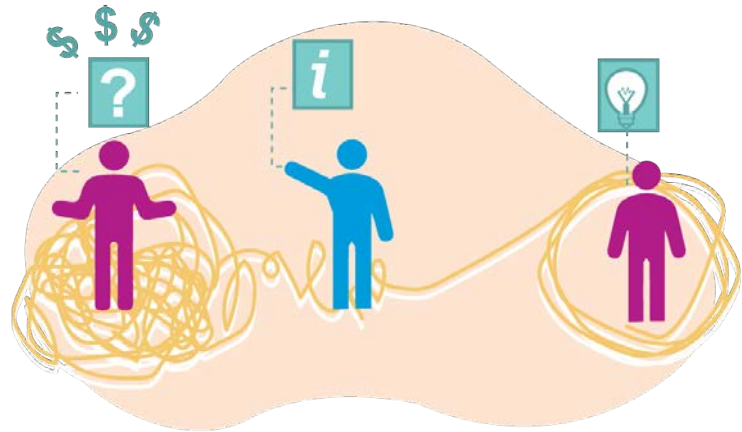
*Top: CIJ Social Worker Bernice Beacaine, Juris Doctor Clinical Education students and CIJ Student Program Manager Kate Ottrey  
Bottom: Juris Doctor and Social Work students with CIJ Student Program Manager Kate Ottrey; CIJ's Director Rob Hulls; CIJ Social Workers, Bernice Beacaine and Katherine Ogilvie and; CIJ Financial Counsellors, Sarah Davidson and Raylene Carnie.*

**"During my placement at LACW, I had the opportunity to work alongside criminal defence solicitors, social workers, paralegals, and volunteers to assist vulnerable women in the criminal justice system. It was great to spend some time at the Melbourne Magistrates' Court observing proceedings and to perform practical file work tasks, but for me the most rewarding part of the experience was speaking to both existing and potential clients, and coming to understand their complex and unique needs."**

**Megan Beatrice,**  
Juris Doctor student



## Student placements Financial Counselling



In 2019 the CIJ embarked on a pilot Financial Counselling program to work with the Mental Health Legal Centre's Inside Access Program, to assist women at Dame Phyllis Frost Centre, Victoria's maximum security women's prison, with their financial needs.

The placement opportunity provided to RMIT financial counselling students is an example of an enriched multidisciplinary experience for students that the CIJ can offer. The placement enabled financial counselling students to work alongside RMIT law and social work students and associated professionals to provide integrated services to incarcerated women, many of whom had new debt or payment issues as a result of being recently remanded.

Financial Counselling students were overseen by CIJ/MHLC Financial Counsellors, Sarah Davidson and Raylene Carnie.

### Client Outcomes from Inside Access Program

**73** total case files created

**39%** of cases impacted by gambling harm

**204** debts waived

**\$66.4k** worth of debts on hold

**"This placement was a crash course in the disadvantage and vulnerability that cause many women to end up in the justice system. It gave me exposure to a whole range of issues – family violence, drugs and alcohol, mental health, homelessness, gambling; and insight into how these issues intersect and contribute to women becoming incarcerated."**

**Julie Brinkler,**  
Financial Counselling student

### What does a financial counsellor do?



- understand which debts are priorities
- develop budgets and money plans
- understand the pros and cons of different options to manage financial issues
- access grants or concessions
- negotiate with creditors
- access dispute resolution services
- understand their rights and access to legal help

Financial counsellors have specific knowledge about the credit, bankruptcy and debt collection laws, concession frameworks and industry hardship practices. They're also trained in negotiation and counselling, and offer emotional support and a listening ear when people really need it.

## Student volunteer placement Neighbourhood Justice Centre



This year, the CIJ was able to offer volunteer opportunities for students to attend the Neighbourhood Justice Centre's Fines Clinic. Under guidance of the CIJ Student Programs Manager, law students, lawyers, financial counselling students and financial counsellors worked together assisting disadvantaged clients to resolve issues relating to fines and infringements.

In 2019, the CIJ continued to undertake independent and collaborative research on the themes of family violence, restorative justice, women's decarceration, disability justice and systemic reform. Partnerships in this work include national and international justice sectors, State governments, tertiary institutions and justice system users.

## Family Violence

### Did you know?

On average at least one woman is murdered by her current or former partner every week.

Almost ten women are hospitalised per day as a result of violence perpetrated by a spouse or domestic partner.

Based on 2015 analysis by Price Waterhouse Coopers, violence against women is costing Australia \$21.7 billion each year.

(Source: Our Watch)

## Positive Interventions for Perpetrators of Adolescent Violence in the home (PIPA) Project



Elena Campbell



Throughout 2019, while the PIPA Project report was in the process of peer review, Associate Director Elena Campbell continued to advocate for reform in this area, sharing high level findings with government and community stakeholders.

This included work with Drummond Street Services to conduct workshops in local service areas, bringing together relevant providers to consider options for integrated responses to adolescent violence in the home. Elena also presented to cross-government working groups and ran workshops for interstate and international researchers.

The PIPA Project examined the issue of legal responses to adolescent use of family violence across Victoria, Tasmania and Western Australia. It included a detailed analysis of 385 case files from legal and court contexts, as well as focus groups and interviews with over 150 practitioners from a wide range of service settings across the three jurisdictions.

## Exciting new partnership with Youthlaw



The CIJ kicked off its partnership and co-location with Youthlaw with a new project. Announced by Victoria's Attorney-General Jill Hennessy and the Legal Services Board, Youthlaw and CIJ received funding for a two-year project to explore and test the benefits of early legal and non-legal support options for young people who use or experience family violence.

The project is based on the premise that giving young people earlier specialised support from a lawyer and youth worker will facilitate a more positive and participatory experience of court, as well as improving safety for young people and families alike.

The project will enable Youthlaw to recruit a lawyer and a social worker to provide earlier, multidisciplinary pre-court legal support. The CIJ will conduct the research and evaluation component of the project.

This will explore young people's experiences and promote the need for them to feel heard and contribute to project design solutions. Project design and referral pathways to early, pre-court supports will be developed in close and collaborative consultation with critical stakeholders, including the Children's Court of Victoria, Victoria Police, Victoria Legal Aid and Orange Doors (Family Safety Victoria). The project is scheduled to be run over two years.

## Risk & Needs Assessment Practice Team



Elena Campbell, Rodney Vlasis and Danny Blay worked with the Magistrates' Court of Victoria (MCV) to design a program to improve the court's capacity to develop detailed information about the risk a perpetrator may pose, as well as any complex needs a perpetrator may have. This program continues the work the CIJ conducted for the Magistrates' Court in 2018, in which we developed and designed a single, best practice model for the Court Mandated Counselling Order Program (CMCOP) across Specialist Family Violence Courts.

With the CMCOP as the foundation, the Risk & Needs Assessment Practitioner Team model will increase the capacity of the court to provide or facilitate case management for perpetrators with co-occurring issues, such as alcohol and drug use, or mental ill health. In doing so, it will ensure that the specialist family violence court teams, Court Integrated Support Program practitioners, and family violence service practitioners work collaboratively to ensure that perpetrators are receiving case management from a source which best suits their individual needs, and which keeps a gendered understanding of family violence firmly at the centre.

## Foundations for Domestic and Family Violence Perpetrator Intervention Systems



The CIJ collaborated with Stopping Family Violence, the peak body for men's behaviour change programs in Western Australia, to produce 'Foundations for Domestic and Family Violence Perpetrator Intervention Systems'. The primary purpose of this resource was to bring together and articulate the complexity inherent in perpetrator intervention systems in a way that individuals who develop, work in and influence systems can consider, build upon and use.

This builds on work conducted by the CIJ in 2017 and 2018 for the Department of Premier & Cabinet responding to Recommendation 85 from the Royal Commission into Family Violence.

## Improved accountability: the role of perpetrator intervention systems



Throughout 2019 the CIJ finalised its contribution to a major edited collection commissioned by ANROWS looking at the effectiveness or otherwise of perpetrator intervention systems operating around Australia. The project involved a collaboration across five Universities in different Australian jurisdictions and included a number of case studies examining the various innovations and challenges inherent in the development of perpetrator intervention responses.

The Victorian case study, led by the CIJ's Elena Campbell, focused on the Southern Melbourne and Bayside

Peninsula regions, regions which feature consistently high rates of family violence police callouts; a concentration of Men's Behaviour Change Programs (MBCPS); and a significant number of innovative and proactive responses.

The CIJ was grateful for the involvement of over 150 practitioners in this study – including those from legal, health, alcohol and other drug, mental health, housing, specialist family violence, child protection and policing sectors – who gave generously of their time during a period of considerable flux as they adjusted to continuous reform. The research is scheduled for release in 2020.



