

# Making Justice Relevant in remote and regional communities

By the Department of Justice Executive

'Making Justice Relevant' is more than just a slogan of the Department of Justice.

It's the mantra underpinning the business of the department – it transects the various elements of the Department of Justice and permeates through the goals and objectives of the department's strategic plan.

The strategic plan details the Department of Justice's core business, highlights its strategic themes and captures its goals for the future.

DoJ CEO Greg Shanahan said the Department of Justice is committed to delivering more services to the Territory's remote and regional areas.

"We have a number of initiatives which are aimed at better access to our services in those areas," he said. "It is not possible to provide everything of course, but major effort is made across the Department to support remote and regional areas with access to services and information.

"The demand on our services is high, but we work with other agencies and different levels of government to deliver as many quality services as we can."

The following is a snapshot of some of the many justice programs and services delivered to communities by the Department of Justice. It includes Court initiatives which the Department services administratively.

## Bush Circuit

The Northern Territory Magistrates' Court holds sittings in 30

centres throughout the Territory each year. Magistrates based in Darwin, Katherine and Alice Springs travel to 27 other centres as part of a regular program of circuit courts.

Venues range from Kintore in the south-west, to Pirlangimpi in the north and Galiwinku and Alyangula in the north east. Frequency of visits varies from three to six times each year for smaller communities, up to monthly sittings for larger centres like Wadeye, Nhulunbuy and Alyangula, and 15-18 weeks each year in Tennant Creek. In 2007-08, Magistrates presided over 357 circuit court days, an increase on 308 in the previous year.

Technological advances are making this job easier for staff setting up the Bush Courts. For example, Court staff travelling to a number of remote communities can now directly access the Integrated Justice Information System through use of wireless modems.

In recent years, a number of programs have been introduced which expand the reach of restorative justice principles in regional and remote communities.

## Community Courts

Pilot Community Courts have operated for some time in Darwin, the Tiwi Islands and Nhulunbuy. Not to be confused with the Bush Circuit Courts, Community Courts are aimed at making the justice process more relevant for individual communities by involving Elders, victims, and other community members in the court process. While the ultimate decision on

sentence is made by the presiding Magistrate, it is informed by community input.

Under its *Closing the Gap of Indigenous Disadvantage Generational Plan of Action*, the Northern Territory Government has provided resources to extend the Community Court program to up to 10 centres.

In the past 18 months, Community Courts have been held at Nguiu, Pirlangimpi, Wadeye, Maningrida, Alyangula, Jabiru, Yuendumu and Nhulunbuy. Preliminary community discussions are also under way in a number of other centres.

Community Court hearings involve a greater commitment of resources than a standard hearing, with much more time spent giving each stakeholder the opportunity to have meaningful input. It is common for an additional circuit day to be set aside for one or more Community Court hearings at a centre.

## Diversionsary programs

The Magistrates Court is involved in two diversionsary programs which extend to remote or regional courts – Alcohol Court and the CREDIT program.

Early in 2008, the Alcohol Court was expanded under *Closing the Gap* to operate in Nhulunbuy, Katherine and Tennant Creek. Alcohol dependent offenders who might otherwise face a jail term can, with their consent, be diverted into an alcohol treatment program.

An offender referred to the Alcohol Court is assessed for suitability by

a health professional called a Court Clinician. There are Court Clinicians based in Nhulunbuy and Katherine with Tennant Creek currently being serviced from Alice Springs.

The Court Referral and Evaluation for Drug Intervention and Treatment program (CREDIT NT) is in some respects similar to the Alcohol Court, in that it seeks to divert drug dependent offenders from the criminal justice system by addressing their dependence through treatment and so reducing the likelihood of re-offending.

It operates as a bail program, and sentencing of the offender is delayed pending the outcome of the treatment program. Court Clinicians servicing Nhulunbuy, Katherine and Tennant Creek assess and monitor as required by the Court.

### **Indigenous Family Violence Liaison**

A position has been established in Katherine to focus on ensuring Indigenous respondents to family violence applications are engaged in the process, and recognise the significance of a family violence order if one is ultimately made. To the extent that resources allow, the Indigenous Court Liaison Officer also assists Indigenous Court users in Katherine and on circuit in the region.

