

2017-18  
**ANNUAL REPORT**  
Community Justice Centre



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Dear Attorney-General

## **ANNUAL REPORT - COMMUNITY JUSTICE CENTRE**

In accordance with section 39 of the *Community Justice Centre Act*, I submit this Report on the operations of the Community Justice Centre for the year ended 30 June 2018.

Section 39(3) of the *Community Justice Centre Act* requires that you table a copy of the report in the Legislative Assembly within 6 sitting days after it is received.

Yours sincerely



**Troy Degenhardt**  
Director

17 September 2018

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## Overview by the Director

I am pleased to present the Annual Report of the Community Justice Centre ("the Centre") of the Northern Territory for the year ended 30 June 2018.

In 2017-18 it was identified a range of factors were impacting on the Centre's ability to comprehensively provide its core functions. As such, a process of renewal was implemented to determine an appropriate way forward with the aim of revitalising the service.

Through the renewal process it was established the Centre, over previous years, had failed to successfully advocate for an increase in financial and human resources to adequately meet the breadth of service being adopted. As the momentum for alternative dispute resolution services has grown the Centre has increasingly been unable to fully meet client and stakeholder expectations for a timely service.

It should be mentioned however, that while there have been significant challenges presented relating to both financial and human resource limitations, the staff and mediators of the Centre have worked tremendously hard to ensure Territorians are afforded the opportunity to participate in appropriate dispute resolution services.

On inception of the service in 2003, the Centre was supported by the Community Justice Consultative Council. Following the successful establishment of the National Mediator Accreditation System, and subsequent implementation by the Centre it was determined the Council now held reduced relevance in supporting the Centre going forward. A decision was made in November 2017 to formally dissolve the Council.

Through the dissolution of the Council the Centre is now more able to provide services in account to the strategic direction of the Department of the Attorney-General and Justice. The functions previously held by the Council have transitioned to the Director.

In May 2018 the Centre marked 15 years in operation. At this juncture it is important to acknowledge the contributions made by many people in establishing the presence of the Centre in the Northern Territory.

I would like to sincerely thank staff, mediators and stakeholders for their continued support of our Centre in the de-escalation of conflict across a variety of dispute environments in the Territory. Further, I would like to acknowledge the contribution made by all Council members over the years in helping to shape the services of the Centre; we look forward to working with you in a range of contexts into the future.

Yours sincerely



**Troy Degenhardt**  
Director

17 September 2018

## The Community Justice Centre

The Community Justice Centre is a statutory body established pursuant to the *Community Justice Centre Act 2005 (NT)*. The Centre is funded as an output within the Northern Territory Department of Attorney-General and Justice budget.

While the Community Justice Centre staff undertake most of the day-to-day services, the Centre relies on a panel of contracted dispute resolution practitioners for the provision of mediation, conferencing and adjudication services.

### Community Justice Centre Services

The Community Justice Centre:

- provides conflict resolution processes for the early resolution of disputes;
- seeks to restore harm and facilitate re-integrative restorative justice processes for adult offenders, and their families /or victims;
- conducts adjudication processes pursuant to the *Construction Contracts (Security of Payments) Act 2004 (NT)*;
- empowers clients to identify and actively resolve conflict across a range of dispute environments;
- promotes the National Mediator Accreditation Standards through dispute management training and accreditation services; and
- maintains the register of accredited mediators

The aim of the Centre is to provide Territorians with a confidential, timely and cost-effective means of addressing conflict away from the more formal justice system.

### Community Justice Consultative Council

Section 25 of the *Community Justice Centre Act* sets out functions of the Consultative Council, including:

- to make Guidelines under section 26;
- to deal with a complaint under section 27;
- make reports and recommendations to the Minister on any of the following matters the Council considers appropriate:
  - (i) the operation of the Centre;
  - (ii) any matter that may be the subject of a review under section 32(1);
  - (iii) any other matter arising from the operation of this Act.

As part of a review of statutory bodies organised by the Department of the Chief Minister, it was decided in April 2017 that the Community Justice Consultative Council would be abolished; with the aforementioned functions being transitioned to the Director of the Community Justice Centre.

The legislative abolition of the Council aligns the strategic and administrative framework of the Community Justice Centre with other like services across Australia.

## **Corporate Planning**

The Community Justice Centre contributes to the corporate planning processes of the Northern Territory Department of Attorney-General and Justice, including development and implementation of strategic and risk management plans. The Centre develops a comprehensive business plan each fiscal year to guide its operations.

The Community Justice Centre Business Plan 2018-19 carries the momentum of the previous reporting year to focus on the renewal of the Centre and to support the growing trend for people to engage in preventative alternate dispute resolution processes.

## **Achievements 2017-2018**

- Achieved a rate of agreement for community mediations exceeding 87%.
- Achieved a rate of agreement for court-annexed mediations exceeding 89%.
- Successfully recruited the position of Practice Manager; attracting a suitable candidate with experience in public sector management and dispute resolution.
- Revitalised the design and delivery of nationally accredited mediator training resulting in increased registrations and financial viability.
- Achieved 185% of revenue target through the provision of nationally accredited mediation training.
- Finalised the design and relocation arrangements of the Community Justice Centre to Casuarina in August 2018.

## **Service Limitations**

The Community Justice Centre continues to experience challenges in ensuring services are accessible to all locations across the Northern Territory from a sole office location in Darwin. The geographical scope of service for the Centre encompasses Darwin and the Top End, through to Alice Springs and the border of Northern Territory / South Australia.

