

Annual Review 2022



The Centre for Innovative Justice (CIJ) at RMIT University acknowledges the people of the Woi wurrung and Boon wurrung language groups of the Eastern Kulin Nation on whose unceded lands we conduct the business of the University. We acknowledge their Elders past, present and future, as well as the ongoing strength of the world's oldest continuing and living culture. Always was, always will be.

In addition, the CIJ acknowledges the devastating and ongoing impacts of colonisation on Aboriginal communities, impacts which have a direct and continuing relationship with the vastly disproportionate rate at which Aboriginal people have contact with the criminal justice system, as well as their experiences of racism and discrimination once this contact occurs. These impacts are also directly related to the very specific and multiple impacts of intergenerational trauma which Aboriginal communities experience.



The CIJ team

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Director

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Contents

A message from our Director	5
Who we are & what we do	6
Our Areas of Research	
Snapshot of the CIJ's 2022	8
New justice meets old	10
Women's decarceration	12
Adult perpetrated family violence	18
Young People in the justice system	22
Disability justice	28
Justice system reform	32
Self-determined justice	32
Open Circle	38
Learning through life & work	42
CIJ interview series	46

A message from our Director

2022 was another exciting year for the CIJ with our move to the former Melbourne Magistrates' Court enabling us to transform this historic building into an innovative and impactful justice hub.

As you will see from this annual review, we have well and truly established ourselves as leading researchers and advocates in relation to improving the justice system. Whether it be in the areas of family violence, including adolescent violence in the home, sexual assault, disability justice, restorative justice, justice for First Nation's Peoples, women's decarceration or life-changing experiences for students, the CIJ is an embedded part of the justice reform landscape in this state and beyond.

As Director, I am proud and privileged to work with such a dedicated, passionate team of social justice innovators who are committed to making the justice system a positive intervention in the lives of its users.

Rob Hulls



There are much smarter ways of dealing with the justice system. Why spend hundreds of millions of dollars on new prisons when that money could actually go into hospitals and school classrooms?

Rob Hulls, Director

Who we are & what we do

Our Purpose

Our reason for being is to:

- Improve access to justice and its potential to function as a positive intervention through impactful research, practical collaboration with government and the wider sector, as well as sustained advocacy.
- · Contribute to solving public policy problems.
- · Provide transformative student experiences.

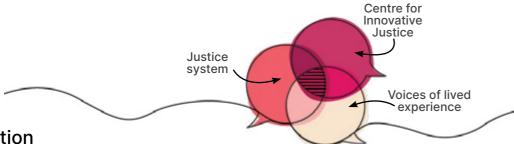
Our Vision for Justice

To promote diverse pathways to positive justice outcomes by developing evidence-informed, accessible and therapeutic approaches that:

- Resolve disputes effectively, regardless of their scale.
- Address the root causes of crime and its consequences.
- Prioritise the needs of people in contact with the criminal justice system as well as affected communities.
- Empower communities and individuals to prevent disputes and reduce crime.

Our Approach

- We focus on people's lived experience
- We partner with people, rather than doing things 'to' or 'for' them.
- We support people to become their own advocates
- We create avenues for people's voices to be heard
- We don't assume we know the answers. Our first step is listening to the people most affected by the issue.



Thread of connection

Our new connecting thread identity focuses on the intersection of those with lived experience, the justice system and the CIJ. The logo's imagery focuses on the voices of each group through the 3 connecting speech bubbles and connecting outline. The logo also incorporates a Venn diagram — illustrating the continual connection and combined power of joining the three.

Our Areas of Research





It is important we have a justice system that delivers justice to everybody, and that includes First Nations People, people with a disability and women who have been victims of sexual assault and family violence.

Rob Hulls, Director

Snapshot of the CIJ's 2022

Research & Innovation for Impact



Family Violence

 Evaluation of the Magistrates' Court of Victoria's Expansion of the Remote Hearing Support Service.

Adolescent Violence in the Home (AVITH)

- Adolescents using Family Violence (AFV) MARAM Practice Guidance Project – Review of the Evidence Base
- Respect Victoria Understanding AVITH from a prevention perspective

Young people in the justice system

 Parkville College – Understanding Pathways for transition from detention to education and employment

Disability Justice

 Forensic Disability Lived Experience Framework

Justice System reforms

- Victoria Legal Aid Remand Project
- Developing a specialised restorative justice framework to respond to sexual violence

Self-determined Justice

• Yallum Yallum - Developing a self-determined justice model

Ongoing Projects



Completed Projects



Family Violence

- Evaluation of Victoria Legal Aid's Legal Practice Model
- Future-Proofing Safety:
 Examining family violence in
 Victoria during COVID-19

Adolescent Violence in the Home (AVITH)

- WRAP around families experiencing adolescent violence in the home: Towards a collaborative service response
- Evaluation of Youthlaw's Pre-Court Support Program for Young People

Women's decarceration

- Lessons from COVID-19: The use of remand, bail and sentencing for women
- Community SupPORT Pathways for Women
- Feasibility study residential facility for Aboriginal women in contact with the criminal justice system

Justice System reforms

- Community Attitudes to Crime resource
- Experiences of complainants of sexual offences in the NSW criminal justice system

Self-determined Justice

 Ensuring that Aboriginal perspectives inform responses to Aboriginal victims of crime

Family Violence

 Signposts to perpetrator change

 Reporting outcomes from change-focused family violence work

Adolescent Violence in the Home (AVITH)

- Evaluation of Youthlaw's Precourt support for adolescents using violence in the home
- Adolescents using Family Violence (AFV) MARAM Practice Guidance Project – Review of the Evidence Base
- Respect Victoria Understanding AVITH from a prevention perspective

Disability Justice

 Just Voices Project: Building mainstream justice workforce capability around the NDIS through lived experience

Self-determined Justice

 Yallum Yallum - Developing a self-determined justice model

Restorative Justice

 Restorative Options for the Coroners Court, commissioned by the Coronial Council

We continued to increase our social media presence across LinkedIn, Facebook, Twitter and Open Circle's Twitter along with our bi-monthly newsletters, blog posts and the CIJ interview series.

Engagement & Impact



- 11 CIJ blog pieces
- **4** CIJ Newsletters
- 4 CIJ video interview series
- 3 Online news articles
- 2 Radio & podcasts appearances
- 2 CIJ events
- **15** Speaking engagements
- 3 Written submissions to inquiries
- 4 Commission appearances



Learning through life & work

- **16** RMIT Social Work and 6 RMIT Law students completed placement within CIJ, LACW and Youthlaw totalling over 8000 placement hours
- **7** Guest Lectures to Social Work and Law students
- 5 High School Law talks



Centre for Innovative Justice

New justice meets old: the CIJ moves into the Former Melbourne Magistrates' Court

Built on the site where high profile trials including those of bush-ranger Ned Kelly and 1920's gangster "Squizzy" Taylor were held, the Former Melbourne Magistrates' Court was purchased by RMIT in 1997, and it has seen numerous University teams occupy the office spaces over the years. It is also used by RMIT law students to conduct 'moot courts' since that time.