### **Probation and Parole Officers**

Nine additional Probation and Parole Officers (PPO) positions have been created to ensure the increase in number and frequency of patrols to remote communities across the NT.

Each newly recruited PPO completed four weeks induction training. They are also nearing completion of the Certificate IV Correctional Practice, to provide them with skills in working with young adult offenders, offenders with alcohol and other drugs issues, domestic violence offenders and those with mental health issues.

### **Community Probation and Parole Officers**

Under Closing the Gap, eight Indigenous Community Probation and Parole Officers (CPPO) have been employed. These CPPOs are based in Tennant Creek, Yuendumu, Hermannsburg, Ngukurr, Lajamanu, Wadeye, Barunga and Timber Creek. The CPPOs enhance supervision of offenders in these and nearby communities, as well as provide valuable employment opportunities and are working to gain the Certificate

II Justice Services.

Benefits include improving cultural relevance of the criminal justice system, crime prevention and community safety through the closer involvement in monitoring safety based offenders and providing support to Courts and other DoJ initiatives.

### **Intensive Case Management**

In March 2007, funding was approved for a number of initiatives known collectively as Strengthening Community Corrections. Some of this funding provided for an Intensive Case Management (ICM) professional stream to strengthen the Community Corrections response to clients at highest risk of causing significant harm to others.

There are four full-time positions to provide support across each Community Corrections office. The ICM professionals are social workers or psychologists who provide specialist knowledge and advice on assessment, case management and identify appropriate interventions.

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## Making Justice Relevant in remote and regional communities...cont.

### Indigenous Family Violence Offender Program

This program has continued to expand. The Indigenous Family Violence Offender Program (IFVOP) aims to address violence within Indigenous families in remote and regional communities through working with community based offenders.

It is a unique program, delivered by local Indigenous facilitators who are respected by their community. IFVOP raises awareness about family violence and its impact on the offender, their victims, families and the community as a whole. Participants learn that family violence is not acceptable and is a crime.

They are taught to take responsibility for their thoughts, feelings and behaviour. Other concepts addressed during the program include: responding appropriately to anger, resolving conflict without violence, substance abuse, cultural context of violence, change and Indigenous spiritual healing.

IVFOP is a sentencing alternative to imprisonment. Facilitators are trained and ready to deliver the program in Nguiu, Pirlangimpi, Daly River, Hermannsburg, Yuendumu, Tennant Creek, Wadeye, Alice Springs, Timber Creek, Lajamanu, Beswick, Burunga, Elliot, Ali Curung, Santa Teresa and Galiwin'ku.

### Elders Visiting Program

The Elders Visiting Program involves Indigenous Elders from communities visiting prisoners to assist them to reintegrate into their communities upon their release, and encourage them not to reoffend.

The program recognises that cultural contact with Indigenous Elders can improve the reintegration prospects of Indigenous offenders by maintaining links to community and culture while in prison.

Indigenous prisoners represent about 80 per cent of the Northern Territory prison population, and many of them may not have spoken to an Elder in years because of their lifestyle and substance abuse problems.

The Elders Visiting Program provides an opportunity for them to talk together with their Elders, when their minds are clear. The Elders encourage and assist these prisoners to take on a new direction in their lives and to develop post-release plans.

The program also provides an important cultural link between Indigenous inmates and Corrections staff, advising staff on cultural and community issues that may impact on an inmate's behaviour or ability to address their offending.

They keep the community informed on the offender's progress, and also on prison processes, such as attending funerals and conducting sorry business. They advise offenders on difficulties they are likely to face on their release, and strive to assist and support them while they readjust back into their communities.

Elders are also able to advise Correctional Services on what reintegration options are available within the community, and what community hopes and expectations may exist. This can then help to inform a more meaningful and comprehensive release plan.

The Elders involved with this

program are committed to addressing the negative impact the high rates of Indigenous imprisonment is having upon community values and culture.