# Restorative Justice

## What is restorative justice?

Restorative Justice	Criminal Justice
Crime and wrongdoing causes harm to individuals and communities.	Crime and wrongdoing is committed against the state and is a violation of law.
Concerned with repairing the harm caused by crime and wrongdoing.	Seeks to determine guilt and impose punishment.
The people most affected by a crime or wrongdoing should be key to the resolution of the harm caused.	Excludes the people impacted from the justice outcome.

## Restorative justice conferencing pilot for serious driving offences



The CIJ's restorative justice pilot program provided restorative justice processes for people involved in serious motor vehicle collisions in Victoria. The pilot offered restorative justice conferencing to people affected by motor vehicle collisions that had resulted in death or serious injury, and where the offending driver was an adult.

The project was inspired by research findings consistently showing that restorative justice processes delivered a range of benefits to victims who participate. Significantly, studies indicated participation in restorative justice processes could reduce the traumatic effects of crime for victims.

The report details our two-year pilot which ran from 2016-2018 and was funded by the Victorian Legal Services Board. The pilot offered restorative justice processes to victims (including family members), offenders and others affected by motor vehicle collisions where someone had been killed or seriously injured. We accepted 14 referrals for restorative justice processes, including face-to-face conferences.

The report includes detailed, de-identified interviews with participants about their experiences, and presents key findings, including that restorative justice can meet the needs of victims in ways the traditional criminal justice system cannot. It recommends that restorative justice be made more widely available in Victoria.

The report can be found on [cij.org.au](http://cij.org.au)



## Event: Report launch

We were delighted to have the Hon. Ben Carroll, Victorian Minister for Crime Prevention, Corrections, Youth Justice and Victim Support launch the CIJ report *'It's healing to hear another person's story and also to tell your own story'*, as well as our new restorative justice service, Open Circle in October.



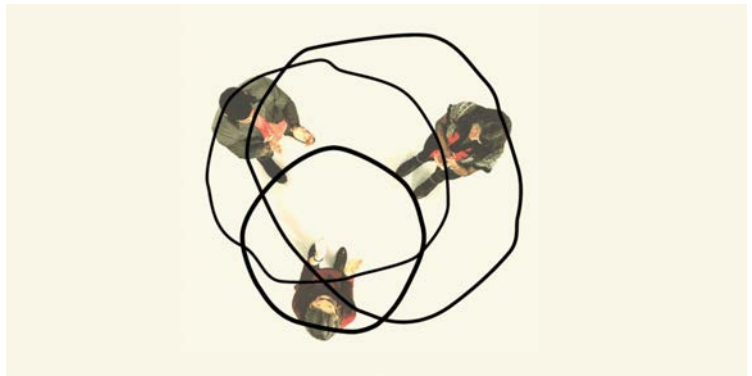
Renee Handsaker, Nareeda Lewers, the Hon. Ben Carroll, Rob Hulls and Stan Winford at the report and Open Circle launch.

## Open Circle



Following on from earlier significant work in restorative justice, the CIJ identified a need for increased access to ongoing restorative justice processes in Victoria for victims and others affected by unwelcome and unexpected life events.

Open Circle was established following CIJs successful restorative justice pilot program for victims, offenders and others affected by serious motor vehicle collisions. Open Circle offers restorative justice processes for people in a range of contexts who have been impacted by crime or other harms. By bringing people together, Open Circle's restorative processes seek to enable them to address the context of harm, and to work towards preventing future harm. Open Circle also undertakes research and consults to organisations about restorative practice and program design.



**"Since beginning our restorative justice work, we have been asked by Worksafe Victoria, the TAC, RMIT and others, to develop models of restorative engagement that help people in the aftermath of life-changing events, including crime, workplace injury and motor vehicle collisions. This makes the CIJ well-positioned to provide restorative justice services in a range of contexts."**

**Rob Hulls,  
CIJ Director**

Open Circle was launched in October 2019 by Ben Carroll, Minister for Crime Prevention, Corrections, Youth Justice and Victim Support. Following the launch and successful recruitment of a Manager and Principal Convenor, Open Circle started receiving referrals for restorative justice processes. It also engaged with a range of organisations and representatives about its work, including:

- Coroners Court of Victoria
- Magistrates Court of Victoria
- Victoria Legal Aid
- Centre Against Sexual Assault
- Victims Assistance Services
- Office of Public Prosecutions
- Victims of Crime Commissioner
- Road Trauma Support Services Victoria
- Victoria Police (Major Collisions Unit)
- Yooralla
- Office of the Public Advocate (OPA)
- RMIT Safer Communities
- RMIT Student Conduct and Complaints
- Victorian Association of Restorative Justice
- EPA Victoria
- Department of Justice Restorative Justice Family Violence (DOJRJFV)

### Case Study: Rosalyn and Rosalie

It was on a stretch of road in rural Victoria that Tom's car crossed over on to Steven's side of the road and collided into Steven's car. That collision took the lives of two men, Tom and Steven. Tom was unlicensed, had taken his mother's car without her knowledge, was not wearing a seat belt, had a long history of experiencing mental illness and had expressed suicidal ideation only days prior to the collision. The Coroner concluded that suicide was a possibility but could not rule definitively on the cause of the collision due to Tom having an existing medical heart condition, exacerbated by the effects of long term anti-psychotic medication.

Steven's family were left feeling angry and upset at the Coroner's finding that left them with more questions than answers.

They felt Steven's life had been rendered "invisible and worthless" through the process, and with no culpability assigned, or recommendations for future preventative actions, their feelings of 'injustice' compounded their immense sense of grief. Steven's parents, Rosalie and John, reached out to make enquiries about having a restorative conference with Tom's family.

Members of both sides of Steven and Tom's family came together as part of the CIJ's Restorative Justice pilot program. The families were able to share information with each other, particularly around Tom's unsatisfactory experience with the mental health system and more information about events leading up to the collision. They were also able to share their grief and strategies for coping after their loss of their loved one.

As a result of their participation in a restorative justice process the families made a joint submission to the Royal Commission into Mental Health and the mothers of both men, Rosalyn and Rosalie were featured in The Age (October 2019) and remain in contact.



The Open Circle team is Stan Winford Associate Director, Nareeda Lewers, Open Circle Manager and Renee Handsaker, Principal Restorative Justice Convenor.

## Did you know?

- Where people report a crime against the person, the offender is known to the victim in 60% of cases.
- Certain groups in the community, including Aboriginal & Torres Strait Islanders, people with disabilities and children are particularly vulnerable to crime, yet are less likely to report it.

# Systemic Reform

## Children's Court of Victoria Service Delivery Reform Project



This project aims to use human-centred design to improve the experiences of all Children's Court users. The CIJ is supporting RMIT's Graduate School of Business and Law (GSBL) and Huddle Design Consulting, who were engaged by the Children's Court of Victoria to guide the Court's recently established Service Delivery Reform Project.

This service reform project will explore challenges and opportunities in relation to the Children's Court and propose new ways working across the jurisdiction which will improve the experience of all court users.

### Phase 1

#### Orientation & Contextualisation

Conduct in depth research with internal and external stakeholders, subject matter experts, and Court users.

### Phase 2

#### Prioritisation

Prioritise findings from the research for design opportunities.

### Phase 3

#### Explore & develop solutions

Work with key teams to initiate, develop and implement reform solutions that respond to phase 2 priorities.

## Victim Services Review



Throughout 2019, the CIJ worked with the Victim Services, Support and Reform branch in the Department of Justice & Community Safety to conduct a review and redesign of its suite of services which support victims of crime.

This important work involved consultations and workshops with over 100 practitioners and senior leaders and system reform experts across the gamut of government service sectors and, most importantly, interviews with 37

victims of crime from across regional and metropolitan Victoria.

Building on the first stage of the review the CIJ team has been working alongside partners KPMG to develop a leading practice service model which reflects what victims told us they needed following their experience of crime. Informed by the voices of victims of crime, the CIJ has sought to develop a program for reform that is evidence-

based and client-centred to make recommendations for the design of a responsive and integrated web of services for people dealing with the aftermath of violent crime.

In particular, the CIJ's work highlighted that victims of crime are not a homogeneous group and often present with multiple and complex needs. This confirms a need to respond to victims of crime in a holistic way.



## Child Witness Service Review



Alongside the VSR project, the CIJ also conducted a specific review of the workings of the Child Witness Service. As part of this work, the CIJ surveyed families whose children had been supported by the service, as well as a small number of young people and parents.

The CIJ also conducted consultations across a wide range of criminal justice stakeholders to develop a program of reform to build on the considerable existing strengths of this service and expand its reach to a wider number of the state's most vulnerable children.



## Communicating with Victims about Resolution Decisions

A Study of Victims' Experiences and Communication Needs.



The Office of Public Prosecutions (OPP) commissioned the CIJ to conduct research into victims' experience of being consulted by OPP lawyers about resolution decisions and make recommendations for reform.

The report, launched on 13 May by The Hon. Ben Carroll, Minister for Victim Support, Corrections, Crime Prevention and Youth Justice, provides a comprehensive insight into the experiences of victims who are involved in prosecutions conducted by the OPP. It makes recommendations to improve the processes around how victims are consulted about prosecution decisions as well as a best practice guide to communicating and consulting with victims.

The project team Nareeda Lewers, Mary Polis and Associate Director Stan Winford interviewed victims, Witness Assistance Service staff and Office of Public Prosecutions lawyers over a number of months as part of the study and delivered training to OPP staff on implementing the findings and recommendations of the report.



Nareeda Lewers and Stan Winford at the launch of the OPP Report

**"Victims told us they want to actively participate in the decision-making process. While they generally accept resolution decisions are the OPP's to make, they don't merely want to be told about a decision. They want the chance to express their views, and for those views to be taken into account by the lawyer."**

**Report co-author Stan Winford, CIJ Associate Director**

**"Our findings show victims are more likely to be confident in the outcome if they are properly consulted, but less so if they are not. It is the process that makes the difference."**

**Report co-author Nareeda Lewers, CIJ Senior Advisor**

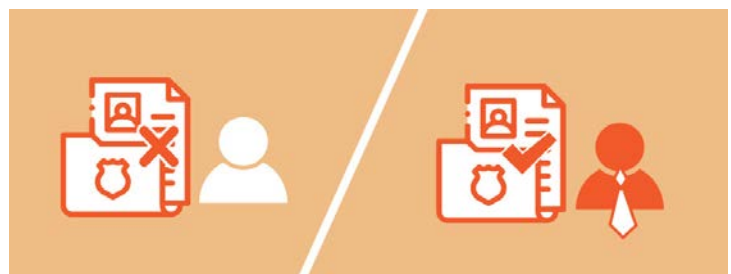
## Reducing barriers to employment for Aboriginal people: rethinking the role of criminal record checks



CIJ's work with partners in removing barriers to employment for Aboriginal people was extended thanks to funding from the Victorian Legal Services Board. Building on the success of the existing partnership with Woor-Dungin, and drawing in new partners, this project will provide information and training to

Aboriginal job-seekers and employers about the requirements of criminal record checking, working closely with community to research and develop resources that identify best practice in employment decision-making, with the aim of reducing discrimination and facilitating access to employment.

The CIJ's Associate Director Stan Winford, Professor Bronwyn Naylor from RMIT's Graduate School of Business and Law, and Associate Professor Georgina Heydon from RMIT's School of Global, Urban and Social Studies will continue this work, alongside members of the Woor-Dungin team and additional partners.



## Women's Decarceration

### Did you know?

- Victoria has gone from having one of the lowest general incarceration rates in the world in 1992, to one of the highest in 2018, comparable to Zambia, Jamaica and Algeria. As is the case in the United States, the United Kingdom and New Zealand, women, and particularly Indigenous women, feature disproportionately in Victoria's escalating incarceration rate.
- As at 30 June 2018, there were 566 women in Victorian prisons. This represented an alarming 137 per cent increase in the female prison population over a ten-year period, compared to an 81 per cent increase of male inmates.
- Studies indicate that between 70 – 90% of women in prison have been victims of family violence or childhood sexual abuse.

### Women Transforming Justice



*Women Transforming Justice* is tackling the crisis of women's mass incarceration in Victoria by addressing the drivers of women's criminalisation.



Through this project, women in contact with the criminal justice system are provided with skilled, integrated and women-specific legal representation and outreach-based case management, to enhance their prospects of being granted bail and to support them once on bail to remain safe and stable in the community.

Our evaluation of the Women Transforming Justice program is the first piece of work in our Women's Decarceration Research Agenda. Further pieces currently in development include a substantial Issues Paper exploring drivers and responses to women's criminalisation internationally.