The move was marked with a celebratory launch event, where RMIT Vice Chancellor Professor Alec Cameron introduced Federal Attorney General the Hon Mark Dreyfus to officially declare the new premises 'open'. Mark Dreyfus spoke about the importance of the work of the CIJ in reforming the justice system to better meet the needs of its users.

Vice Chancellor Professor Alec Cameron told the audience that the University had just launched its new strategy and that it was very focussed on using the scale and strength of the University to create a positive impact on the communities RMIT serves.

"I can think of no better example than the Centre for Innovative Justice and its efforts, particularly in relation to society's most vulnerable."

RMIT Vice Chancellor, Professor Alec Cameron

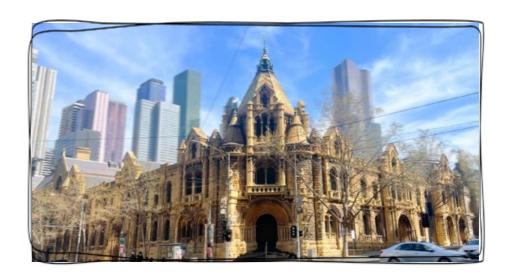
We see our move as an opportunity to bring a contemporary, innovative, and inclusive approach to justice into the historic space and are passionate about transforming an old justice model into one that better meets the needs of its diverse users.



Federal Attorney General Mark Dreyfus



Vice Chancellor Alec Cameron





We're thrilled to make it our home, and we intend to transform this old court precinct into a modern, innovative justice hub.

Rob Hulls, Director



The CIJ team with Federal Attorney Mark Dreyfus

Women's decarceration

The reasons women end up before courts and in prison, and their experiences in custody are very different to that of men. And yet many parts of the criminal justice system, particularly prisons, are designed around men.

> Catherine Caruana Senior Adviser, Research and Advocacy

Lessons from COVID -

Exploring the trends in the use of remand, bail and non-custodial sentences for women in the justice system during the early stages of the pandemic

This project developed in partnership with the Law and Advocacy Centre for Women (LACW), explores trends in the use of remand, bail and non-custodial sentences for women in the justice system during the early stages of the pandemic. To date we've conducted a review of women's legal files across pre- and post-COVID periods and consultations with criminal justice stakeholders working with criminalised women. A follow-up survey with stakeholders in early '23 and analysis of Corrections data, will contribute to an emerging story of hardship and isolation for one of the most vulnerable cohorts in the justice system.

Project team: Elena Campbell, Catherine Caruana and Matilda Simpson

Profile of women in custody

- Women enter prison for less serious offences than men and spend short periods in custody which can disrupt connection to children, employment, healthcare and housing.
- Women are more likely than men to be the primary carer of children when imprisoned.
- The majority of women in prison are themselves victims of violent crime. Trauma from sexual assault and family violence push women into poverty, homelessness, substance use and contact with the justice system.
- A Victorian Parliamentary Inquiry identified housing as 'the most overwhelming problem' facing criminalised women, closely linked to women's offending and reoffending.
- By cutting women's access to housing, services, medication and family contact, incarceration then increases the likelihood of further contact with police and prisons down the track.
- Aboriginal women, in particular, are generally incarcerated for minor offences commonly associated with extreme poverty and homelessness. Aboriginal women are 15.7 times more likely to be in prison on remand than non-Indigenous women.
- The overrepresentation of Aboriginal women in criminal justice systems is linked to individual and collective trauma from 'dispossession of land, disruption of culture and kinship systems, removal of children, racism, social exclusion, institutionalisation and entrenched poverty'.



You actually have to change the game, whatever way you're looking at it, you need to change it radically because it doesn't work. It doesn't just harm the person in custody. It harms their whole family in ways you can't even imagine.

Dorothy Armstrong Adviser & Peer Support Worker with lived experience

Evaluation of the Community SupPORT Pathways pilot project

We worked closely with LACW to evaluate the establishment of LACW's Women's SupPORT Pathways pilot project. The project is aimed at building community connection for vulnerable and criminalised women by linking them into community football (AFL) clubs and supported by the Victorian Amateur Football Association (VAFA). After a great first season, LACW has used the findings from the pilot to refine and expand the program as they recruit justice-involved women for the 2023 season in Phase 2. The full evaluation report is due in September '23.

Project team: Elena Campbell and Catherine Caruana.



Community SupPORT Program participant, Misti



Community support First Nations State MP Sheena Watt left and Elise Muller, AFLWs First Disability Ambassador living with ADHD and Autism right

Aboriginal Women's Residential Program Feasibility Study

Djirra and the CIJ delivered the final stages of a project to develop a model for a culturally responsive residential program for Aboriginal women in contact with the justice system. A goal under the fourth Aboriginal Justice Agreement (AJA4), the project builds on over a decade of community advocacy for a trauma-informed and holistic alternative to imprisonment for women. Our co-design approach involved consultations with existing residential programs in Victoria, workshops with practitioners and community leaders, and most importantly, yarning with Aboriginal women in the community and at Dame Phyllis Frost Centre.



Project team: Elena Campbell, Catherine Caruana and Riley Ellard.

About Djirra

Djirra is an Aboriginal Community Controlled Organisation governed by an Aboriginal Board of Directors who are elected by Djirra's members. They provide practical support to all Aboriginal women and particularly to Aboriginal people who are currently experiencing family violence or have in the past. The work Djirra does is predominantly designed by and for Aboriginal women.

Advocacy in action

Women's Lived Experience in Decarceration and Carceral Resistance

Hosted by Fitzroy Legal Service, Elena Campbell facilitated a panel discussion on 'Women's lived experience in decarceration and carceral resistance' at the Wheeler Centre, combining professional and lived experience expertise. Discussed were four key areas of achievable reform needed to reverse the escalating and damaging female imprisonment rate. Short, sharp presentations on the need for reform and investment in housing, bail laws, policing and joined-up service responses headlined the first panel discussion. This was followed by perspectives from four women with lived experience of the destructive impact of contact with the carceral system. From the long reach of digital surveillance, to the need for community, connection and support rather than punitive responses, the four women from the Women's Leadership Group at FLS invited the audience to articulate their vision for a world without prisons.



Womens lived experience in decarceration panel: VLA's Megan Pearce, Flat Out's Karen Fletcher, TaskForce's Lisa Abbott, LACW's Elena Pappas and CIJ's Elena Campbell

Watch the event recording here.

Rewriting the narrative: Women in the justice system podcast

Elena Campbell, Catherine Caruana and Dorothy Armstrong joined Lisa Abbott of the Living Free project and discussed the drivers of women's contact with the criminal justice system, as well as the pathways towards more appropriate responses. The podcast was developed in partnership with the Living Free program, which supports young criminalised women.

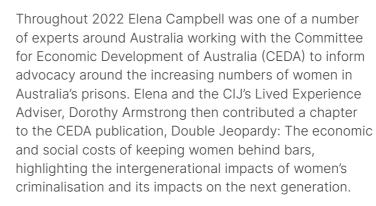
Listen to the podcast here.

Coronial inquest into the death of Veronica Nelson

As a Member of Administration of Justice conclave, Elena contributed expert evidence on the drivers of women's criminalisation in the context of the Inquest into the passing of Veronica Nelson.

Read the Coroner's findings here.

CEDA Justice Forum & publication



The report can be read here.

Submission to Legal and Social Issues Committee Inquiry into Children Affected by Parental Incarceration

Our submission highlighted the importance of applying a gendered and child-focused lens to the issue of parental incarceration. It set out options for reform that divert women from custody; ensure that children are seen and heard in the criminal justice system; and invest in systems and services to respond appropriately.

The findings were released in August 2022 and the CIJ was cited by the inquiry on all of these issues, as well as in relation to the need to consider international frameworks when developing protocols relating to children affected by parental incarceration.

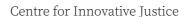
The Commitee's findings can be read here.

Project team: Elena Campbell, Helen Forster and Catherine Caruana

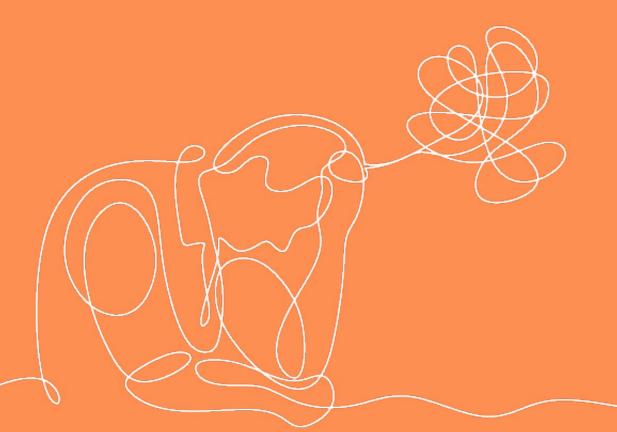


My children, their lives were completely devastated. And they did nothing wrong.

Dorothy Armstrong Adviser & Peer Support Worker with lived experience



Adult perpetrated family violence



Signposts for assessing and reporting family and domestic violence perpetrator behaviour change

Continuing our focus on court-based perpetrator interventions since Victoria's Royal Commission into Family Violence, the CIJ and external colleagues released a new independent paper. Lead authors Rodney Vlais, Elena Campbell and Damian Green from Stopping Family Violence ('SFV') in Western Australia explore a question which arose during previous CIJ projects, that being the extent to which Men's Behaviour Change Programs ('MBCPs') or other change-focused interventions should report participant change when a perpetrator is referred by a court or other authority.

The CIJ and SFV considered that it was time to discuss ways to reflect and report on a perpetrator's progress towards becoming safer. This avoids false assumptions and aids programs and evidence development.

The CIJ and SFV produced two accompanying resources:

- 'Reporting outcomes from change-focused family violence perpetrator program work with court referrals', a concise discussion paper for courts. You can read the discussion paper here.
- 'Signposts for assessing and reporting family and domestic violence perpetrator behaviour change', a substantial paper for practice development. This paper aims to create 'signpost' indicators for nuanced accounts of perpetrator behaviour and risk. You can read the discussion paper here.

Project team: Elena Campbell with Rodney Vlais and Damian Green

What is meant by a 'perpetrator intervention'?

Historically, 'perpetrator intervention' has been considered synonymous with MBCPs. Over the past decade, however, a wider set of specialist interventions and programs have arisen beyond those that aspire towards sustainable behaviour change outcomes. Recent analysis and focus on perpetrator intervention systems have helped to highlight that any direct or indirect engagement with a perpetrator can be considered an 'intervention'.

Taken as a whole, perpetrator interventions work towards this fundamental aim by pursuing a number of strategic objectives:

- immediate and short-term safety gains for those affected by the perpetrator's violence;
- enhanced comprehensive and ongoing risk assessment;
- enhanced understanding and mapping of the perpetrator's patterns of coercive control;
- strengthened ongoing and longer-term risk management through contributing to a multiagency integrated response;
- strengthened advocacy and support provided to adult and child victim-survivors;
- information provision to relevant services and sub-systems to assist them to be part of a collaborative approach that scaffolds pathways towards his accountability;
- enhanced perpetrator motivation to participate genuinely in perpetrator intervention programs shifts, even if only incremental and partial to begin with, in the perpetrator's violent and controlling behaviour; and
- longer-term and more substantial and sustainable shifts in the perpetrator's patterns of coercive control.

Victoria Legal Aid's Specialist Family Violence Courts Legal Practice and Resourcing and Allocations Model (Legal Practice Model)

We continued to support the generation of learnings around the implementation of Victoria Legal Aid's Legal Practice Model, a model which focuses on participant-centred service delivery and is currently being delivered in the context of Victoria's network of existing Specialist Family Violence Courts.

We undertook consultations with judicial officers, court staff, legal and other practitioners to understand how certain components of the model are being experienced on the ground, particularly in the context of considerable wider reform as a result of COVID-19 and delivered the findings in our interim report.

Project team: Elena Campbell, Riley Ellard, Jacinth Pathmanathan and Matilda Simpson



Evaluating the Magistrates' Court of Victoria's Expansion of the Remote Hearing Support Service

We were commissioned to conduct an evaluation of the Magistrates' Court of Victoria's Remote Hearing Support Service. This service offers support and safety to people seeking the protection of a Family Violence Intervention Order by connecting them with specialist practitioners prior to, during and following the hearing, as well as offering the opportunity to participate in the hearing from a remote location, rather than attending court in person.

We worked with Clear Horizon to conduct an initial phase of the evaluation, gaining an understanding of the RHSS's implementation and identifying practical opportunities to improve its operation.

In 2023, the CIJ and Clear Horizon will continue the project with a more in-depth exploration of the views of people with lived and practical experience of the Magistrates' Court of Victoria's expanded Remote Hearing Support Service.

Project team: Elena Campbell, Riley Ellard, Jacinth Pathmanathan, Helen Forster and Matilda Simpson

Future-Proofing Safety: Examining family violence in Victoria during COVID-19

Led by the Centre for Family Research and Evaluation at Drummond Street Services, in partnership with the CIJ and the Australian Institute for Family Studies, this project aims to tell the story of how people experiencing or using family violence were impacted by the pandemic, how the service system responded, and any ongoing impacts.

Entering the third year of the pandemic and a 'new normal' – in which new variants may continue to arrive – we believe it is crucial to build greater capacity in those services which respond to the most vulnerable members of the community. The pandemic has not only exposed existing fault lines in the community but created new ones. Australians most dramatically impacted by the pandemic will continue to need greater support for years, while services which work with them will need much greater scope and capacity to 'surge'.

Over 2022, we conducted focus groups, bringing together practitioners from a wide range of services including specialist family violence, mental health, alcohol and other drug (AOD), housing, sexual assault, legal, maternal child health and cohort-specific services. Focus groups have highlighted the deep commitment of practitioners across the system and provided numerous positive examples of sector adaptation and innovation to meet client needs, while also revealing the significant toll that working to maintain service continuity and safety had on practitioners during the pandemic. The final report will be launched in 2023.

Project team: Elena Campbell, Riley Ellard, Matilda Simpson, Eliza, Hew, Samara Young, Catherine Caruana, and Kat Ogilvie

Advocacy in action

ANROWS - Perpetration Research Agenda

Elena Campbell contributed to workshops involving researchers around Australia to inform the development of the ANROWS research agenda into perpetration of family and domestic violence

Queensland Women's Safety and Justice Taskforce

The CIJ provided oral submissions to a visiting delegation from <u>Queensland's</u> <u>Women's Safety and Justice Taskforce</u>. Our submissions to the Taskforce drew on our expertise in relation to perpetrator interventions and responses to family and domestic violence, as well as the clear links between women's experiences of trauma and their contact with the criminal justice system.

Cross-institutional education

Elena Campbell continued to present to classes of law and criminology students in relation to family violence and the law.



Young People in the justice system



Parkville College Understanding Pathways

The CIJ are in the early stages of developing a project with Parkville College, which will examine the transitional support needs – with a focus on education, vocational and employment transitions – for young people exiting custodial environments. The project will aim to hear directly from young people in these settings and their families, to develop a detailed understanding of young people's needs and goals as they return to the community, the effectiveness of support currently provided by Parkville College, and opportunities to strengthen support received.

Project team: Elena Campbell, Riley Ellard, Eliza Hew, Kat Ogilvie, Matilda Simpson and Samara Young

What is Parkville College?

Parkville College is a specialist Victorian Government School that provides education to students who are, or have been, detained in custody, a secure care setting, or transitioning from these settings.

Advocacy in action

Himilo Community Connect

An innovative pilot program diverting Somali young people away from the criminal justice system has been given the green light by the Victorian Government. Himilo Community Connect, a community-led project based in Heidelberg West, received a \$271,000 government grant to expand its 'At-Risk Youth Panel' following support and advice from CIJ Associate Director Stan Winford

While the Panel has been delivered since April 2018 in partnership with local police, the Heidelberg Somali Community Justice Pilot seeks to strengthen and expand the Panel process and engage more Somali young people in culturally appropriate support and referral pathways.

The pilot will be evaluated by CIJ to substantiate the need and efficacy of the nitiative subject to the evaluation, further funds will be sought beyond the period of the grant lifecycle.

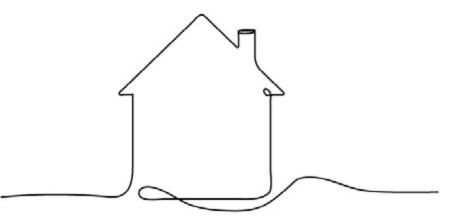
Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings

Elena Campbell gave expert evidence to the Commission which focused on recognising the primary drivers of young people's contact with the justice system including their experience of harm in childhood in the form of intimate partner of other kinds of family or sexual violence.

You can read Elena's statement here and read the transcript of her appearance here

The Commission will hand down their final report during 2023.

Adolescent violence in the home (AVITH)



WRAP Around Families Experiencing AVITH: Towards a collaborative service response

The Whole-of-family Responses to AVITH Program (WRAP) Around Families Experiencing AVITH project aimed to develop a framework for holistic, evidence-based and collaborative practice. Funded by ANROWS, the project was initially designed as a relatively targeted project, but a welcome injection of resources into the sector by the Victorian Government in early 2021 contributed to a sizeable expansion of the number of practitioners working in this area. This meant that, despite Victoria's extended lockdowns, over 70 practitioners participated in focus groups during late 2021 and again in subsequent workshops in early 2022.

In addition to examining the breadth of service responses via this practitioner participation, the project led by Elena Campbell's team also conducted a case study of a program delivered by Drummond Street Services in response to young people using harm at home. This program was informed by Drummond Street's earlier work in the Children's Court, as well as in response to recommendations from the CIJ's PIPA Project. The case study featured case file reviews and client interviews and, together with the focus group data, then informed a Collaborative Practice Framework, which aims to provide a consistent conceptualisation of AVITH, as well as a blueprint for identifying risk, meeting needs and wrapping around whole families in order to deliver an effective service response. The final report and Framework will be launched in 2023.

Project team: Elena Campbell, Riley Ellard, Eliza Hew and Matilda Simpson

Evaluation of Youthlaw's Pre-court Support Pilot for adolescents using violence in the home

This collaborative project with Youthlaw, funded by the Victorian Legal Services Board, enabled us to explore and test early family violence legal and non-legal support options for AVITH. The pilot was based on the premise that giving young people earlier specialised support from a lawyer and youth worker will provide a more positive and participatory experience of court, as well as improving safety and personal outcomes. Youthlaw delivered the Pilot through an additional lawyer and social worker to provide earlier, multidisciplinary pre-court legal support, while the CIJ conducted the research and evaluation component of the project.

Additionally, we found that the vast majority of young people supported through the Pilot exited without any order in place, significantly reducing the likelihood of justice system contact being escalated.

Overall, the evaluation found that the way in which Youthlaw's specialised practitioners were able to engage effectively with young people signals genuine promise and is an important component of any wider AVITH service system response. In addition, legal matters were resolved with fewer adjournments, criminal cases streamlined and often resolved through caution/diversion.

Crucially, the evaluation also emphasised the prevalence of experiences of adult-perpetrated family violence across the Pilot cohort, including multiple young people who had been misidentified as the predominant aggressor within the family. Where these disclosures were able to inform legal advocacy (including out-of-court negotiations), they often contributed to more appropriate and just outcomes for young people.

"It's fantastic to have a program specifically designed to support young people engaged in family violence offending which involves wrap around services that work in tandem"

- Victoria Police survey response

Project team: Elena Campbell, Riley Ellard, Eliza Hew and Matilda Simpson

Young people's MARAM Practice Guidance – Evidence Review

In 2022 the CIJ was commissioned as a subject matter expert to contribute to a Practice Guidance regarding the use of family violence by young people. The project included facilitating consultations and then developing content for Family Safety Victoria to incorporate into a Practice Guidance which will accompany the children and young people focused Multi-Agency Risk Assessment and Management (MARAM) tools, to be released in 2023.

The project also included a review of the evidence base regarding tools currently used to assess young people's use of AVITH, adolescent intimate partner or 'dating' violence (ADV) and harmful sexual behaviours (HSB). As such, the project took an unusually broad approach so as to contemplate what should be in or out of consideration in the development of any associated tools. Practice considerations for assessing risk and protective factors were also in scope.

Overall, the review concluded that tools were not likely to be applicable across the gamut of behaviours but recommended a focus on AVITH as a first port of call. The CIJ recommended that a Practice Guidance flag commonalities in histories of victimisation as a first step in centring a response to young people as children first and people using violence second.

Project team: Elena Campbell

What is MARAM?

Family Violence Multi-Agency Risk Assessment and Management (MARAM) ensures services are effectively identifying, assessing and managing family violence risk. MARAM was previously known as the common risk assessment framework or 'CRAF'. The Framework covers four workforce tiers spanning specialist family violence services (Tier 1), core support services and professionals (Tier 2), mainstream/ social support services (Tier 3) and universal services (Tier 4).



Local Government and regional network forums

Throughout 2022, Elena Campbell continued to present to local government and regional network area forums about responses to family violence and to the use of AVITH in local community contexts.

SPARKing Evidence Based Practice: WRAP Around Families

Hosted by WorkUP Queensland, Elena Campbell presented on the CIJ's journey of research in relation to AVITH and shared the emerging findings from our WRAP Around Families project.

Experiences of Neurodiversity in Family Law

Elena also drew on the PIPA project findings to participate in a forum for the Family Law Pathways Network. This forum was attended by legal practitioners from right around Australia and explored the need for the legal system – and court system specifically – to respond more effectively to neurodiversity, as well as the impacts of trauma and structural disadvantage, in the way that it interacts with and supports court users.

Children's Law Forum

Elena drew on the PIPA project and WRAP Around Families project to present to wide range of legal practitioners as well as court and Corrections staff who work with children and young people to encourage more nuanced responses to young people using interpersonal harm.

On the agenda: Evidence to inform contemporary policy priorities addressing violence against women

Elena also spoke at the 2022 ANROWS National Research Conference at the session on Children and young people. The panel 'Investing in the future: Children and young people who experience domestic and family violence' unpacked children's and young people's experiences of domestic and family violence and their interaction with systems, including child protection.

Respect Victoria – consortium on Highlighting priorities for prevention of different forms of interpersonal violence

Due to our expertise on AVITH, we were commissioned by Respect Victoria to contribute to a consortium providing insights about supporting the recovery of children who experience adult perpetrated violence and other kinds of marginalisation.

Annual Review 2022 | 27

Centre for Innovative Justice

Disability justice



The abuse that I've suffered all my life, I was quite nonverbal when I got to prison. I wasn't able to communicate with anybody, I was terrified of being hit again... I was thinking I could die...especially seeing all the concrete and steel.

Dorothy Armstron Adviser & Peer Support Worker with lived experience



Just Voices - Building mainstream justice workforce capability through lived experience

CIJ finalised its Just Voices project mid-year and was pleased to see it highlighted in the Department of Justice and Community Safety's (DJCS) Disability Action Plan for 2022-24. The project featured people with lived experience of disability and the criminal justice system – both in an advisory role and as part of a series of co-design workshops – where workforce development initiatives were designed to help people working in community corrections, youth justice and adult correctional facilities to recognise and respond to disability. The initiatives were then refined and subsequently tested with the justice workforce. Throughout the project many stakeholders commented on the powerful work of CIJ Adviser and Peer Support Worker Dorothy Armstrong and her capacity to share her lived experience so eloquently.

Project team: Stan Winford, Doddy Armstrong, Jen Black, Megan Hughes, Verena Tan and Emily Piggott

Forensic Disability Lived Experience Framework

Government and community service organisations are increasingly looking to consult people with lived experience of systems on programs and policies as well as service design. Our previous experience with people with lived experience found that much more is needed before the process of engaging people with lived experience in co-production can be effective, empowering, sustainable, and safe for all involved.

Through consultation with those with lived experience, a Framework will be developed for the Department of Families, Fairness and Housing (DFFH)'s forensic disability and complex needs services. It will provide the department with a roadmap on engaging people with lived experience of intellectual disability and the criminal justice system in policy and service design work.

Project team: Stan Winford, Doddy Armstrong, and Emily Piggott, Prue Elletson and Megan Hughes



Locking people in cells for 23 hours a day is torture. We know that this kind of adversarial punishment-oriented system simply doesn't work.

Emily Piggot Senior Adviser, Research and Advocacy

Advocacy in action

Australian Guardians and Administrators Conference

Dorothy Armstrong, Rob Hulls and Stan Winford spoke at the Australian Guardians and Administrators Conference in which Dorothy discussed her experience with the justice system and described the difficulties people with disability face when decisions are made on their behalf, without them even comprehending the decision. Dorothy spoke powerfully about experiences in the justice system, and the effect that lived experience expertise can have on reform and policy change.



Dorothy Armstrong, Stan Winford and Rob Hulls at AGAC



We know from being told by people with disability that the criminal justice system causes trauma, and it damages people's lives.

> Emily Piggot Senior Adviser, Research and Advocac

Council of Australasian Tribunals Conference

Dorothy, Rob and Stan also spoke at the Council of Australasian Tribunals (COAT) conference. Before members of numerous tribunals from around Australia Dorothy, Rob and Stan again stressed the importance of listening to people with lived experience in the tribunal context, and described inaccessible court and tribunal experiences for people with acquired brain injury.

The very positive feedback received by the CIJ after the presentation demonstrates the power that hearing from a person with lived experience can have on audiences.

"It was powerful to end the COAT Conference with a lived experience perspective. In particular Dorothy, to hear your experiences of inclusion and exclusion from decisionmaking."

- Conference attendee



Rob Hulls, Dorothy Armstrong and Stan Winford at the COAT Conference

Office of the Public Advocate 'Better Together' volunteer conference

Dorothy Armstrong and Emily Piggott presented at the Office of the Public Advocate (OPA) 'Better Together' volunteer conference. One of the important volunteer streams at OPA is the Independent Third Person program (ITP), which has been running for over 30 years. ITPs attend police interviews with people with cognitive disability and mental illness and act as an independent person.

Justice system reform:

The impacts of experiences of crime on people's contact with legal processes



Experiences of complainants of sexual offences in the NSW criminal justice system

The CIJ is working in partnership with KPMG to conduct research into the experiences of complainants of sexual offences in the NSW criminal justice system - a project which has been commissioned by the NSW Bureau of Crime Statistics and Research (BOCSAR). With the most recent research examining sexual assault complainants' experiences in NSW undertaken over 25 years ago, this research aims to address a critical gap in understanding victim-survivors' contemporary, end-to-end experiences of the criminal justice process.

In 2022, the project team travelled around NSW, conducting in-person and online interviews with over 30 complainants in adult sexual offence matters. The project team also met with members of the Aboriginal community in specific areas of regional NSW about their community's participation to ensure that research projects involving Aboriginal peoples are community-led and have direct benefits for the people and communities involved.

Community Attitudes to Crime resource

This resource is an educational pack developed by the CIJ that seeks to inform the community about aspects of the Australian justice system, addressing common myths associated with criminal justice and providing evidence-based alternatives to "tough on crime" responses. We thank the practitioners participating in other CIJ projects who contributed to the development of this resource via an online survey.



Advocacy in action

Inquiry into Victoria's Criminal Justice System

Following from our 2021 Submission, the Legal and Social Issues Committee released their findings from this inquiry in 2022. ClJ's recommendations were cited numerous times.

Read the report here.

What's next for a Charter of Rights post-election?

As Victorian Attorney General our Director, Rob Hulls, introduced and implemented a Victorian Charter of Human Rights. Rob took part in this panel discussion, hosted by the Human Rights Law Centre, to discuss the difference a National Charter of Human Rights can make to people's lives.

Moderated by Daney Faddoul, HRLC Campaign Manager, featuring Rob Hulls, Director, ClJ, Sam Klintworth, National Director, Amnesty International Australia and Keren Adams, acting co-Chief Executive Officer, HRLC.

Watch a recording of the event here.



Our Justice System - Renovation or Re-Build? The Jury Is Out

The Future/Inclusive was a festival of ideas, participation and collaborative action convened by RMIT's Social Innovation Hub, supported by City of Melbourne and Victorian Government.

For too long our justice system has let too many people down. In many areas it is not fit-for-purpose and either needs a substantial renovation or a total rebuild and as part of the festival, CIJ delivered a panel discussion and questioned if the justice system needs a substantial renovation or a total rebuild. The event was facilitated by our Director, Rob Hulls with panellists Stan Winford, Associate Director, Renee Handsaker, Principal Convenor, Open Circle, Catherine Caruana, Senior Advisor, Research & Advocacy, Emily Piggott, Senior Advisor, Research & Advocacy, Disability Justice, Dorothy Armstrong, Peer Support Advisor and Michael Bell, Community Engagement Worker.

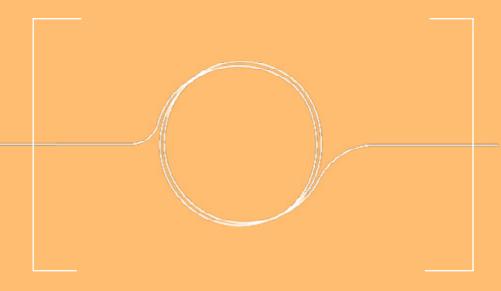
Watch a recording of the event here.



Stan Winford, Emily Piggott, Dorothy Armstrong, Catherine Caruana and Renee Handsaker

Self-determined justice

Self-determination relates to the capacity of the Aboriginal community itself to determine its preferred future and to create the human, institutional and financial infrastructure to bring those aspirations into being.



Ensuring Aboriginal perspectives inform system responses to Aboriginal victims of crime

This project was commissioned by the Koori Justice Unit (KJU) and Victim Services, Support and Reform (VSSR). The CIJ, in partnership with Djirra, Elizabeth Morgan House, Dardi Munwurro and representation from the Koori Engagement Worker network, has worked closely with community to develop, test and refine recommendations for a culturally responsive and holistic victim service. A significant part of this work was yarning with Aboriginal people who have experienced crime victimisation to better understand their needs in accessing support.

We commenced engagement with Aboriginal people who have experienced crime victimisation and harm through yarning circles and individual yarns. This will include engaging with people in community, as well as in custodial and Corrections settings – recognising that many people who come into contact with the system as offenders have also experienced crime victimisation. Our research team feel incredibly privileged to have been a part of these yarns so far, which highlight the need for strengthened supports for Aboriginal victims of crime.

We look forward to delivering the project's final report in 2023, which we hope will emphasise the strengths and solutions put forward by Aboriginal community members throughout the research and contribute to the development of a genuinely culturally responsive and holistic system response for Aboriginal people and families who have experienced harm.

Project team: Elena Campbell, Samara Young, Riley Ellard, Catherine Caruana and Eliza Hew

Yallum Yallum Project - Developing a self-determined justice model

Developed at the request of and in collaboration with the Victorian Aboriginal Community Services Association (VACSAL) and the Grampians Regional Aboriginal Justice Advisory Committee (RAJAC), this community-led project used co-design practices to support the development of an independent self-determined justice model incorporating an Elders and Respected Person's Council, known as Yallum Yallum.

The model was developed through a process of co-design across four workshops with key Aboriginal community members, organisations, and other non-Aboriginal stakeholders. This process involved constant refinement as each workshop drew on the learnings of the previous workshop. Community members and stakeholders engaged in workshops in two separate streams. This addressed the power imbalance that might be felt between community members and stakeholders who are part of the formal justice system.

The model promotes cultural healing and social and emotional wellbeing to address over representation of Aboriginal People in the justice system by diverting them towards a stronger role in their culture and community.

As the implementation unfolds the model will provide an opportunity to further identify service gaps and funding necessary to complement and grow the model, in a way that is consistent with the vision and values identified by community.

CIJ now been engaged by Goolum Goolum Aboriginal Co-operative to assist in the establishment of the model.

I think that's what the Government needs to realise ... that we need to be heard – victims, homeless people, Aboriginal people, everyone! Everyone needs to be heard.... Because when you're not heard, you feel like you've been put in the reject bin

- Project Participant

Project team: Stan Winford, Katie Christensen, Jen Black and Prue Elletson



Spent Convictions Orders for more serious convictions

The CIJ was a major partner the Woor-Dungin Criminal Record Discrimination Project (CRDP), which was initiated in 2016 in response to the disproportionate impacts of criminal records on Aboriginal Victorians. The significant advocacy of the Criminal Records Discrimination Project has led to the Victorian Government introducing a legislated spent convictions scheme which prohibits discrimination against people on the basis of an irrelevant criminal record.

The final components of the Spent Convictions Act 2021 (Vic) commenced on July 1, 2022. There is now a process for individuals to apply to the Magistrates' Court to have more serious convictions spent and no longer appear on their criminal record in most circumstances.

"It's been a long and emotional journey but with this new legislation I hope my mob and all Victorians won't have to face as many barriers as I have in the past."

 Naomi Murphy, Wakka-Wakka Murri woman and CIJ Aboriginal Community Engagement Worker

Project team: Stan Winford, Michael Bell, Naomi Murphy, Chanel Kinniburgh, Christa Momot, Bronwyn Naylor and Georgina Heydon

Nuther-mooyoop (submission) to the Yoorrook Justice Commission on Systemic Injustice in the Criminal Justice System

This Commission is the first formal truth-telling process into historical and ongoing injustices experienced by First Peoples in Victoria. The CIJ provided a submission to the Commission on its work with community to achieve their vision for justice with Stan Winford appearing at the Public Hearings on 15 December 2022.

Watch recordings of the hearings here.

Read our submission here.

Project team: Stan Winford, Katie Christensen, Prue Elletson, Megan Hughes, Elena Campbell, Samara Young and Catherine Caruana



Stan Winford appearing at the Public Hearing.

Rethinking Criminal Record Checks project

In partnership with RMIT and Aboriginal community organisations VACCHO, Winda Mara and Woor-Dungin. The CIJ is continuing to ensure meaningful change for Victorians facing unfair barriers to employment through the Rethinking Criminal Record Checks (RCRC) project. Building on the earlier successful work addressing this issue, the RCRC project will also educate employers and job seekers about their rights and obligations in disclosing criminal history.

The RCRC project aims to explore ways to improve employment opportunities for Aboriginal people with a criminal history by identifying existing good practice amongst employers, and communicating these practices to job seekers and employers in ways that can be readily adopted.

"Many Aboriginal People received criminal records for often trivial offences that affect their ability to gain employment, to be kinship carers or to participate on boards and governance."

- Michael Bell, Gunditjmara man and CIJ Aboriginal Community Engagement Worker

Project team: Stan Winford, Michael Bell, Naomi Murphy, Chanel Kinniburgh, Christa Momot, Bronwyn Naylor and Georgina Heydon

Consultancy services for the Aboriginal Justice Caucus

We worked with the <u>Aboriginal Justice Caucus</u> to develop submissions to government in several areas of reform: the Youth Justice Bill, Sentencing Act Reform Project and minimum age of criminal responsibility.



National Indigenous Conference, Dennis Eggington, Donnella Mills, Rob Hulls, Heather Sculthorpe, Magistrate Marro

National Indigenous Legal & Health Justice Conference 2022

Rob joined a panel of speakers at the Conference, held in Hobart, speaking on the topic of 'Justice Reinvestment: Solutions to a Failed Justice System?' The Panel was facilitated by Heather Sculthorpe, CEO Tasmanian Aboriginal Centre. Other panellists were Donella Mills, Chair, NACCHO and Health Justice Australia, Dennis Eggington, CEO, Aboriginal Legal Service Western Australia and Magistrate Reg Marron.

Centre for Innovative Justice

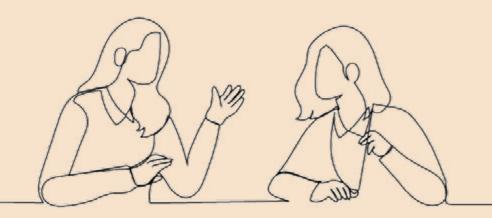


Responding to harm.
Bringing people together.



From the first conversation with facilitators to the final meeting we always felt supported and very safe.

Participant



The Open Circle team continued to have a busy 2022 with the community's continuing need for restorative justice responses to harm. Referrals into Open Circle's restorative justice service have increased and the Open Circle team have facilitated restorative processes in response to sexual violence, driving related deaths, racism, conduct endangering life, assault and theft/robbery.

Restorative justice program design

Open Circle has also been contracted by a number of organisations to assist them in designing and delivering restorative pathways in response to organisational and institutional harm.

Some of the projects have included:

- Assisting with the design, delivery and facilitation of Truth Telling processes at Collingwood Football Club
- Implementation of a restorative engagement framework for BHP in response to sexual harm within the workplace
- Delivery of a report on restorative options for the Coroners Court, commissioned by the Coronial Council

Submission in response to the Sentencing Advisory Council's Consultation Paper 'Reforming Sentence Deferrals in Victoria'

Open Circle made a submission to the <u>Sentencing Advisory</u> <u>Council's consultation paper 'Reforming Sentence Deferrals in Victoria'</u>. We recommended that restorative justice be included as a purpose for which sentences may be deferred, noting that this would provide another opportunity to increase access to restorative justice in the adult criminal jurisdiction in Victoria.

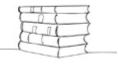
In our submission, we outlined the benefits of using sentence deferrals to enable restorative justice to take place at a presentence stage, and some of the key features that must be put in place to support the successful delivery of victim-oriented restorative justice and other measures needed to ensure that sentence deferrals for the purpose of restorative justice can operate at their full potential.

Read our submission here.

Who we are & what we do

Open Circle is a restorative justice service bringing people together to collectively acknowledge and respond to experiences of harm. We make difficult communication possible by providing opportunities for respectful, facilitated dialogue. We also undertakes research, policy and program design work in the area of restorative justice and restorative practice.

The Open Circle team are: Stan Winford, Nareeda Lewers, Renee Handsaker, Katie Christensen Melanie Joosten and James





We always knew that we didn't want it to be about revenge or anger.

Participant



Nareeda Lewers, Rob Hulls, Stan Winford and TAC Head of Complex Recovery and Serious Injury, Damian Poel

TAC Restorative Justice Service

Our groundbreaking work in the area of restorative justice was recognised by a 3-year agreement with the Transport Accident Commission to deliver ongoing restorative justice services for people directly or indirectly affected by road trauma.

The delivery of this service expands on the <u>work we undertook for TAC in 2018</u> which involved the development model of restorative justice practices to respond to the recovery needs of people involved in road traffic accidents. It also follows a successful two-year pilot of the <u>restorative justice culpable driving program</u>, with participants reporting positive experiences that aided their recovery.

The harm from road trauma will often reverberate through the lives of individuals and communities both in the immediate aftermath and the years to follow. A trauma-informed restorative justice process is an opportunity to acknowledge and validate the immense harm that has occurred and allow the person's loss and grief to be properly recognised. This can help with the grieving process while also being an opportunity for the person responsible to express their accountability and remorse,

The innovative program will provide people with avenues to have their 'justice needs' met by offering a safe process to bring people together to have a facilitated dialogue. This could involve supporting people who have been injured, or family members of someone who has died, to meet with the driver responsible for the harm.

Watch the launch here.

Responses to sexual violence

Developing a specialised restorative justice framework to respond to sexual violence has also been a key focus for Open Circle this year. This has included developing partnerships and referral pathways with the sexual assault sector, as well convening a state-wide working group with key stakeholders in legal and service delivery sectors to work collaboratively on implementing restorative justice options for survivors of sexual assault and abuse.

"We would never advocate for this replacing the criminal justice system. We see it as something useful to expand what is on offer for victim-survivors."

- Nareeda Lewers, Open Circle
- "...It just involves asking 'What would a respectful and meaningful engagement where you're centring that victim-survivor as the expert in their own life look like?', and then designing it around that."
- Renee Handsaker, Open Circle

No to Violence Conference 2022: Shifting the Burden

Open Circle spoke at the No to Violence conference which was held in Adelaide under the theme 'Shifting the Burden'. The conference aimed to shift the focus of family and domestic violence by putting responsibility for change on the men who use violence, rather than on victim survivors.

Alongside practitioners from around Australia, Open Circle's Practice Lead Renee Handsaker presented on a panel about restorative justice and sexual harm. The panel discussed ways of working with men who have used sexual violence to improve their accountability for the harm of their past behaviour and make better choices to improve their future choices.



They might want to tell their story their own way, not constrained by rules of evidence or legal processes.

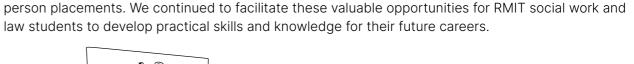
Nareeda Lewers Open Circle

Learning through life & work



...our placement experience was very meaningful. We are grateful for all of the opportunities it offered.

Gen Brennan and Lauren Dymke
Master of Social Work Students



A relief for many! After two years of online study, 2022 brought a return to face-to-face classes and in



Guest lectures

Social Work

 Stan Winford and Renee Handsaker spoke to Master of Social Work Students about Restorative Justice

"The feedback was fantastic, and many students made the comment that it was the best week of the semester. Thank you so much."

- Kathleen Fitt, course co-ordinator

Law

- Rob Hulls and Stan Winford spoke at the 'Introduction to Law' course to first year Juris Doctor students about their careers in the law.
- Stan Winford presented a guest lecture in the 'Law and Justice' course to the Bachelor of Laws students.
- The Open Circle team spoke about restorative justice at the 'Law and Technology' course to Juris Doctor students in the Law Hack-athon.
- Renee Handsaker presented to Juris Doctor students in the course 'Justice Innovation' about Restorative Justice practices.

- Stan was once again involved in the Juris
 Doctor 'Innovative Justice' course as a group
 supervisor covering the topic 'Technology
 innovation in the courts'.
- Elena Campbell continued to present to cross-disciplinary classes at other tertiary institutions, such as Monash University, around the intersections of family violence and law.

High School Talks

In collaboration with the Victoria Law Foundation, we continued our High School Law Talks. Rob spoke to year 10-12 legal studies students across five schools, delivered in person and online. We look forward to continuing this program in 2023.

"I found the talk by Rob Hulls to be very interesting and inspiring. I didn't have much interest into a legal career path in the future, however after this talk I have a bit more interest and more of an understanding of what a career path would look like in Legal Studies."

- St Joseph's student



Placements

Across 2022, Youthlaw, CIJ and LACW, supervised by CIJ's Katherine Ogilvie and Bernice Beaucaine, hosted sixteen 500-hour social work clinical placements, which are an integral part of the social work program. This totalled 8000 placement hours! Youthlaw and LACW also provided six Juris Doctor students Clinical Legal Education and Professional Internship placement opportunities.

The CIJ:

- Two Master of Social Work students worked on a research project developing a suicide response framework both LACW and Youthlaw.
- Two Bachelor of Social Work students conducted a literature scan on the impacts of COVID-19 on family violence to support our broader research project Future-Proofing Safety.

"I have seen the ways research within the CIJ aims to be an empowering and inclusive experience for service users and how research findings are used to advocate for the needs of vulnerable groups. I am so grateful that I have been given such a valuable learning opportunity."

- Gabby Vervoort, Bachelor of Social Work student



Gen Brennan and Lauren Dymke, Master of Social Work Students

(Placement) has been an extremely positive experience for us both...following a presentation to our cohort from the Open Circle Team, were inspired to apply.

...it was remarkable how lived experience and codesign was valued and placed front and centre of all discussions, championing the agency of all those marginalised within the justice system.

Gen Brennan and Lauren Dymke Master of Social Work Students



Youthlaw:

- Two Bachelor of Social Work students were embedded across various Youthwork programs.
- Two Master of Social Work students worked within the family violence team and Friday Fines Clinic and wrote a scoping research paper.
- Three Juris Doctor Students completed Clinical Legal Education and a Business Internship.

LACW:

- Three Bachelor of Social Work students and two Master of Social Work students, worked within the busy case management program and also on project work.
- One Bachelor of Social Work student and three Master of Social Work students completed placement with the Women's SupPORT Pathways Project.
- Three Juris Doctor students completed a Business Internship Placement.

"(This project has given us) the opportunity to hear from, and implement, the ideas and knowledge of women with lived experience in the criminal justice system into service delivery. Gaining a first-hand understanding...provides us an invaluable opportunity and ultimately, enhances the participants' project experience."

- Alyce McVicar and Ella McNicol, Master of Social Work Students

CIJ would like to thank our partners LACW and Youthlaw for providing quality and life-changing placements for our students.

CIJ interview series

The CIJ's video interview series continued with Rob Hulls interviewing: New Mexico District Court Judge Jason Lidyard on Drug Courts, lived experience and having the courage to look at new ways to improve the criminal justice system; and Nyadol Nyuon, Director of the Sir Zelman Cowan Centre at Victoria University, discussing her journey from Itang refugee camp in Ethiopia to becoming a lawyer in Australia. While Rob was visiting Aotearoa New Zealand, he caught up with Judge Lisa Tremewan from the Alcohol and Other Drug Treatment Court and Drug Court Police Prosecutor Sgt Jared Cuff to talk about how addressing the addiction issues of people who offend and using peer support workers, can turn lives around.





There's a lot to be concerned about, but I think that should confirm for us why more and more people should engage in the fight for the things that they really believe in, like the fight for climate justice or racial justice.

Nyadol Nyuon Director of the Sir Zelman Cowan Centre at Victoria University



New Mexico Judge Jason Lidyard on keeping people out of jail

Watch here.



Nyadol Nyuon on resilience, identity and making a change in society

Watch here.



Rob chats to NZ Drug Court Police Prosecutor Sgt Jared Cuff

Watch here.



Rob chats to Aotearoa NZ Judge Lisa Tremewan

Watch here.