Communities currently involved in the Elders Visiting Program include Beswick/Barunga, Kalkarindji, Lajamanu, Groote Eylandt, Tiwi, Hermannsburg, Yuendumu and Tennant Creek/Barkly region with plans to expand the program to further communities in Central Australia and Arnhem Land.

### Alcohol Management Plans

The DoJ, through its Licensing, Regulation and Alcohol Strategy and Community and Justice Policy divisions, is a key facilitator in the creation of Alcohol Management Plans.

These plans are community driven initiatives which seek to reduce the supply of alcohol, reduce the demand for alcohol and reduce alcohol related harm in a community, a town or a region.

The plans might include measures such as:

- Supply restrictions, whereby licensees agree or have their license conditions formally varied to limit the amount or type of alcohol that can be sold, or the times during which it is available;
- permit systems, whereby all residents of a region are required to hold a permit to buy takeaway alcohol; or
- agreements to work together to provide better links between sobering up shelters, detoxification and rehabilitation services.

The plans are overseen by commu-

nity based Alcohol Reference Groups with representatives from local government, key service providers and relevant Northern Territory agencies, such as NT Police.

Alcohol Management Plans currently exist in Alice Springs, Tennant Creek, Katherine, Palmerston, Groote Eylandt and the East Arnhem region. Plans are under development in Timber Creek, Borroloola, Jabiru and the West Arnhem region and Elliot.

## **Pornography**

With funding from the Commonwealth Attorney-General's Department, the Department of Justice is rolling out the Australian Classification System Education Project. Through workshops in 17 remote communities, the Department is aiming to raise awareness amongst Indigenous people that:

- There is a classification system for film and literature;
- It is against the law to have some materials; and
- Watching or being exposed to pornographic material is harmful to children.

While the mens' project team employed within the Department delivers workshops for men, separate womens' information sessions and workshops are being convened by program partner, NAPCAN (the National Association for the Prevention of Child Abuse and Neglect).

To date, workshops have been held in Nguiu, Alice Springs, Ti Tree, Tennant Creek, Katherine, Elliot, Maningrida, Oenpelli, Borroloola, Wadeye, and Kalkarindji. Workshops will be held in Ntaria, Papunya, Nhulunbuy, Angurugu, Ngukurr and Darwin before the end of the project.

The project has attracted a great

deal of interest nationally, and is being evaluated by the Australian Institute of Criminology.

## **Public Safety Model**

In 2007, the Northern Territory Government approved the implementation of a Public Safety Model, with various initiatives addressing anti social behaviour and low level offending behaviour such as camping illegally, loitering and drinking in public spaces.

The Public Safety Model is being implemented in the Darwin region, Katherine and Alice Springs over three years.

Although funded public safety model initiatives for each region vary according to local circumstances, the common elements are various services funded by the Department including:

- a user-pays return to home or return to country program for Indigenous visitors;
- local transport services;
- the provision of proof of identity;
- prisoner release and repatriation assistance; and
- information and referral services including assistance in obtaining accommodation or welfare payments.

## **Licensing inspectors**

Joint funding provided by the NT and Australian Governments has enabled the establishment of regional offices in Katherine, Tennant Creek and Nhulunbuy and the recruitment of 12 additional licensing inspectors.

With a focus on regional and remote areas, inspectors work collaboratively with licensees, community stakeholders and other agencies to address alcohol related

harms. Their proximity enables them to respond quickly to local issues.

Licensing inspectors' liquor-related duties include:

- inspections of licensed premises;
- monitoring and regulation of liquor sales and consumption; and
- investigation of complaints and disputes and prosecuting offenders.

## **Community Justice Centre**

The Community Justice Centre (CJC) provides free and timely conflict management service to the whole of the NT.

It is actively increasing its capacity in remote communities through various projects including the provision of mediation training for night patrol works at Yuendumu and a partnership with Larrakia Nation and Correctional Services to provide conferencing for prisoners and their community members who have been harmed by the offending.

The CJC also continues to support the Mawul Rom Project - Traditional and Contemporary Mediation and Leadership Training, a week long program held at Galiwin'ku annually which is producing mediators who are able to work cross-culturally across the NT.

The upgraded Law Society website will be launched early in 2009.

Stay tuned for further information!