### Feasibility Study for residential program for Aboriginal women in contact with the criminal justice system



As a further component of our Women's Decarceration agenda, the CIJ is embarking on an exciting new collaboration with Djirra and PwC's Indigenous Consulting to develop a model and plan for implementation of a residential program for Aboriginal women who are in contact the criminal justice system. Commissioned by the Victorian Government Koori Justice Unit, with Djirra as the lead agency, this project will offer a leading example of ethical research with Aboriginal people; respecting and enacting Aboriginal sovereignty and modelling culturally appropriate ways of engaging with Aboriginal participants and stakeholders.

This work will include a Rapid Cohort and Evidence Base Assessment, an Environmental Scan, co-design workshops with community, including community members from Regional Aboriginal Justice Advisory Committees (RAJACs) around Victoria and, most crucially, yarning circles with women in custody and on community-based orders to test the ultimate design. This work will continue throughout 2020 and into 2021.

# Disability Justice

## Did you know?

Many disabilities are hidden and can be missed by workers in the criminal justice system

**42%** of male prisoners in Victoria have an acquired brain injury

Up to **50%** of people who have an intellectual disability may have a coexisting psychiatric disorder

## Supporting Justice



Supporting Justice is the CIJ's system change project working with people with lived experience and key stakeholders from the criminal justice, disability and social service systems to find opportunities to address the overrepresentation of people with disability in the criminal justice system.

The project has embedded lived-experience within the project team. Dorothy Armstrong, a member of the Enabling Justice project's Justice User Group and Victorian Disability award winner, is employed as an adviser and peer support worker on the project. Dorothy has become an integral part of the CIJ team, offering her expertise to ensure that the voice of people who are most affected by the criminal justice system informs the Centre's reform agenda.

Supporting Justice bulletins keep project stakeholders informed on progress and demonstrate how consultation and feedback drove project decisions and outcomes. Bulletins are emailed periodically throughout the duration of the Supporting Justice project. To keep up-to-date on the project's work, you can subscribe via the CIJ website.

### Supporting Justice system map

In 2019, the project focused on building the groundwork for its system change agenda. This included the development of a system map of the criminal justice system from the perspective of a person with disability.

The resulting Supporting Justice System Map is an important resource to help policy makers identify strategic opportunities for systemic change to improve the justice system for people with disability. The project team worked with a broad range of stakeholders, using the system map to identify priority areas where intervention would have the greatest impact in reducing the overrepresentation of people with disability in the criminal justice system.



### Supportingjustice.net

As part of the Supporting Justice project, the CIJ worked with design firm Paper Giant to develop an online resource to assist court and legal professionals work more effectively with people with disability in the criminal justice system. SupportingJustice.net was developed using a human centred design approach with stakeholders

from across the disability, justice and social service sectors. The design process involved people with disability and lived experience of the criminal justice system working with magistrates and lawyers to develop resources that were user-friendly, and likely to improve experiences and outcomes for people with disability in the criminal justice system.

### Voices for Justice

The CIJ's Supporting Justice project collaborated with the Self Advocacy Resource Unit (SARU) to develop and deliver the *Voices for Justice* program. The program built upon SARU's *Voice at the Table* (VATT) training for people with cognitive disability and lived experience of the criminal justice system to develop the confidence to speak out and help others to improve the justice system. The Voices for Justice Program wrapped up on a high as the first round of self-advocates celebrated in a graduation ceremony.

**"(This training) has given me more awareness about myself, and my own journey, and now I can help others. I have become aware that I can have a voice, I have changed from my past experience from being in jail and I have learnt that there is another way to live."**

**John,  
Voices for Justice graduate**



*Voices for Justice graduates receiving their certificates from Rob Hulls*



The CIJ continued to contribute to local, national and international justice related issues through a range of media, including newspaper articles, video interviews, podcasts and blogs.

## In the media



**"If we had a better response to preventing & addressing men's violence against women, we wouldn't need women's prisons."**

Elena Campbell,  
CIJ Associate Director  
speaking on The Drum



Rob Hulls filming an interview for BBC on restorative justice

**"Mandatory sentencing... is an expensive, one size fits all approach that fails to take into account the individual circumstances of a particular case & disproportionately affects the most vulnerable in our community."**

Rob Hulls,  
CIJ Director  
in the Herald Sun

**"As a community we have a responsibility. If we stigmatise and prevent people from getting jobs or settling into communities, we're creating the conditions that give rise to re-offending."**

Stan Winford,  
CIJ Associate Director  
in the The Saturday Paper

**"If we want the justice system to work better, then something needs to change. And to us, the obvious missing element was the perspective of the people closest to the problem."**

Stan Winford  
on SBS News  
Supporting Justice



Stan Winford on Channel 10 news talking about why Victoria's new DNA testing laws could breach the human rights of teenagers.



Nareeda Lewers discussing 'Communicating with Victims about Resolution Decisions' report on ABC News 24

## Video interview series



The CIJ's video interview series continued with Rob Hulls interviewing: Louise Glanville, CEO of Victoria Legal Aid about her career, multidisciplinary practice, and why Legal Aid is a fundamental part of our justice system; Greg Barns, high profile criminal barrister, media commentator and RMIT law lecturer about his journey into the law, defending controversial clients, mental health in the legal sector & his love of teaching the law to students and; Antoinette Braybrook, CEO of Djirra about her journey into the legal profession and growing Djirra over the past 17 years.



"This is a role that accords with my values, that means I can commit to doing something that I think is very much in the public good."

**Louise Glanville,**  
CEO Victoria Legal Aid



"I love teaching...I like engaging with students, and I like the interchange of ideas. The JD program is terrific because the students have undergraduate degrees and they have really interesting life experiences."

**Greg Barns,**  
Barrister and RMIT Law Lecturer



"I'm an Aboriginal woman and these issues are very personal to me. I think that my legal training has probably given me some tools to be able to do that much better... I want to make a difference for Aboriginal women."

**Antoinette Braybrook,**  
Djirra CEO

## Talking Innovative Justice Podcast Series



### Turning Aboriginal men's lives around at Wulgunggo Ngalu

Rob Hulls spoke to Shaun Braybrook of Wulgunggo Ngalu Learning Place, a culturally appropriate residential learning place located in Gippsland for Indigenous men undertaking community correction orders.

"What we do works, strengthening cultural connections and cultural identity works."

**Shaun Braybrook, General Manager**  
of Wulgunggo Ngalu Learning Place



### Justice in the USA

While in New York on the Juris Doctor Study Tour, Rob Hulls interviewed social justice advocate and former Rikers Island Prison inmate Kathy Morse, and Vincent Schiraldi from Colombia University, about lessons Australia could learn from the American experience of mass incarceration.

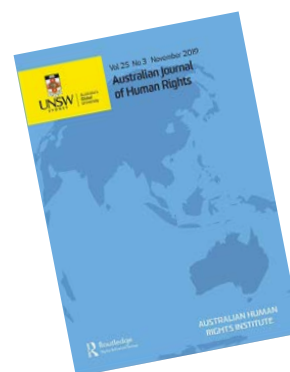


### Criminal Records, Employment Discrimination & Aboriginal Communities

Stan Winford joined Professor Bronwyn Naylor and Naomi Murphy to present at the RMIT Law Twilight Seminar.

## Australian Journal for Human Rights Implementing OPCAT through prison monitoring: the relevance of rehabilitation

In a special edition of the Australian Law Journal for Human Rights, CIJ Associate Director Stan Winford and Professor Bronwyn Naylor observed Australia's ratification of the Optional Protocol to the Convention Against Torture and other Cruel, Inhuman or Degrading Punishment (OPCAT) requires the establishment of comprehensive monitoring frameworks and suggest that the scope of such monitoring should extend to 'the rehabilitative culture' of prisons.



## Victorian Parliamentary Inquiry hears from Woor-Dungin: Criminal Record Discrimination Project

The Victorian Parliament's Legal and Social Affairs Committee held an inquiry, chaired by Fiona Patten MP, into the need for a spent convictions scheme in Victoria. The Committee was tasked with inquiring into the impacts of criminal record discrimination on Aboriginal people.

Members of Woor-Dungin's Criminal Record Discrimination Project appeared before the Committee in Melbourne



Woor-Dungin team: Wenzel Carter, Stan Winford, Naomi Murphy, Uncle Larry Walsh & Christa Momot

on 1 July 2019 to speak about their recommendations for reform, as set out in their submission to the Aboriginal Justice Forum.

CIJ Associate Director Stan Winford and Woor-Dungin Community Development Manager Christa Momot told the hearing about the substantial consultation undertaken with the Aboriginal community to develop the submission.

Stan Winford explained how criminal record discrimination had affected access to employment for Aboriginal people in Victoria.

Woor-Dungin's Uncle Larry Walsh, Wenzel Carter and Naomi Murphy gave the Committee powerful evidence of their own experiences of discrimination, stigmatisation and exclusion as Aboriginal people with criminal records.

## CIJ team at Australia New Zealand Society of Criminology Conference

In mid-December, members of the CIJ team attended the 2019 Australia and New Zealand Society of Criminology (ANZSOC) conference in Perth. This year's theme 'Justice Reimagined' encouraged conference delegates to consider the potential intersections between academia, government, industry and the community in preventing and responding to crime.

The Supporting Justice team of Stan Winford, Michael Haralambous, Dorothy Armstrong and Paper Giant's Kate Goodwin presented a session promoting the supportingjustice.net online resource, exploring how the project embedded lived experience and human centred design to improve outcomes for people with a disability in the criminal justice system.



Stan Winford, Kate Goodwin, Dorothy Armstrong and Michael Haralambous at ANZSOC

Rob Hulls gave a keynote speech on understanding the pathway from victim to offender. The speech reminded conference delegates that the failure to put appropriate services around victims of crime can make them vulnerable to becoming offenders.



## Committee participation



Examples of the CIJ team's participation in committees include, but not limited to:

- Chief Magistrate's Family Violence Taskforce
- Family Safety Victoria Primary Aggressor Advisory Group
- MARAMIS Expert Advisory Group
- NSW Premier's Reduction in Domestic Violence Reoffending Expert Advisory Group
- Futures Free from Violence Advisory Group
- Network for Filial Violence
- Adolescent Violence Community Network
- Workplace Fatalities and Serious Incidents Reference Group (WorkSafe, DOJCS)
- Department of Justice, Crime Prevention Expert Panel
- Supreme Court of Victoria Human Rights Committee
- Aboriginal Community Justice Reports Advisory Committee
- Yooralla Community Partnership Advisory Committee
- Aboriginal Ex-Offender Employment Project Advisory Committee
- Criminal Record Discrimination Project Advisory Committee
- Children's Court Project Expert Advisory Committee
- Smart Justice for Young People
- Editorial Committee, Australian Journal of Human Rights
- VRGF Justice Working Group
- Integrated Legal and Social Support Network

## Speaking engagements



- Understanding Crime and Rural Communities Workshop
- RMIT Engaging for Impact Conference (how researchers can engage and influence governments)
- CIJ, Office of the Public Advocate, Ombudsman Victoria & Future Social Service Institute panel on disability and justice
- International Women's Day event Women In Rotary
- Federation of Community Legal Centres: Integrated practice session
- Minter Ellison - speaking to junior lawyers
- Forensic Mental Health and Human Rights Workshop
- No More Harm Conference
- Judicial College Victoria: Perpetrator Interventions
- Hobart Law School 125 Anniversary
- International Society for Therapeutic Jurisprudence Conference
- John Cain Foundation Lunch: Doing Justice Differently
- Australia Youth Justice Conference: PIPA
- Victoria Law Foundation Law Week Talks
- Western Health PIPA
- Melbourne Knowledge Week
- No To Violence Ending Men's Family violence conference
- Guest lecturer in Master of Social Work Contemporary Themes in Professional Practice
- Fisheries Crime Prevention Conference
- Reintegration Puzzle Conference Darwin: *'Identity and Culture After Prison'*
- RMIT Law Seminar Series: Criminal Records, Employment Discrimination and Aboriginal Communities
- Restorative Justice and Enforcement Symposium, Environment Protection Authority Victoria
- Working with Perpetrators at Court, Judicial College of Victoria
- Australian Institute of Judicial Administration - Panel Presentation: Justice for Young People
- National Legal Aid conference dinner
- *'What would an ethical corrections system look like?'* session at ANU Policy Dialogue
- Law and Justice Development Community of Practice, Crawford School of Public Policy, ANU Canberra
- Front line responses to perpetrators, Victoria Police Academy
- Victims Assistance Program, Presentation on Victims' Services Review
- Findings from the PIPA Report, Family Safety Victoria
- Workshop on adolescent family violence - International Network on Filial Violence, Melbourne
- Australian and New Zealand Society of Criminology Conference WA



Left: Rob Hulls introducing Marilyn McMahon's 'No bail, more jail' paper  
Right: Rob Hulls with Minister Ben Carroll & Micaela Cronin (FSS)





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 CentreForInnovativeJustice

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