The Community Justice Centre also maintains a commitment to provide service in rural and remote locations all within current budget and staffing constraints.

The staffing of the Centre is limited to three permanent positions, including 1) the Director; 2) the Practice Manager; and 3) an Intake / Administration Officer.

For the Community Justice Centre to continue to provide accessible, timely and professional dispute resolution services it is encouraged for staffing numbers to initially increase to include a further two persons experienced in dispute assessment, restorative justice and facilitative mediation.

## Performance

The following indicators represent an overview of the service outputs of the Centre in carrying out its core functions.

### Complaints

The Community Justice Centre received nil formal complaints during the reporting period.

### Civil Mediation

The Community Justice Centre provides a voluntary and confidential mediation and dispute resolution service to people of the Northern Territory. Mediation in this context is predominantly free-of-charge; however, larger organisations and associations may be subject to a fee.

In 2017-18 the Centre managed 96 new referrals in the civil mediation stream; achieving a rate of agreement in excess of 87%.

The following table highlights the scope and percentage of total of matters accepted by the Centre.

Dispute Types	2017-18
Adult Guardianship	1%
Business / Consumer	6%
Clubs / Associations	5%
Family	3%
Intra-Community Conflict	3%
Minor Civil Disputes	16%
Neighbourhood	50%
Tenancy	3%
Workplace / Employment	4%
Youth Matters	9%

The following table highlights the breakdown of dispute types for matters relating to neighbour conflict.

Dispute Types	2017-18
Dogs / Animals	4%
Fence / Boundary	25%
Noise	19%
Nuisance	19%
Tenants in Common	6%
Trees / Overhanging Branches	27%

The following table highlights the breakdown of dispute types for matters relating to minor civil disputes.

Dispute Types	2017-18
Contract Dispute	20%
Faulty Workmanship	7%
Money Owed	60%
Motor Vehicle Accident	13%

### **Court-Annexed Mediation**

The Community Justice Centre provides mediation in accordance with section 14 of the *Personal Violence Restraining Orders Act*. During 2017-18 the Centre managed 63 new referrals from the Local Court for personal violence matters; achieving a rate of agreement in excess of 89%.

This positive result has been achieved through the implementation of a more appropriate intake and dispute assessment process supported by a predominantly single-practitioner conferencing model.

### **Post-Sentence Adult Restorative Conferencing**

The Community Justice Centre continues to support the existing momentum for adult restorative justice conferencing. Following a recent review of service it was acknowledged the Centre has never received funding to provide conferences in this context and as such the expectation for service delivery has not been met.

Stakeholders were engaged in late-2017 to determine the most appropriate action to finalise existing matters; however, continuing financial and human constraints have resulted in the Centre being unable to prioritise this work above mandated core functions.

The resulting feedback of stakeholders to the Centre has been representative of significant frustrations experienced by Territorians being left without a suitable recourse when seeking to engage in a restorative and/ or re-integrative process.

### **Case Timeliness**

The Community Justice Centre provides a timely dispute resolution service to the Northern Territory community.

Timeliness of Matters	2017-18
% of matters finalised in 0 to 7 days	3%
% of matters finalised in 8 to 14 days	6%
% of matters finalised in 15 to 30 days	33%
% of matters finalised in more than 31 days	58%

It has been observed throughout 2017-18 that the average time taken to finalise a case has increased. This increase can be attributed in equal parts to client availability to participate in



a mediation process during standard business hours and also the availability for the Centre to physically accommodate the process in the Local Court office.

In August 2018 the Community Justice Centre will relocate to larger premises in Casuarina. This new space will greatly assist the Centre in finalising matters in a more timely way.

### **Case Complexity**

The Community Justice Centre assesses each case against a range of criteria to determine a complexity score. This score allows the Centre to implement the most appropriate case management plan and to allocate sufficient resources to action cases effectively.

<b>Complexity</b>	<b>2017-18</b>
% of matters considered minor in nature	79%
% of matters considered moderate in nature	21%
% of matters considered complex in nature	0%

### **Mediator Training and Accreditation**

The Community Justice Centre provides nationally recognised training and accreditation for mediators. In 2017-18 the Director commenced the process of revitalising the mediator training and accreditation program to ensure the consistent and professional delivery of training in accordance with the National Mediator Accreditation System.

The new program has been delivered three times in 2017-18 and has received exceptional feedback from participants. This highlights the appreciation for the expert knowledge forming the content, the supportive way in which the content is presented and the range of practical learning opportunities.

The Centre has now commenced developing a practical training program in restorative justice conferencing. It is anticipated this course will be offered publicly in early 2019.

The Centre has achieved 185% of revenue target in 2017-18 by establishing itself as a leader in dispute resolution training and development in the Northern Territory.

### **Mediator Accreditation and Employment**

The Community Justice Centre maintains a professional panel of sessional mediators proficient in conducting dispute resolution processes in accordance with legislative frameworks and the National Mediator Accreditation Standards.

The Community Justice Centre is also a Recognised Mediator Accreditation Body responsible for the training and accreditation of mediators to the National Mediator Accreditation Standards.

<b>Mediator Category</b>	<b>2017-18</b>
Community Justice Centre Sessional Mediators	14
Accredited Mediators under the National Mediator Accreditation Standards	32

## Staffing Structure

The staffing structure of the Community Justice Centre as of 30 June 2018 consists of the positions:

