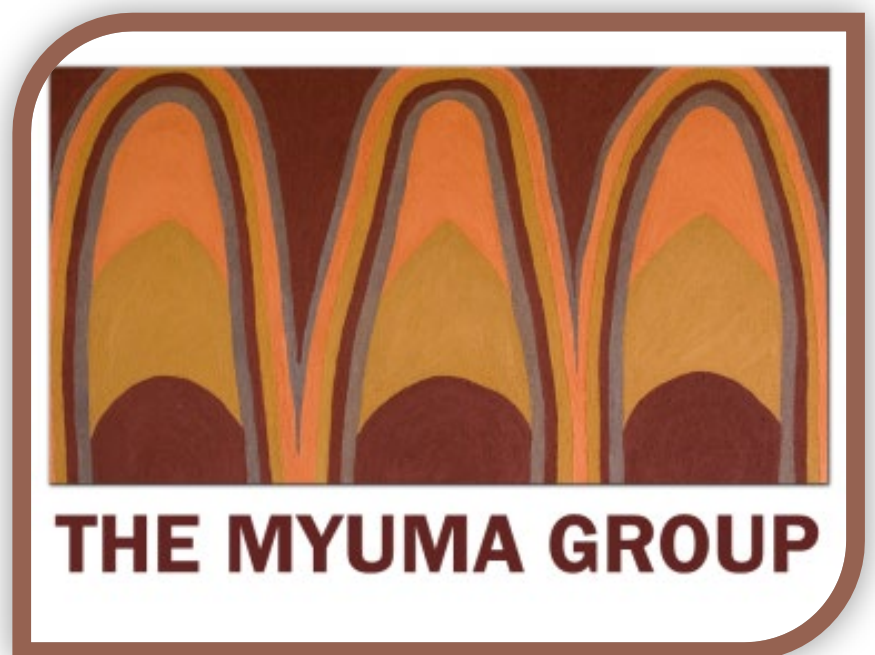


PHASE 2 ANNUAL REPORT:
Evaluation of Community Justice Groups



December 2022

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List of Acronyms and Abbreviations

| | |
|---------------|---|
| AODS | Alcohol and Other Drugs Services |
| ATSILS | Aboriginal and Torres Strait Islander Legal Service |
| ATSILJLOM Act | <i>Aboriginal and Torres Strait Islander (Justice, Land and Other Matters Act) 1984</i> |
| ATSIP | Aboriginal and Torres Strait Islander Partnerships, Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships |
| CIP | Courts Innovation Program, Magistrates Court Service, DJAG |
| CJG | Community Justice Group |
| DJAG | Department of Justice and Attorney-General |
| DFV | Domestic and Family Violence |
| DFVE | Domestic and Family Violence Enhancement |
| FRC | Family Responsibilities Commission |
| IJO | Indigenous Justice Officer, DJAG |
| IJP | Indigenous Justice Programs, Courts Innovation Program, DJAG |
| IJPO | Indigenous Justice Programs – Operations, Courts Innovation Program |
| IJPP | Indigenous Justice Programs – Projects, Courts Innovation Program |
| IWG | Inter-departmental Working Group for the CJG Program |
| LAQ | Legal Aid Queensland |
| NDIS | National Disability Insurance Scheme |
| NGO | Non-Government Organisation |
| PCYC | Police and Citizen's Youth Club |
| QCS | Queensland Corrective Services |
| QLD | Queensland |
| QPS | Queensland Police Service |
| QWIC | Queensland-Wide Interlinked Courts data |
| YJ | Youth Justice (Queensland Government agency) |

In this report, the term 'Indigenous' is sometimes used to describe the Aboriginal and Torres Strait Islander peoples of Australia, and is used interchangeably with 'Aboriginal and Torres Strait Islander' in describing these communities and individuals.

Glossary

| | |
|-----------------------------|--|
| Discrete communities | Aboriginal or Torres Strait Islander communities in regional or remote areas that have predominantly Indigenous populations, are usually located on Indigenous land, and were in most cases previously missions or government reserves |
| DFV Enhancement | Additional funding provided to the CJG Program to enable co-design with CJGs of new DFV initiatives in 18 locations, mostly in discrete or remote-Indigenous communities. Thursday Island is included but is not a discrete community. |

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Myuma recognises the unique scholarship and wisdom that the Elders and Respected Persons on Community Justice Groups contribute, which complements the knowledge of the judicial officers and other stakeholders and service providers involved.

Myuma acknowledges Traditional Owners across the Australian continent, who have provided custodianship to their Country since time immemorial. We pay our respects to their Elders past and present.

Executive Summary

Purpose and scope

This report comprises the second annual report under the 3-year evaluation of the Community Justice Group (CJG) Program, delivered by Aboriginal social enterprise Myuma Pty Ltd for the Department of Justice and Attorney-General (DJAG). This 2022 Annual Report covers Phase 2 of the evaluation, which is focused on documenting the CJG program *outputs*. Phase 1 in 2021 focused on the Program *inputs*, and Phase 3 in 2023 will focus on the Program *outcomes*.

This Phase 2 Annual Report has the goal of first, documenting the extent and means of CJG delivery of activities to address justice-related issues in their communities and second, identifying what is enabling and what is inhibiting CJGs' outputs. Understanding the scope and quality of CJGs' outputs is crucial groundwork for Phase 3 of the evaluation, which will investigate the outcomes being achieved in CJGs' communities as a result of the outputs they deliver. Phase 2 of the evaluation is also important for continuous improvement of the CJG Program. The review of outputs enables CJGs and the funding agency to identify strengths and weaknesses, and enablers and inhibitors, in program delivery. Knowledge of 'what works' can be used by DJAG and CJGs to strengthen delivery across the CJG network. Knowledge about inhibiting factors can be used to redirect program resources or modify implementation strategies to remove blockages and mitigate constraints.

This report also contains a review of the implementation of the enhancement to the CJG program introduced in 2016-17 to respond to Domestic and Family Violence (DFV). The Domestic and Family Violence Enhancement (DFVE) is funded through CJGs in 18 discrete or remote¹ Aboriginal and Torres Strait Islander communities to develop local, culturally appropriate responses to DFV as part of the Queensland Government's broader *Domestic and Family Violence Prevention Strategy 2016–2026* (DFV Prevention Strategy).

The Phase 1 Annual Report contains extensive background information about the history of CJGs and the evolution of the CJG Program. It also contains a detailed outline of the Program inputs and the preliminary data from Phase 1 about Program outputs. This Phase 2 report should be read in conjunction with the Phase 1 report as it does not repeat that material, although it is summarised in places.

Evaluation method and progress

A unique aspect of the current evaluation is the engagement of a diverse evaluation team bringing together a majority of Aboriginal and Torres Strait Islander consultants and research assistants (17 to date) supported by non-Indigenous evaluators and data analysts (3 individuals). The evaluation team is located across Queensland, and therefore has greater capacity for fieldwork with CJGs. In Phases 1 and 2, the evaluation has conducted participatory, strengths-based 'Local Evaluations' with CJGs in 16 of the 41 funded CJG locations across all parts of the State.

The novel approach to the evaluation has yielded some important learnings. The participatory process based on 'appreciative inquiry' principles has been instrumental in building trust and cooperation from the staff and members of CJGs. CJG Staff and Elders and respected persons have been willing partners in data collection, including interviewing agency stakeholders and clients and collecting community surveys. Evaluation team members' existing knowledge and connections in communities have facilitated meaningful conversations and the ability to value-add to CJG operations in many places. A positive outcome is that Local Evaluations have prompted CJGs to engage in self-reflection, to revisit priorities, to use the evaluation to connect with stakeholders, and to take actions to address issues that have emerged during the data

¹ The DFVE sites are referred to as 18 discrete communities in this document. This includes Thursday Island which is remote but not a discrete community.



collection. Surveys of government and NGO stakeholders, judicial officers and CJGs have indicated that people who have been involved to date think the evaluation is being conducted appropriately. The responses are most positive from CJGs themselves.





In Phase 2, the review of CJG outputs has made use of a range of data sources, including program documentation, DJAG staff reporting, CJG performance reporting, surveys (conducted by DJAG) of stakeholders, judicial officers and CJGs, and the field data collected by the evaluation team at 16 Local Evaluation sites. The Local Evaluations involved activity mapping and community surveys at most sites, plus extensive interviews with CJGs, external stakeholders and community members.

The 16 Local Evaluation sites visited to date are Mackay, Doomadgee, Normanton, Goondiwindi, Rockhampton, Mossman, Tablelands, Mount Isa, Hope Vale, Thursday Island, Cherbourg, Palm Island, Coen, NPA, Wujal Wujal, and Bayside (Cleveland and Wynnum).

Implementation of the DFV Enhancement (DFVE) Program

In 2016-17, as part of the whole-of-government response to the Special Taskforce on Domestic and Family Violence in Queensland, the Queensland Government committed \$11 million over four years to enhance the capability of CJGs in 18 discrete communities to develop culturally appropriate DFV response services for Aboriginal and Torres Strait Islander people. The evaluation of the DFVE Program is a 'Flagship Evaluation' under the evaluation framework for the broader DFV Prevention Strategy.

The plan for the rollout of DFVE projects in the 18 communities involved a staggered, rolling schedule of community visits to undertake co-design and implementation support to establish the 18 new DFV service models across 4 years. Each DFVE project was eligible for \$150,000 funding per year, to cover staff and operational expenses.

Initial program implementation proceeded close to schedule in 2017 and 2018, but in subsequent years the rate of establishment of the DFVE projects has been impacted by a range of factors, especially community access restrictions due to COVID-19, community readiness issues, and the number of staff available to undertake the demanding work of co-design and implementation support for new projects in discrete Indigenous communities. Nevertheless, 15 of the 18 sites were operational by October 2020, three and a half years after the rollout started. By the end of 2021/22, 17 sites had received \$8.9 million and ongoing funding was fully embedded in the CJGs' triennial agreements incorporating the \$150,000 DFVE grants. The extra time that was required to co-design and implement the new DFVE projects is relevant context when considering the outputs delivered and the outcomes achieved from the DFVE to date.

As an innovative co-design process, there are learnings from the DFVE implementation experience. Enabling factors for Program implementation were the strong commitment to local co-design with CJGs and community stakeholders, strong collaborative relationships between DJAG staff and CJGs, a hands-on coaching and mentoring approach to capacity development, engaging other stakeholders to support new projects, starting in sites where CJGs had existing ideas and capabilities, supporting community-led design wherever possible, retaining a stable and experienced DFVE project engagement team, and engaging CJG Elders in the DFVE projects.

Inhibiting factors for implementation included the finite number of specialist staff available to facilitate the rollout, which also limited the time available to provide sustained implementation support at sites that required more intensive assistance. Staffing limitations and the delays due to COVID also delayed the Department's opportunity to revisit and refresh the DFV models at early implementation sites where staff or circumstances had changed and the originally co-designed DFVE model may no longer align with current needs. However, some CJGs have been able to amend their DFV services in the meantime and this process is ongoing through negotiation of new triennial service agreements for 2023-2026. Suggestions for future co-design processes are to increase the number of staff available to undertake the co-design and implementation work, make more literature and research available to inform co-design processes, and extend the mechanisms for co-design and partnership with CJG and community representatives to the funding assessment and approval phase of the project establishment process.

To understand the outputs of the DFVE Program, it is important to keep in mind the positioning of the Program within the Queensland Government's broader DFV Prevention Strategy. The DFVE Program



contributes to the third foundational element of the Strategy, which is *strengthening the justice system's response* to DFV. The other two foundational elements relate to *shifting community attitudes and behaviours* and *enhancing integrated service responses*. The initial funding parameters for the DFVE funding prioritised service models that contribute to a stronger justice system response for Indigenous DFV victims and offenders. Other initiatives across government were directed at the other foundational elements.

Indigenous academic Dr Heron Loban from the evaluation team conducted a literature review to enable benchmarking of the overall DFVE program design against research about effective Indigenous DFV responses and co-design of Indigenous programs. The Queensland Government's commitment to co-designing the local DFVE models with CJGs and Indigenous communities was well aligned with the emphasis in the literature on DFV responses built on self-determination, empowerment, partnerships with communities and strengths-based approaches. Further, the Program's priority on providing support to DFV victims and perpetrators in the justice system responds directly to the identified need in the literature for governments to improve the way the justice system deals with Indigenous people experiencing DFV. Many of the DFV service models respond to this need through making CJG staff available to assist perpetrators and victims to attend court, support the parties to understand and participate in the court process, ensure that the conditions of orders are understood, and help the parties to access support services that work towards addressing underlying issues, which might include men's or women's groups run by the CJG.

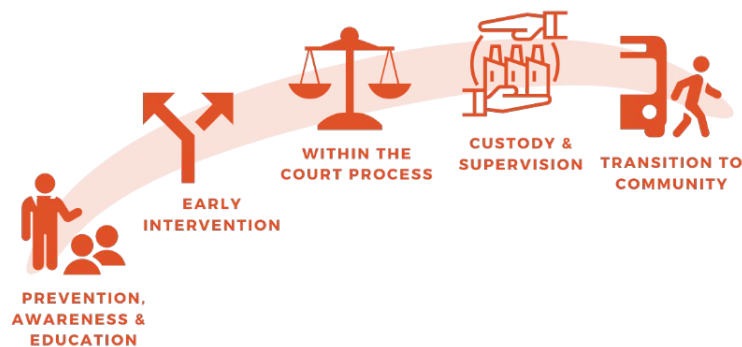
The literature also highlights the need for community-driven responses that initiate early intervention, address underlying issues such as social norms towards violence and the impacts of inter-generational trauma, and empower and heal communities and individuals. However, the whole-of-government DFV Prevention Strategy positioned CJGs' role in responding to DFV as a predominantly justice system response. As such, the evaluation questions whether the Queensland Government's initial funding parameters for the DFVE program provided sufficient scope for CJG-led models that were purely focused on primary prevention and early intervention – in other words, focused on addressing causes of DFV *before* a justice system response is activated. However, CJG DFVE models that supported the justice system response (for example, by providing court support) could include some primary prevention and early intervention measures. Service models could also target 'tertiary prevention', by assisting DFV perpetrators to get help or access community programs to address underlying issues and prevent re-offending.

The evaluation notes that the broader CJG Program has evolved since the DFVE Program commenced in 2016-17. A funding enhancement and refocused CJG model from 2019 now gives greater scope for funding the role of CJGs outside the court process, including in primary prevention, early intervention and aiding the transition to community (reintegration following incarceration). The evaluation recommends that as the DFVE program evolves, and as the originally co-designed models are revisited and refreshed, DJAG should explore with the CJGs the opportunity to expand or re-orient DFV response models to accommodate CJG aspirations to strengthen primary prevention and early intervention responses. As well as aligning with the literature about some of the most effective responses to DFV in Indigenous communities, this direction would be consistent with the recent recommendations of the Women's Safety and Justice Taskforce, which call for more focus on primary prevention responses developed in partnership with Aboriginal and Torres Strait Islander Community Controlled Organisations. The challenge will be investing in these preventive approaches while ensuring that Indigenous people involved in court processes receive adequate culturally appropriate support – an area where the recent *Commission of Inquiry into Queensland Police Service responses to domestic and family violence* has recommended more resourcing, including through CJGs. It is noted that challenges in recruitment and retention of suitable staff, as well as organisational readiness and capacity, may impact on options available to address competing needs.

Breadth of CJG outputs

In the 1990s, CJGs were established by Indigenous communities, and supported with Queensland Government funding, to develop and implement locally tailored, cultural strength-based responses to reduce Indigenous people's contact with the criminal justice system. Historically, therefore, CJGs have in practice undertaken a very wide range of activities. The diverse activities of CJGs and the limited funding available to support them has led to an inherent tension in the CJG funding program around how to define the range of 'funded program outputs.'

To address this tension, following the evaluation of the Program in 2010, the DJAG program guidelines were tightened to focus Service Agreements on 'core' court-support related service deliverables². This acknowledged the practical limitations of the funding available to CJGs at the time. DJAG was successful in making the case for additional funding for the Program from 2019, with the hope of being able to sustainably resource CJGs' core activities and possibly fund new initiatives. The Department engaged with CJGs and stakeholders to develop a *Framework for Stronger Community Justice Groups* that sets out a refocused CJG model that reflects the holistic role that CJGs play in the community and across the whole justice spectrum, illustrated below. It recognises that the role that CJGs play in preventing Indigenous people's contact with the justice system can be primary prevention (addressing the causes of offending to prevent it from happening in the first place), secondary prevention (intervening to stop high-risk individuals offending), or tertiary prevention (helping people who have already offended to avoid re-offending).



The evaluation undertook activity mapping with CJGs in 11 Local Evaluation sites, to ascertain their actual time allocated to different output areas. CJG staff were asked to estimate (or record) the proportion of their time spent in the past month across 10 outputs, comprising internal activities (administration, training, governance), justice spectrum activities (from prevention through to courts and prisoner reintegration), and non-justice related activities (helping community members and assisting agencies with social services). The picture differs considerably across sites, but the pie chart below shows the averages. This illustrates the broad spectrum of activities that CJGs are involved in, including almost a quarter of their time spent in providing assistance to community members, and to government and service providers, on issues not directly related to the justice system. Parts 5 to 12 of this report review each of these output areas in detail, describing the scope and quality of CJG outputs being delivered, as well as key themes about enabling factors, constraints and gaps in services.

A challenge for the current evaluation is that many of the activities that CJGs are delivering in practice are technically in addition to- their funding agreements under DJAG's CJG program. This begs the question whether the evaluation should be focusing only on the activities and outputs specified under DJAG's CJG Program, or looking at the entirety of CJG activities, including those outside the scope of DJAG's Service Agreement. The evaluation framework defines the scope as an evaluation of DJAG's CJG Program as revised under the Stronger CJGs Framework which recognises the breadth of the work that the CJGs undertake in

² The issue of program scope is discussed in more detail in Parts 4.1 and 13.

the community from early intervention to returning to community from custody. The activity mapping includes all activities that CJGs deliver, not just DJAG-funded activities. In practice, the scope of activities funded by DJAG's CJG Program has been expanding in recent years (with the additional investments) to align more with CJGs' actual activities. The extent to which this is resolving the aforementioned 'inherent tension' in the CJG Program is discussed in detail in Parts 4.1 and 13.

OUTPUT – Administration, governance, and training and capacity-building

A foundational output for CJGs is developing and maintaining the organisational platform for delivering the program activities. The activity mapping indicated that CJG staff on average spend 23% of their time on these activities, comprising 10% for program administration and finances, 4% attending training and capacity-building, and 9% supporting governance and CJG meetings. The complexity of CJG operations has increased considerably with the additional funding in recent years, requiring more staff and more sophisticated systems for HR, financial management, performance reporting and other corporate management areas. This has been a challenge for many CJGs and further support for capacity development is needed.

Many government and non-government stakeholders perceive positive changes in CJGs in the past year, especially in their confidence and capacity, their activities in the community and their engagement. In the surveys at nine CJG sites, community members were much more likely to say that their CJG was well organised (55%) than average (21%).

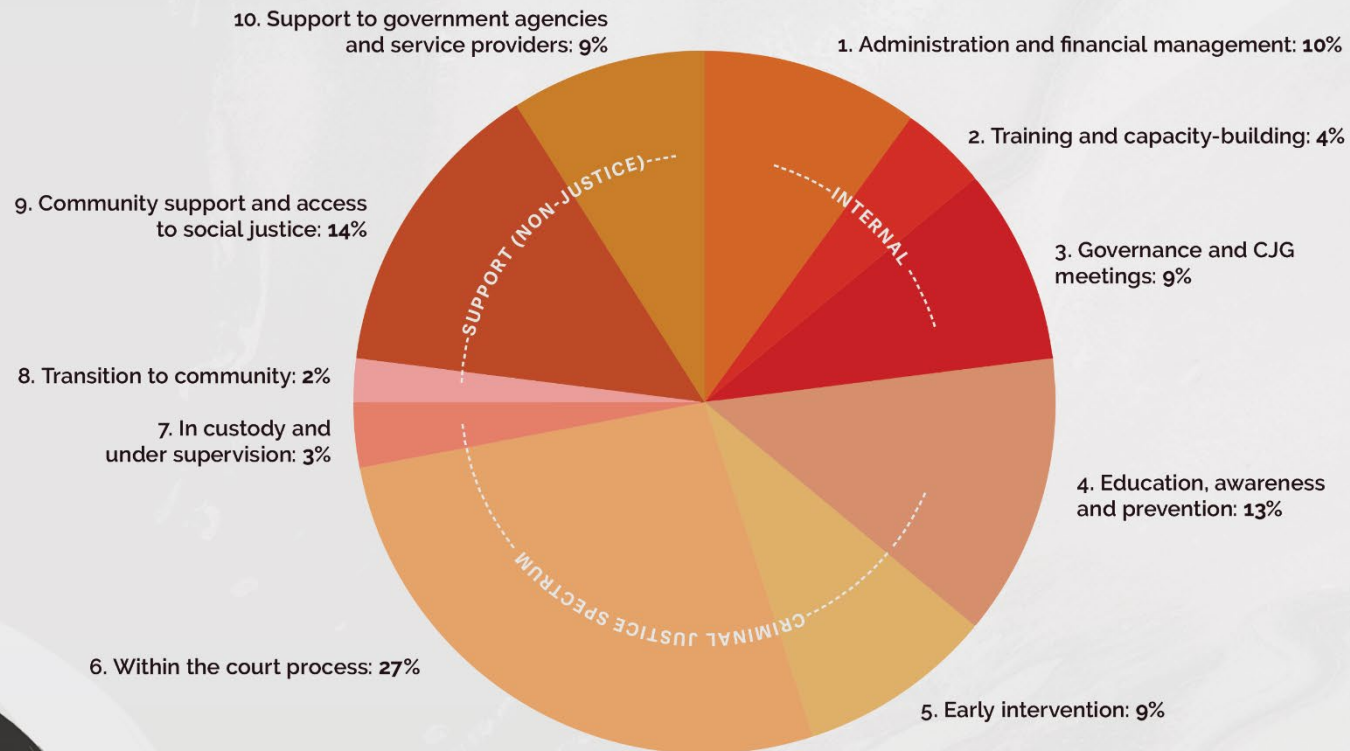
Committed and competent staff are the foundation of successful CJGs, and the evaluation has heard a great deal of positive feedback about the extraordinary people who work for CJGs. High-performing CJG staff bring a diversity of skills and experience to CJGs. At the vast majority of the 16 CJG sites visited by the evaluation team to date, stakeholders expressed high regard for both the competence and the level of dedication of CJG staff. People who work for CJGs tend to be passionate and community-minded, and are motivated by the desire to help and improve their communities. This dedication does carry risks of 'burnout', and many CJGs are trying to build their staffing complement to manage workloads. CJGs and stakeholders have both noted the difficulty for CJGs around recruiting and retaining staff.

Corporate governance has also increased in complexity with additional funding. Many CJGs identify this as a key training need, especially where CJGs are independently incorporated with their own board, rather than auspiced.

CJG cultural governance is led by the Elders and respected persons who make up CJG membership. The members are the heart of CJGs, bringing wisdom, expertise, integrity and passion to the group's work. A priority for many CJGs is to recruit more members, especially males and younger, emerging Elders, to enable succession for the ageing cohort of current members. Another priority is to engage current Elders more in CJG services and activities, which are seen to be far more impactful with Elder involvement. On the other hand, managing conflict within membership is a challenge affecting the service delivery of some CJGs.

The data from Phase 2 have reinforced the evaluation's overall finding that, notwithstanding DJAG's substantial and ongoing efforts to assist CJGs, there is a very high level of unmet need for training and other forms of capacity-building support (for example, development of policies/procedures/systems, and coaching and mentoring of staff). CJGs are able to budget for attending training and engaging capacity support, but have not done so to a significant extent – these activities account for 4% of staff time. The evaluation reiterates its Phase 1 recommendation that a program wide CJG Capacity Development Program is needed to provide dedicated separate resourcing and a structured, targeted process to support CJG development. This should be done in consultation with CJGs, exploring the options, such as engaging a service provider or peak body to deliver training and capacity-building or establishing a centralised training funds pool.

ACTIVITY MAPPING WITH CJG STAFF — ALLOCATION OF TIME IN PAST MONTH



OUTPUT – Prevention, education and awareness

This output relates to activities intended to assist people with opportunities, guidance, education or awareness that will prevent them from coming into contact with the justice system. Such activities are often referred to as ‘primary prevention’. The activity mapping undertaken with 11 CJGs indicates that CJGs spend on average 13% of their time on prevention, education and awareness. CJGs aspire to deliver more in this space, especially to prevent young people from entering the justice system. Since the CJG program funding enhancements (first for DFVE from 2016 and then for the core CJG program from 2019), many CJGs have been able to apply program funds to crime prevention programs that they had previously started on an unfunded basis. Two of the most well-developed prevention programs are Thursday Island Justice Group’s Zenadth Kes Boxing Club and Wujal Wujal Justice Group’s healing on country camps.

Enhanced CJG funding has also enabled CJGs to initiate many new primary prevention activities. Common examples are cultural events, awareness-raising events, Elders’ visits to schools, men’s and women’s groups, cultural camps and pro-social youth activities. Many of these are things that CJGs can now negotiate for inclusion as new ‘Community Specific Activities’ in their Service Agreements, with an available annual budget of about \$81,000.

CJGs have appreciated the opportunity to be funded for tailored, local prevention activities, but some have raised concerns during the evaluation about whether the funding model was sustainable. For example, many of the camps and activities are delivered after hours or on weekends and some of CJGs’ program ideas are resource-intensive. At the same time, DJAG reports that 70% of CJGs have a surplus. Support for CJG capacity building, as recommended in the Phase 1 report, could assist CJGs to fully utilise their existing DJAG funding and where appropriate seek additional funding or partnerships for prevention activities that are beyond the scope of DJAG funding.

The primary prevention programs that CJGs mention most frequently as an aspiration are youth drop-in centres and healing centres. Youth drop-in centres are seen as a means to provide activities and cultural mentoring by Elders, that will divert youth from a pathway to offending. Conceptions of a healing centre differ but the common thread is that they are considered vital to respond to unresolved trauma, which many CJGs and other stakeholders believe to be the root cause of most offending behaviour. Healing centres are seen as a place for counselling and other support groups and programs to be delivered and are often proposed as being on-country (for example, camps and outstations). In their survey responses, government and non-government stakeholders also prioritised youth prevention and on country, cultural or healing programs as the interventions most needed in the prevention space.

The main primary prevention activities that the DFVE services are delivering or participating in are community awareness-raising activities around DFV-related issues. The DFVE staff report attending on average about 5-7 DFV awareness initiatives and programs each year. Some men’s and women’s groups run by DFVE staff also have a primary prevention focus, where they involve people who are not involved in the criminal justice system. As the initial funding parameters for the DFVE projects were oriented towards strengthening justice system responses, primary prevention activities are not the focal point of their funded outputs. With the broadening of the CJG model in recent years, however, the evaluation suggests there is an opportunity to explore how to accommodate CJG aspirations for a greater focus on primary prevention as the DFVE service models evolve – in particular, healing and cultural strengthening approaches that address trauma, low self-esteem, loss of cultural connectedness or pride, and attitudes towards relationships and violence.

OUTPUT – Early intervention and diversion

This output targets community members at risk of entering the justice system, and aims to intervene early to prevent this outcome or divert people to alternatives to the formal justice system. The most frequent of these early intervention activities for CJGs are mediation/peacemaking, involvement in Restorative Justice Conferencing with youth, and providing cultural mentoring and support to individuals who have been

diverted to the CJG by police, other agencies, or concerned community members. Men's and women's groups and on-country programs run by CJGs may also have an early intervention function where people 'at risk' can be convinced to attend, in addition to people whose attendance is mandated by court orders.

A few of the DFVE projects funded in discrete communities include early intervention approaches – for example, Junkuri Laka CJG's DFV Quick Response Model (Mornington Island) and Thursday Island CJG's cultural mediation support for couples or families at risk of DFV escalation. Many DFV staff raised the concept of a men's shelter as a much needed facility where men at risk of DFV (as either possible perpetrators or victims) could be diverted to cool off and access support. Several CJGs are actively seeking support to establish these. Cherbourg's Muran Djan Centre was funded under the DFVE Program to fulfil a similar purpose.

Stakeholder and CJG surveys revealed a widespread view that there are major gaps in early intervention responses in CJG communities, such as healing centres, on country programs and mediation services. CJGs believe that current child and youth counselling and behavioural support services do not meet community needs. They propose culture-based youth drop-in centres and camps with Elders instead.

CJGs place high value on early intervention activities as a way of reducing the number of people coming into the justice system. However, many reported that they are frustrated by their inability to do more in this space because these tend to be time-consuming and expensive outreach activities – for example, home visits, street patrols, bringing people together for mediation and taking youth on camps. While the frequency of court sittings and the number of Indigenous defendants varies across CJG locations, many CJGs emphasised that the high number of people needing support in the courts limits their time available for early intervention activities. CJG staff reported feeling conflicted because they value the work they do in supporting people in court, but feel that CJGs could have a strong impact keeping people out of court if they had time to do more early intervention. Activity mapping showed CJG staff spend on average 9% of their time on early intervention. This was lower at Murri Court sites, where staff have clear responsibilities around supporting people already in the courts, which sit either weekly (two sites), fortnightly (six sites) or monthly (seven sites). Regardless of these inhibitors, many CJGs remain committed to expanding their delivery of early intervention activities, through the next round of triennial funding agreements.

OUTPUT – Court support

Supporting Aboriginal and Torres Strait Islander people in courts has traditionally been the core funded function for DJAG's CJG Program and remains central under the refocused CJG model. The three elements of CJGs' court functions are the support to Indigenous people to understand and participate in the court process, the cultural advice regarding a person's circumstances that courts may take into account to make culturally appropriate bail and sentencing decisions, and the referrals of offenders and victims to agencies and services that can assist them with underlying issues. As expected, the activity mapping found that CJG staff spend the largest proportion of their time providing assistance within the court process (an average estimate of 27%). This is especially the case with CJGs funded to deliver Murri Court services.

In the courts servicing the 52 communities where CJGs are in existence, there were 15,062 Indigenous people appearing as defendants in court during 2021-22.³ Some appeared on multiple occasions, leading to a total of 24,637 appearances, for 93,672 charges. On average, this is 473 people appearing in court each week across all the courts CJGs service.

These figures underline the high level of demand for court support from CJGs. Not every individual needs or wants support from the CJG, but CJGs do support a significant proportion of people appearing in the courts. The exact proportion is difficult to ascertain with available data, but CJGs are only able to provide support to a fraction of the defendants during their appearances at courts in CJG locations, especially in busy urban and

³ DJAG, QWIC Lodgements, Appearances, Charges, Orders and Demographic data sets.

regional centres. CJGs reported making 444 sentence submissions and 231 bail submissions in 2021-22, but this is likely to be a significant undercount.⁴ In 2021-22, 573 Indigenous defendants were referred to one of the 15 Murri Courts supported by CJGs across Queensland. In the 15 discrete communities where DFV projects were funded and operational, CJG staff reported that they attended 176 court proceedings and supported 1115 offenders and 410 victims through court processes.

Cultural reports made by CJGs in relation to bail or sentencing are valued by court stakeholders and Indigenous participants. The evaluation has found that cultural reports make the most valuable contribution to improving court outcomes in both mainstream and Murri Courts when:

- the CJG has a good understanding of what the court needs in a cultural report
- the CJG staff and members have the capacity and confidence to provide quality cultural reports
- the CJG acts impartially on behalf of all families in the community
- Elders and respected persons are involved in the process
- there are local programs and support available and these are communicated to the court by the CJG
- there is a willingness by the court to accept and value the input from the CJG.

Murri Courts are greatly valued by all stakeholders as an opportunity for working collaboratively to assist an offender to take action to address the causes of their offending. Murri Court stakeholders emphasised that successful outcomes are enabled by strong relationships between the court and CJG staff and members, genuine connection with participants, and a process that encourages honesty and accountability around offending behaviour.

In the surveys of community members at 11 CJG sites, there was generally a high degree of satisfaction with the support provided by CJGs. Across the sites, an average of 78% were either happy or very happy with the support they received from the CJG when they or a family member or friend went to court. Community members also felt the CJG helped them understand the court process, helped the court understand the cultural issues involved, and made sure they were treated more fairly.

At the five DFVE sites, CJGs told the evaluation the most important support they provide in the courts is explaining DV orders to participants, providing advice to the courts, assisting parties with variations to orders, and referring people to programs or support. In local surveys, community members who had been supported in court by the CJG's DFV workers were positive about the help they received – 45% were very happy and 39% were happy, while only 4% were unhappy.

CJG DFV staff saw their role as especially important in addressing the problem of unworkable conditions on DV orders – especially 'no contact' conditions – which they see as exacerbating problems for Indigenous families without properly addressing the underlying issues. CJGs consider their responses to DFV to be more culturally appropriate and holistic, by working with whole family units involving men, women and children, rather than just working with victims or perpetrators in isolation.

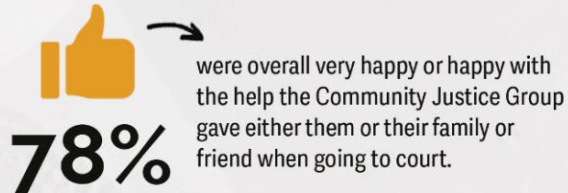
Having adequate services available and seamless referral pathways is critical to the success of the support that CJGs provide to offenders and victims in courts. In 2021-22, CJG staff across the State reported making 1840 referrals for defendants in non-DFV matters and 277 referrals for defendants in DFV matters.⁵ In addition, the DFVE staff of CJGs reported making 860 offender referrals and 128 victim referrals for DFV matters. The most common referrals were to the CJG's own programs/activities. This reflects one of the most significant improvements in the CJG program in recent years, which is that CJGs have been able to apply the extra funding to expand their own programs and referral options for community members.

⁴ DJAG, Courts Innovation Program Attendance and Submissions dataset.

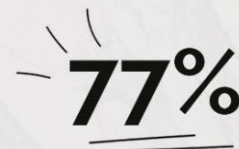
⁵ DJAG, Courts Innovation Program, Attendance and Submissions data.



SURVEY SNAPSHOT



of respondents felt the Justice Group helped a lot to a fair bit when it came to either themselves, their family or a friend to stay out of trouble with the law in the future.



of respondents felt the Justice Group a lot to a fair bit made sure that either they, their family or friend were treated more fairly in navigating the justice system.



of respondents felt the Community Justice Group helped a lot to a fair bit with either them or their family or friend when going to court understand what was happening in the court and what they had to do.



of respondents felt the Justice Group helped the court a lot to a fair bit understand the cultural issues involved in the matter/s they were navigating legally.



of respondents felt their Community Justice Group had done a lot to a fair bit to strengthen respect for Aboriginal Lore and Torres Strait custom in their First Nations community.



Using the \$81,000 for Community Specific Activities in the Service Agreements, CJGs have set up yarning circles, men's groups, women's groups, on-country camps, healing programs and other initiatives. Factors underpinning effective referrals include: strong CJG networks and partnerships; robust referral and information-sharing processes; culturally appropriate programs and services; relationships between clients and service providers; referral staff with real-world experience of the issues clients face; respecting empowerment and choice for the client; programs that are activity-based not purely talk-based; and trauma-informed approaches. For DFVE projects, the most important of these success factors are: strong networks and partnerships with services needed by DFV clients; taking a holistic, whole-of-family approach to DFV; and being empowering rather than overly directive with clients. The main gaps in referral pathways for court clients were DFV perpetrator programs, men's shelters, healing programs/centres, and drug and alcohol counselling and rehabilitation facilities. CJGs have shown remarkable enterprise in developing their own home-grown responses to the gaps, regardless of the absence of funding.

OUTPUT – In custody and under supervision

Interviews and the activity mapping with 15 CJGs indicated variation in the level of output of CJGs in providing assistance to community members when they are in custody or under supervision in the community. This accounted for an average of 3% of CJG staff time in the activity mapping (with individual CJGs ranging from 0% to 9%). Many CJGs visit prisons and youth detention centres, but visits have been limited since the COVID-19 pandemic. Some CJGs play an important role in visiting community members in watchhouses, performing a de facto cell visitor role. Although it has not been reported as a major component of CJGs' time, most groups report that they supervise community service for offenders. On a case-by-case basis, CJGs play an important role in many correctional matters, such as advising correctional authorities about issues surrounding planned releases, liaising with families of prisoners (especially around sorry business), and organising assessments for parole applications.

Overall, while currently representing a relatively small part of the workload of CJGs, their activities in supporting people in custody or under community supervision are highly valued and considered impactful by stakeholders. It is evident that CJGs save correctional authorities considerable time and expense and contribute to improved service outcomes. CJGs' work also has a direct impact in reducing incarceration, by helping offenders to meet reporting requirements and understand and comply with the conditions of their orders. This output has grown with the additional support now provided by workers employed under DFVE funding.

OUTPUT – Transition to community and reintegration

The level of involvement of CJGs in the reintegration of community members returning from adult or youth custody varies widely. This activity is listed in Service Agreements as a Community Specific Activity for 10 CJGs, and two CJGs (Mount Isa and Thursday Island) have specific services to provide structured transition support. Some of the co-designed DFVE service models also specifically mention support to reintegrate DFV perpetrators. For example, one CJG has assisted men returning from prison to find employment in a nearby tourist town. A few CJGs are participating in QCS's pilot project to work with CJGs on culturally-supported re-entry to community.

During the Local Evaluations, some CJG staff and members expressed a desire to increase their activities in the reintegration space. An inhibitor for some is the lack of information from correctional authorities about when someone is being released. Some CJGs have flagged the idea of pairing released prisoners with an Elder or community member as a buddy or mentor to assist them with reintegration. However, in the CJG survey and interviews, CJGs have highlighted that there is currently limited funding for them to provide reintegration support. This is a service that would need to be negotiated as a Community Specific Activity in their Service Agreement or funded from another source.



OUTPUT – Community support, advocacy, and access to social justice

This output relates to a range of CJG activities supporting the community's access to services and opportunities that are indirectly related to the criminal justice system. This is a very significant output for CJGs, accounting for 14% of CJG staff's time in the activity mapping. This work falls into two categories: broader advocacy and representation for the entire community's interests, and support provided at the individual level.

At the advocacy level, CJGs play an important role as representatives of the community, due to the skills, knowledge and cultural authority of Elders and respected persons who make up their membership. CJGs often proactively advocate on the community's behalf when there are community concerns about service issues. CJGs and their members are being actively engaged in discussions around the Local Thriving Communities (LTC) reforms, which aim to ensure Indigenous peoples have greater local decision-making authority in regard to service delivery issues.

At the individual level, the evaluation has found that CJGs provide direct assistance to community members with a very wide range of issues, far beyond issues related to the justice system. The most frequent requests are for assistance with various paperwork and accessing government services. In many cases, CJGs are simply filling gaps in service delivery, or performing the role of another agency that the community member does not feel comfortable approaching directly.

CJGs do this work because of their commitment to helping the community. They are keen for these contributions to be recognised, as they know it is not in their Service Agreements and they do much of it in their own time. Some CJG staff hoped that documenting this general community support would help make the case for extra funding or staffing to do this work. Others hoped that the evaluation would shed light on how CJGs are filling gaps because the responsible organisations or mainstream services are not delivering culturally safe services for community members. CJG staff emphasised that the solution to this demand was not simply 'learning to say no', because their philosophy is not to turn away anyone in need of help.

The community surveys confirmed that help with paperwork, transport and accessing services is one of the most common forms of assistance people receive from their CJG. Community members evidently place a high value on this support from CJGs – an average of 88% said they were very happy or happy with this support from the CJG in the 11 communities where surveys were conducted to date.

OUTPUT – Assistance to government agencies and service providers

As grassroots community organisations with strong local networks and cultural knowledge of their communities, CJGs are an important source of information and assistance for an array of government and non-government agencies and service providers working in Aboriginal and Torres Strait Islander communities. Additionally, in relation to alcohol reform, CJGs in discrete communities have a formal, legislated role in providing advice to government.

Support provided to agencies falls into the following categories:

- Cultural capability building support for agencies, such as delivering cultural awareness training and cultural leadership and advice generally
- Advice and community input into policy, program and service design – for example, through consultations, workshops, reviews, and participation on reference groups, steering committees, or inter-agency forums
- Assistance to agencies to contact and engage their clients or a community generally
- Assistance to agency staff to work effectively and in a culturally sensitive manner with community members
- Practical service delivery assistance such as use of facilities, equipment or vehicles



In the activity mapping, CJG staff estimated they spent an average of 9% of their time providing this assistance, and one estimate was as high as 21%. This occurs in both urban and non-urban locations, so it is not an issue solely where agencies operate on a fly-in, fly-out basis.

It is evident that many agencies would have difficulty delivering their services without the assistance of CJGs, who facilitate agencies' community outreach and provide important logistical support. Since the enhancement of CJG funding in recent years, an ancillary benefit to the broader justice and social services system is the ability to use CJG facilities for program and service delivery. Several CJGs have used funding enhancements to develop a 'hub' model, that has a specific outcome of attracting and hosting visiting services to provide programs and support to CJG clients. These are safe cultural spaces where agencies find it easier to engage community members.

The contribution of CJGs to local service system coordination is not always recognised. The evaluation has observed that a common feature of CJGs that are high functioning is the role they play in coordinating across agencies and services to better integrate the support for Indigenous people in the justice system or the broader service system. In Murri Court locations, this is occurring through the Murri Court stakeholder networks hosted by CJGs. In other locations, this also occurs through networks and relationships that CJGs have established spanning multiple service providers. Due to their person-centred service model, unconstrained by narrow service parameters, CJGs are effective at navigating sometimes disjointed service systems on behalf of their clients, as well as helping agencies to work in a more coordinated way.

The evaluation has highlighted the need for agencies to (a) better negotiate and communicate the scope of the relationship and the assistance expected of CJGs (for example, through a memorandum of understanding) and (b) better support CJGs to manage the level of risk and workload in providing agency support (for example, by providing training, funding or in-kind help).

Conclusions

The evaluation's review of the broad range of outputs delivered by CJGs underlines the conundrum at the heart of the CJG Program, which relates to the question of what local justice responses the finite available DJAG funding for CJGs should be targeted towards. While the CJG funding program since 2005 has focused on funding outputs related to court support, additional funding secured by DJAG for the program in the past six years has opened up possibilities to expand the range of funded CJG activities. CJGs have welcomed the opportunity to negotiate funding for novel, place-based initiatives that they have wanted to deliver but have not previously had the resources to deliver, including in primary prevention and early intervention. For example, many CJGs have established 'on-country' cultural and healing programs for men, women and youth. Some CJGs have been grateful to receive funding for programs they were previously delivering on an unfunded basis.

With the greater flexibility and choice under this refocused, broadened CJG model, the Department and CJGs have been grappling with the question of how best to direct Program resources. Phase 3 of the evaluation will assist by providing some evidence about the outputs that are generating strong outcomes in keeping Indigenous people out of the justice system. Such evidence is not always clear-cut, however, so the decisions about the optimal mix of outputs will still rely to some extent on the experience and intuition of those involved in CJGs and the justice system.

The evaluation has explored this question with CJGs and stakeholders. Each of the stages of the justice spectrum in the refocused CJG model has advocates for more support to be directed there, but the most common response from stakeholders (including from CJGs, judicial officers, the community, and government and non-government stakeholders) is that they see value in CJGs delivering outputs across the entire justice spectrum. There is equal recognition of the contribution that CJGs make in the courts and in prevention and early intervention. There is also recognition amongst stakeholders that CJGs' funded activities to date have prioritised court-related functions, and that there is value in a 'rebalancing' that directs greater focus towards prevention and early intervention. While opinions differ, generally the



feedback from CJGs themselves is that they value the work they do in the courts but aspire to do more (and perceive that the community wants them to do more) in the prevention and early intervention space, especially around educating young people, strengthening cultural identity and delivering healing programs for families and individuals. In addition to options available to reconsider the balance of the program funding split across the justice spectrum, there are also opportunities to consider how CJGs can be supported to maximise funding available (and use unspent funds) and where program expansion may be appropriate.

To realise these aspirations of CJGs, three constraints will need to be addressed:

1. Constraints in CJGs' organisational capacity to deliver will need to be addressed through a targeted CJG Capacity Development Program, as recommended in the Phase 1 Annual Report
2. The demands on CJGs from community members and government agencies and other service providers will need to be managed, to free up CJG time and space for new initiatives. DJAG's Framework for Stronger CJGs aims to engage agencies in discussions about this. In Phase 1, the evaluation recommended a whole-of-government process to review the evaluation data and consider options to reduce this burden on CJGs, such as: properly resourcing CJGs to do this work (for example funding administrative staff to help with paperwork or liaison officers to help agencies engage families); identifying and filling service gaps that CJGs are currently filling; and building agencies' own internal Indigenous engagement capacity rather than relying on CJGs. A review is timely as the Queensland Government progresses work on *Path to Treaty* and Local Thriving Communities, and as mechanisms for local authority (such as that provided by CJGs) and reframed relationships are considered.
3. Creative solutions will be required to properly resource new initiatives in non-court output areas without diminishing CJGs' ability to meet court-related support needs of community members. Options for CJGs include seeking funding from non-DJAG sources, negotiating reallocation of the DJAG CJG funding to prioritise new initiatives over court support outputs, lobbying other agencies to deliver the new initiatives, or partnering with other agencies to share costs of delivering the new initiatives.

Recommendations

The review of the CJG Program's outputs in this report on Phase 2 has reaffirmed the importance of the 14 recommendations in the Phase 1 Annual Report. In summary, these recommendations were:

- ❖ *DJAG develop a comprehensive CJG Capacity Development Program, exploring suitable models in consultation with CJGs (for example peak body, capacity development service provider, central training fund) – Recommendation 1*

This remains the most pressing priority for the CJG Program, as it will help maximise the impact of the recent funding enhancements to CJGs. It should have a DFV-specific training and capacity development stream for CJGs.

- ❖ *Greater participation by CJGs in the CJG Program governance arrangements – Recommendation 2*

Phase 2 has highlighted that there are difficult strategic and practical questions about the optimal targeting of resources under the Program, and it is vital that CJG representatives have a voice and a seat at the table when these decisions are being made. This is wise practice from a program development perspective as well as being consistent with the Queensland Government's *Path to Treaty* commitment to reframe the relationship with Aboriginal and Torres Strait Islander peoples, guided by principles such as locally led decision-making, self-determination, shared commitment, shared responsibility, shared accountability and empowerment.

The increasing significance of the DFV enhancement aspect of the CJG Program, and the challenge of developing and sustaining this initiative, further reinforces the importance of greater CJG and community involvement in Program governance and development.

- ❖ *Reviewing DJAG program staffing to enhance support for CJGs (consideration of increasing IJO positions, locating them closer to CJGs, reviewing classification level and reviewing IJP division of responsibilities, specialisation and classification – Recommendations 3, 4, and 5*

The importance of this recommendation has been reinforced by the review of the implementation of the DFV Enhancement Program, where limitations of staff resourcing have affected (a) the timeframes for rolling out the new projects to the target locations and (b) the Department's ability to revisit, refresh and provide a high level of ongoing support for the further development of these important DFV responses.

- ❖ *Revise and update Program Guidelines and Service Agreements to better reflect the refocused CJG model and its broader suite of outputs – Recommendations 6 and 7*

Phase 2 has documented the very wide array of important CJG activities that are currently not reflected in the Program Guidelines and Service Agreements. The evaluation notes that the current process of negotiating the next phase of triennial agreements with CJGs is the ideal opportunity to ensure Service Agreements capture the intent and scope of services of CJGs across the outputs spectrum.

- ❖ *Expedite the introduction of a new grants management system – Recommendation 8*

The evaluation understands this activity is well advanced.

- ❖ *Develop a strategy to assist CJGs with membership challenges, such as succession plans, recruitment of new members, and dispute resolution – Recommendation 9*

Phase 2 has reinforced the significance of membership issues for CJGs' service delivery. Further support for CJGs in this area remains a priority.

- ❖ *Empowering CJGs with data and good practice information they can use in planning their responses to justice issues and promoting their work – Recommendations 10, 13, and 14*

This is an ongoing priority for continuous improvement within the Program. The evaluation notes that CJG workshops were held in 2022 and that many CJGs are embracing the evaluation's Our Community Justice communications platform to access information and share good practice. The evaluation suggests that, to support the further development of the DFVE Program, there should be a particular

focus on promulgating good practice information (from within the CJG Program and from elsewhere) about effective DFV responses in Indigenous communities.

- ❖ *Inter-departmental work to review the evaluation data and consider strategies to mitigate sustainability impacts on CJGs as a result of (a) assistance provided to agencies to deliver their services and (b) assistance to community members where service gaps exist – Recommendations 11 and 12*

The extensive work that CJGs do in supporting agency service delivery and helping community members access services has again been a central theme in Local Evaluations. The work by the CJG Inter-departmental Working Group (IWG) to consider and respond to these issues remains a priority.

Recognising the importance of this last point, the evaluation makes the following additional recommendation for Phase 2.

Recommendation 1. *That DJAG undertake a service gap analysis in the locations where CJGs operate, highlighting the gaps that CJGs are filling, to inform a discussion with relevant agencies about how to manage the demands on CJGs to assist other agencies and fill service gaps.*

In addition to reinforcing the importance of the Phase 1 recommendations, in Phase 2 the evaluation makes the following additional recommendations with reference specifically to the implementation of the DFVE program.

Recommendation 2. *That DJAG expedite the process of collaborating with the relevant CJGs to revisit, review and support a refresh of the co-designed DFV service models funded under the DFVE Program, at the request of CJGs, with a priority on locations where capacity and performance challenges or changes in the service environment have significantly affected the efficacy of the DFV response.*

Recommendation 3. *That during this DFVE model ‘refresh’ process, DJAG explores with the CJGs the opportunity to re-orient DFV response models, including redeploying unspent funds, to accommodate any CJG aspirations to strengthen primary prevention and early intervention responses to DFV (either delivered by CJGs or leveraged through CJG advocacy or participation in co-design with third parties). In this co-design refresh process, CJGs and DJAG should together consider the learnings from the DFVE implementation to date and the emerging good practice from DFVE sites around Queensland and benchmark the DFV response model against the research literature about effective DFV prevention and response models for Indigenous communities.*

1 INTRODUCTION

1.1 Purpose of this report

This report is part of a series of reports for the evaluation of the Department of Justice and Attorney-General's Community Justice Group (CJG) Program. The evaluation is being conducted over three years, from 2021 to 2023, by Aboriginal social enterprise, Myuma Pty Ltd.

This report is the Annual Report for the evaluation's Phase 2, which comprises the second year of the evaluation (2022). The Annual Report for Phase 1 of the evaluation in 2021 was focused on the implementation of the CJG Program – in particular, the inputs that underpin the Program. It also included a wide-ranging description of the Program outputs, based on a desktop review of the Program, interviews with Program staff and stakeholders, and the first five Local Evaluations conducted at CJG sites. The review of inputs and outputs enabled an assessment of the gaps or areas requiring attention for Program implementation. Phase 1 identified that a key input requiring enhancement was training and capacity-building support for CJGs, which is a critical need as they apply recently enhanced program funding to expand their activities, grow their organisational capability and pursue innovative community-based interventions.

Phase 2 of the Evaluation, as documented in this Annual Report, builds on Phase 1 by providing a more detailed picture of the scope and the quality of the *outputs* being delivered by CJGs and the Program as a whole. The CJG Evaluation Framework⁶ and the Evaluation Plan⁷ pose the key questions for this phase of the evaluation as:

To what extent and how are communities addressing justice-related issues? What is working well, in what contexts? What would it take to remove blockages?

This assessment of Program outputs will set the foundation for the final year of the Evaluation, Phase 3, to focus on what impact the Program is having on Indigenous communities in terms of safety and the level of contact with the justice system – in other words, what *outcomes* are the Program outputs achieving?

This report also includes a review of the implementation of the Domestic and Family Violence Enhancement (DFVE) component of the CJG Program, funded through CJGs in 18 discrete Aboriginal and Torres Strait Islander communities. This analysis fills a gap from the Phase 1 Annual Report – a full examination of the DFVE Program was not possible in Phase 1 as an insufficient number of DFVE sites had been visited by the time of the Phase 1 report. This report therefore examines the overall implementation of this new initiative over the past six years, including the program design, the co-design process to establish DFVE projects at each site, the inputs for the initiative and the scope and quality of DFVE outputs delivered to date. The outcomes from the DFVE program will be evaluated in Phase 3 with the rest of the CJG Program.

1.2 Background to the CJG Program

The Phase 1 Annual Report provided a detailed history and overview of CJGs and the Queensland Government's CJG funding program. The current CJG Program is administered by the Courts Innovation Program in the Department of Justice and Attorney-General (DJAG). Operational funding is currently provided to CJGs in 42 locations and a small grant is provided to CJGs in 11 outer islands of the Torres Strait to provide support to circuit courts.

In 2022-23, statewide funding for the Program totals \$13.1 million per year for CJG operations, plus an additional \$150,000 per year for the DFV enhancement in each of the 18 discrete communities. Service

⁶ DJAG, 2020. *An Evaluation Framework for Community Justice Groups (CJGs)*.

⁷ Myuma, 2021. *Evaluation Plan 2021-2023: Evaluation for Community Justice Groups*.



agreements differ depending on the configuration of activities at each location, but the standard funding model for a CJG is \$200,000 per year for core operations, plus \$81,000 per year for a 'Community Specific Activity'. CJGs delivering DFVE receive an additional \$150,000 per year. In some locations, CJGs receive additional amounts for Murri Court brokerage and fees (14 CJGs), supporting Specialist Domestic and Family Violence Courts (2 CJGs), supporting a High Risk Youth Court (1 CJG), and delivering a restorative justice/mediation project (1 CJG).

Until 2016, CJGs received approximately \$100,000 funding per year from the CJG Program. Funding to support CJGs has expanded considerably in the past five years as a result of:

- Additional \$11 million committed from 2016-17 under the DFV Enhancement to develop culturally appropriate DFV services in 18 discrete Aboriginal and Torres Strait Islander communities
- Additional \$19.4 million (over four years) committed from 2019-20 to the entire CJG program from to enhance the capacity of CJGs to deliver local justice responses.

2 THE EVALUATION

2.1 Evaluation process to date

2.1.1 Evaluation team

Myuma Pty Ltd was engaged by the Department of Justice and Attorney General (DJAG) in January 2021 to conduct a 3-year evaluation of the Community Justice Group (CJG) Program, incorporating the Domestic and Family Violence Enhancement. Myuma is a social enterprise owned and operated by the Indjalandji-Dhidhanu people of the Camooweal region in north-west Queensland. Myuma's vision is to empower Indigenous community leadership in evaluation of government programs and services by bringing together leading evaluation practitioners from universities, the public sector and the private sector with a network of Indigenous community development practitioners with deep connections into local Indigenous communities. During the evaluation to date, Myuma has engaged 13 Aboriginal and Torres Strait Islander evaluators and community development practitioners based in locations across Queensland, supported by two non-Indigenous evaluators, a data analyst, three Indigenous research assistants and an Indigenous communications officer.⁸ Team members have had regular workshops and online meetings to facilitate sharing of the various team members' knowledge and tools relating to research and evaluation methodology and diverse cultural perspectives and insights from experience working with Indigenous communities.

2.1.2 Evaluation plan

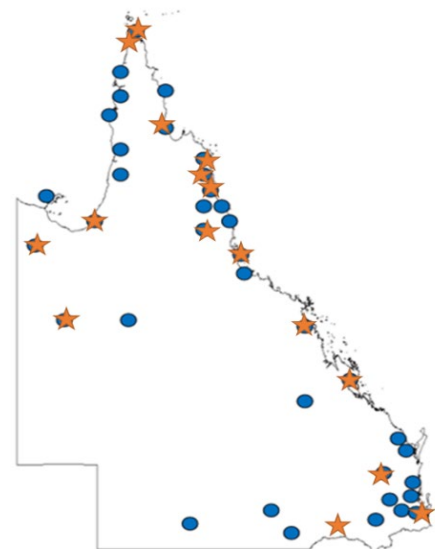
The evaluation is guided by an Evaluation Plan and ethics protocols agreed with DJAG's Evaluation Management Team in June 2021. Details of the evaluation approach are set out in the Phase 1 Annual Report (Part 2.4). The evaluation comprises both a Statewide stream, involving a desktop review, stakeholder interviews and surveys at a Program-wide level, and a place-based focus, involving 'Local Evaluations' conducted with CJGs at a large proportion of the CJG sites across the State⁹.

2.1.3 Conduct of Local Evaluations

The Evaluation Plan aimed to conduct eight Local Evaluations in Phase 1, followed by 12 Local Evaluations in Phase 2. To date, the team has conducted Local Evaluations with CJGs in 16 locations.¹⁰ Evaluation activity commenced but was deferred to a later time in two other locations, due to factors affecting the readiness of the CJG and/or the evaluation team. The location of CJGs across the State and the sites visited to date are indicated on Map 1.

To date, data collection at the 16 Local Evaluation sites has involved:

- 62 days spent by 12 Myuma team members at CJG sites
- 144 interviews with CJG staff, members, agencies, service providers and community members



Map 1. Local Evaluation sites (starred)

⁸ For more information about the evaluation team, visit www.ourcommunityjustice.org

⁹ To October 2022, Local Evaluations were conducted with 16 CJGs, which is 40% of the total number. Fifteen of these participated in activity mapping.

¹⁰ Mackay, Rockhampton, Goondiwindi, Doomadgee, Normanton, Tablelands, Wujal Wujal, Hope Vale, Mossman, Thursday Island, Mount Isa, Coen, Palm Island, Bayside (Cleveland and Wynnum), Cherbourg and Northern Peninsula Area.



- 95 hours of interviews recorded, transcribed and analysed using Nvivo qualitative data analysis
- 216 community surveys administered in 11 locations

The Local Evaluations have been collaborative, participatory and strengths-based. The evaluation has followed an ‘appreciative inquiry’ method in the team’s interviews, seeking to capture stories of CJG successes and good practice that reveal how the program delivers impact in practice. Myuma’s philosophy has been for evaluation team members to ‘walk with’ the staff and Elders and members of the CJGs to co-design a local evaluation process that is tailored to local circumstances and will be useful to the CJG as well as the broader evaluation. CJG staff and members have been encouraged to participate in the data collection, including the workshops, stakeholder interviews and community surveys. The co-design of each Local Evaluation involved planning and an agreement with the CJG that covered the following:

- Objectives of the Local Evaluation
- Agreed principles and protocols for the evaluator and the CJG to work together
- Agreement about scope of the evaluation and particular focus areas the CJG is interested in learning more about
- Method of collecting data (for example, workshops, interviews, surveys), who will be involved in data collection, which stakeholders will be approached and the agreed timeframes
- Additional things the CJG wants to capture information about
- Ethics protocols
- Agreement about evaluator’s use of information, records and data shared by the CJG
- How the data and findings will be shared back with the CJG
- Agreed process for sharing the CJG’s good stories on the evaluation’s communications platform

This approach to the Local Evaluations differs from conventional evaluation approaches where frontline delivery sites are visited by evaluation consultants for one to two days to interview stakeholders according to a defined set of evaluation questions. Although two of the data collection activities have been standardised to an extent to allow comparison across the sites (activity mapping and community surveys), other aspects of the data collection have been co-designed with each CJG. The open-ended questions of the appreciative inquiry method have invited CJGs themselves to identify what they see as the most important aspects of their work and how they believe they deliver the greatest impact.

Some key learnings from the process of the Local Evaluations to date are:

- *Participatory processes build trust.* The message about co-design and CJG participation has been well-received by CJGs and has aided the evaluation team in gaining CJGs’ trust and cooperation in the process.
- *Strengths-based, appreciative inquiry approaches foster involvement.* Some CJGs who are otherwise sceptical of evaluation processes have been prepared to be involved because of the evaluation’s philosophy of focusing on what is working and what CJGs’ see as most important, rather than focusing on pre-determined performance indicators or an agenda set by the evaluators.
- *Collaborative processes take time.* Co-designing and agreeing on the process has taken many weeks or sometimes months, with several preparatory phone calls, online sessions and face to face meetings prior to data collection starting. Data collection has also taken several days in each location, with considerable time spent involving the CJG staff in the process. Data collection field visits have ranged from 3-5 days, conducted either as one visit (for example, to remote communities) or multiple visits (to more accessible sites). The team have had to extend the planned number of days allocated for the Local Evaluation work at each site.
- *CJGs have been keen to participate in data collection.* Given the considerable demands on the time of CJG staff and members, it had been assumed they would not have much time to be involved in the data collection. The evaluation team has been pleasantly surprised at the level of participation of CJGs in collecting data. In all sites, staff and Elders/respected persons were involved in workshops, and many were involved in interviewing and surveying stakeholders and clients. While this may be



less independent, it has positive benefits in facilitating more meaningful conversations between CJGs and their stakeholders and building CJGs' skills in evaluation work.

- *CJGs have been motivated to be involved in the evaluation.* The most common reason CJGs have expressed for wanting to be involved is to document the full range of activities they are delivering, which they believe to be broader than what is in their funding agreements and reported in their performance reports. Participating CJGs seem to be motivated firstly, by a wish for greater recognition of their efforts and secondly, to let government know about some of the gaps and challenges they are encountering (with the hope that there may be some assistance or solutions as a result of the evaluation).

The evaluation's engagement of mostly Aboriginal and Torres Strait Islander contractors has had important advantages. These individuals bring cultural knowledge and expertise in Indigenous community affairs that have enabled meaningful conversations ('deep yarns') with CJGs and community stakeholders. This has provided rich data on the motivations and struggles of people working in CJGs that may not have been shared with non-Indigenous evaluation consultants. Having a team comprised of Indigenous people with existing relationships with communities has also created some challenges. In a small number of locations, a CJG has requested not to work with a certain evaluation team member due to pre-existing differences or a perception that the evaluator's previous dealings with people involved in the CJG would affect their independence. The evaluation team have managed this by swapping team members across sites to ensure each CJG is allocated an evaluator they are comfortable with.

An objective of involving CJGs in a collaborative evaluation is to give them direct access to the data and encourage critical self-reflection, which enables the CJG to apply evaluation learnings immediately. The following examples illustrate how the collaborative approach to the evaluation has facilitated changes in real time:

- Many CJG staff and members have commented on the value of the activity mapping workshops, where the CJG is asked to estimate the proportion of their time spent across 10 activity domains. This has led to reflection on whether the CJG is using its time optimally, and prompted some groups to make plans to increase their focus on areas they felt they may have neglected. A CJG respondent to the stakeholder survey commented: *"[The evaluation] has given us time to reflect on how to move forward and build further capacity within our organisation."*
- At the conclusion of a week of data collection, an evaluator held a debrief workshop with a CJG to relay themes and feedback that had emerged. The CJG has since advised that as a result of the community feedback about a key gap in the CJG's services, the CJG has taken steps to engage three new male CJG members to provide more guidance to youth involved in the justice system.
- During an evaluation interview with a police prosecutor which was attended by the CJG coordinator, the prosecutor was able to communicate to the CJG his views about the most effective interventions for offenders and where the CJG may be able to assist.
- At a Murri Court site, the evaluator delivered a summary presentation on the Local Evaluation outcomes to the Murri Court stakeholder group, which included two Magistrates and a number of stakeholders. The presentation prompted some vigorous discussion with the Magistrates and stakeholders about Murri Court operations. Following the meeting, the CJG representatives commented that it was helpful for the stakeholders to hear about all the other work that the CJG does beyond participation in the courts.

Much of what CJGs do involves grassroots action that has little visibility outside (and even within) the CJG's own community. Myuma views the evaluation as an unprecedented opportunity to amplify local stories and good practice across the CJG network and the broader community. To this end, the evaluation has developed a communications platform, *Our Community Justice*, with the principal aim to increase the opportunities for



CJGs to share good practice across the network, but it will also increase the public visibility of what CJGs do.¹¹ The platform comprises a website, social media pages and electronic newsletters. Annual webinars are also held with CJGs to profile some of the good practice emerging from the Local Evaluations. A community summary of the evaluation report will be developed for distribution, containing a good practice guide to provide case examples of how CJGs are tackling difficult issues and succeeding. To start facilitating more information-sharing and collaboration between CJGs, the evaluation team has been convening monthly informal ‘coffee catchups’ using Microsoft Teams. It is hoped that this will evolve into an ongoing community of practice and peer support network for CJGs.

2.1.4 CJG and stakeholder feedback on the evaluation to date

The annual CJG stakeholder surveys organised by DJAG have been an opportunity to hear feedback about the evaluation as it is being conducted. Figures 1, 2 and 3 show the 2022 response from non-CJG stakeholders and CJG representatives who said they had had contact with the evaluators.

The feedback shows that most stakeholders feel the evaluation is being conducted appropriately, with CJGs providing the most positive feedback.¹² In aggregate: 14% of the 235 responses across all questions were very positive (indicating ‘fully’ in response to the questions); 59% were positive (‘mostly’); 20% were neutral (‘somewhat’); 3% were negative (‘not at all’); and 18% ‘don’t know yet’.

Figure 1. Statewide Stakeholder Survey (Government and NGOs), 2022

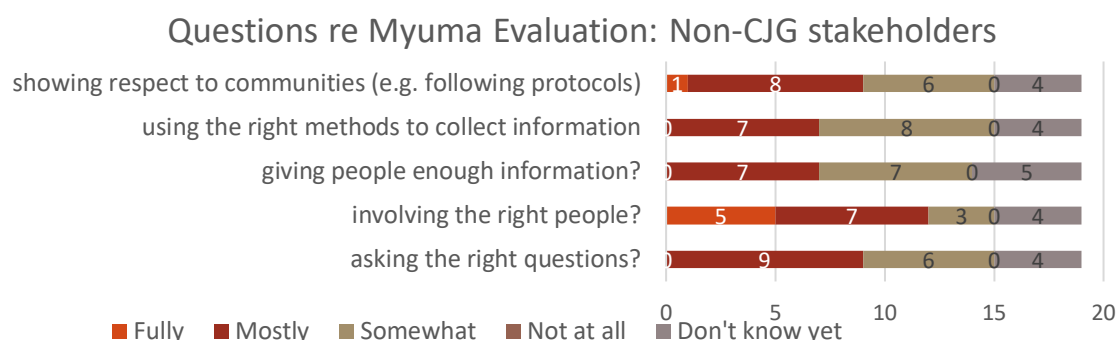
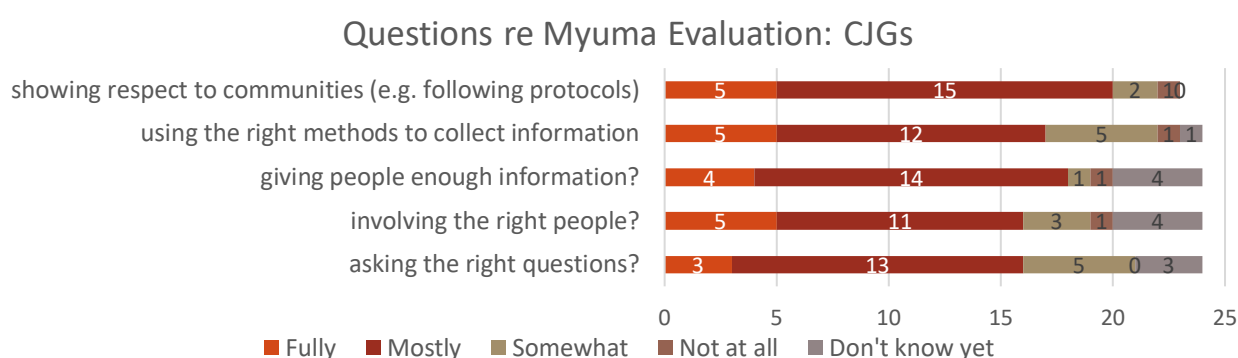


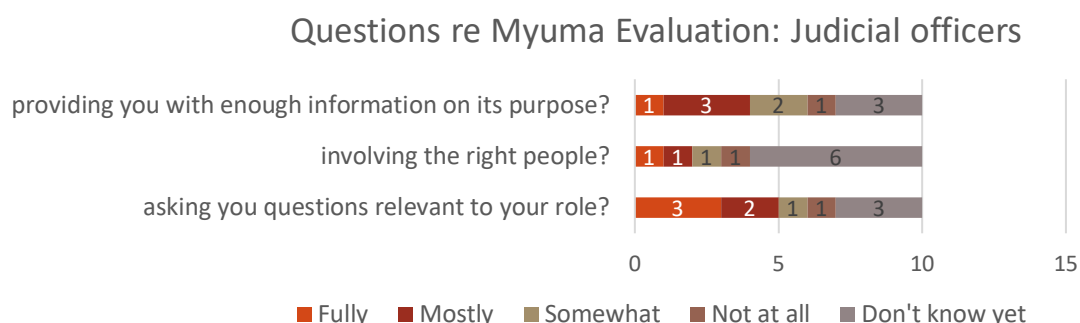
Figure 2. Statewide CJG Survey, 2022



¹¹ See www.ourcommunityjustice.org

¹² It appears from the open-ended question comments that the feedback from some of the respondents was about the evaluation’s Statewide stakeholder survey and not the evaluation’s activities at local CJG sites.

Figure 3. Statewide Judicial Officer Survey, 2022



2.2 Data sources for the evaluation

The data sources available to the evaluation in Phase 2 are summarised in Table 1. The limitations and caveats for each data source are also indicated.

Table 1. Summary of evaluation data sources

| Data source | Description | Limitations with data source or analysis process |
|--------------------------------------|---|--|
| Program documentation | <ul style="list-style-type: none"> ➤ Funding information and Service Agreements for CJG sites ➤ DFVE Project Plan ➤ DFVE Program process (2017 and revised 2019) ➤ IJP program guidelines, tools, training register ➤ IJP service mapping at CJG sites | |
| IJO reports | <ul style="list-style-type: none"> ➤ Review of IJOs' reports on Issues and Successes from their day to day engagement with CJGs | |
| Performance reporting by CJGs | <ul style="list-style-type: none"> ➤ CJG Quarterly Performance Reports for past 2 years (selected sites) ➤ Court support activity data submitted by CJGs (all sites) | Quantitative output data mostly relate to court-related activities (attendance at court, cultural reports submitted etc) and associated work with offenders (referrals, men's groups etc). CJG work in other areas (for example, prevention, early intervention, supporting people in custody, transition to community etc) is captured through a requirement to submit a 'Good news story' each quarter and is therefore qualitative not quantitative. Performance measures required to be reported in Service Agreements have changed over time (especially in relation to the DFVE program), making time-series comparisons difficult. Quality and completeness of data are |



| | | |
|--|--|--|
| | | dependent on CJG staff continuity and capability, which varies by location. |
| CJG Stakeholder Surveys (DJAG with Myuma input) | <ul style="list-style-type: none"> ➤ Three Statewide surveys conducted by DJAG in August 2022 <ol style="list-style-type: none"> 1. Non-government and government stakeholders: 231 responses <ul style="list-style-type: none"> ▪ 36% Indigenous persons ▪ 62% government, 12% Indigenous NGO, 27% other NGO 2. CJG representatives: 42 responses (81% Indigenous persons) 3. Judicial officers: 13 responses | |
| Activity mapping by evaluation team with CJGs | <ul style="list-style-type: none"> ➤ Undertaken with CJG staff at 12 sites ➤ Undertaken with CJG members at 4 sites | Estimates of time spent in different activity domains was undertaken in different ways at different sites. At some sites, staff kept timesheets for a period (1-2 weeks). At other sites, figures are just estimates by CJG staff thinking about the last month. Not all staff were involved at each site. Where multiple staff provided estimates, the final number is an average. The estimates for CJG members were arrived at through a workshop discussion. |
| Interviews with CJG staff, members and stakeholders at Local Evaluation sites | <ul style="list-style-type: none"> ➤ At each site, interviews/focus groups with CJG staff and members, justice system stakeholders (police, Magistrates, QCS etc), NGO service providers and community members ➤ Most interviews recorded, transcribed and analysed with Nvivo software ➤ In Phases 1 and 2, 144 interviews/focus groups were conducted, and 95 hours of audio were recorded and analysed | Time constraints did not permit all identified stakeholders to be interviewed at each site. CJG staff or members participated in some of the interviews with external stakeholders. This was consistent with the participatory nature of the evaluation, but may have affected stakeholders' willingness to be critical of the CJG. |
| Community surveys at Local Evaluation sites | <ul style="list-style-type: none"> ➤ At 11 sites in Phases 1 and 2, surveys were conducted of community members, targeting clients of the CJG or their families. | It was not possible to undertake a survey at some sites, due to the unavailability of local field workers or logistical difficulties in finding participants (for example, at a large urban location). At some sites, CJG staff or |



| | | |
|------------------------------------|--|--|
| | <ul style="list-style-type: none"> ➤ 216 responses have been collected to date. ➤ Questions in the template survey were adapted at each site, although most questions were the same across all sites. | members undertook the field worker role and conducted the surveys, which may have affected respondents' willingness to be critical of the CJG. Sample sizes varied considerably, from 7 to over 50. It was not practical to use a sampling frame to ensure a representative sample across age, gender and clan/family groups within a community. |
| Criminal justice statistics | <ul style="list-style-type: none"> ➤ Analysis of Queensland Wide Inter-linked Courts (QWIC) data for: <ul style="list-style-type: none"> • all persons appearing in courts that are serviced by the 40 CJGs across the State • 6 years from 2015-16 to 2021-22 | |

2.3 Overview of the Local Evaluation sites

The Local Evaluations conducted with CJGs at sites across Queensland are important for the evaluation to undertake a comparative analysis to identify principles for effective, evidence-based practice that are common across the entire CJG Program. This report will identify many of the themes that have emerged from this comparative analysis.

It is also important, however, for the evaluation to capture the uniqueness of each CJG, in terms of history, geography, culture and people. At the conclusion of each Local Evaluation, the evaluation team compiles a summary of the data collected. This document gives the CJG consolidated information that it can use to reflect on its own activities and achievements, plan future directions, and raise awareness amongst stakeholders.

This section provides a short snapshot of each CJG location where a Local Evaluation has been conducted to date. More detailed descriptions of many of the projects and activities mentioned in this section are set out in Parts 6 to 12 of this report, which discuss each CJG output in depth.

2.3.1 Mackay: Pioneer Murri Court Elders Group

Mackay is a large regional town in Central Queensland with a population of about 120,000, of whom 7,500 are Aboriginal or Torres Strait Islander. Mackay also has a large South Sea Islander population. The Pioneer Murri Court Elders Group is auspiced by the Aboriginal and Torres Strait Islander Community Health Service Mackay. A CJG has existed at Mackay since the late 1990s, but the previous CJG corporation stopped functioning a few years ago, leading the Health Service to step in and support the continued operation of the program. The Pioneer Murri Court Elders Group (the CJG) is funded to support a Youth Murri Court and deliver a range of community-specific activities including youth focused initiatives (events and on-country camps) and Elders' cultural events.

The Local Evaluation found that the Elders Group is very highly regarded by stakeholders and works closely with a range of community services to support Indigenous young people at risk of or already in contact with the criminal justice system. The Group undertakes a greater range of crime prevention and awareness activities than other CJGs who support Murri Courts – the coordinator and Elders visit the school regularly and run a weekly night patrol engaging with young people on the street at the local shopping centre.



The Murri Court Elders have seen a significant fall in the number of youth in the Murri Court since 2017. The Elders and many other stakeholders believe the work of the CJG both inside and outside the court has contributed to this outcome. A community survey (16 responses) was very positive, with 83% of people saying the Elders Group is helping 'a lot' to keep Aboriginal and Torres Strait Islander people out of the criminal justice system.

2.3.2 Doomadgee: Doomadgee Community Justice Group

Doomadgee is a discrete Aboriginal community in north-west Queensland with a population of about 1,400 people, of whom 89% are Aboriginal. The Doomadgee CJG has been operating for over 20 years. In recent years, it has been through a process of renewal due to the passing or ageing of key foundation Elders. The CJG is auspiced by North West Queensland Indigenous Catholic Social Services. It is funded for a range of local justice services, including supporting people in the Magistrates Court and delivering a DFV response project under the DFVE program.

Highlights from the data collection in Doomadgee were the work that the staff and Elders are doing to support people in the monthly circuit court, and the 'early intervention' work the CJG is doing with police to mediate conflicts between families before they escalate.

2.3.3 Normanton: Lamberr Wungarch Justice Group

Normanton is a small regional town in the Gulf of Carpentaria region with a population of about 1,250, including 750 (60%) Aboriginal and/or Torres Strait Islander people. The Lamberr Wungarch Justice Group is independently incorporated and is funded for a range of local justice services, principally to support the Magistrates Court process, provide various supports to community members and implement a specific initiative to respond to DFV in partnership with a local shelter.

The Local Evaluation found that the CJG staff provide a pivotal service not only in supporting people in the courts but also with a range of other priority needs and causes of disadvantage not being addressed by other services. The CJG is filling considerable gaps left by the unavailability of other services in the community. The evaluation heard stories where the CJG's work to help community members to access services and support (such as housing or mental health services) had a direct impact on keeping people out of the justice system.

2.3.4 Goondiwindi: Goondiwindi Community Justice Group

Goondiwindi is a small rural town near the NSW border, in southern Queensland, with a population of about 6,000 people, including 375 (6%) Aboriginal and/or Torres Strait Islander people. The Goondiwindi CJG is auspiced by an NGO, Care Goondiwindi. It is funded to provide a range of justice services including support to people in the circuit Magistrates Court and delivery of an on-country program in the Town Common.

The Local Evaluation heard that the CJG has had considerable success with the Town Common project, where offenders with SPER debts can work on land management activities to reduce their SPER debts under the SPER Hardship Partners program. The CJG also provides wide-ranging support to community members due to the unavailability of many services in the town. A community survey of 29 people showed very high regard for the CJG in the community, and great appreciation for the work of the CJG Coordinator. The Coordinator is active in prevention and early intervention, looking for opportunities to engage youth and adults in meaningful activities and work. The number of Indigenous people on the Goondiwindi court list has reduced significantly in recent years.¹³

¹³ QWIC data indicated there were 139 Aboriginal and/or Torres Strait Islander individuals who appeared in the Goondiwindi court in 2015-16. In 2021-22, this had fallen to 83, a reduction of 39%.

2.3.5 Rockhampton: Yoombooda gNujeena Aboriginal and Islander Community Justice Panel

Rockhampton is a regional city on the Central Queensland coast with a population of about 120,000, including 9,000 Aboriginal and/or Torres Strait Islander people (about 8%). The Yoombooda gNujeena Aboriginal and Islander Community Justice Panel is auspiced by a local Indigenous organisation, Juwarki Kapu-Lug Ltd. The CJG is funded to provide a range of justice services, notably support to people in the Rockhampton Murri Court, delivery of yarning circles (men's and women's groups) and organising family and community cultural days.

The CJG staff and elders have a strong focus on supporting community members through the Murri Court and referring and linking them to services to address issues that contribute to offending behaviour. In the Local Evaluation, stakeholders noted the positive impact that Elders have on participants in the court. The CJG has been actively building a network of referral agencies who can assist Indigenous offenders. Future challenges faced by the CJG were bedding down effective referral and information-sharing protocols with other services and recruiting more Elders to the CJG, especially men and representatives from a broader range of local Indigenous families.

2.3.6 Mossman: Mossman Elders Justice Group

Mossman is a regional town north of Cairns with a population of about 2,000 people. About 800 Aboriginal and/or Torres Strait Islander people live in Mossman or the surrounding region, including the Aboriginal community at Mossman Gorge. The Mossman Elders Justice Group was established over 20 years ago, and is currently auspiced by Balkanu Cape York Development Corporation. The CJG is funded to deliver support to participants in the Magistrates Court, and to maintain a justice hub where a range of programs can be delivered, including a men's group and women's group. The CJG is also funded under the DFV Enhancement to employ a men's and women's DFV coordinator to support people through the justice system and to participate in the men's and women's groups and access services.

The additional funding from the DFVE program enabled the Mossman Elders Justice Group to relocate from the Mossman Courthouse into a 'Justice Hub' with additional staff and space for community members to access a wide range of supports, including the men's and women's groups and visiting services. External stakeholders were overwhelmingly positive about this Hub and the services provided by the CJG. Justice system stakeholders felt the CJG was providing an excellent service in the courts and the range of programs and supports that the CJG was delivering or hosting at the Hub were considered to be benefiting Indigenous people involved in the justice system, including parties involved in DFV matters. CJG clients and their families who responded to the community survey were also exceptionally positive about the assistance they received from the CJG, both within the court and through the other CJG supports. An emerging challenge for the CJG is how to respond to increasing youth crime in the community.

2.3.7 Tablelands: Tablelands Community Justice Group

The Atherton Tablelands comprises several towns west and south-west of Cairns in Far North Queensland. The Tablelands Community Justice Group services the court in Atherton and the towns at the southern end of the Tablelands, where about 1800 Aboriginal and/or Torres Strait Islander people reside.¹⁴ The CJG is auspiced by employment services company, My Pathways. The CJG is funded to deliver a range of justice services including supporting people in the Atherton court, delivering a mentoring program for adults and youth and delivering the Bringing Our Mob Back (BOMB) program to take youth on cultural camps.

¹⁴ Kuranda and Mareeba at the northern end of the Tablelands are serviced by the Kuranda CJG.



The Local Evaluation found the CJG is assisting Indigenous people in a very wide range of areas beyond their participation in the criminal justice system. Funding enhancements in recent years have enabled the CJG to expand its program offerings, especially the BOMB youth camps. The youth camps are the result of strong collaboration with government and non-government organisations and facilitate meaningful engagement between Elders and youth who require guidance and support. The CJG is concerned about the need to address service gaps and improve coordination of services for Indigenous people across the region. The group has a vision to foster cooperation between Indigenous service providers through a new CJG corporation, and to fill gaps such as youth drop-in centre and a permanent base for the cultural camps.

2.3.8 Mount Isa: Mount Isa Murri Court Elders

Mount Isa is a regional town in North West Queensland with a population of 19,000, including 3,100 Aboriginal and/or Torres Strait Islander people (17%). The Mount Isa Murri Court Elders are funded to provide support to Indigenous people in the Murri Court and the DFV Specialist Court, and to provide other forms of support including a men's group, a women's group, assistance to clients to access services and assistance to people returning from custody. The Murri Court Elders are auspiced by North West Queensland Indigenous Catholic Social Services.

Court and justice system stakeholders hold the work of the Murri Court Elders and staff in very high regard for their work supporting Indigenous people to navigate the court process and to get help with issues that may be leading to their offending. The staff and Elders provide support to people beyond the Murri Court and DFV Court, also assisting clients in the mainstream Magistrates Court and District Court (even though they are not expressly funded for this additional work). The coordinator regularly 'goes above and beyond' to assist offenders and victims. Areas for future development for the group, suggested in feedback from community stakeholders and the community survey, involve attracting more male members to provide guidance to youth, and increasing the visibility of the Elders beyond the court service, to play a greater role as a collective group advocating and driving responses to justice issues for the wider Indigenous community of Mount Isa.

2.3.9 Hope Vale: Hope Vale Thurpill Community Justice Group

Hope Vale is a former mission and discrete Aboriginal community north of Cooktown, with a population of about 900 Indigenous residents. The Hope Vale Thurpill Community Justice Group has been functioning since the late 1990s and is independently incorporated. The CJG provides a range of justice initiatives including supporting community members through the Magistrates Court in Cooktown, working with youth, and through the DFV Enhancement, employing female and male DFV officers to help parties to DFV matters attend court and access other assistance.

The CJG staff and Elders have provided reliable support in the court process for many years. The CJG has expanded its staffing and activities in recent years as a result of additional funding for CJGs. Interviews with CJG members and stakeholders indicated the group is seeking to improve its governance arrangements and human resources capability and policies and procedures to manage its expanded organisational footprint. Residents had mixed views about whether the CJG was delivering adequate support to all those in need of assistance in the community and whether it should be doing more to address youth offending. It was suggested that priorities for the CJG should include promoting the availability of court support to a wider cross-section of the community, brokering third party mediations to assist family groups, building stronger relationships and referral networks with other service providers in the community, reinstituting monthly CJG meetings to counsel individuals about offending behaviour and how to make amends (a past practice of the CJG), and building more consensus and shared purpose within the CJG members and board directors.



2.3.10 Thursday Island: Thursday Island Community Justice Group

Thursday Island is the regional service centre for the Torres Strait region of Queensland and has a population of about 2,800 people, including 1,900 Indigenous (predominantly Torres Strait Islander) people (69%). The Thursday Island Community Justice Group is independently incorporated, and is funded to deliver a range of justice services, including supporting Indigenous people in the Magistrates Court, working with youth through a boxing club and youth camps, maintain connection with community members in custody and supporting their return to community, and through the DFV Enhancement, supporting parties in court and helping them to get assistance.

The CJG has achieved a very high level of engagement with children and families through its boxing club and youth camp initiatives. As well as supporting people in court, the CJG has worked with Magistrates to divert some matters away from court to conduct 'cultural mediations', to resolve conflict in a culturally appropriate manner and avoid escalation within the justice system. The CJG believes its work has contributed to a decline in the number of people appearing in the court in recent years, although high levels of DFV remain a concern for the CJG, with insufficient programs for perpetrators. The CJG maintains a high workload, filling many gaps in service availability, including pre-court legal assistance.

2.3.11 Cherbourg: Barambah Local Justice Group

Cherbourg is a discrete Aboriginal community north-west of Brisbane with a population of about 1100 Aboriginal and/or Torres Strait Islander residents. The Barambah Local Justice Group is independently incorporated. The CJG is funded to deliver justice services including support for community members attending the Magistrates Court and Murri Court, and under the DFV Enhancement, working with men who have perpetrated DFV or are at risk of perpetrating DFV, through a Men's Hub, men's DFV coordinator and a program to help men returning from prison.

The Muran Djan Centre was launched in 2019 as a culturally appropriate healing space for men and a hub for delivering a wide range of programs and support to men involved in the justice system, including those transitioning from custody. This responded to a service gap highlighted in consultations with the community. The hub functioned effectively with strong community support and good outcomes for individuals and families for some time, but service delivery was impacted by changes in CJG staffing and local stakeholders – particularly the passing in 2021 of a key CJG Elder and champion of the initiative.

The evaluation found that the hub initiative is yet to fully realise its vision. Some current stakeholders expressed the opinion that there is an emerging gap around support for women, which might require a rethink of the CJG's service model to respond to DFV. The community survey and stakeholder interviews in Cherbourg generally indicated concern in the community about the recent level of service delivered by the CJG. Suggestions included renewal of the CJG membership and promoting the availability of assistance from the CJG more widely in the community.

2.3.12 Palm Island: Palm Island Community Justice Group

Palm Island is a discrete Aboriginal community off the coast of Queensland, north of Townsville, with a population of about 2000 Aboriginal and/or Torres Strait Islander residents. The Palm Island Community Justice Group was one of the first CJGs established in Queensland in 1993. It is currently auspiced by the Palm Island Community Company. The CJG is funded to deliver a range of justice services including support to community members in the courts, support to people in custody or under community corrections orders, and through the DFV Enhancement, support for men and women involved in DFV matters to navigate the court process and obtain assistance from other services.

In addition to supporting people appearing in court, the CJG provides practical assistance to community members with a range of other paperwork and access to services. CJG staff fulfil an important role supporting the operations of the court, assisting court stakeholders such as lawyers and corrections staff. The assistance



that CJG staff provide in helping community members navigate the service system is appreciated by stakeholders and community members alike. At the same time as maintaining court support, the Palm Island CJG wishes to broaden its focus to early intervention, especially cultural mentoring and programs for young people. The main challenge currently for the CJG staff is managing the range of expectations on their time from community members, service providers and CJG members, with only a limited number of staff hours available each week.

2.3.13 Coen: Coen Justice Group

Coen is a regional town in Cape York peninsula with a population of about 300, including about 260 Aboriginal and/or Torres Strait Islander people (85%). The Coen Justice Group is currently auspiced by Coen Regional Aboriginal Corporation. The CJG is funded to deliver a range of justice services including supporting community members attending the monthly Magistrates Court, delivering men's and women's groups and, under the DFV Enhancement, supporting men and women with DFV matters in the justice system.

The Local Evaluation found that the CJG provides a strong level of support to community members in the court, at the same time as pursuing a range of community development activities to prevent or address causes of offending in the community. These activities include men's and women's groups, sports and recreation and support to parents. Some of these activities are delivered by the highly committed CJG staff members volunteering their time outside work hours, seeking to address gaps such as a lack of activities for young adults. The CJG adapted its original DFVE model (an outstation support program) when staffing changes occurred. The CJG works constructively with police in trying to mediate conflict between families in the community. A priority is to establish a men's shelter as a response to DFV.

2.3.14 Cleveland and Wynnum: Bayside Community Justice Group

Cleveland and Wynnum are outlying suburbs in Brisbane's Bayside region, with a combined Aboriginal and/or Torres Strait Islander population of about 7,600.¹⁵ The Bayside Community Justice Group is auspiced by a local Indigenous organisation, Cooee Indigenous Family and Community Education Resource Centre. It is funded to provide a range of justice services, notably support to people in the Cleveland and Wynnum Murri Courts, delivery of monthly men's and women's yarning circles (men's and women's groups) and a program of therapeutic and educational support to community members.

Stakeholders place a high value on the work of the CJG staff and Elders supporting people in the Murri Court and linking them to available assistance. The CJG staff have a reputation for passion, competence and strong organizational capability. The CJG has strong referral networks with organisations assisting with issues including traffic offending, alcohol and drugs, and mental health, although there are major gaps around trauma counselling, DFV programs and the cultural safety of programs and services delivered by mainstream providers. The CJG staff also spend substantial time responding to other requests for assistance from community members and agencies seeking to engage the Indigenous community. The CJG has struggled with staff 'burnout' as a result of the Murri Court workload and these additional demands, which has limited the scope to roll out other programs in prevention, early intervention or prisoner reintegration.

2.3.15 Wujal Wujal Justice Group

Wujal Wujal is an Aboriginal community of about 280, including 260 Aboriginal and/or Torres Strait Islander people (92%). The Wujal Wujal Justice Group is independently incorporated and is funded by the CJG Program to deliver a range of justice services including supporting community members attending the monthly Magistrates Court, delivering men's and women's groups and, under the DFV Enhancement, providing DFV counselling, a Healing on Country program and support to DFV parties in court. The Justice

¹⁵ Redland Shire and Wynnum-Manly areas.

Group also manages funding for other justice-related services from philanthropic and Commonwealth Government sources.

The Local Evaluations with the Wujal Wujal Justice Group and the Northern Peninsula Area Justice Group had not been completed at the time of writing this report. A summary of the findings will be provided in the Phase 3 report.

3 IMPLEMENTATION OF THE DOMESTIC AND FAMILY VIOLENCE ENHANCEMENT

3.1 Background to the DFV Enhancement

In 2015, the Special Taskforce on Domestic and Family Violence in Queensland delivered its report into the state of DFV in Queensland.¹⁶ The report was entitled *Not Now, Not Ever: Putting an End to Domestic and Family Violence in Queensland*. The Special Taskforce proposed a framework for responding to DFV built on three pillars:

1. shifting community attitudes and behaviours
2. enhancing integrated service responses
3. strengthening justice system responses.

The Taskforce recognised the potential of CJGs to contribute to solutions to DFV in Indigenous communities, including those proposed as part of the three-pronged framework for action. The report recognised the work of CJGs as good practice, pursuing local strategies to reduce DFV, but needing more support. The Taskforce recognised that the Elders and respected members of CJGs are normative leaders in their communities, striving to rebuild positive social norms and reduce violence and improve community life. The work of CJGs in the criminal justice system was also acknowledged, including their potential to assist community members in relation to DV orders and breaches of DV orders.

In two of its recommendations, the Special Taskforce suggested consideration of an expanded role of CJGs. Recommendation 9 was made in the context of the chapter on improving the integrated service response and Recommendation 92 related to the chapter on improving justice system responses.

Recommendation 9: *The Taskforce recommends that the Queensland Government, in collaboration with local communities, develops a place-based, culturally appropriate integrated response to domestic and family violence in discrete Indigenous communities which includes:*

- a. A trial of integrated service provision in one discrete Indigenous community (also discussed in Chapter 7) utilising a locally-based shelter as a hub for the provision of wraparound support services for women and children affected by domestic and family violence
- b. Considering an expanded role of Community Justice Groups in design and implementation of the co-located service response, ensuring that they are properly resourced and supported to undertake this role
- c. Increasing the funding for, and availability of community-driven and holistic responses to Indigenous male perpetrators.

Recommendation 92: *The Queensland Government works with discrete Indigenous communities to develop and support an effective local authority model to respond to crime and violence in those communities, with a priority focus on addressing domestic and family violence. As a part of this work, consideration should be given to resourcing and expanding the role of community justice groups, JP Magistrate's courts, and related local justice initiatives as appropriate, as well as examining the specific role that community justice groups could play in conferencing, mediation, and criminal justice system support.*

In 2016-17, as part of the whole-of-government response to the *Not Now, Not Ever* report, the Queensland Government committed \$11 million over four years to enhance the capability of CJGs in 18 discrete communities to develop culturally appropriate domestic and family violence (DFV) response services for Aboriginal and Torres Strait Islander people. The program also aimed to support CJGs to 'develop local

¹⁶ Special Taskforce on Domestic and Family Violence in Queensland, 2015. *Not Now, Not Ever: Putting an End to Domestic and Family Violence in Queensland*, Queensland Government.

authority models' to respond to crime and violence. The 18 discrete communities which are a part of this CJG DFV Enhancement Program are:

| | | |
|-----------|-------------------------|-----------------|
| Aurukun | Lockhart River | Palm Island |
| Cherbourg | Mapoon | Pormpuraaw |
| Coen | Mornington Island | Thursday Island |
| Doomadgee | Mossman | Woorabinda |
| Hope Vale | Napranum | Wujal Wujal |
| Kowanyama | Northern Peninsula Area | Yarrabah |

The DFV Enhancement acknowledged CJGs within the discrete communities as place-based organisations that would be able to develop localised DFV support service models with their communities using a novel co-design approach with government. This was a new initiative within DJAG, which commenced prior to the Queensland Productivity Commission Report into Service Delivery in remote and discrete Aboriginal and Torres Strait Islander communities that specified program development and community-based on co-design as a solution to program and service development in Aboriginal and Torres Strait Islander communities.¹⁷

3.2 Evaluation of the DFVE program

The Queensland Government's *Domestic and Family Violence Prevention Strategy 2016–2026* (the DFV Prevention Strategy) committed to an evaluation framework to measure the success of the responses to DFV across the range of agencies that were responsible for actions in the strategy. The evaluation framework included a series of 'Flagship Evaluations', which included the evaluation of the DFV enhancement to DJAG's CJG program.¹⁸

The current evaluation of the DFVE program has been combined as part of the scope of the overall CJG evaluation. As DFVE services are generally integrated into a CJG's operations, it is not possible to evaluate the DFVE program in isolation from an evaluation of CJGs.

This report therefore includes a specific focus on the DFVE program, within the context of evaluating CJGs. Specifically, the report reviews the *implementation* of the DFVE program, exploring both the program inputs and outputs in line with the respective focus areas for Phase 1 and Phase 2 of the overall CJG program evaluation. The DFVE program was not considered in depth in the Phase 1 annual report as an insufficient number of DFVE sites had been visited by the time of preparation of the report in October 2021. The Phase 2 annual report (this report) has sufficient data available to comment on the implementation of the DFVE program to date.

This Part explores the DFVE program design, the program inputs and the process for the rollout of the program to date. In the discussion of CJG outputs in Parts 5 to 12, specific DFVE outputs will be reviewed in the context of the overall CJG outputs. Again, it is not possible to discuss DFVE outputs in isolation from overall CJG outputs as the DFV functions are well integrated within a CJG's operations.

It is acknowledged that at the time of the evaluation fieldwork, several discrete community locations were in early stages of implementation of their co-designed model. It is also noted that as the DFVE services are

¹⁷ Queensland Productivity Commission, 2017. *Final Report: Inquiry into service delivery in remote and discrete Aboriginal and Torres Strait Islander communities*.

¹⁸ Institute for Social Science Research (UQ), 2017. *Evaluation Framework for the Domestic and Family Violence Prevention Strategy (2016-2022) - Final Report*.

integrated into a CJG's operations it may take time for the CJG's enhanced program capacity to incorporate the model and program.

3.3 Program design

The 'program design' comprises the funding parameters (what will be funded) and the program implementation process (how the funding will be rolled out to projects).

3.3.1 The policy drivers for the DFVE program design

The DFVE program design was shaped by the policy drivers emerging from the DFV Prevention Strategy. The three foundational elements for the Strategy were shifting community attitudes and behaviours, enhancing service responses and strengthening justice system responses.

The Second Action Plan of the DFV Prevention Strategy 2016-17 to 2018-19 stated that the work with CJGs in discrete communities to develop culturally appropriate DFV responses was an action that would contribute to achieving '**Foundational element 3: A stronger justice system response that will prioritise victim safety and hold perpetrators to account**'.¹⁹ This element of the Strategy is supported by two 'supporting outcomes':

Supporting outcome 6: Perpetrators stop using violence and are held to account.

Supporting outcome 7: The justice system deals effectively with domestic and family violence.

The Queensland Government's core objective for enhancing DFV funding to CJGs was predominantly to strengthen the justice system response to DFV. This goal guided the funding parameters for the program to be managed by Justice Services in DJAG. The other two foundational elements of the DFV strategy, related to shifting community attitudes and behaviours and enhancing integrated service responses, were to be delivered by other agencies. The integrated service response is now delivered through the Office for Women and Violence Prevention (DJAG)

3.3.2 Initial funding parameters for DFVE projects

The initial funding parameters for projects eligible to be funded under the DFVE are reflected in the selection criteria for projects:

| Selection Criteria 1 – Service model |
|--|
| Describe the proposed model of service delivery and how it will deliver the following outcome: <ul style="list-style-type: none"> Aboriginal and Torres Strait Islander DFV victims and offenders are supported in the justice system; and Aboriginal and Torres Strait Islander DFV victims and offenders have confidence in the justice system. |
| Selection Criteria 2 – Capacity |
| Describe your organisation's capacity to deliver the service model. |
| Selection Criteria 3 – Collaboration |
| Describe how the service will deliver the following outcomes: <ul style="list-style-type: none"> strong relationships exist with other agencies so that effective referrals are made; stakeholders (judiciary, agencies and community) have improved cultural understanding; and community development activities that assist in the prevention of DFV are supported. |
| Selection Criteria 4 – Cultural appropriateness |
| Describe how the service model will meet the needs of individuals, families and the community in [community]. |

¹⁹ Queensland Government, 2016. *Second Action Plan of the Domestic and Family Violence Prevention Strategy*, p.19.

It is important to note that the program's initial funding parameters positioned CJGs as part of the justice system response to DFV (criterion 1). They also recognised (in criterion 3) that CJGs play a role in:

- referring community members to other agencies responding to DFV (for example, as part of the enhanced service response in foundational element 2 of the DFV strategy) and
- supporting community development activities that assist in the prevention of DFV (for example, DFV education and awareness activities supported under foundational element 1 of the DFV strategy).

This provides context to understanding the focus of the DFV service models that were ultimately funded under the DFVE.

3.3.3 The program implementation process

The 2016 Project Plan for the new DFV enhancement²⁰ notes that the funding is a response to the recommendations of the Special Taskforce on Domestic and Family Violence in Queensland and the funding is provided on the condition that the program was to be co-designed and flexible to meet community needs, informed by a needs/gaps analysis to identify priority locations that would yield the highest cost-benefit, underpinned by a new best practice governance framework for CJGs, and subject to annual reporting against agreed performance indicators.

The intended program implementation process for the DFVE is set out in the Project Plan. The Department planned a staged approach over four years to enable the gradual roll out of the program to CJGs across the 18 discrete communities. Central to the design was a stepped-out co-design and implementation process to work with the 18 communities to develop and implement a community DFV response tailored to community needs.

KPMG was engaged to develop the best practice governance framework and to convene CJG consultation workshops in November and December 2016 in Cairns, Mount Isa, Brisbane and Toowoomba. Performance indicators were developed in consultation with Queensland Treasury and the Department of the Premier and Cabinet.

The Project Plan, based on government funding decisions, proposed a budget of \$150,000 for each of the 18 CJGs to employ a DFV-focused staffing model determined by the CJG (approximately \$100,000 per community), plus \$20,000 brokerage and \$30,000 for office expenses, supplies and services. This proposed project budget breakdown has changed during the roll-out of the program.

The plan included funding of \$450,185 over four years for a team within the Courts Innovation Program to support DFVE program implementation. The team to be established included the following positions: an AO8 Manager, AO6 Senior Program Manager to manage grants for both the general CJG program and the DFVE program, an AO7 Mediation or Training Officer to work with CJGs and an AO4 Administration Officer.²¹

The Project Plan envisaged that the co-design and implementation process at each site would include about four visits of 2-3 days each, with the initial visits generally focussed on co-design and the later visits on implementation. In practice, the number of visits is determined by the needs and circumstances of each community. The co-design visits were focused on workshopping with the CJG members and staff, and consultation with community stakeholder agencies and community members. The purpose of the co-design conversations was to generate options for the DFV model, tailored to the community's identified needs and gaps, the service landscape and community and CJG capacity and readiness.

DJAG's program materials described 'co-design' as:

²⁰ DJAG, 2016. *Project Plan – Community Justice Group (CJG) Domestic and Family Violence (DFV) Enhancement Program: October 2016 – 30 June 2020*.

²¹ This staffing structure has changed during the implementation – see Part 3.4.4.

... a design-led process that uses creative participatory methods. There is no one-size-fits-all. [It] is an approach to design and actively involve all stakeholders (e.g. employees, stakeholders, community and interested parties) in the design process to help ensure the result meets their needs and is usable.

Also within the materials, DJAG outlined its need to:

- Understand the problem and ensure a shared view of the issues – listen to community
- Consider options and develop solutions through joint testing of ideas
- Agree and roll out a solution

The last step in the co-design process was for the CJG board or relevant governance entity for the CJG to select their preferred model and endorse the recommended Service Model Proposal for consideration by the DJAG funding panel.

The funding panel process administered by DJAG involved:

- Development of a Service Model Proposal as an outcome of the co-design process at a DFVE site and endorsed by the CJG, with letters of support from stakeholders
- Development of a budget
- Preparation of a Panel Assessment Report by DJAG staff
- Assessment of the proposal by a Panel of three senior officers, including a senior officer from another agency
- Sign-off by Deputy Director-General of funding agreement (for endorsed proposals)
- Release of funds to the CJG

Following the panel approval, implementation of a service model at a location involved further visits by DJAG staff to provide support with recruitment, inductions and development of systems and procedures. DJAG also delivered training to the CJG covering a range of topics around governance and administration. New capacity-building modules developed by KPMG for the best practice governance framework were available in this training.

The co-design and initial implementation process in each location were led by the staff from the DFV Reform Team. Following project establishment, responsibility for ongoing support and capacity-building for the CJG to deliver the DFVE project transferred to the relevant Indigenous Justice Officer (IJO) managing the CJG's Service Agreement. The implementation phase built both CJG and IJO confidence to manage the business as usual elements of the co-designed DFV service. The DFVE project team offers ongoing training and wrap-around support to co-design locations

3.3.4 The literature on Indigenous DFV responses and program co-design

To gauge the alignment of the DFVE program design with what is known about best practices in responding to DFV in Aboriginal and Torres Strait Islander communities, an Indigenous academic from the evaluation team conducted a literature review. As research on Indigenous DFV responses has continued to evolve in recent years, the literature review may also be useful in informing the future development of the DFVE program. The literature review highlighted the following issues that are relevant to the design of DFV responses in Indigenous communities:

- Indigenous communities have disproportionately high levels of DFV-related contact with the justice system;



- the nature of DFV in Indigenous communities has some key differences from DFV in non-Indigenous communities, such as the higher incidence of family violence as opposed to intimate partner violence and more lateral violence within family or partner relationships;
- the causes of DFV in Indigenous communities are complex, and include historical trauma and effects of colonisation that are different from the causes of DFV in non-Indigenous contexts;
- there are serious difficulties for members of Indigenous communities, especially in remote areas, seeking to use the mainstream legal system as an effective response to DFV, such as the availability, accessibility and appropriateness of current systems, processes and agencies for responding to DFV;
- the literature about successful responses to DFV in Indigenous communities emphasises community-driven responses that initiate early intervention, address underlying issues and empower and heal communities and individuals, in preference to approaches focused on justice system pathways.

The implications of the literature for designing any new response to Indigenous DFV is that attention must be paid to the unique nature and causes of DFV in Indigenous communities, and that models must consider not only how to improve access and suitability of justice system responses, but also innovative community responses focused on healing, empowerment, cultural appropriateness and addressing complex underlying causes. As the QGSO²² has noted, the growing understanding of the differences in Indigenous DFV “highlight the importance of culturally-informed holistic responses grounded in Aboriginal and Torres Strait Islander knowledge and practice supported by community empowerment for effecting change in reducing family violence.”

Given the centrality of co-design to the DFVE program implementation model, the literature review also considered literature about the emerging concept of co-design in service delivery in Indigenous communities. The literature review noted that a process of co-design is a means to give effect to Indigenous aspirations for a voice in designing policies and programs that affect Indigenous communities. However as the concept is new, the literature mostly focuses on broad principles and there is little evidence about the practices and approaches needed to underpin successful co-design.

3.3.5 Alignment of the DFVE program design with the literature

Before examining how the DFVE program has actually been implemented in practice (see the next Part), it is instructive to consider whether the initial program design, at least on paper, was in alignment with the suggested approaches in the literature.

The initial funding parameters

The Queensland Government’s initial funding parameters for the DFV enhancement funding to CJGs prioritise CJGs providing support to DFV victims and perpetrators in the justice system. This priority responds directly to the identified need in the literature for governments to improve the way the justice system deals with Indigenous people experiencing DFV. Examples are that police often lack cultural understandings to deal appropriately with Indigenous people experiencing DFV, court interventions such as DV orders may include conditions that have unintended consequences, and Indigenous parties may face language or cultural barriers to understanding court processes.²³ The literature makes it clear that Indigenous people require

²² Queensland Government Statistician’s Office, Queensland Treasury, 2019. *Cross applications for domestic violence orders in Queensland, 2008–09 to 2017–18*, p.2.

²³ The Women’s Safety and Justice Taskforce reported recently that some stakeholders continue to question the justice system’s ability to address DFV for Indigenous people: “[These stakeholders] point to rates of misidentification of these women as perpetrators of domestic and family violence, high rates of arrest and incarceration, and deaths in custody as examples of how the criminal justice system is perpetrating state-sanctioned violence against First Nations people. These (footnote continued)



greater support in their interactions with the justice system. CJGs are well placed to provide targeted support to Indigenous people in dealing with DFV matters in the courts, and to help justice system stakeholders (for example, police, lawyers and magistrates) to deal more sensitively and effectively with Indigenous people.

The literature also highlights the need for community-driven responses that initiate early intervention, address underlying issues such as social norms towards violence and the impacts of inter-generational trauma, and empower and heal communities and individuals. By positioning CJGs' role in responding to DFV as a justice system response, the evaluation questions whether the original funding parameters for the DFVE program provided sufficient scope for primary prevention and early intervention models that might operate outside the justice system. For example, a CJG DFV response that focused purely on bringing about normative and attitudinal changes towards DFV (such as a CJG-led grassroots campaign about respectful relationships) would not have been eligible for DFVE funding. Foundational Element 1 of the government's DFV prevention strategy did include initiatives aimed at primary prevention that were the responsibility of other agencies. As DJAG is a justice system agency, the investment in DJAG's CJG program was categorised as a justice system response under Foundational Element 3 of the strategy.

The issue of whether funding for a CJG response to DFV should be targeted toward the primary prevention space or the justice system space reflects the same tension within the broader CJG Program about the optimal role for CJGs. This is discussed further in Part 4.1. The evaluation notes that at the time the DFVE funding became available from 2016-17, the CJG Program had an explicit focus on funding 'core' CJG functions around court support and justice system operations, and the new funding was branded as an 'enhancement' for CJGs.²⁴ It is only with the availability of additional funding for CJGs from 2019 that a refocused service model for CJGs has contemplated CJGs being funded under the Program for activities that focus on primary prevention and other non-justice system responses.

Based on discussions with DJAG, the evaluation understands that in line with changes in the broader program, the thinking about the DFVE program has also evolved, as CJGs have developed the capacity to expand their programs beyond court support functions. The evaluation notes that the current CJG Program Guidelines (developed in 2020) recognise that responses under the DFVE can comprise prevention and early intervention activities. This suggests that the DFVE Program now has the flexibility to accommodate – if a CJG proposed it – a DFV service model that is primary prevention focused and is not directed at strengthening justice system responses. There may now be scope for a CJG to propose a non-justice system initiative such as those identified in the literature on effective DFV prevention in Indigenous communities.²⁵

The evaluation notes that the four phase plan of the Women's Safety and Justice Taskforce includes a recommendation for a comprehensive and integrated plan for the primary prevention of violence against women in Queensland, that takes account of different approaches to DFV in diverse communities.²⁶ The Taskforce has also urged a shift in investment towards Aboriginal and Torres Strait Islander Community

stakeholders suggest that responses to domestic and family violence should lie outside the criminal justice system" (Women's Safety and Justice Taskforce, 2021. *Hear her voice: Report One*).

²⁴ This was the recommendation of the 2010 evaluation of the program by KPMG, discussed further in Part 4.1.

²⁵ Memmott et al (2006) conducted a broad-ranging review of effective Indigenous community programs for addressing DFV. This research highlights that the small number of Indigenous DFV programs evaluated as being successful take an "early reactive or preventative approach" rather than aiming at the intervention stage (2006: 34). Such programs are noted to be holistic and culturally-based. Examples cited of these sorts of successful interventions are community patrols, empowerment programs for women, healing and counselling programs based on traditional values and practices, diversion to mediation or conferencing, locally-targeted DFV awareness campaigns and theatre-based workshop programs. Memmott, P, Chambers, C, Go-Sam, C & Thomson, L, 2006. *Good Practice In Indigenous Family Violence Prevention – Designing And Evaluating Successful Programs, Issues Paper 11*, Australian Domestic and Family Violence Clearinghouse, Sydney.

²⁶ Women's Safety and Justice Taskforce, 2021. *Hear her voice: Report One*, recommendation 9.

Controlled Organisations, and co-design of perpetrator programs for Indigenous communities that include healing and connection to culture and community.²⁷

CJGs are community-controlled organisations that potentially have a role to play in these suggested reforms. Whether the optimal role for CJGs in primary prevention is as a partner in co-design, a referral pathway or a program provider requires further consideration. CJG aspirations, capability, adequacy of resourcing, and integration with the DFV responses of other organisations are all relevant factors to consider. This is an issue about which CJGs themselves should be consulted.

The program implementation process

The Queensland Government's commitment to co-designing the local DFVE models with CJGs and Indigenous communities was well aligned with the emphasis in the literature on DFV responses built on self-determination, empowerment, partnerships with communities and strengths-based approaches. A co-design process allows for the involvement of Elders and community members and for Indigenous perspectives and knowledge to be foregrounded.

The evaluation suggests that the co-design philosophy underpinning the development of the DFV service models at the community level could be further extended to the governance and management of the DFVE program at the Statewide program level.²⁸ The Phase 1 annual report recommended greater CJG representation in the governance arrangements for the whole CJG program. Involving CJG DFV representatives and perhaps also Indigenous DFV experts in the program's governance would enhance the scope for ongoing co-design in the continued development of the DFVE initiative at the Statewide program level.

It is evident that the IJP team actively works to recruit Aboriginal and Torres Strait Islander peoples to the positions in the team. A significant majority of the team currently identify as Aboriginal or Torres Strait Islander or both. However, as a new program that is evolving as it is rolled out, community input would be invaluable to Departmental managers, including the Indigenous Justice Program Director and DFVE Project Manager who identify as Aboriginal and Torres Strait Islander people, seeking to improve implementation and outcomes.

A further area where the program implementation process could strengthen the co-design approach is the funding assessment and approval mechanism for DFVE projects. A key learning emerged from interviews about the DFVE implementation and the desktop review of implementation. The learning is that there is a risk of disjunction occurring when a process of deep co-design and partnership at the community level is melded to a project assessment and approval process that is remote from the community level and has not had the benefit of the same degree of engagement and collaboration between agency staff and community members. While there are sound program administration and probity reasons for a funding assessment process to be separate from the proposal development process, a key learning from the DFVE implementation is that this can confound the co-design philosophy of a program. This arises because the shared decision-making at the community level becomes unilateral decision-making at the panel assessment level. Furthermore, the decision-makers at the panel level may not have first-hand knowledge of the issues and the deliberations at the community level that have led to the proposal. In some instances, the evaluation understands this resulted in situations where the panel was unclear about the intent of various elements of the proposal or rejected aspects of proposed models based purely on the brief description in the paperwork.

²⁷ Women's Safety and Justice Taskforce, 2021. Recommendations 13 and 27.

²⁸ This would bring the DFVE program into line with the recent recommendation in the Queensland Government Statistician's Office research report, *Wise practice for designing and implementing criminal justice programs for Aboriginal and Torres Strait Islander peoples* (April 2021), that program governance or reference groups should have Aboriginal and Torres Strait Islander community representation.

This led to delays in the commencement of some DFVE projects as rejected proposed models or budgets were returned to the community for revision before being resubmitted to the panel for approval.

For future co-design processes, this problem could be partly ameliorated if representatives from the relevant CJG were available to explain the proposal to the panel and answer questions about it. This could occur face to face or using videoconferencing technology. In this way, the co-design approach could flow from the community level through to the senior decision-maker level. Another option to strengthen the participatory partnership approach at the panel assessment level would be to include representation from CJGs or the broader Indigenous community justice sector in the panel. This could occur through drawing on a pool of respected Elders to participate in the panel, using appropriate selection from the pool to manage any conflicts of interest for a particular submission.

A final observation about the co-design process mapped out in the Department's project plan is that detailed evidence about what has worked in addressing DFV in Indigenous communities elsewhere would be beneficial to both the community and the agency staff undertaking the co-design of a new DFV model. Starting co-design with a 'blank page' is a difficult proposition and has no doubt been a challenging undertaking across a variety of community settings. While there is a dearth of high quality evaluation evidence about DFV responses in Indigenous communities, there is plenty of information available about the range of interventions that have been, or are being trialled. An example of the type of resource that could help with the co-design of a DFV initiative is the literature review produced by JCU for Indigenous men's groups in north Queensland.²⁹ As DFVE models continue to evolve through an ongoing co-design process between DJAG and CJGs, it would be beneficial to compile resources with evidence about effective DFV interventions (including from this evaluation).³⁰

3.4 Implementation to date

3.4.1 The co-design process in practice

Co-design of place-based DFV reform initiatives was a new process for many agencies including DJAG, CJGs and remote communities themselves. The evaluation presents an opportunity to review the experience of the DFVE program and identify learnings about what enabled and what inhibited the process.

The evaluation reviewed the DFVE co-design by examining the following sample of DFVE locations, conducting both a desktop review³¹ and field visits to the relevant CJGs: Cherbourg, Doomadgee, Mossman, Palm Island, Thursday Island and Wujal Wujal. A summary of the information available about the co-design

²⁹ McCalman, J, Tsey, K, Wenitong, M, Whiteside, M, Haswell, M, Cadet James, Y, Wilson, A, 2006. *A literature review for Indigenous men's groups*, James Cook University. Section 4 contains a good overview of program interventions used in Indigenous communities.

³⁰ Since 2017, DJAG has compiled and updated a 'catalogue' of the DFVE models to share with CJGs during co-design as the program has been rolled out.

³¹ The evaluation reviewed: plans and itineraries for co-design visits; presentations and other materials used during the co-design discussions; documented outcomes of some co-design meetings; the final DFVE Service Model Proposal submitted to the panel for approval for funding.



process conducted in each location is set out in Table 2.³² It shows the period of time for the co-design was in most cases two months, but extended to 12 months in the case of Thursday Island.³³

The DFV reform team provided the following valuable reflections on how the co-design process was managed in practice. Community visits in most cases were 3 days, largely based on CJG and stakeholder availability. Visit timeframes were also based on local business rhythms in community, the availability of transport into and out of community, and the impact of extraordinary events such as sorry business. Care was taken to avoid consultation fatigue and to allow sufficient time to dissect consultation feedback with CJGs within the design process. Where CJGs had indicated readiness to engage in the co-design process, simultaneous engagement occurred across several CJG DFV sites, but carefully based on the capability and capacity of the CJG in those locations. Simultaneous engagement constrained visit timeframes in some instances due to staffing limits, but was offset with multiple follow up visits as required to explore and implement a CJG chosen model.

Table 2. Summary of DFVE co-design processes at sites for evaluation team field visits

| DFVE site | Summary of co-design process (as documented) |
|--|---|
| Cherbourg (2016 to 2017) | <ul style="list-style-type: none"> • Three visits by DJAG • 2 telelinks • 8 meetings • 1 CJG Coordinator (at meetings) • 5 Elders engaged • 33 stakeholders engaged |
| Mossman (February to March 2017) | <ul style="list-style-type: none"> • Three visits by DJAG • 6 group meetings (multiple agencies) • 4 Elders (regular attendance) • 15 stakeholder organisations |
| Wujal Wujal (February to March 2017) | <ul style="list-style-type: none"> • Two visits by DJAG • February 2017: <ul style="list-style-type: none"> ○ Meeting with the Wujal Wujal Community Justice Group Members ○ Meeting with CEO of council and Community Services Manager • March 2017: <ul style="list-style-type: none"> ○ Meeting with Wujal Wujal Men's Group ○ Meeting with CJG members – Kathleen, Doreen, Lily and Joan |
| Thursday Island (July 2017 to July 2018) | <ul style="list-style-type: none"> • Four visits by DJAG (Thursday Island, plus visits to the outer islands Mabuiag Island, Badu Island, Saibai Island, Boigu Island, Warraber/Sue Island) • Over 20 meetings with the Community Justice Group and relevant Stakeholders. • 10 Elders, 3 Coordinators and 40 stakeholders engaged. • The Thursday Island CJG DFV response was developed through the initial engagement with the CJG at the Umi One, Melpa Way Against Domestic and Family Violence Conference that was held on the 16th and 17th May 2017. • From this initial discussion, the CJG has worked in strong partnership with the DJAG, Social Justice Interagency Committee, Thursday Island Police, DATSIP, |

³² DJAG, 2016. *Project Plan – Community Justice Group (CJG) Domestic and Family Violence (DFV) Enhancement Program: October 2016 – 30 June 2020* (unpublished).

³³ DJAG, 2017. *Community Justice Group (CJG) Domestic and Family Violence (DFV) Enhancement Program Process*; DJAG, 2019. *Community Justice Group (CJG) Domestic and Family Violence (DFV) Enhancement Program Process* (unpublished).



| | |
|--|--|
| | <p>Lena Passi Women's Shelter, Mura Kosker Sorority (women's support and counselling), Communities, Torres Strait Regional Authority and the Department of Prime Minister and Cabinet.</p> <ul style="list-style-type: none"> • Face to Face meetings were held on Thursday Island in July 2017, November 2017, June 2018 and July 2018. |
| Palm Island (August 2017 to February 2018) | <ul style="list-style-type: none"> • 10/08/2017: <ul style="list-style-type: none"> ○ Palm Island based stakeholders (in Townsville) ○ Set meetings with NQDVRS, Council, Palm Island Community Company, North Qld DV Resource Service • 08/11/2017 <ul style="list-style-type: none"> ○ Meeting with Palm Island Community Justice Group Members ○ Meeting on Palm Island (stakeholders) • 09/11/2017 <ul style="list-style-type: none"> ○ Meeting with primary court stakeholders for Palm Island (Townsville) • 20/11/2017: <ul style="list-style-type: none"> ○ On-going meeting with court stakeholders for Palm Island (in Townsville) • 01/12/2017: <ul style="list-style-type: none"> ○ Meeting with Palm Island Community Justice Group Members ○ Meeting on Palm Island (stakeholders) • 31/01/2018: <ul style="list-style-type: none"> ○ Meeting with Palm Island Community Justice Group Members ○ Viewing of the Palm Island Courthouse ○ Meeting with QPS ○ Meeting with local Women's Shelter ○ Meeting with QIFVLS – Queensland Indigenous Family Violence Legal Service • 01/02/2018: <ul style="list-style-type: none"> ○ Meeting with CJG ○ Meeting with Stakeholders ○ Meeting with Palm Island DV Network – from here personal meetings to be established |
| Doomadgee (April to May 2018) | <ul style="list-style-type: none"> • Two visits by DJAG • 9 meetings • 1 CJG Coordinator (at meetings) • 1 Elder (active) • 26 stakeholders |

Evaluation team members conducting Local Evaluations at the above sites have sought feedback from CJGs and stakeholders about the co-design process that was followed. Due to the passage of years since the co-design processes were undertaken in these sites, many CJG stakeholders could not recall the co-design phase. In some cases, due to staff turnover at the CJG, the staff who were involved in the original co-design process were no longer at the CJG. As a result, little meaningful community feedback could be collected about the co-design process.

CJGs were appreciative that the funding for DFV has been made available by DJAG. At three of the projects, Mossman, Wujal Wujal and Thursday Island, CJG staff recalled that the process had enabled them to fund ideas that they had been talking about or partially delivering for several years. For these high functioning CJGs, the positive implication of co-design is that the CJG was able to put forward its pre-existing models and have these supported by the Department. The following extract from the Wujal Wujal DFVE service model proposal underlines how the community had taken up the opportunity to put forward its own model.



“Our service model has been developed together with the CJG Elders and community. In November 2016 the CJG hosted a DV forum in collaboration with Wujal Wujal Council. The service model has been developed from the recommendations of both the Men’s and Women’s forum which had almost 100 community members participating.”

The reflections of some of the DJAG staff involved in the co-design were that they found the process rewarding. They were pleased to be involved in a process where they felt the community was being listened to. One DJAG officer thought the main benefit of the co-design *“was that community consultation, the engagement, the actual voices of everyone within the community.”* The DJAG staff also valued the ability to work in a capacity-building way to get a project up and running – assisting with recruitment processes and onboarding and mentoring new staff.

“The beauty of it, with the challenges and all that, is when you do see that genuine skills enhanced and people enhanced and value. And then the CJG voices taking over the work and the capacity that we’ve built and worked with them on. And then they start to take that forward and then we can take that step back. It’s very proud and empowering.” (DJAG staff)

3.4.2 Timing of the program rollout

The 2016 Project Plan anticipated that co-design would start with four locations in March 2017 and would be completed at all 18 locations by June 2019. As indicated in Table 3, this timeframe has been extended over the past five years, to the point where co-design at the final DFVE location (Aurukun) was completed in late 2022. It has taken considerably longer than originally foreseen to implement the DFV enhancement projects in most locations, for the reasons explained in this section.

It is evident from the implementation timeframes in Table 3 that the earlier sites progressed at a timetable close to the project plan, whereas progress was slower in the later stages of roll-out. The project plan considered differing levels of CJG preparedness to engage in DFVE co-design, based on DJAG’s understanding of CJG performance from existing funding agreement relationships, based on criteria set out by KPMG.³⁴ Hence, co-design occurred with a tranche of more agile and co-design ready CJGs during 2017 to 2019. Remaining sites from 2019 onwards comprised CJGs who needed more preparedness and time in deciding whether to engage in the co-design process. Completion timeframes in the ‘second half’ of the co-design process were longer by necessity based on those factors and additional relationship and design investment required.

Table 3. Timing of rollout of DFVE

| DFVE site | Planned co-design start | Planned rollout | Actual commencement of services |
|-------------------|-------------------------|-----------------|---------------------------------|
| Mossman | 1 March 2017 | 30 June 2017 | 1 October 2017 |
| Cherbourg | 1 March 2017 | 30 June 2017 | 1 October 2017 |
| Mornington Island | 1 March 2017 | 30 June 2017 | 1 October 2017 |
| Wujal Wujal | 1 March 2017 | 30 June 2017 | 1 October 2017 |
| Hope Vale | 1 July 2017 | 1 December 2017 | 1 July 2018 |
| Woorabinda | 1 October 2017 | 1 February 2018 | 1 January 2019 |
| Palm Island | 1 November 2017 | 8 February 2018 | 1 January 2019 |

³⁴ KPMG 2017, unpublished advice to DJAG.



| | | | |
|-------------------------|------------------|-----------------|----------------------|
| Thursday Island | Not stated | Not stated | 1 January 2019 |
| Pormpuraaw | 1 March 2018 | 1 May 2018 | 1 October 2020 |
| Kowanyama | 1 March 2018 | 1 May 2018 | 1 July 2020 |
| Coen | 1 April 2018 | 30 June 2018 | 1 April 2019 |
| Northern Peninsula Area | 1 April 2018 | 30 June 2018 | 1 July 2019 |
| Doomadgee | 1 August 2018 | 1 October 2018 | 1 October 2019 |
| Lockhart River | 13 August 2018 | 16 October 2018 | Implementation stage |
| Mapoon | 1 September 2018 | 1 November 2018 | 1 July 2020 |
| Napranum | 1 September 2018 | 1 November 2018 | 1 April 2020 |
| Yarrabah | 1 February 2019 | 1 April 2019 | Implementation stage |
| Aurukun | 30 April 2019 | 30 June 2019 | Co-design stage |

From March 2020, co-design and establishment work was significantly impacted by COVID-19, especially the introduction of travel and meeting restrictions and the closure of remote discrete communities where co-design was pending. The communities were shut down for several months due to the extra vulnerability of many people in communities with compromised health, as well as limited or no local access to respirators, hospital beds and health professionals. CJGs often filled in to provide services missing due to the lack of external service providers. Basic needs such as food, fuel and education services put more strain on communities. DJAG banned travel for some time. The CJGs adapted to online communication very well and the existing programs were supported, but new ones could not be started. At all times during the co-design, the Department was sensitive to communities' circumstances and respectful of cultural priorities, progressing at a timetable that the CJG and community were comfortable with.

Limitations in IJP staffing resources constrained the pace of the DFVE rollout. From 2017 to 2019, there was one staff member dedicated to the co-design community outreach and consultations. From 2019 to 2022, this increased to two staff, but the benefit of this additional allocation was offset by the impacts of the COVID-19 restrictions on the ability to travel to undertake co-design work. Staff used online means to provide as much support as possible.

A final factor that affected implementation timeframes was the time taken for the co-designed Service Model Proposals to work their way through the funding assessment and approval process. Delays of weeks or months, while proposals were returned to CJGs for clarification, might have been mitigated by a process where CJG representatives were involved in presenting the proposals to the panel, providing clarifications on the spot and allowing negotiation of aspects of the proposal.

3.4.3 DFVE service delivery models funded

To ascertain the types of service models that emerged from the co-design process, the evaluation conducted a desktop review of the 17 DFVE service models put forward to the panel for funding approval.³⁵ As intended with a place-based co-design process, the configuration of the service models varied from location to location. Common features of the models include:

- Court support workers – male and/or female CJG staff dedicated to assisting community members through DFV court matters (both as perpetrators and victims)

³⁵ At the time of the analysis, the DFVE co-design at the 18th community, Aurukun, was still underway.



- Men's groups – usually convened by a male CJG worker, sometimes based in a dedicated 'men's hub' or 'men's shed'
- Women's groups – convened by a female CJG worker, sometimes based in a dedicated 'women's hub'
- Counsellors – male and/or female counsellors to work with men and/or women involved in DFV
- Hub – a dedicated building or space where DFV-related services and interventions offered by the CJG and by other service providers can be delivered to men or women or both
- Vehicle – to assist community members involved in DFV to attend court hearings, referrals to support or other activities
- DFV education and awareness – CJG DFVE staff involvement in DFV education and awareness activities
- Elders support – a structured process for CJG Elders to mentor and support individuals and families involved in DFV
- Referral networks – enhanced networks and formal processes for the CJG to refer victims and perpetrators to services to assist with DFV issues

As required by the funding criteria for the DFVE program (see Part 3.3.2), all service models include the provision of support to perpetrators and victims involved in DFV-related matters in the justice system. The level of primary prevention measures documented in the models varies according to place-based differences and the choices made in co-design. As per the funding criteria, all the models included a deliverable for the CJG's DFV staff to support or attend community DFV awareness activities – this is a performance measure that CJGs report quarterly. Four of the models explicitly included some form of primary prevention or early intervention targeting individuals not involved in justice system processes:

- Cherbourg's Muran Djan Centre (Justice Hub) concept was conceived as "a place for local service providers to deliver programs, provide counselling and other support services and provide education to men on a range of topics. It is a drop-in centre where men are able to meet, debrief and socialise and a place for the Men's Group to meet." While the men's coordinator does have a role in court support and explaining DV orders, the primary focus of the role seems to be "cultural and spiritual support, education on respectful relationships and support to address mental illness and substance abuse needs. They assist and support where requested with the Prisoner and High-Risk Offender Reintegration Program and support rehabilitative and diversionary processes." The results of the co-design process at Cherbourg indicated a strong community view that more support and services was needed for men in the community and that this would help prevent DFV.
- Mornington Island's model emphasises early intervention in DFV matters through a "Quick Response Service", which is seen as "a response by the community and its families" (especially Elders) to DFV incidents.
- Wujal Wujal's service model is explicit that it will not only support individuals in court but invest a reasonable portion of its efforts in prevention and diversion activities. The model revolves around men's and women's support groups and a male and female DV counsellor. As well as supporting people with applying for DV orders and going to court, their roles are described as having "a strong focus on education and prevention", for example, "specifically targeting young mothers and children to break the cycle of violence" and organising "regular 'on country' activities in collaboration with the Justice Group's 'Healing On Country' project". The men's centre functions as a "cool down space", allowing early intervention before an individual offends.
- Mossman's service model involves a justice hub for the delivery of programs by the CJG and other stakeholders, and a men's group coordinator. As well as providing court support to victims and perpetrators, the model intends to assist people at risk of experiencing DFV, through the hub operating as a 'drop-in service' for at risk men and women, and the men's group coordinator providing outreach to support men in the community.



These examples illustrate that, notwithstanding the priority in the initial funding parameters on justice system responses (discussed in Part 3.3.1), some of the models that were co-designed included targeted primary prevention and early intervention activities.³⁶ These CJGs incorporated these activities in their models alongside their court-related DFV services.

DJAG advised the evaluation that the DFVE co-design was tailored to the existing CJG program alignment, skill and knowledge base of CJGs, which was oriented to court-based support. The skills and knowledge base are intended to build and be refined over time. This implies that as CJGs build the capability to undertake primary prevention activities, the DFVE service models could be adapted over time.

The evaluation is of the view that adaptation of the DFVE models to strengthen the focus on primary prevention should be explored with CJGs. This would align with literature emphasising that effective Aboriginal and Torres Strait Islander DFV frameworks favour “pathways to collective and family healing” in preference to “pathways to criminal justice”.³⁷ This direction echoes the calls of advocates of ‘justice reinvestment’, which involves redirecting resources from the criminal justice system to addressing the causes of offending in communities with high incarceration rates.³⁸ With CJGs’ core funded services historically linked to involvement in the courts, a focus on such alternatives would represent a significant shift for the CJG Program. This is a shift that is already underway to some extent with the broadening of CJGs’ activities pursuant to the Stronger CJGs Framework. The evaluation suggests this shift is important for the DFVE as it would give scope to support CJGs’ aspirations for more cultural healing programs to treat the underlying trauma that is seen as the principal cause of DFV. These ideas are discussed further in Part 6.8, in the discussion about CJGs’ current and proposed outputs in the primary prevention domain.

3.4.4 Inputs for the DFVE program

The program logic in the Evaluation Framework for the DFVE element of the CJG Program identifies the following two inputs:

- Systems and processes are in place to build and maintain the capacity of CJGs to provide quality services.
- Government agencies recognise and support CJGs.

For the purposes of the evaluation, the Phase 1 Annual Report identified a more detailed list of inputs for the CJG Program. These inputs are equally relevant to the delivery of the DFVE and are discussed in turn below. The objective of this Part is to describe the scope of the input, why it is important for the delivery of the DFVE, and any concerns about the adequacy of the input or opportunities to enhance the input to improve program delivery.

INPUT – Funding

The overall budget commitment for the DFVE was \$11 million over four years from 2016-17, and \$3.5 million per year ongoing. KPMG was engaged in 2016 to provide advice on establishing and implementing the program, including a schedule for funding rollout. The 2016 Project Plan for the implementation of the DFVE proposed a budget of \$150,000 for each of the 18 identified CJGs, which would support employment of a

³⁶ All of the models have a strong focus on ‘tertiary prevention’, which relates to preventing re-offending by people who have already perpetrated DFV.

³⁷ Carlson, B, Day, M, Farrelly, T, 2021. *What works? Exploring the literature on Aboriginal and Torres Strait Islander healing programs that respond to family violence*. ANROWS Research Report, Issue 1, June 2021.

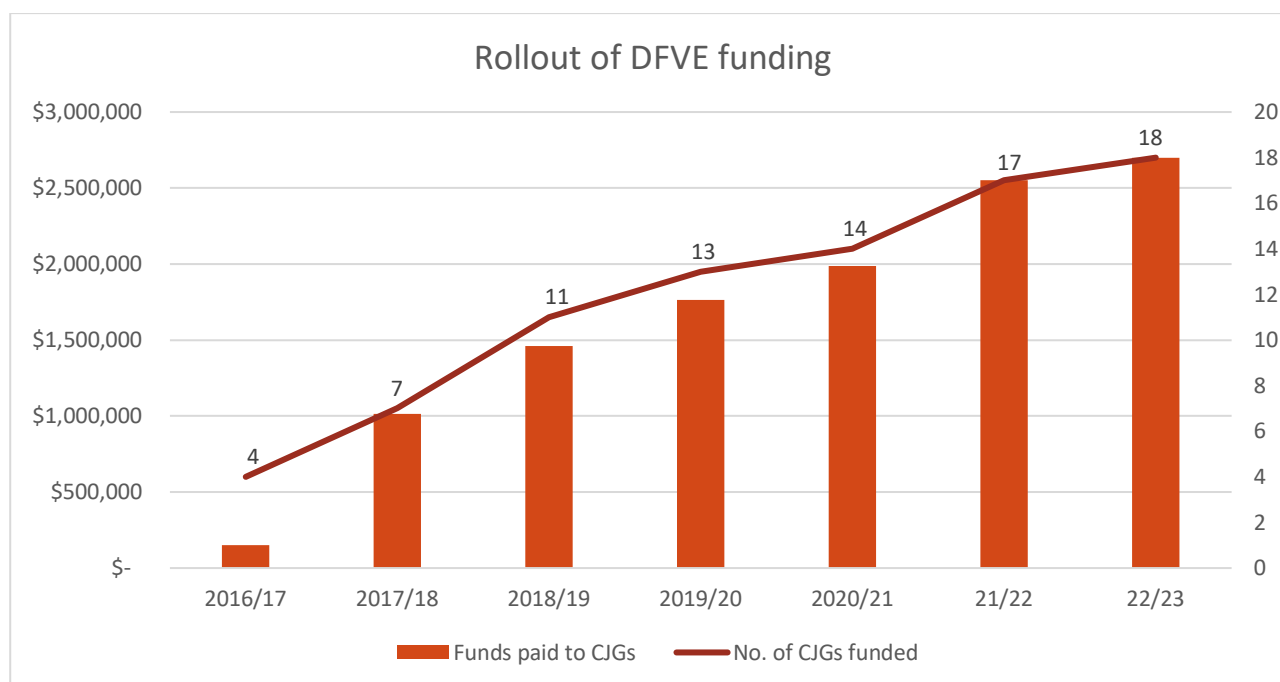
³⁸ Australian Law Reform Commission (ALRC), *Pathways to Justice – An Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples (2017) Report No. 133*, p.125.



dedicated DFV coordinator. To enable an orderly process of facilitating genuine co-design and supporting project implementation in each location, the rollout was staggered as shown in Figure 4.

As Part 3.4.2 outlined, in the early years of the DFVE Program rollout, the pace of co-design and implementation roughly followed the project plan schedule, but the pace of the rollout slowed over time due to a range of factors, including community readiness, COVID-19 shutdowns, availability of staff and other factors. As Figure 4 shows, 13 projects were being funded by the fourth year of implementation and the full 18 projects came online in 2022/23 with the commencement of the Aurukun DFVE service.

Figure 4. Rollout of DFVE funding to 18 CJGs, 2015-2023



After 6 years of rollout, over \$11 million had been committed through grant allocation and program implementation team costs. Additional funding has been required to support rollout to the final DFVE location and by 2022-23 over \$11 million has been allocated directly to DFVE grants.

Approved DFVE funds that remained unallocated in a year due to DFVE projects not being ready to commence were re-allocated in accordance with usual government processes. The experience of implementing the DFVE funding highlights the need for future funding allocations to take account of potential delays within the target communities, and the need for a staggered rollout of projects.

INPUT – Program infrastructure

New program infrastructure developed by DJAG for the DFVE program included program guidelines, program reporting frameworks and a template Service Agreement with schedules. DJAG engaged KPMG in 2016 to conduct a needs analysis of the 18 discrete CJG co-design sites to inform an investment approach, resulting in the staggered rollout adopted in co-design. Workshops with CJGs helped to develop Program objectives and KPIs.

The evaluation has not reviewed this initial program infrastructure as it was replaced in 2020-21 with consolidated CJG Program Guidelines and the triennial Service Agreement process. This resulted in a simplification of the original KPIs for the DFVE. The Phase 1 evaluation report reviewed the new CJG Program Guidelines and template Service Agreement and recommended improvements. It also recommended enhancing the grants management framework, which has been procured and will be implemented in 2023, and will assist in managing the DFVE funds as well.

INPUT – Indigenous Justice Program staff

The DFVE program is not simply an administered grants program, where the main role of Departmental staff is to run a funding round, assess applications submitted by NGOs, and then negotiate and monitor funding contracts. Instead, DJAG staff are a critical input into the formation and ongoing development of the funded projects. For the rollout of the DFVE program, a small team within Indigenous Justice Projects (IJP) were initially responsible for the co-design and implementation of DFVE projects. The number of staff working on the DFVE program has changed over the years since 2016, and some of the staff working on DFVE have broader responsibilities for delivering training across the CJG program.

Over the course of the rollout of the Program, there was initially one staff member and then in recent years two staff with the primary responsibility for visiting the CJGs and facilitating the co-design and implementation of DFVE projects. At the conclusion of the co-design and implementation phases, which usually took several months, ongoing support for the DFVE project was handed over to the Indigenous Justice Officer (IJO) allocated responsibility for the ongoing support of the relevant CJG.

A key strength of the program's implementation has been the relative continuity in the staff conducting the co-design and implementation processes. One staff member facilitated the co-design process, and one staff member facilitated the implementation processes from 2017. The staff in these roles have had long-term involvement with CJGs across the State. Facilitating successive projects has enabled them to build their expertise in co-design and DFV, and to foster strong relationships across the participating CJGs.

Considering the scale of the planned undertaking to establish and embed 18 projects over 4 years in the challenging environments of discrete Indigenous communities, the evaluation questions whether the level of funding for staffing in the DFVE team has been adequate for the challenge. The demands of the DFVE program should be considered in the context of the high level of demands within the broader CJG program, where the DFVE team have training and capacity-building responsibilities in addition to their DFVE work.³⁹

If more staff had been available to be deployed to undertake the co-design processes, more DFVE projects could have been stood up in the first four years of the Project, and more of the funding could have reached CJGs sooner. The staff may also have had more opportunities to work with CJGs for longer in the implementation of the projects, rather than having to hand over to IJOs and move on to the next co-design site.

The necessity to hand over ongoing support for the DFV projects to the IJO network has affected the implementation of the DFVE project. As the Phase 1 Annual Report noted, the IJO network itself is seriously constrained in its capacity to service the high level of needs of CJGs, due to the limited number of IJOs, their distance from some of the CJG sites, and a job classification that may be misaligned with the complexity and demands of their role. Furthermore, the role of supporting a DFVE project's ongoing development may require specialist knowledge and skills that are different to those for the CJG support role. It is a big ask for IJOs to be expected to provide the same level of support as the specialist DFVE program staff had been providing. They also may not have had the benefit of the trust and rapport that the DFVE program staff had built with the CJG's DFV staff during several months of frontline engagement around co-design and implementation. There has been considerably higher turnover in the IJO positions than in the DFVE program positions. In reflecting on the experience of the DFVE rollout, several IJP staff felt a key limitation in the process design was the discontinuity of support as a result of the transition to the IJO network after the initial project implementation phase.⁴⁰

³⁹ Implementation of the DFVE program currently sits with the Manager of the IJP Projects Team and two Principal Training and Project Officers, who also have broader responsibilities for training for CJGs.

⁴⁰ A government officer who was familiar with, but not directly involved in, the DFVE program rollout commented on the DJAG support for CJGs in this process: *"They're alongside them for the whole [phase of] 'let's get the model up and (footnote continued)"*



IJP staff also felt the implementation process would have benefited from more staff to be able to revisit the DFV projects a year or more down the track and review whether the co-designed model was still meeting community needs or should be adapted. Staff were conscious that co-design is “not a set-and-forget process”, but they were frustrated that they did not have time to revisit DFVE projects that might require a refresh. IJP had identified that ongoing wraparound support would be required for the DFVE projects to grow and mature, but the extension of time required for the successive co-design and implementation exercises with the latter stage sites has constrained staff from being able to ‘circle back’ to earlier stage sites.

The importance of being able to revisit, refine and refresh the co-designed models was borne out by the evaluation team’s findings at some of the DFVE sites. At Cherbourg in June 2022, the evaluation heard feedback from many community residents and stakeholders that the Men’s Hub project established in 2017 was no longer delivering the outcomes expected. There were also suggestions that the service environment had changed in the community since the original DFVE project was conceived, with some services de-funded leaving gaps that the DFV model needed to respond to. The project had been affected by the passing of an Elder – who was integrally involved in the DFVE project – and other changes in project personnel. Similarly, the original DFVE model at Doomadgee relied on skills that existed in the CJG organisation at that time, but changes in personnel have affected the ability of the CJG to continue with that particular program choice. The evaluation notes that DJAG engages with CJGs to renegotiate unsustainable features in Service Agreements. Nevertheless, an intensive process to work with the CJGs to review and adapt their DFVE service models would be timely at both Cherbourg and Doomadgee. Co-design of a DFV response is a point-in-time exercise, and it is important for the community to be able to adapt the responses as circumstances change.

In other sites, the evaluation found that the need for a refresh of the co-design process was of less urgency because the CJG delivering the DFV project had sustained capability. Sites such as Mossman and Wujal Wujal, which have had greater stability in key roles within the CJG, have been able to grow and develop their DFV services without needing DJAG’s assistance.

DJAG staff identified the ongoing challenges for CJGs during the post-co-design phase as follows:

- the inevitable ‘growing pains’ involved in introducing an expanded range of responsibilities to a CJG
- awareness and education around the complex nature of court-related and program-related aspects of DFVE is challenging and requires considerable in-person engagement
- the co-design phase focused on designing an enhanced DFV response, with implementation phases being longer in many cases for less agile CJGs – some CJGs, particularly in later stage co-design locations, may have required longer training investment timeframes to ensure processes and changes were embedded
- many of the CJG DFV staff are part-time, which meant the DFV reform team officers had limited time with them before the transition to the IJO – however, the current IJP Projects team provides ongoing and wraparound training support to CJG DFVE sites in partnership with IJOs
- recruitment and onboarding of CJG DFV staff required in-person support, shadowing, and capability-building that was difficult to achieve in 3-4 visits during implementation, depending on the capability of the CJG involved
- timeframes for implementation work were affected where DFV reform team staff were needed to support other CJG business due to the relationships they had built with CJGs.

As in the case of the broader CJG program, the evaluation has found that DFVE projects have a high level of unmet needs in relation to training, capacity-building and ongoing support to evolve and improve their operations. As such, there is a strong case for enhancing this part of the Program’s inputs – by increasing

running.’ And even in the phase, after your doors are open, so to speak, they’re there with them. Whereas I just don’t think JAG has given enough attention to the groups, once the doors have opened. It’s just, ‘you should know what to do and we’ll just look at you from a contract point of view’.”

resourcing for the IJP team to support the DFVE program. This might involve dedicating a manager and an expanded team with a specialised focus on supporting the ongoing development of the DFVE services delivered by CJGs. The evaluation understands that IJP is appointing an additional Principal Training and Project Officer dedicated to responses to DFV (supported by recent funding). The growing recognition of the importance of improving responses to DFV in Indigenous communities amply justifies additional investment in staffing for DFVE program support. Without it, many CJGs will struggle to translate the DFVE funding into sustainable and successful local DFV responses.

INPUT – Training and development for CJGs

Training and development for CJGs delivering DFVE projects came from two sources:

- a. inductions, DFV training, coaching and resources, templates and tools delivered by DJAG's DFVE team during the implementation phase of projects;⁴¹
- b. DFV-related professional development or training accessed by DFV staff independently.

In relation to (a), DJAG staff felt some of their most effective training and development for CJGs was delivered in the form of on-the-job coaching and mentoring.⁴² This was available from the DFVE team during the implementation phase of projects. Within their time and resourcing constraints, IJOs have been able to continue a degree of hands-on support in some locations. As discussed in the previous section, one of the learnings from the DFVE rollout is the importance of the funding agency setting aside adequate resources to sustain this type of capacity-building beyond the establishment phase of a new project.

In relation to (b), CJGs are encouraged to spend some of their budget on DFV-specific professional development or training for their staff and members – this is one of the outcome measures that they report on quarterly. Figure 5 shows the number of DFV-specific professional development and training opportunities attended by DFV staff, Elders or CJG representatives and the proportion of CJGs that attended some training in each quarter. It shows that 40-90% of CJGs attended some DFV-related training each year from 2017 to 2020, with this proportion understandably dropping off during the COVID-19 lockdown in mid-2020. Collectively, the number of opportunities attended by CJG staff and members ranged from 3 to 14 each quarter.

Most of the DFV staff have been recruited locally and do not necessarily have qualifications or experience working in DFV. DFV-specific training and development was therefore an important component of project implementation, and was specifically budgeted for in the first three year funding cycle ending in 2020. This dedicated funding was not available for the 2020-2023 triennial funding cycle. Instead, CJGs were encouraged to include capacity development within their own budgets. This needs to be encouraged further in the upcoming 2023 triennial agreements, because the evaluation has found that CJGs are not accessing training and development to the extent that they could. As will be discussed in Part 5.5, this is a key reason the evaluation has recommended a different approach to training and capacity-building for CJGs – through a dedicated, comprehensive Capacity Development Program. This Program should have a specific stream focusing on DFV training needs for CJGs.⁴³

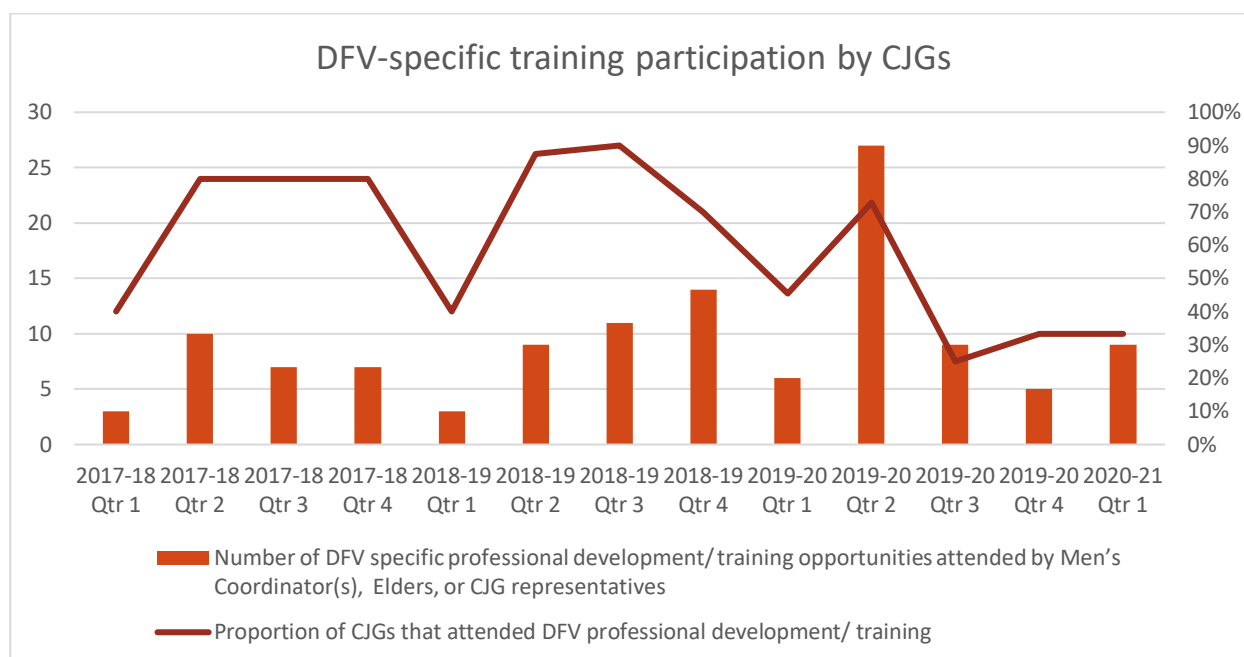
⁴¹ Following the co-design phase, DJAG's process involved the DFVE program staff devising an Implementation Plan for each DFVE site, including induction, training and development of the new DFVE staff. Further site visits were envisaged for the implementation phase, with a large proportion of the time spent on capacity development and training. This support included developing individual training plans for the DFVE staff, developing service policies and procedures and arranging stakeholder meetings to connect DFVE staff with other services. KPMG was engaged to develop new training modules for CJG governance, which were delivered as a priority to CJGs receiving new DFVE funding.

⁴² See the description in Part 5.5 of the Phase 1 Evaluation Report.

⁴³ For example, the option of a third party service provider/secretariat contracted to directly assist CJGs with capacity development could accommodate a specific training program for DFV, delivered by Indigenous DFV experts.



Figure 5. Attendance by CJGs at DFV-specific professional development and training opportunities, as reported by CJGs



INPUT – Other government agencies' support and partnerships

Stakeholder agencies at the DFVE sites were engaged by DJAG and the CJGs during the co-design process. The support for the DFVE projects from other agencies is evident through letters of support obtained for the Service Model Proposals.

Ongoing collaboration and support from relevant government agencies are crucial to the success of CJGs' DFVE projects. At the DFVE Local Evaluation sites, the evaluation team have found some excellent examples of CJGs collaborating with government agencies to deliver wraparound support to individuals experiencing DFV issues. Key agency relationships for DFVE projects are police, courts, corrections, schools, local governments, mental health services, health services and Alcohol and Other Drugs services. At Mossman CJG, a wide range of agencies were extremely positive about their partnership with the DFVE service, which was overwhelmingly considered to be performing very well. ATODS and QCS have regularly used the CJG hub to deliver services to clients. At Cherbourg, by contrast, the DFVE service that was working very well lost momentum due to changes in CJG staff, Elders and key agency staff, which affected the opportunities for service delivery partnerships between the CJG and agencies.

The Local Evaluations have confirmed the absolute importance of support of other government agencies as an input that underpins the success of a DFVE project. Brokering and facilitating inter-agency support for CJG DFVE projects should be an ongoing priority for DJAG as part of its support for CJGs.

INPUT – NGOs' support and partnerships

The support of NGOs is another key input for DFVE projects. Significant partners include ATSILS, Indigenous health services, organisations providing counselling (for example, Relationships Australia), women's organisations, men's groups and DV support agencies. As with government agencies, the quality of relationship between DFVE services and NGOs varied across the sites visited to date. Mossman CJG had excellent relationships with NGOs such as Relationships Australia, and the success of Thursday Island CJG's boxing club was built on a partnership with Torres Health, which provides the facility. At Palm Island, the DFV service was making regular referrals to a local rehabilitation service. By contrast, lack of coordination



and sometimes even competition between NGOs was a theme of discussions at many DFVE sites, and is a source of frustration for CJGs.⁴⁴

DJAG has a key role in fostering a collaborative mindset between DFVE services and other NGOs who can support the DFVE program objectives. As the Phase 1 annual report noted, the most effective IJOs are proactive in brokering partnerships between CJGs and other organisations.

INPUT – Volunteering by community members

This input references the work of Elders and respected persons in giving their time and expertise as members of CJGs. In the DFVE services, this could range from involvement in court support or in other initiatives such as men's groups, women's groups or raising awareness of DFV in schools and in the community. Although this work may be remunerated by CJGs to a limited degree, much of it can still be considered to be volunteering.

Part of the rationale for the *Not Now, Not Ever* report recommending further support for CJGs as a DFV intervention was the recognition that Elders have local authority that could be influential in changing social norms around DFV-related behaviour.⁴⁵ As an example of this potential, Box 1 explains the role that Elders play in Wujal Wujal's DFVE project.

The Local Evaluations have revealed that the extent of involvement of CJG members in the DFVE services varies across the sites. As Part 5.4.2 below will discuss, CJGs face challenges in engaging Elders on a regular basis, especially as many Elders have been involved in the CJG for many years and may be ageing and less able to participate.

The Local Evaluations showed that some CJGs have successfully involved Elders in the men's groups and women's groups. In these cases, the involvement of Elders is considered to be an important part of their success. In other locations, virtually all the DFV-related work with community members is done by the CJG's DFV staff, with little involvement of Elders. In this case, the DFV project operates more as a service rather than a CJG activity. For example, at Palm Island, the CJG's DFV staff operate out of a different building to the CJG, and have minimal formal interaction with the CJG.

CJG members are most likely to be involved with the DFV service when supporting DFV clients at court. Some stakeholders commented that it would be valuable to see the CJG members more involved in non-court-related DFV activities. The evaluation notes the level of DFV court and non-court support may vary with CJG staffing and modelling approaches.

Given the perception that DFV services are much more impactful when Elders are involved, it is important that CJGs are supported with strategies to engage Elders more. This should be a high priority for the CJG capacity development strategy recommended by the evaluation.

⁴⁴ At Thursday Island, stakeholders were concerned that NGOs delivering programs and support for women were not integrating optimally with the CJG's DFV services. At Doomadgee, there was a lack of coordination between NGOs all purporting to run men's groups.

⁴⁵ Special Taskforce on Domestic and Family Violence in Queensland, 2015, p.261.



INPUT – Knowledge of what works

Box 1. The role of Elders in Wujal Wujal CJG's DFVE project

The three main Justice Group members have lived all their lives in the community and are sisters, mothers, grandmothers and great grandmothers (daughters) to about 40% of the community. They have been members of the group since the group was formed in 2003 and were well respected members and leaders of the community prior to this. They are well versed in giving advice, speaking up for their community and individual members of the community and not afraid to tell it like it is and wearing the fallout from their actions and words. They are the go-to people in the community when arguments and fights erupt. They are the protectors of women in domestic violence situations and they take in, feed and look after the children experiencing trauma due to this violence. They are stalwarts of the Lutheran Church and arrange all the christenings in the community. They visit the sick in hospital and are found at the bedsides of dying people to offer comfort and prayer and then go on to arrange 95% of the funerals held in the community.

The Elders have been and will be a crucial component of our service. Their leadership, knowledge and the respect they command from community members is really the core of all our programs. When it comes to the building of Men's and Women's group, the Elders will be at the centre of what the meetings and activities are all about. They will decide and direct when where and what activities and meetings will take place, for example taking young offenders out on country, teaching language and culture, going hunting and performing smoking and healing water ceremonies on country. They teach the young people the dreamtime stories and relate the history of their ancestors and sacred sites. They give advice on inappropriate behaviour and relationships. They relate the family history and who is related to who and in what way. They will be the ones to speak up strongly against DFV and they will be the ones involved in supporting families dealing with DFV issues. Our main goal is to support the Elders by giving them the tools and logistical support to address DFV issues in their own community in their own culturally appropriate way.

(Source: Service Model Proposal for Wujal Wujal DFVE project)

As the DFVE program is a new initiative seeking to support communities to develop local responses to DFV, knowledge about successful approaches to DFV is a crucial input. Such knowledge can be applied at the design stage of the project, and in its further development. As part 3.3.5 indicated, the evaluation believes co-design processes could be enhanced with more resources (for example, literature reviews) available to CJGs to consider in developing their local models.⁴⁶ As the program has rolled out, the Department has sought to meet this need by compiling a 'catalogue' of models of DFV responses to present to CJGs during the initial co-design discussions.

The Phase 1 evaluation report highlighted this input as one that ought to be enhanced for CJGs generally. Information about successful models to address DFV in Indigenous communities elsewhere would be valuable to CJGs as they implement and refine their service models. It is hoped that the documenting of good practice by this evaluation will enable sharing of useful information through the *Our Community Justice* communications platform established by Myuma for the evaluation.

Another opportunity is for CJGs that are just starting delivery of DFVE services or are struggling to improve existing services, to visit successful DFVE services or DFV projects further afield.⁴⁷ An agency stakeholder at Mossman suggested that other CJGs should visit Mossman to look at the CJG's DFV response delivered through the hub. Regular exchanges such as this should be considered in setting budgets for DFVE projects in the next round of triennial service agreements. The DFVE program funded attendance by some of the first-established DFVE projects at the annual Queensland Indigenous Family Violence Prevention Forums (QIFVPF)

⁴⁶ The 2016 Project Plan included a step to 'Develop options for local authority models and DFV responses for consideration by CJGs'. The plan indicates that these options would be provided as part of initial information sessions.

⁴⁷ For example, the Bourke Justice Reinvestment Project.

from 2017 to 2019. The Department advises that funding for this attendance did not continue from 2019, however.

An input related to ‘knowledge of what works’ is knowledge about the current state of DFV. The Phase 1 evaluation report raised the need for the Queensland Government to share more data with CJGs about trends and current levels of offending and justice system responses in their communities. This is especially relevant to the DFVE program. Up to date DFV statistics are essential for CJGs in planning their interventions and in measuring the success of their activities.

INPUT – Legislative framework

The CJG DFVE services operate under the general legislative framework that supports the work of CJGs. When CJGs provide sentencing submissions in the Magistrates Court, they rely on the requirement in section 9(2) of the *Penalties and Sentences Act 1992* that a court, when sentencing an Indigenous offender, must have regard to any submissions made by a CJG that are relevant to sentencing. Similar provisions exist in the *Youth Justice Act 1992* and the *Bail Act 1980* for submissions in the Childrens Court and during bail hearings. These provisions were introduced in 2000 to provide the option to CJGs to provide submissions to court where they felt this would contribute to justice outcomes, especially to provide cultural advice to the court and to make the court aware of alternative sentencing options available in the community that might be suitable for the offender (for example, cultural interventions being developed by the CJG to address underlying causes of offending behaviour).

3.5 Learnings from DFVE program implementation

The DFV Enhancement for CJGs is a novel initiative that seeks to harness the local capabilities, cultural knowledge and normative authority of the Elders, members and staff of CJGs to respond to the vexed issue of DFV affecting Aboriginal and Torres Strait Islander communities. The DFVE Program presents an ideal opportunity for both government and community to learn ‘what works and what doesn’t’, in terms of both the processes of co-design and the process of implementation of tailored local DFV service models. The Evaluation Framework for the DFV Prevention Strategy (2016-26) stated that each flagship evaluation, of which the CJG DFVE evaluation is one, should “provide a process review to understand process and implementation methods associated with successful outcomes.”⁴⁸

This Part 3 constitutes a process review for the DFVE Program. There are some key learnings from the review of implementation of the program that can assist in its further development, and inform other government initiatives, including co-design exercises.

3.5.1 Enabling factors for the program implementation

The analysis in this Part has identified a range of enabling factors that contributed positively to the DFVE Program implementation process.

- **Co-design commitment:** A strength of the DFVE Program has been DJAG’s commitment to developing tailored place-based DFV response models through a process of co-design between the Department, CJGs, community members and stakeholder agencies. This has enabled CJGs to put forward their own ideas and concepts for DFV prevention.
- **Collaborative relationships:** The co-design and implementation phases afforded time on the ground for DJAG staff to build strong relationships with CJGs and ‘walk with them’ as projects were being established.

⁴⁸ ISSR, 2016, p.33.



- Coaching and mentoring approach to capacity development: The relationships built and the time in the community enabled DJAG staff to provide practical on-the-job coaching and mentoring support that is impactful as a supplement to delivering training modules.
- Engagement with stakeholders: The most successful DFV models have operated where other stakeholders (such as NGOs and government service providers) were involved in the co-design and implementation and have integrated their services with the CJG's new DFV models (for example, by delivering programs at the CJG's hub facility or to the CJG's men's or women's groups).
- *Harnessing existing capability*: The co-design process started at sites where CJGs had demonstrated strong capability and had existing ideas or programs for DFV prevention, which could quickly be actioned through the DFVE funding. This created early momentum for the DFVE rollout.
- *Community-led design*: In some locations where CJGs were already advanced in their program delivery, the co-design process enabled community-led design, with the CJG taking the lead in developing the model and formulating the proposal, in consultation with DJAG staff.
- *Stable, committed and experienced support team*: The DFVE rollout has benefited from relative stability in the personnel facilitating the co-design and implementation, with the ongoing involvement of highly committed staff with extensive experience working with CJGs.
- *Engagement of Elders and members of CJGs*: Stakeholders perceive that outcomes have been strongest at DFVE locations where Elders have been more engaged in working on the DFVE projects, such as through men's groups, women's groups and on-country activities. This brings to bear Elders' cultural knowledge and normative authority, and makes the DFVE project more than just a service delivered by CJG staff.

3.5.2 Inhibiting factors for the program implementation

The analysis has also identified a range of inhibiting factors that have been barriers to the DFVE Program implementation process. These can be summarised as follows:

- *Initial program funding parameters constraining the focus of DFV models*: The Queensland Government's positioning of the DFVE as a measure that contributes to the 'strengthening justice system responses' element of the DFV Prevention Strategy led to, in the evaluation's view, unnecessarily restrictive funding parameters for the Program. Specifically, the funding parameters steered Projects towards a justice system response and did not permit models that operated solely in the primary prevention or early intervention space. The evaluation's view is that these parameters were based on a narrow interpretation of the recommendations of the *Not Now, Not Ever* report and may have constrained the development of DFV response models that are consistent with the literature on effective responses to DFV in Indigenous communities, which favour primary prevention responses (for example, changing attitudes, cultural healing, addressing trauma, and tackling underlying causes of DFV) over justice system responses to DFV. The evaluation acknowledges that several of the co-designed DFV models do include primary prevention activities alongside their justice system services (see Part 6.8), and that CJGs' work with people in the courts can have preventative effects aimed holistically at addressing underlying causes of offending. The evaluation further notes that the focus of the CJG service model has broadened in recent years with enhanced funding, and now accommodates a greater focus on primary prevention and early intervention activities. This extends to DFVE services, so as the CJG program evolves with the new round of triennial agreements in 2023, there is an opportunity to afford more flexibility to CJGs in the DFVE activities that can be funded (including to support the types of primary prevention responses emphasised by the literature as most likely to reduce DFV in Indigenous communities, and therefore reduce contact with the justice system).
- *Need for more staff to support rollout*: The number of DJAG staff available to facilitate the on-the-ground co-design and implementation work was not sufficient to meet the needs of the Program, especially where the staff also have broader responsibilities for CJG training and development. The



DFVE experience has illustrated the complexity and time demands of co-design program development work in discrete Indigenous communities. Additional staff would have enabled more funded DFVE projects to be stood up sooner, avoiding the considerable delay in spending in the Program, and the need for some communities to wait 4-5 years for co-design to start in their community.

- *Need for sustained implementation support:* The fact that some DFVE projects lost momentum and effectiveness after a few years underlines the importance of sustaining the level of implementation support beyond the initial establishment phase. This has not been possible due to the insufficient number of the Department's specialist DFVE staff to assist CJGs. The handover of support to IJOs has not filled this gap due to the existing constraints in the capacity of the IJO network and the level of CJG need, as discussed in the Phase 1 annual report.
- *Resourcing a review and refresh of service models:* The staffing limitations have also meant that DJAG staff have not been able to conduct a timely review and refresh of the co-designed service models after two or three years of implementation. This is critical in locations where there has been high staff turnover or where some of the circumstances that led to the service model's development have changed and therefore the model may no longer be aligned with local gaps and needs.
- *Assisting co-design by providing information about what works:* Future co-design processes would benefit from providing more information about effective Indigenous DFV responses to both the agency and community partners in the co-design activity. As the DFVE program evolves, there is an opportunity to provide more of this information to CJGs so they can further develop and adapt their DFVE models.
- *Extending co-design and partnership philosophy to the funding assessment and approval process:* The DFVE implementation experience has shown that an inherent tension in a co-design model is how to combine the shared decision-making and partnership philosophy of co-designing projects at the community level with the need for a funding assessment and approval process at senior Departmental level. In the DFVE process, this led to delays where the panel required further clarification or requested changes to the co-designed model being considered. In any future programs based on co-design, the co-design philosophy could be extended to the funding assessment and approval level by having more community representatives on the decision-making panel, and by ensuring representatives of the CJG are available to explain the proposal and answer questions during the panel deliberation.

4 BREADTH OF CJG OUTPUTS (INCLUDING DFVE SITES)

4.1 Background

Since their inception in the 1990s, CJGs have always been involved in a very wide range of activities, and there is substantial variation in the mix of activities for each CJG. This is consistent with the CJG program's intent that CJGs drive tailored, place-based responses to reduce Indigenous people's contact with the criminal justice system.⁴⁹ Historically, this has created an inherent tension in the CJG funding program, because with limited funding available, there can be a lack of clarity about what exactly are the funded outputs.

This was a key theme of the 2010 Evaluation of the Community Justice Group Program by KPMG.⁵⁰ KPMG came to the conclusion that there was too much ambiguity in the funded role of CJGs, with lack of clarity whether they were funded to work primarily in the formal criminal justice system or whether they were also

⁴⁹ See CJG Program Guidelines, 6.0.

⁵⁰ KPMG, *Evaluation of the Community Justice Group Program: Final Report*, November 2010.

funded to work in crime prevention. KPMG (2010) recommended that the CJG Program goals be revised so that “the functions of the CJGs be primarily focused on the provision of Court related support and working with clients across the justice portfolio such as QPS, DCS, Youth Justice and DJAG.” The KPMG 2010 evaluation “therefore recommend[ed] the range of other activities not related to the court process or justice system be removed from the DJAG Service Agreement.”⁵¹ KPMG expressed the view that including both core activities (related to court and justice system) and non-core activities in the CJG Service Agreement was “confusing and raised expectations amongst stakeholders that CJGs are able to effectively deliver and are funded for a wide variety of tasks.”⁵² The 2010 evaluation argued CJGs were struggling with their “core” court-related functions and did not have the capacity to undertake broader crime prevention and other community support activities. It was left open that CJGs might be able to play a broader role in community-based crime prevention in the future, but only if there was “investment in the capacity, training and efficiency of the CJG program”.⁵³

The direction suggested by the 2010 evaluation report rests on two implicit assumptions. One was that CJGs focusing purely on working with people already in the criminal justice system could achieve the Program’s goal of reducing Indigenous people’s contact with, and over-representation in, the criminal justice system. A second assumption is that CJGs themselves would be willing to prioritise their justice system functions to the exclusion of primary crime prevention and community support activities. The evidence for both of these assumptions is not clear.

DJAG’s success in attracting additional funding for the CJG program from 2019 (and to some extent the additional DFVE funding from 2016) has created the opportunity to begin to address the tension in the program around the funded outputs. DJAG staff told the evaluation they hoped the additional funding would at least enable CJGs to sustainably resource the activities they are currently involved in, and if possible, pursue some of their broader aspirations, but without creating unrealistic expectations on CJGs to deliver greatly expanded programs. In workshops with CJGs about the new funding in 2019, CJGs confirmed their vision to play a broad role as change agents, empowering members of their communities, especially young people, to live safer, healthier and more fulfilling lives. Their vision statement⁵⁴ shows that for CJGs, achieving justice outcomes is inter-linked with their communities’ need to address broader social justice challenges such as health, education, employment, parenting, substance abuse, DFV, mental wellbeing and self-esteem. Their most commonly expressed priority “was a reduction in overall crime rates through focused efforts on prevention, followed by a reduction in recidivism.”⁵⁵ This reflects the reality of the range of activities that CJGs choose to be involved in.

Aided by the additional funding for the Program, DJAG is working with CJGs and other stakeholders to support these CJG aspirations. DJAG has been engaging with CJGs and other stakeholders since 2019, including through an Implementation Working Group, to implement a *Framework for Stronger Community Justice Groups* to guide the work of government agencies working with and supporting CJGs to deliver justice-related outcomes for Indigenous communities. The Framework outlines the government’s efforts to ‘refocus’ the CJG Program to better reflect the holistic role that CJGs play in the community and across the justice system, moving beyond the previous narrower focus on the court support functions. The refocused model recognises that CJGs may undertake a mix of activities across the entire justice spectrum, as set out in Figure 6.

⁵¹ KPMG, 2010, p.78.

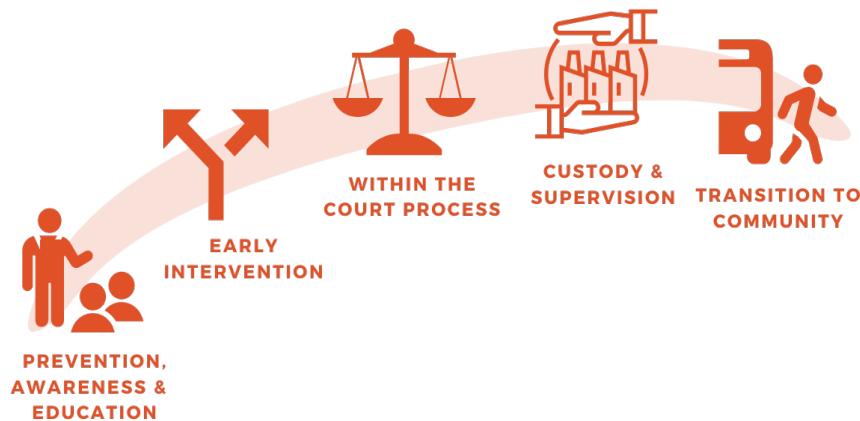
⁵² KPMG, 2010, p.68.

⁵³ KPMG, 2010, p.82.

⁵⁴ See Figure 3 of the Phase 1 Annual Report for the Evaluation (p.24). CJGs’ vision was for: “Healthy, happy, educated and safe communities; Communities with no crime; Better futures for our young people; Increased self-determination by youth; Greater recognition of the CJG Program; Increased employment; and Reduced suicides.”

⁵⁵ KPMG, 2020. *Community Justice Group Consultations: Community Justice Group Service Delivery Blueprint*, p.19.

Figure 6. Potential areas of CJG activity across the justice spectrum



Parts of the current CJG Program Guidelines reflect this refocused program model, describing the funding intent as to “provide grant funding for CJGs to provide court support to Aboriginal and Torres Strait Islander defendants and victims *and to develop strategies within their communities to deal with justice-related issues*” (emphasis added). The spectrum of possible CJG activity areas from the Stronger CJGs Framework, illustrated in Figure 6 above, are now specifically referenced in the Program Guidelines (Part 3.1 and 4.1).

All of the output areas depicted in Figure 6 share a common goal of preventing offending. This can create confusion around the terminology of ‘crime prevention’. Criminologists⁵⁶ often refer to three stages or levels of crime prevention:

- ‘Primary’ crime prevention, which is aimed at addressing causes of offending, stopping crime before it happens. In Figure 6, this is CJGs’ output relating to ‘Prevention, education and awareness’.
- ‘Secondary’ crime prevention, which targets high risk individuals to intervene to prevent them from offending. In Figure 6, this is CJGs’ ‘Early intervention’ output.
- ‘Tertiary’ crime prevention, which is aimed at preventing people who have already offended from re-offending. This is a key goal of the criminal justice system. In Figure 6, CJGs may contribute to tertiary crime prevention through their outputs ‘Within the court process’, ‘In custody or under supervision’, and ‘Transition to community’.

4.2 List of program outputs

The current evaluation has also used the activity areas in Figure 6 to delineate the key areas of CJG output within their communities. In addition, the evaluation has recognised that the CJG program funds an internal output for CJGs, which encompasses their governance, administration and organisational development (for example, training and capacity building) activities.

However, even recognising the expanded conceptualisation of CJG activities across the justice spectrum does not capture the diversity of CJG activity in practice. Hence, the evaluation has added two other categories of activity that are not related to the justice system. These capture other non-justice system support to community members and to government agencies and service providers.

⁵⁶ Australian Institute of Criminology, 2013. ‘Approaches to understanding crime prevention’. *Crime reduction matters no. 1*. Canberra: Australian Institute of Criminology.



For the purposes of the evaluation, therefore, the list of CJG Program outputs in Table 4 has been used in both Phases 1 and 2. The boundaries between these activity areas may sometimes be difficult to demarcate in practice,⁵⁷ but they are a useful catalogue for mapping the range of activities of CJGs.

Table 4. List of CJG Program outputs

| | Program output | Summary description |
|---------------------------|---|--|
| INTERNAL | Governance, administration and organisational development | <ul style="list-style-type: none"> • CJG's internal work in developing and maintaining the organisational platform to deliver the program activities • Includes governance (meetings and decision-making), financial administration, staffing, training and development, data collection, financial reporting, performance reporting and promotion |
| | Prevention, education and awareness | <ul style="list-style-type: none"> • Activities targeted at community members who are not currently in the criminal justice system, with the intention of providing alternative pathways and educating and raising awareness about issues in order to prevent them coming into contact with the justice system |
| JUSTICE SPECTRUM | Early intervention | <ul style="list-style-type: none"> • Early intervention and pre-court diversionary activities to support community members when they have had their first minor contact or are at risk of deeper contact with the formal justice system, to prevent such escalation |
| | Court support | <ul style="list-style-type: none"> • Activities to provide support to community members involved in the court process (either as victims or defendants) including Murri Courts, Remote JP Courts, mainstream Magistrates Courts, specialist courts (DFV Courts, High Risk Youth Court), or higher courts • Support to court stakeholders to appropriately deal with Aboriginal and Torres Strait Islander people |
| | In custody and under supervision | <ul style="list-style-type: none"> • Activities to provide support to community members in custody or under supervision by either youth justice authorities or adult corrective services |
| | Transition to community and reintegration | <ul style="list-style-type: none"> • Activities to provide support to community members returning from custody to reintegrate into the community and avoid re-offending |
| NON-JUSTICE SYSTEM | Community support, advocacy and access to social justice | <ul style="list-style-type: none"> • Activities to provide miscellaneous support to community members unrelated to the criminal justice system – to support community members in crisis, fill gaps in the social service system and facilitate access to services and social justice |

⁵⁷ For example, community support activities (such as helping someone access Centrelink) and assistance to government agencies with matters unrelated to the justice system (such as assisting Department of Housing or Department of Child Safety engage a client) may have crime prevention outcomes. Delivering a men's program is an intervention that can be considered part of crime prevention, court support, assisting people under supervision or facilitating transition to community of a released prisoner.



Assistance to government agencies and service providers

- Activities to provide support to government agencies and service providers unrelated to the functioning of the criminal justice system, such as building cultural awareness, representing the community in consultations or co-design, and practical assistance with service delivery.

4.3 Phase 1 report findings about outputs

Part 4 of the Phase 1 annual report included a comprehensive description of the activities of CJGs across the output areas identified above. The report also included data from a survey of 132 people indicating stakeholders' perceptions of the value of the various outputs and the extent to which stakeholders believed they were being delivered. The survey found:

- Stakeholders placed the highest perceived value on CJGs' court-related services and 'linking people with culturally safe services to get help for their problems'. In addition, stakeholders placed high value on cultural guidance by CJGs, and preventive and early intervention activities such as 'helping families avoid conflict.'
- Stakeholders also perceived that CJGs were delivering the most output in courts, followed by providing cultural guidance, DFV support and prevention. CJGs were seen to be doing comparatively less in early intervention, supporting people in custody, and supporting return to community from custody.

This report will not repeat the detailed data and findings about outputs contained in the Phase 1 report. However, during the Local Evaluations in 2022, the evaluation team has collected a significant amount of additional data about frontline CJG activities. Therefore, this report can provide a more detailed picture of CJG outputs, and together with the Phase 1 data, this enables the evaluation to provide a review of the scope and quality of outputs currently being delivered by CJGs, and by the program as a whole. In doing so, this report also draws out key themes about what is enhancing and what is inhibiting CJGs' delivery of outputs (that is, what works and what doesn't), which is discussed in the next Parts.

4.4 Activity mapping from the Local Evaluations

The level of a CJG's activities delivered in different areas might be expected to correlate directly to the deliverables in their Service Agreements with DJAG. However, in Phase 1 the evaluation heard that many CJGs felt that they delivered a much broader range of outputs than was reflected in their Service Agreement. There are several reasons why this might be the case. The CJG may have initiated new activities since the Agreement was negotiated, staff or members may be delivering additional CJG-related activities in their own time, or a CJG may have secured other funding or in-kind support for a new activity.

With a view to understanding where CJGs are actually spending their time, the evaluation team undertook 'activity mapping' with the CJGs at the five locations for Local Evaluations in 2021 and seven locations in 2022. The results are set out in Figure 7. Coordinators and staff were asked to estimate the proportion of time they spent over the past 4 weeks on activities across 10 output areas, based on the list of project outputs in Table 1. Some staff kept a spreadsheet for up to two weeks and recorded their actual hours, while others gave best estimates based on their recollection. The estimates are proportions of the actual time worked by the staff. In some cases, the role was part time. In others, the CJG staff member actually worked substantially more hours than the standard 38 hour week. Where there were multiple staff, their time allocations were averaged to give a single figure for that CJG.

The evaluation team did not specify that only 'work hours' should be counted in this mapping exercise, and many CJG staff included hours that they considered to be part of their 'CJG commitment', but were beyond the paid hours under their employment contract derived from their Service Agreement with DJAG. Therefore, the activity mapping should not be considered as a reflection of the outputs that are funded by



DJAG through the CJG Program, as additional activities delivered by CJGs outside of paid work hours are effectively voluntary hours.⁵⁸ Rather, the activity mapping was conducted to understand what CJG staff and member consider to be the scope of their CJG involvement, and how they allocate their time between the various activity domains.

Figure 7 illustrates that the 10 output areas fall within three broader activity domains: internal (1-3), justice-related (4-8) and non-justice related (9-10). The justice-related domain reflects the criminal justice system outputs recognised as core to the CJG program in the *Framework for Stronger CJGs* (see Figure 6). They indicate a criminal justice spectrum from prevention to early intervention to participation in court, corrections and then post-release reintegration. The third broad activity domain (encompassing output areas 9 and 10) reflects a range of activities that CJGs are involved in to varying degrees due to demands from community members in need (output area 9) and agencies and service providers who have found their assistance valuable to their work in Indigenous communities (output area 10). It can be difficult in practice to classify an activity into a category because there is some overlap – for example, the work a CJG does to help someone attending court to obtain housing would be in output area 6 whereas support with housing for someone who is not in court or under an order would fall in output area 9. Whether an activity such as youth camps is defined as prevention or early intervention sometimes depends on how ‘at risk’ the target clients are considered to be. The estimates are self-reported by CJGs (facilitated by evaluation team members) and will be affected by differences in interpretation.

The activity mapping shows that internal outputs around the three areas of program administration, governance and training/capacity-building accounted for an average of 23% of CJG staff’s time in aggregate. For groups that were auspiced by another organisation, their program administration and financial administration activity was lower. Given the high level of training need identified for CJGs (see Part 3.7 of the Phase 1 Annual Report), it is surprising that CJG staff are spending an average of 4% of their time on training or capacity-building activities (equating to 6 hours per month).⁵⁹ Staff from four of the twelve CJGs reported doing no training or capacity-building in the past month.

The results in Figure 7 for CJG staff show that they generally spend the most time on activities ‘within the court process’ (27%). This is to be expected, as these are ‘core’ deliverables spelt out in the Service Agreements with DJAG for all CJGs. However, there was considerable variation (between 3% and 45%) between sites, which reflects that the frequency of court sittings differs across locations (for example, weekly in some Murri Court locations and monthly in other locations), and that groups at the Local Evaluation sites funded to support Murri Courts provide a more structured and intensive level of support through the court process than those that work in mainstream Magistrates Courts.

The other notable aspect of the activity mapping is the proportion of time that CJG staff spend on supporting community members in non-justice related matters (average of 14%, and up to 40% in one remote community) and the amount of time they spend supporting other non-justice related government agencies and service providers (average of 9% and as high as 21% in one regional town). In aggregate, CJG staff spend 23% of their time, or more than a day per full-time work week, on these non-justice related activities.

At four of the sites, the evaluation team was able to conduct this activity mapping exercise with CJG members who attended workshops with the evaluator. One of these sites was a Murri Court and three were remote communities, so this picture is not representative of all CJGs. While it is not surprising that the Murri Court Elders spend most of their time directly within the court process, the pattern for the remote community CJGs

⁵⁸ A small number of CJGs, such as Wujal Wujal CJG, receive funding from sources other than DJAG, so their activity mapping captures activities funded outside of DJAG’s CJG Program.

⁵⁹ ‘Training and capacity-building’ was defined as: “Organising and/or attending training (either external or internal) and other events to build the CJG’s capability (e.g. an information session on DV awareness). Including time travelling to and from the training.”



is more diverse. Notably, CJG members spend a considerable amount of their time on the non-justice related support to community members (16%) and government agencies and service providers (10%). Some of this time is remunerated by the CJG and some is voluntary. Arrangements for paying CJG members differ across sites.

The key points evident from the activity mapping are that:

- CJGs deliver a broad range of outputs, which are not restricted to the justice system and are not always captured in their Service Agreements with DJAG.
- While CJGs deliver outputs across the criminal justice spectrum from prevention to reintegration, on average the bulk of their time is spent in court support activity, with the least time spent on support to people in custody or community supervision or making the transition back to the community from custody.

Of their external-facing outputs, CJG staff and members spend a considerable proportion of their time on support to community members and agencies/service providers that may be indirectly related to the criminal justice system (for example, where helping someone obtain housing might be to keep someone safe or be considered crime prevention). In fact, 29%⁶⁰ of CJG staff time spent on external-facing outputs relates to these non-justice-related activities, compared to 71% of time spent on justice-related outputs. It is important to recognise that these 'non-justice' outputs are not explicitly recognised as funded outputs in the CJG Program Guidelines or listed as deliverables in Service Agreements. Without dedicated funding, these activities may divert CJGs from deliverables under their DJAG service agreement, or otherwise increase pressure on CJGs, staff and members to continue to fill service gaps and undertake unpaid work.

The activity mapping has provided a picture of the breadth of CJG activity across a wide range of outputs, but does not indicate the extent or the quality of CJGs' delivery of each output. This is covered in the next Part.

For those CJGs who receive DFVE funding, their outputs from the staff supported under that funding are generally the same as for the other CJG staff, although at some sites their role is more focused on court support. Specific activities delivered with the DFVE funding are described in relation to each of the output areas reviewed in the next Part.

⁶⁰ 23% (outputs 9 and 10) of the 80% of outputs that are external facing (outputs 4 to 10) equates to 29% of the total time allocated to external facing outputs.

Figure 7. Estimates of allocation of CJG staff time

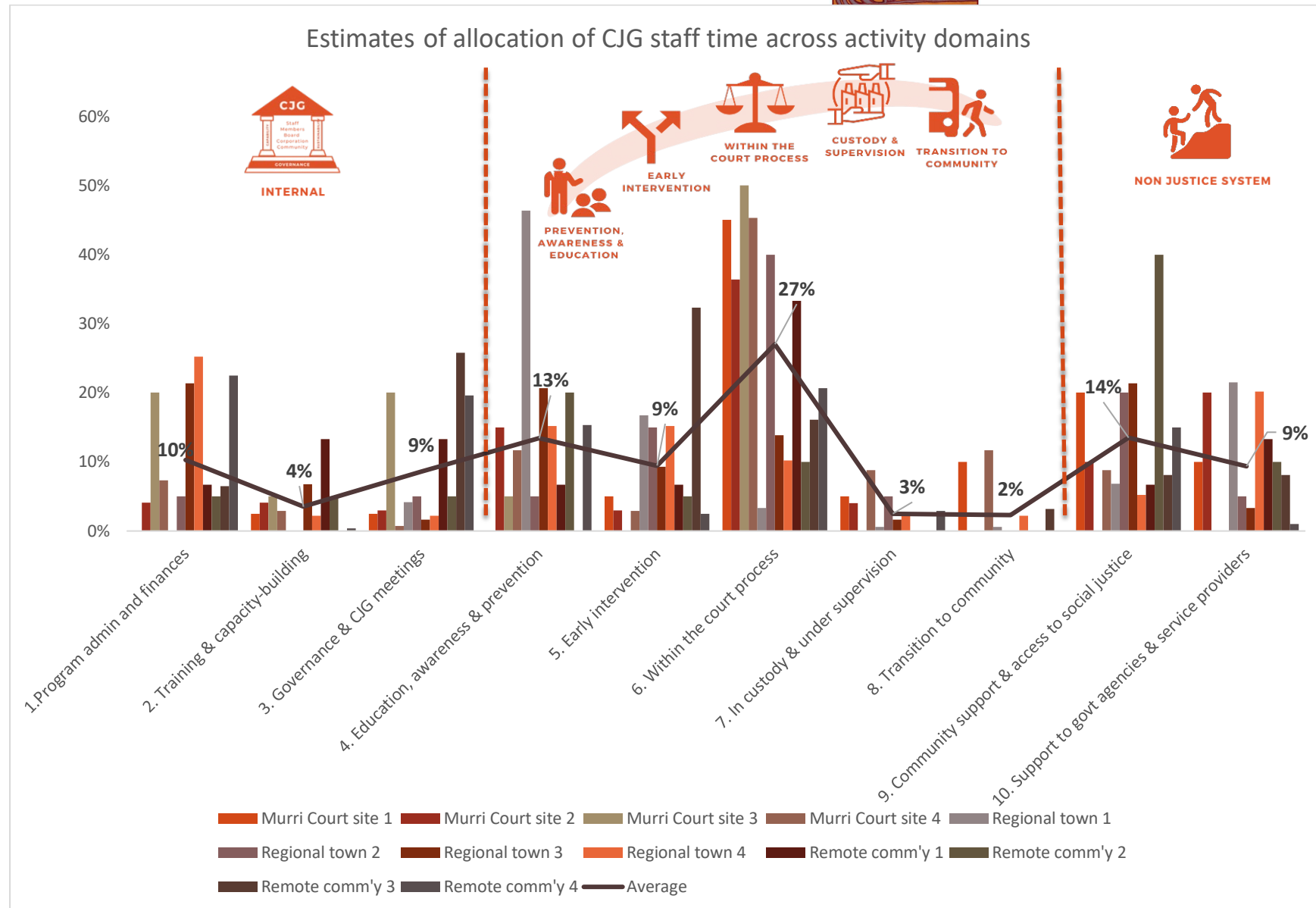
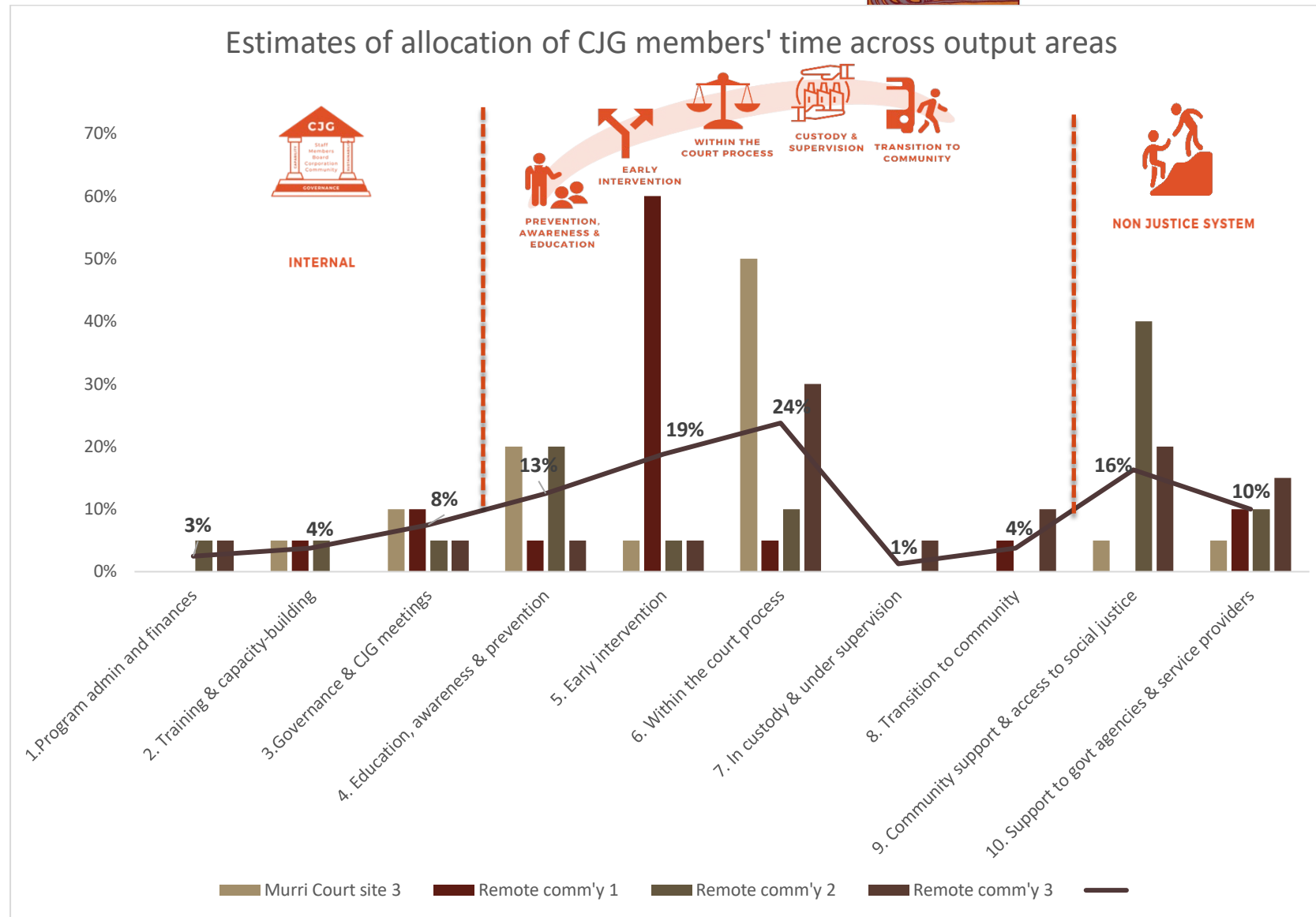


Figure 8. Estimates of allocation of CJG members' time



5 OUTPUT – ADMINISTRATION, GOVERNANCE, AND TRAINING AND CAPACITY-BUILDING

5.1 Importance of this output

A foundational output for any program delivered by a community organisation is the work involved in developing and maintaining the organisational platform for delivering the program activities. This extends to corporate and project governance, administrative systems, financial management, human resources management, data collection, reporting and training and capacity-building. Staff are the lynchpin for all these deliverables.

5.2 Phase 1 findings

The Phase 1 Annual Report (in Part 4.6) included a detailed analysis of this output based on the desktop review of DJAG operational reports from Indigenous Justice Officers (IJOs), results from community surveys and qualitative feedback from the Local Evaluations. Key findings were:

- CJGs' self-assessments of their administrative capability indicated they felt most capable in community engagement, but their responses suggested a range of different stages of capability for financial reporting, performance reporting and business systems and management.
- CJGs' self-assessments of their governance indicated some faced challenges holding regular meetings with clear, shared decision-making and some were challenged around meeting governance requirements.
- Recruiting staff, finding suitable office space and the need to increase availability of Elders were the three areas most commonly reported by CJGs as affecting their performance.
- Stakeholders and CJGs perceive various advantages and disadvantages with the two options of being auspiced by another organisation versus being independently incorporated, but the limited number of sites to consider in Phase 1 did not permit a judgment about the optimal model.
- Governance and decision-making is a challenge affecting the performance of many CJGs.
- Challenges with recruiting, and more importantly, retaining skilled coordinators and staff significantly impact CJGs. The high demands and the breadth of work has led to staff 'burnout', which has been eased in some locations by the additional resourcing for CJGs.
- The role of coordinators has become more complex with the increase in funding and therefore staffing and activities of CJGs. Some coordinators have struggled with this additional complexity and some organisations have experienced 'growing pains,' with more time needed for building governance and management systems.
- CJGs are at different levels of capability around data collection and reporting.
- Many stakeholders believe CJGs need to do more to promote themselves and raise awareness of their roles and activities, both within the community and within the government and NGO sectors.
- CJGs and their stakeholders believe that CJGs need more training and capacity-building support to meet their needs as they expand their activities with the recent funding enhancements.

5.3 Administration, financial management, data collection and reporting

In Phase 2, two new sources of high level data about the organisational efficacy of CJGs are the Statewide stakeholder surveys and the community surveys conducted at Local Evaluation sites. In the stakeholder surveys conducted in August 2022, government and NGO stakeholders were asked about changes they had seen in CJGs in the past year. The results in Figure 9 show that while the largest proportion of stakeholders

had not perceived any changes – and stakeholders would not necessarily have visibility of internal CJG operations – stakeholders who saw a change were more likely to report positive changes than negative changes across all the categories indicated. The most positive responses were for ‘their [CJGs’] confidence and capacity’, ‘their community services’, and ‘their engagement’, where 28-29% of respondents perceived a positive change. Figure 10 shows that CJGs themselves also felt their biggest improvement in the past year was in ‘our confidence’ and ‘our engagement’, followed by ‘communication’.

Figure 9. Statewide Stakeholder Survey (Government and NGOs), 2022⁶¹

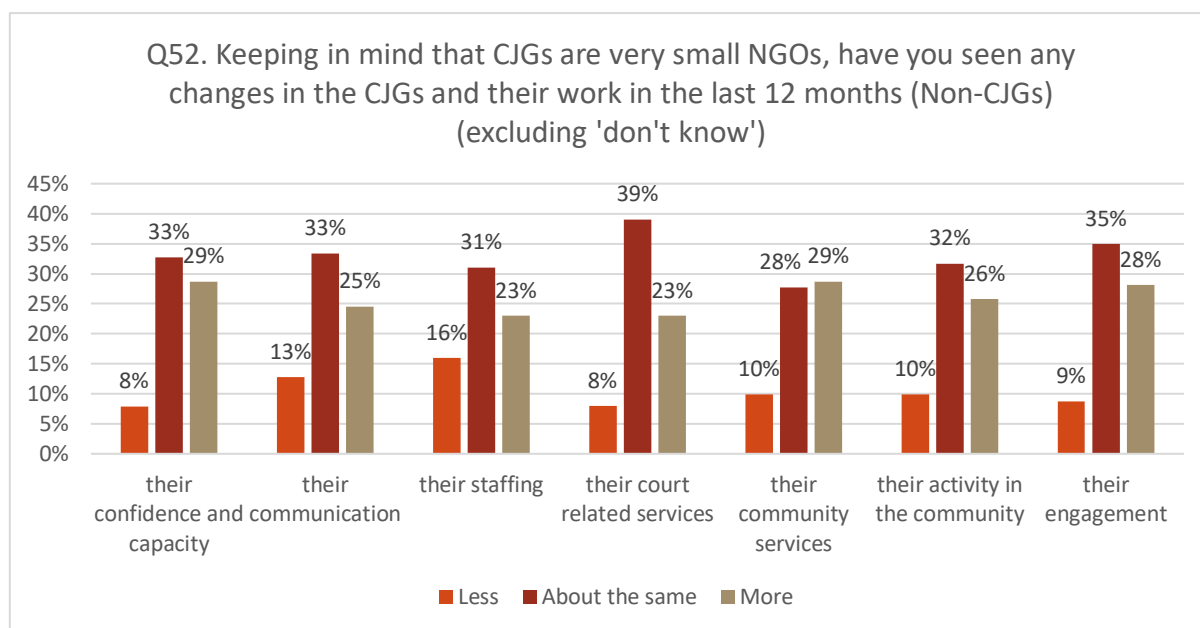
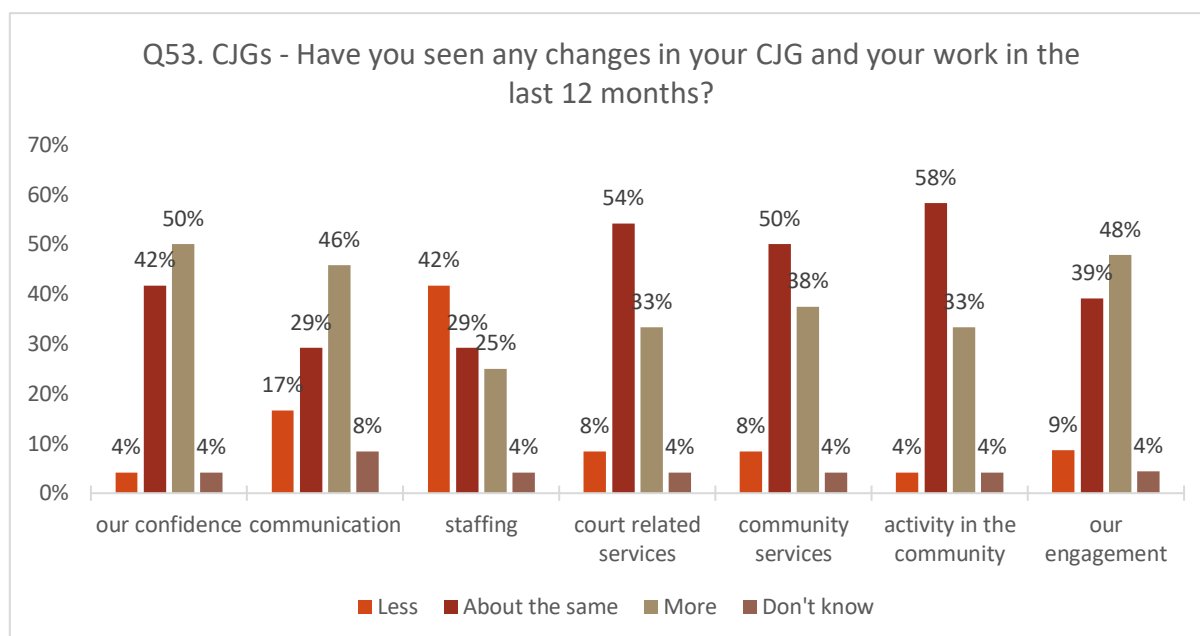


Figure 10. Statewide Stakeholder Survey (CJGs), 2022⁶²

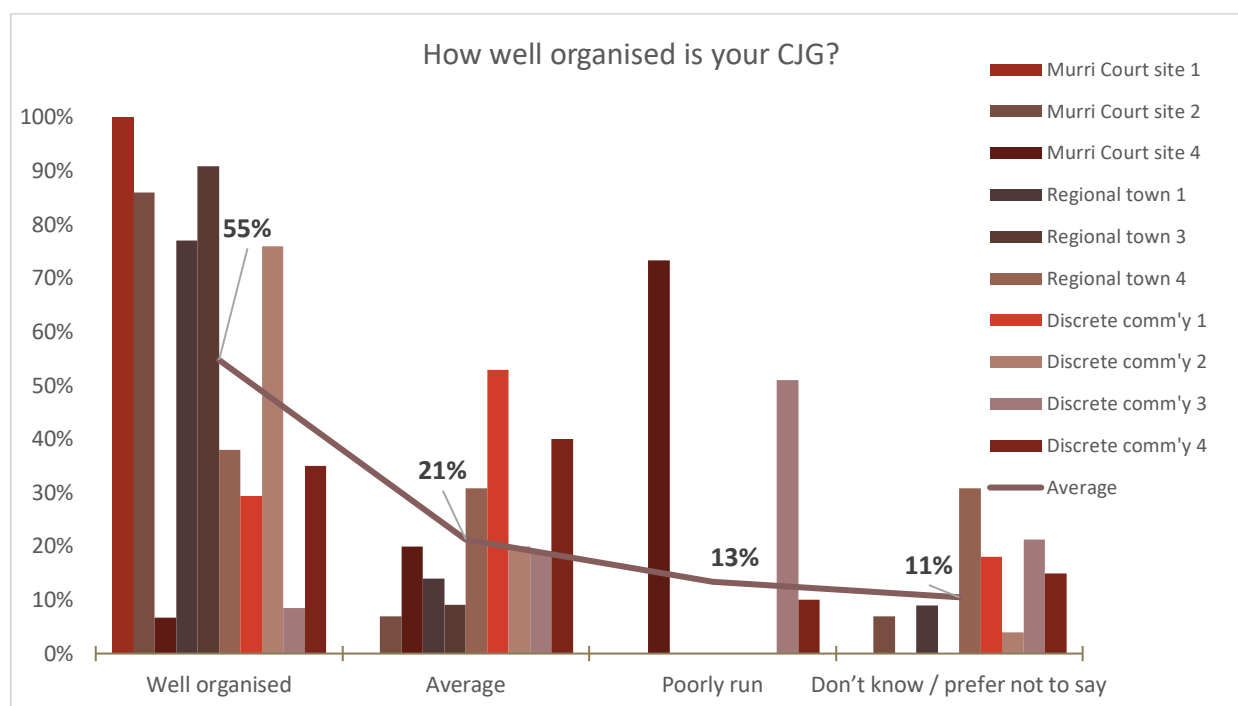


⁶¹ Total number of responses was 103.

⁶² Total number of responses was 24.

The evaluation worked with CJGs to conduct community surveys in 11 locations during Phases 1 and 2. The CJGs received an average response of 55% for ‘well organised’ (ranging from 7% to 100%). At two CJG sites, more than half of the respondents expressed the opinion that the CJG was poorly run.

Figure 11. CJG Community Surveys, 2021 and 2022



5.3.1 Staffing

The quality of CJG outputs in the organisational domains of administration, financial management, data collection and reporting is the responsibility of staff of the CJGs, or in some cases, staff of auspicing organisations. Committed and competent staff are the foundation of successful CJGs, and the evaluation has heard a great deal of positive feedback during Phases 1 and 2 about the extraordinary people who work for CJGs. High-performing CJG staff bring a diversity of skills and experience to CJGs. Some have professional qualifications in law or social work, while others have decades of frontline experience delivering community services. At the vast majority of the 16 CJG sites visited by the evaluation team to date, stakeholders expressed high regard for both the competence and the level of dedication of CJG staff. The following comments exemplify this feedback:

“I think it’s a very effective organisation because they’re highly organised... Aunty [X] is the manager of the office and she’s always highly organised.” (ATSILS lawyer)

“She [the CJG Coordinator] is a very, very good person to work with. She bends over backwards for all, and she tries to be independent from all the different families in town... She’s friendly and she’s professional. Very compassionate.” (QPS officer)

“Her skills: she’s done generalised counselling, communication, writing, computers. She has good rapport and is very approachable to most people. She’s had mediation training, and skills in and out of the court process.” (CJG stakeholder)

“For example, (one CJG) is terrific and (another CJG) are really proactive, and I have visited both of their offices and spent time with them out of court as well. And they just seem to have that capacity to be willing to go above and beyond the call of duty. And they really seem to have their heart and



soul in the job of trying to improve the situation for their people and for it to be a healing process, rather than sticking to requirements in ticking boxes and having to fit criteria.” (Magistrate)

A common theme in the comments about CJG staff is their evident passion for their work and the communities they serve. The following comment from a police officer about a north Queensland CJG is a good example:

“It's an absolute pleasure to work with them. It is quite obvious that they hold the community very close to their hearts and they wear their hearts on their sleeves, and they want this community to succeed, and they want the kids to succeed, and they want people to stay safe. And that comes through every interaction that I have with any of the persons involved with the Justice Group.” (QPS officer)

This high level of dedication also came through strongly in the evaluation team’s interviews with CJG staff themselves. The comments in Box 2 reveal that staff of CJGs see their work as more than just a job. When asked what motivates them, typical responses are that they are inspired by a desire to continue the work started by their Elders and by a desire to make the community better for young people and future generations.

Box 2. What motivates CJG staff?

So just knowing that when we go to work each day, we're helping someone. And actually making a difference in someone's life. Even if we just help one person to have a better future. Then it's a job well done... My little fella, I don't want him to have to go through the stuff that I see on a day to day basis. So when I go to work, I'm not just doing it for my clients, but trying to set up a better future for my son... Our grandparents helped set up [this organisation]. So we know within our hearts that we're just building on their legacy, really, and trying to keep their vision alive. (CJG worker, South East Queensland)

I am doing this for the Elders that went before. (CJG worker, South East Queensland)

The job is tough. But the impossible makes it all the more rewarding... My strength [comes from] the people I'm surrounded with now, the foundation that I have, whether it's at home or here [at the CJG]. It's that overwhelming encouragement that I get... (CJG worker, North Queensland).

[I like] helping people achieve their goals and saying to me, 'you know, you've really helped me with this, thank you for helping me.' (CJG worker, North West Queensland)

[Working here] makes you feel like you are there for your community. (CJG worker, North Queensland)

I like helping people. Been doing this work for 30 years, but my parents brought me up that way. But it also helps me look after myself, because I used to drink but I haven't drunk for over 30 years, it keeps me sober, because I am doing something useful. Keeps me from going backwards. (CJG men's worker, North Queensland)

The number of staff might not seem big – three – but the three that we have is very self-driven and motivated. [It's an example] for other people in the community: these three people can make this much of a difference and change. (CJG worker, Far North Queensland)

[The CJG staff] are champions for the people. They're not like 'Well, I'm just here to do a job and I'm not going to take you to your probation things because it's not in my duty statement'. (CJG worker, Far North Queensland)

I had a client in this morning, and I was helping her with [funeral] assistance. And when we finished all the paperwork, we're just waiting for approval, she goes 'Can I give you a hug?' I said 'Of course you can... but why?' And she says, 'Because, if you weren't here, who would help me?' And she nearly made me cry, because it's like you don't think about it. You're just in the zone, you're doing it. (CJG worker, Far North Queensland)

The Phase 1 annual report noted that this high level of dedication to the community has translated into many CJG coordinators working very long hours, beyond their position requirements. This in turn has led to concerns about the wellbeing of staff, with many stakeholders raising the issue of ‘burnout’. An inability to sustain the workload and to deal psychologically with the depth of human need was cited by stakeholders as the primary reason why some CJG staff had resigned. A CJG chairperson explained that it was very difficult for staff when they are faced with the expectation from clients and from CJG Elders that they should provide a range of assistance that they are not sufficiently resourced to provide:

“And staff do become despondent. And it's almost like you break the back of their spirit. It really is a demoralising process.” (CJG chairperson)

CJG staff who are themselves members of the local communities where they work spoke about there being “no escape” from their work, because they are interacting with clients and their families in their home life as well.

CJG staff spoke of a number of ways that they are trying to cope with these issues. A few have accessed a telephone counselling service made available by DJAG for CJG staff, Elders and members. Others are coping by taking a day off periodically. One coordinator suggested that there should be a rostered day off each month. The auspicing body of one CJG organises someone to answer the phone to enable the coordinator to have a day off after stressful periods. A CJG coordinator told the evaluation she attends weekly ‘self-compassion workshops’ at a local counselling centre. She tells her staff that *“when you come into this position, always put yourself first because you can't do your job if you are not a full cup or if you're not there mentally.”* Another CJG worker in a small community said he looks after himself by planning weekend trips out of town: *“I have no reason to go other than just to get out, and escape from my reality for a bit, from work and whatnot. Slowing down.”*

Two CJG coordinators told the evaluation about previous episodes of ‘burnout’, where they had needed to take an extended break. The story of one coordinator, set out in Box 3, illustrates the importance of CJGs providing adequate support to their staff around debriefing.

The coordinator’s story in Box 3 also highlights that one of the solutions to burnout is having more staff to share the workload and overcome the sense of isolation and provide peer support. The increased resourcing of CJGs in recent years gives rise to hope that the problem of burnout and consequently, high turnover of CJG staff, might be mitigated. The evaluation heard from some coordinators that employing additional staff had assisted with their workloads, although many of the additional staff have responsibilities to run new programs or services. A common theme in interviews was the need to employ more staff in administrative roles, to help with things like court submissions, referrals and Murri Court paperwork.

Attracting and retaining staff remain an ongoing challenge for CJGs, notwithstanding the additional funding available in recent years. In the Statewide stakeholder survey (see Figure 10), it is noteworthy that ‘staffing’ was the area where stakeholders were most likely to perceive a negative change in the past 12 months (16%). This response was even stronger for CJGs themselves, with 42% saying they had less staffing than 12 months ago (see Figure 11). Issues around staff recruitment and retention were common themes in stakeholder responses to the open-ended questions in the survey.⁶³

It is clear that challenges in attracting and retaining staff have affected CJGs’ organisational efficacy. This was the issue that was most commonly raised by CJGs in their quarterly performance conversations with

⁶³ For example, responses from government stakeholders included: *“There have been staffing changes in the CJG and this has impacted the running of the local CJG. There appear to be some strong members but when any staff changes occur the impact is felt, when staff need to be trained or inducted into new roles” ; “Less staff has decreased their confidence”; “I think the main issue is retention of staff.”* Similarly, a CJG respondent commented: *“Long term Staff absences, CEO, DV counsellors, men’s and women’s counsellors away long time or left and not replaced staff resignations and absenteeism.”*

DJAG staff.⁶⁴ Support and resources for CJGs to recruit and retain staff should be a high priority for the CJG Capacity Development Program recommended in Phase 1 of the evaluation.

In some cases, CJGs need additional support to manage the performance of their current staff. At a couple of the Local Evaluation sites visited by the evaluation to date, stakeholders were concerned about capability of key CJG staff to deliver on the CJG's objectives. The challenges raised at these sites included administrative capabilities, the level of reporting to the board, managing the expanded service footprint of CJGs, and robustness of human resource management and supervision arrangements. At these sites, some community members responding to the survey were concerned about the need for CJG staff to be impartial in providing support to clients from different families, and in their use of CJG resources.

Box 3. A CJG coordinator's story about burnout and coping

Coordinator: *Unfortunately, I did burn out. I found it hard at the beginning to let go of everyone else's trauma. I was taking it home with me. After about three and a half, four years, I burnt out. I was sitting out the back [of the office], having a coffee with ATSILS and I just broke. So I took some time off and that's when we approached [a new staff member]. We asked her if she could fill in for me while I was recuperating.*

Evaluator: *How long did you have off?*

Coordinator: *A good few months. I came back part time. Just a couple of days a week.*

Evaluator: *What drew you back again?*

Coordinator: *I love the job and I love helping – every job I've done has always been in that process of helping people... I had a big talk to the elders and [the chairperson].*

Evaluator: *And since you've come back, do you feel like there's more places for you to debrief? Or more support now that [the CJG's] grown. Is there a difference?*

Coordinator: *Definitely. Because back then... I was down at [the office] on my own. I didn't have a lot of support in that sense. Completely different now.*

But I also changed my mindset. So I've learnt not to take things home. I leave it at work. Back then I was answering the phones 24 hours a day to clients and helping clients 24 hours a day. So personally I've put a stop to that. At 5 o'clock I turn my phone off now. I don't deal with clients on weekends at 3:00am. There's no more of that. I kind of put a stop to that because I've got [my own children]... I've just put a block there now. I guess I've just stopped that absorption.

I think just being able to stay back, debrief and let go of it before you leave work is a big thing... I definitely think that the support in the debriefing has been a lot stronger. When I started I was pretty much sitting there on my own, working in my car... so I didn't have anyone to debrief with, and you try to go through it yourself... So I guess that support has been a big difference... [And] just within myself, learning to let go.

At the locations where CJGs needed support to get back on track, IJOs from DJAG were seeking to work with the CJG staff and members to address these challenges. It is the opinion of the evaluation, however, that a more intensive level of capacity-building support is required for significantly challenged CJGs than is able to be delivered through existing DJAG staffing resources. The Phase 1 Annual Report suggested the need to boost the IJO network, with consideration for additional positions in locations closer to CJGs to enable more frequent visits and enhanced face-to-face support to CJGs. However, even with an expansion of the IJO

⁶⁴ See Figure 23 in the Phase 1 Annual Report.

network, the evaluation suggests that there should still be consideration of how additional third party support could be deployed to provide more intensive support to CJGs that are facing serious governance or service delivery problems. For example, a peak body or service provider engaged to deliver the evaluation's recommended CJG Capacity Development Program could be tasked with providing direct support to such CJGs, which might include dispute resolution, operational planning, improving policies and procedures, training, mentoring, staff performance management, or providing short-term project staff to undertake business improvement activities. This support could be delivered through a small roving team of CJG support people, which might include experienced, former CJG coordinators. Alternatively, a panel of contractors with relevant expertise could be drawn upon to provide assistance on a case by case basis.

5.3.2 Systems

The Phase 1 Annual Report noted that the complexity of CJG business had increased in recent years with the expanded funding and therefore, additional staff and programs to be managed. Systems that were previously adequate for a service based on one coordinator, volunteer Elders and a budget of about \$100,000 per year will not be adequate for an expanded service that might, for example, employ three to four staff, manage \$340,000 per year⁶⁵ and deliver a range of activities such as court support, men's and women's groups, youth camps and prevention programs.

In the Local Evaluations conducted with 16 CJGs to date, the evaluation has found a broad spectrum in the levels of business system sophistication. A recurring theme in relation to some of the CJGs that are operating smoothly is that they have benefited from being auspiced by longstanding, well-organised Indigenous or non-Indigenous NGOs⁶⁶ – for example, the CJGs at Mackay, Rockhampton, Goondiwindi, Doomadgee, Mount Isa, Mossman and Bayside. These CJGs have the advantage of accessing established business systems, financial management arrangements and policies and procedure frameworks. The other advantage is that the CJG staff of these organisations seem to spend less time on administration and corporate governance, leaving them more time to dedicate to community-facing CJG activities.

In contrast, independently incorporated CJGs need to establish their own full suite of business systems, and are more reliant on third party business services, such as accounting firms. This is more difficult, but minimum standards of organisational management can still be achieved by independently incorporated CJGs. While the evaluation has not comprehensively reviewed CJGs' organisational management standards, no stakeholders raised concerns about the business systems in the majority of the five independently incorporated CJGs visited to date.

Internal reports by the Department's IJOs indicate that a perennial difficulty for many CJGs is meeting the data collection and reporting requirements in their service agreements. IJOs spend considerable time working with CJGs to improve their data collection and chasing up late reports.

Improving business systems is an area where the evaluation's recommended Capacity Development Program could significantly assist independently incorporated CJGs. The Program could identify optimal business systems currently used by some larger CJG organisations, and assist other CJGs to adopt leading practice approaches. For example, the evaluation has been told of some CJGs using innovative software and apps to improve a range of business functions, from human resources and project planning to data collection.⁶⁷ Sharing of these good practices could assist CJGs across the board.

⁶⁵ Approximate funding for a discrete community CJG that is funded for not only court support but also a community-specific activity and a DFV enhancement project.

⁶⁶ The evaluation has not yet evaluated any of the three CJGs auspiced by Indigenous councils.

⁶⁷ For example, Mount Isa Murri Court uses the EmploymentHero platform of its auspicing organisation to manage staff HR and policies and procedures.

5.4 Governance

Governance is relevant at two levels for CJGs. At the corporate level, many CJGs are now independently incorporated, so good organisational governance is an important ingredient for the success of their CJG service. They require a well-functioning board accountable to a broader membership. For CJGs that are auspiced by another organisation, corporate governance is looked after by the auspicing body.

The second governance dimension is governance of the CJG itself, which relates to decision-making and strategic guidance by the group of elders and respected persons that comprise the CJG and carry out the group's activities, whether attending Murri Court or Magistrates Court, or delivering prevention programs or other community activities.

5.4.1 Corporate governance

As indicated in Figure 12, there are currently 16 CJGs that are independently incorporated (40% of the total),⁶⁸ 16 groups auspiced by an Indigenous organisation (40%), and 8 groups auspiced by a non-Indigenous organisation (20%). The evaluation notes that the second priority reform in the Queensland Government's Closing the Gap Implementation Plan is to build the Aboriginal and Torres Strait Islander community-controlled sector.⁶⁹ The target is to "Increase the amount of government funding for Aboriginal and Torres Strait Islander programs and services going through Aboriginal and Torres Strait Islander community-controlled organisations." The evaluation urges DJAG to explore options for all CJG grants to be funded through Indigenous community-controlled organisations, rather than non-Indigenous NGOs and businesses. This will maximise the proportion of the CJG funding applied to Indigenous employment and building Indigenous organisational capacity. It will also maximise the funding that is applied to direct service delivery rather than management fees and project services procured from non-Indigenous businesses.

Several CJGs are actively seeking independent incorporation. Of the five incorporated CJGs with whom the evaluation team has conducted Local Evaluations to date, two appear to have stable organisational governance, while three were encountering governance instability or challenges that were having a major impact on the CJG's delivery.

Governance has been recognised by all stakeholders as a key training need for CJGs⁷⁰. DJAG developed a targeted governance training package for CJGs in 2017, but this has only been delivered in a few locations due to limitations of IJP's staffing.⁷¹ A CJG coordinator told the evaluation the training had been very helpful but the CJG was in need of a 'refresher'. Members of some CJGs had received training from the Office of the Registrar of Indigenous Corporations (ORIC), but stakeholders felt this was not offered often enough.

The issues at the CJGs with significant governance difficulties are unlikely to be resolved purely through governance training. The evaluation team's opinion is that some organisations will instead require intensive support to resolve conflict within the organisation and implement a range of governance improvement measures. The evaluation reiterates Recommendation 2 of the Phase 1 report, that DJAG develop a comprehensive CJG Capacity Development Program, to include not just training but other capacity-building strategies. The evaluation understands that, on a case-by-case basis, DJAG staff have spent considerable time at some CJG sites assisting with CJG governance issues. A Capacity Development Program that includes

⁶⁸ 11 of these are incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (regulated by the Office of the Registrar for Indigenous Corporations) and 5 are under the *Associations Incorporation Act 1991* (regulated by the Department of Justice and Attorney General).

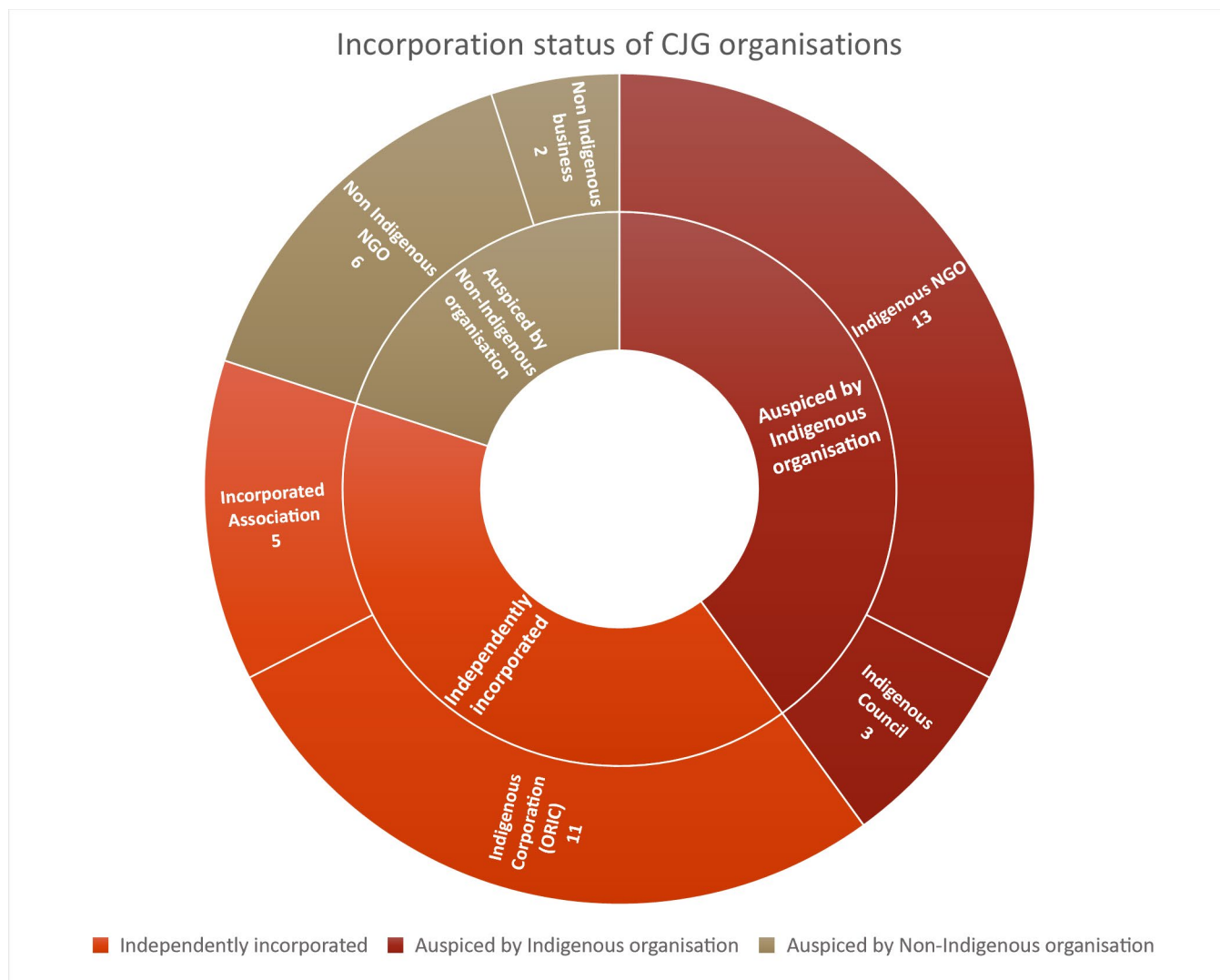
⁶⁹ Queensland Government, 2021. *Queensland's 2021 closing the gap implementation plan*, p.12.

⁷⁰ See Part 5.5 of the Phase 1 Annual Report.

⁷¹ Further delivery is a priority in future planning for the IJP Projects/Operations team.

governance development support delivered by a third party service provider to CJGs could relieve this burden on DJAG to be so actively involved in resolving frontline governance issues.

Figure 12. Incorporation status of CJGs



5.4.2 CJG Governance

While coordinators and other staff play a key role, the backbone of CJGs is the Elders and respected persons who make up the members of the group. These are the people who provide cultural guidance within their communities and within the justice system, including through their work in Murri Courts and cultural submissions to other courts. They underpin the 'cultural governance' of CJGs.

In Phase 1, a high number of stakeholders raised the concern that many CJG members are ageing and tired and there are too few people coming through to replace them. Issues highlighted in the Phase 1 report were the desire of many CJGs to enlist more male members, more younger members, and in some CJGs, a wider cross-section of families. Challenges were how to ensure new members are of good standing and how to manage internal conflict between members. The evaluation recommended that DJAG develop a strategy to assist CJGs with their membership challenges, which could be part of the recommended CJG Capacity Development Program (Recommendation 8).

In Phase 2, the question of succession for CJG members was again a very strong theme in almost all sites where Local Evaluations were conducted. Many CJGs and Murri Courts seem to operate with a very small

number of active members, often less than five. Some CJGs have taken steps to recruit more members. Examples of approaches taken by CJGs included initiating membership drives, advertising for members or using CJG or Murri Court stakeholder meetings to identify Indigenous community members who could be approached to join the CJG. Two CJGs have discussed the option of recruiting younger members (in their 30s, 40s and 50s) and having them guided by Elders in an advisory capacity – this was seen as a solution to younger people not necessarily having sufficient cultural authority.

The need for more male CJG members again emerged strongly in the interviews for the Local Evaluations in Phase 2. A number of stakeholders felt that CJGs would be more effective if they engaged men who could be influential role models for young offenders, who are mostly male and are perceived to be less likely to heed advice from female Elders. A Magistrate suggested that Indigenous men in settled jobs, with a house, a car and their own families would be very helpful to the children's court in dealing with Indigenous youth who appear repeatedly: *"none of the [young people] have any concept of that being a pathway"*. The Murri Court Elders Group in Mackay have recruited a younger male member to assist them in the Murri Court and in their night patrols where they engage with young people at the local shopping centre.

Another suggestion is that where appropriate reformed offenders could be recruited as CJG members, to mentor young people. While these individuals might not be suitable to provide advice in courts, they could be involved in CJG programs such as men's groups and youth camps. A justice system stakeholder commented on the positive difference he had seen in male offenders in a community where a men's program was being led by local men with real world experience. Engaging former offenders poses issues for CJGs, such as questions around good standing of CJG members and suitability for working with young people. However, many CJG staff and members told the evaluation that criminal histories and Blue Card checks are unnecessarily limiting their ability to engage community members who they believe could be very effective. Elders from one remote community were proposing their own form of suitability check based on Elders' assessments of an individual.

As in Phase 1, common issues raised in Phase 2 about recruitment of members focussed on the need for good processes to maintain cultural integrity, achieving a balance of different families, but also avoiding bringing additional conflict into the CJG.

A related theme from the Local Evaluations is the challenge for CJGs not only in recruiting new members, but also in engaging their current members regularly in CJG business. In Normanton, the CJG staff had been successful in increasing Elder involvement in the CJG by running regular bingo nights. As well as providing a social and recreational opportunity for Elders, these nights were a chance to engage them in discussing CJG plans and activities. In some locations, however, the Local Evaluations found that the work of the CJG is overwhelmingly performed by the staff, with Elders and other members playing a minimal role. Reasons for this varied, such as the advanced age of the Elders (and the absence of younger members taking up the mantle), conflict within the membership, or issues around remuneration of members.

The findings during Phase 2 reinforce the importance of prioritising, within the CJG Capacity Development Program (recommendation 1 of the Phase 1 Annual Report), targeted measures to assist CJGs with recruitment and engagement of members.⁷² This could include developing training, toolkits or resources to assist CJGs with member engagement.

To improve CJG governance, capacity-building support should also include strategies, policies and procedures and training around the appropriate roles and responsibilities of CJG members. In two of the CJG Local

⁷² There is considerable experience and resources in the not-for-profit sector on how to engage the community (e.g. directors and volunteers) in NGOs, which could be adapted to the needs of CJGs. For example, see www.ourcommunity.com

Evaluation sites, the work of CJG coordinators was being significantly affected by expectations from members.⁷³

Regardless of the practical challenges around CJG governance, an evident strength of the CJG Program is its role as a vehicle for harnessing and amplifying the voice of Elders in their own communities and in the broader community and government domain. For example, Elders involved in CJGs in the south-east Queensland region came together recently in a ‘First Nations Elders Alliance’ to advocate for Indigenous people’s perspectives in relation to youth detention and raising the age of criminal responsibility. A CJG elder explained how CJGs have given Elders a voice through successive generations:

“We’re echoing all those voices that have been left unheard for so long. I hate it when government makes a commitment to change things but one or two generations later nothing has changed. The only thing that has changed is they are more devious about how to make us think it has changed. I used to wonder why elders cry so much, but as I get older I now understand. An old man was crying and asked me ‘did I fight the good fight?’. And I said, ‘No, you are still fighting it, even though you are sick.’ That’s why we’ve got to keep doing what we are doing, to keep the legacies of our people alive. Out of respect and honour. And that’s what you’ll find in all the justice groups” (CJG Elder)

5.5 Training and capacity-building

The Phase 1 Annual Report (Part 3.7) summarised the current training and capacity-building activities accessed by CJGs. DJAG is the main provider of training to CJGs, through the IJO network and the Principal Training Officers. The most commonly delivered training by DJAG is the Operations of Court and Murri Court training (which is mandatory for CJG members and staff). Other training sessions delivered by DJAG staff are an introduction to Domestic and Family Violence and a session on service agreements. CJGs also access training from a wide range of other providers on a free or paid basis, including both on-line and in-person.

In Part 5.5 of the Phase 1 Annual Report, the evaluation reported on the consistent feedback from stakeholders and CJGs that there was still a high level of unmet training and capacity-building needs for CJGs. A training needs survey revealed that CJGs consider DFV, mediation and governance as the top three areas of training need, but also expressed a need for training in a wide range of other topics including criminal justice system issues (for example, court processes), program management issues (for example, Service Agreements, reporting and financials), and broader social issues (for example, mental health, trauma, Indigenous healing and suicide prevention).

In 2021/2022, DJAG delivered 367 training sessions including 861 attendees, incorporating modules on the Murri Court and Operations of Court. CJGs participated in 129 external training sessions which included topics such as mental health, grant writing, financials, governance, Justice of the Peace and vicarious trauma.

The data collected in Phase 2 has reinforced the evaluation’s overall finding that, notwithstanding DJAG’s substantial efforts to assist CJGs, there is a very high level of unmet need for training and other forms of capacity-building support (for example, development of policies, procedures and systems and coaching and mentoring of staff). This need appears less acute in relation to court-related functions of CJGs, where IJOs offer regular training to CJGs, although even this need can be challenging to keep up with when there is a high turnover of CJG staff and members. As per the DJAG training needs survey conducted in 2021, the most

⁷³ For example, in one community, members were present in the CJG office every day making repeated small requests of the coordinator, rendering her unable to perform her other duties. At another CJG, the coordinator was clearly exasperated: “As a coordinator, I really, really struggle too because I have to deal with 25 different personalities and trying to keep them all [happy] and accommodate what their needs and ways... And it’s kind of like: ‘I’m exhausted, I can’t do this anymore.’ And I’ve been saying that for a while to the funding body as well as the auspicing in body. I do need help with the members.”

acute gaps that CJGs raised during interviews in 2022 relate to governance and administration, mediation and conflict resolution, and client-related issues such as DFV, mental health and trauma. Naturally, different CJGs have different needs in relation to training depending on their strengths and weaknesses. The need for training and capacity-building in governance and administration was raised most frequently by stakeholders in two sites that are facing governance and service delivery difficulties. On the other hand, CJGs that have sound organisational governance were more likely to raise training needs related to community issues they are seeking to tackle, such as DFV or trauma. For example, CJG coordinator told the evaluator:

“The DJAG legal [training] is fine, but we really need training to deal with trauma and psychology, because that is people’s issues.” (CJG coordinator)

The evaluation does not suggest that DJAG’s IJP team should be responsible for meeting all the training needs of CJGs. IJP staff have most expertise around the functions of the court and the requirements around Service Agreements and performance reporting and it is appropriate that the Department prioritises these areas in its own training delivery. CJGs have flexibility to access and pay for training from additional sources themselves, and the evaluation also understands they may seek approval to use surpluses for this purpose. Further, CJGs may leverage partnerships with local specialist service providers to seek training in particular areas – for example, QCS training staff have provided train-the-trainer sessions to CJG staff in some locations to deliver interventions with offenders. In other places, CJGs have accessed mental health training from specialist providers.

To date, however, CJGs have only been able to organise their own training intermittently. In the activity mapping, for example, CJG staff and members estimated they had spent an average of 4% of their time in the past month accessing training or capacity-building activities, which represents 6 hours a month (see Figure 7 in Part 4.4).

The evaluation does not have extensive data about the reasons CJGs are not currently accessing training and capacity-building support to a greater extent, but from interviews with CJGs, the following factors seem to be at play: (a) cost,⁷⁴ (b) availability of training locally, and (c) the difficulty of taking time off for training due to heavy workload and constant client demands. IJP has found that other factors that affect training delivery are COVID restrictions, sorry business and non-attendance at scheduled sessions.

In light of the expressed level of training and capacity need, and the fact that CJGs are in a phase of expanding their activities into new areas (including but not limited to DFV), the evaluation considers that the current level of training accessed is not sufficient to meet CJGs’ development needs, particularly in the short- to medium-term. The evaluation’s view is that there would be advantages in dedicating separate resourcing of a program-wide CJG Capacity Development Program for CJGs to access. This would help address the current barriers for CJGs accessing training, by ensuring dedicated funding is available to cover both costs of training and travel to attend training, in a separate stream that will not affect CJGs’ other funded activities. Training delivery costs could be reduced by organising training for several CJGs in regional clusters.⁷⁵ Specific resourcing of training might encourage CJG staff and members to take time off to attend. A program-wide Capacity Development Program could broker support from other agencies to deliver specialist training to CJGs in priority areas such as trauma-informed care, mental health or mediation. Brokering these arrangements collectively would avoid the need for each CJG to try to arrange its own training. It may be time-consuming for a CJG to research and procure the relevant training for its needs. Rather than each CJG accessing training and development on an ad hoc basis, a separate CJG Capacity Development Program could provide structured opportunities, such as an annual calendar of training available regionally or Statewide.

⁷⁴ CJG staff in several locations told the evaluation they only accessed free online training.

⁷⁵ For example, the Thursday Island and NPA CJGs attended joint governance training.

The Phase 1 Annual Report (Part 5.5.4) canvassed a few options that had been raised by stakeholders to address the training and capacity-building needs of CJGs:

- Funding a new peak body for CJGs to develop resources and deliver training and capacity building, as well as research and advocacy on issues of common concern to CJGs
- Funding an existing service provider as a secretariat for CJGs, to develop resources and deliver training and capacity-building, but without an advocacy or peak representation role
- Setting aside a pool of funds for CJG training and appointing a panel of preferred suppliers for different types of training, creating a user-choice model whereby CJGs could choose a provider and apply for DJAG to organise and pay for the training.

The evaluation did not specifically recommend any of these approaches. The recommendation was for DJAG to develop a comprehensive new CJG Capacity Development Program, following consultation with CJGs about options such as these (Recommendation 1).

The 2022 stakeholder surveys administered by DJAG in August 2022 asked government and NGO stakeholders for their views on the best way to develop the capacity of CJGs. Stakeholders expressed support for all of the options above.⁷⁶ When asked the best approach to make this work, several stakeholders suggested that CJGs themselves should be consulted about this.⁷⁷ The evaluation agrees that it should be a priority to engage with CJGs about the best model for a CJG Capacity Development Program.⁷⁸ The evaluation reiterates its recommendation from Phase 1 that this would be a topic worth exploring at a CJG forum.

In the responses from the government and NGO stakeholders about the best way to build CJG capacity, the main themes were:

- The need for not just training but hands-on capacity building support⁷⁹
- The need for DJAG to provide more intensive support to CJGs⁸⁰
- The potential for CJGs to share best practice more and to do training together⁸¹

In summary, data collected in Phase 2 has strongly reinforced the evaluation's conclusions in Phase 1 that there is an urgent priority to address the high levels of unmet need for training and capacity-building for CJGs. Regular training and capacity-building is a foundational activity for CJGs that underpins their capability to deliver all their other outputs, from internal activities such as delivering good governance and an effective organisational platform, to external-facing activities such as their work in the justice system and their support for community members. The evaluation reiterates the key recommendation from Phase 1, which is that DJAG engage with CJGs to design and implement a comprehensive CJG Capacity Development Program that

⁷⁶ Several stakeholders felt they did not have enough information about the options to make a decision.

⁷⁷ For example: "CJGs themselves would have the best understanding of what is required to develop their capacity"; "Consultation with each group on what training would be beneficial given each CJG represents a different demographic"; "Genuine co-design with CJGs - involving CJGs to come up with own ideas that are funded appropriately"; "Talk to the CJG's in regards to what is required"; "ask the CJG what they need, each community will have a different need".

⁷⁸ The question in the non-CJG stakeholder survey seeking feedback about this was not included in the survey of CJGs.

⁷⁹ For example: "Training and supporting the implementation of that training at the coalface"; "funding be made available to CJG to work alongside each group to work with staff and their expected roles and community specific program".

⁸⁰ For example: "More Visits and capacity building by the funding body"; "unsure - maybe more regular involvement from DJAG?"; "DJAG needs to provide more intensive support to each CJG to achieve their aspirations."

⁸¹ For example: "cluster funding to CJG's to build their connections with each other and support each other to grow and improve in service delivery and build each other's capacity"

will meet the priority training and capacity-building needs of CJGs for the current growth phase of the CJG Program and beyond (Recommendation 1).

6 OUTPUT – PREVENTION, EDUCATION AND AWARENESS

6.1 Importance of this output

This output relates to CJG activities that are targeted at community members who are not currently in the criminal justice system, and are intended to provide those people with opportunities, guidance, education or awareness that will prevent them coming into contact with the justice system. The *Framework for Stronger CJGs* describes this output as “activities that aim to prevent Aboriginal and/or Torres Strait Islander people from coming into contact with the justice system such as men’s and women’s groups, education programs in schools, healing programs, sporting activities and Blue Card applications.”

As described in Part 4.1, this is referred to by criminologists as ‘primary prevention’. Such activities target underlying causes of offending, as they affect broad sections of the community, rather than focusing on individuals – for example:

- facilitating education, training and employment opportunities that will provide people with alternative pathways to offending
- addressing alcohol and substance abuse in the community through education, awareness and prevention
- educating young people and promoting community awareness about healthy relationships, DFV, sexual offending, etc
- delivering activities that build self-esteem, confidence and a sense of belonging
- delivering activities that strengthen culture and connection to community
- delivering programs that aim to heal trauma in individuals and families
- supporting people with sorry business, dealing with grief and loss
- supporting victims
- providing pro-social activities for youth and adults to address boredom and social disconnection that might otherwise lead to offending behaviour

Many of these activities are also targeted at individuals who are already in the justice system, where their aim is to prevent re-offending. For example, this might include supporting people on parole or community-based orders, or supporting prisoners in custody. These ‘tertiary prevention’ activities are discussed in relation to the criminal justice system outputs in Parts 5.3 (Within the court process), 5.4 (In custody or under supervision) and 5.5 (Transition to community).

CJGs have commonly been involved in supporting primary prevention activities delivered by other organisations in their communities (for example, participating in awareness campaigns), and many have long held aspirations to deliver more primary prevention activities themselves. They have been constrained by the limited resources that were historically available under the CJG program and the workload involved in supporting community members in the courts. At 2019 workshops to discuss the priorities for the increased CJG funding starting in 2019-20, the most common priority expressed by CJGs was “a reduction in overall crime rates through focused efforts on prevention, followed by a reduction in recidivism.”⁸² This indicates CJGs’ aspiration to work at both ends of the prevention spectrum, working with community to prevent them coming in contact with the justice system (primary prevention), and working with offenders to prevent

⁸² KPMG. (2020). *Community Justice Group Consultations: Community Justice Group Service Delivery Blueprint*, p.19.

recidivism (tertiary prevention). Prevention programs targeting youth were seen as particularly important, including mentoring, capability development and 'connection to country' programs.

There are good reasons why CJGs are seeing young people as the priority for their crime prevention efforts. At the 52 court locations where CJGs are operating across Queensland, 44% of Indigenous offenders were 25 or under, and 20% were under 18.⁸³ This compares to only 9% of non-Indigenous offenders who were under 18.

6.2 Phase 1 findings

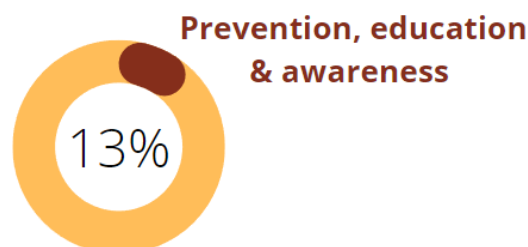
The Phase 1 Annual Report (in Part 4.8) noted that there was considerable variation across CJGs as to how much of their time and resources are spent at the primary prevention end of the criminal justice continuum. It was clear that many CJGs were using their expanded resourcing to fund previously unfunded prevention activities or initiate new prevention programs or activities. Some of the CJG activities being delivered in the prevention space included:

- School visits to educate children about issues linked to offending
- Youth development programs (for example, after school programs)
- On-country cultural camps / diversionary activities
- Sport and recreation programs (for example, boxing)
- Self-esteem building activities (for example, Mr and Mrs NAIDOC ball)
- Elders mentoring activities
- Men's Groups, Women's Groups and yarning circles
- Training and employment support
- Alcohol and substance abuse programs

6.3 Current level of CJG output in prevention

As noted in Part 4.4, the activity mapping conducted by the evaluation team at 12 CJG sites in Phases 1 and 2 found that CJG staff are spending an estimated 13% of their time on 'prevention, education and awareness'. Most CJGs spent in the range of 5-21% of their time on prevention activities, with one CJG spending 46% of its time on this. Similarly, where the CJG members (Elders and respected persons) completed the activity mapping, the results showed they spent an average of 13% of their time on prevention, with the range being 5-20%. The average for both staff and members across these CJGs is therefore about 5-6 hours per week on primary prevention.

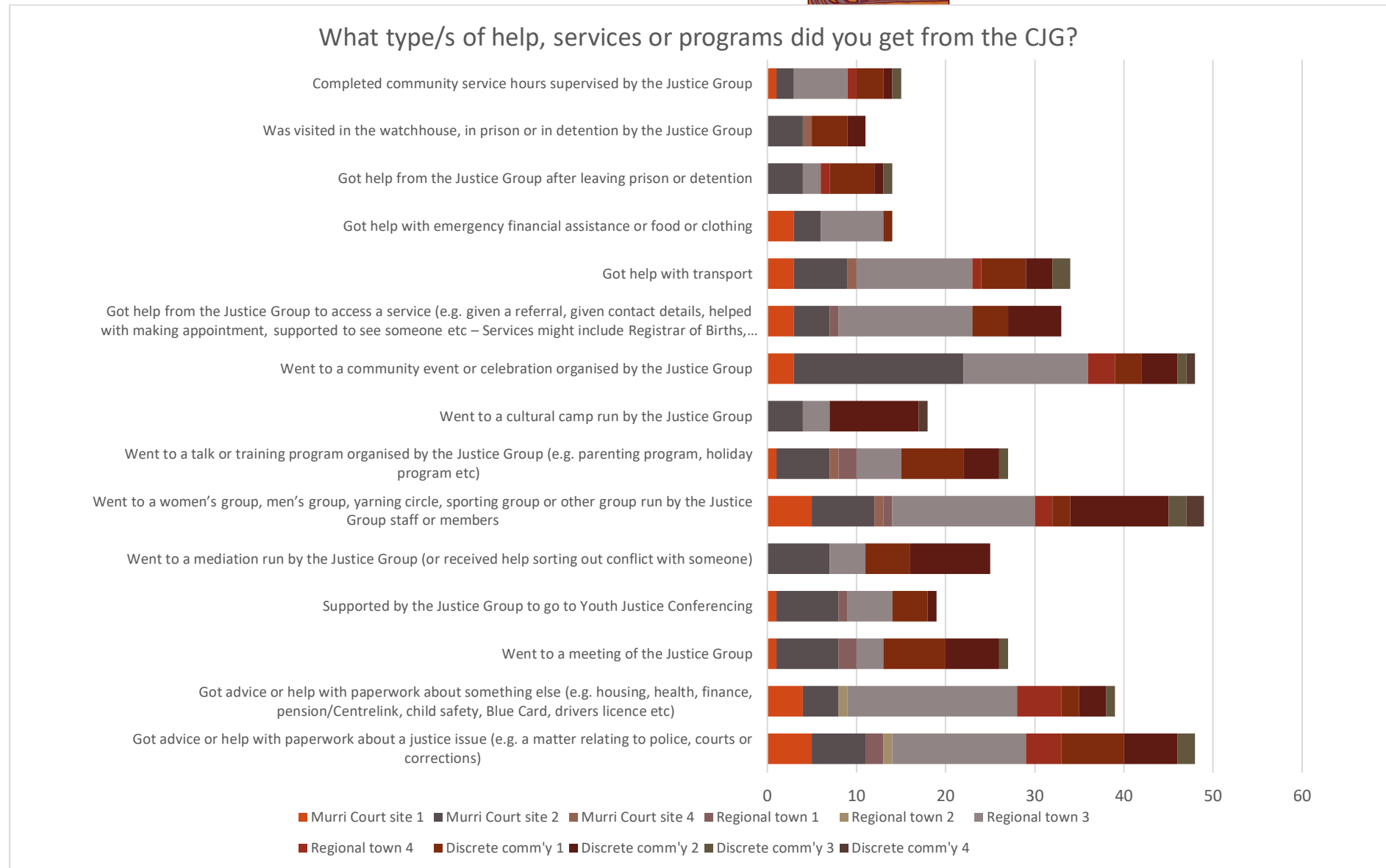
Figure 13. Proportion of CJG time spent on primary prevention activities



One indication of the current range of prevention activities delivered by CJGs is the responses to the community surveys, which asked community members about CJG activities they had participated in.

⁸³ See graphs in Appendix 1.

Figure 14. CJG Community Surveys, 2021 and 2022



The numbers of responses are set out in Figure 14.⁸⁴ Well-attended CJG activities that might contribute to primary prevention include:

- Went to a community event or celebration organised by the Justice Group
- Went to a women's group, men's group, yarning circle, sporting group or other group run by the Justice Group staff or members (highest number of responses)
- Went to a cultural camp run by the Justice Group

Many of the other forms of assistance provided to community members listed in the survey may also have a preventive effect, although they are largely not primary prevention activities targeting a specific cause of offending, so they are discussed under later output areas in this report.

Respondents were also asked how many times they had received help from the CJG or participated in a CJG activity in the past two years. At the 11 sites, an average of 25% of people had more than 5 contacts in the past two years, while another 27% had 2-5 contacts. The surveys reinforce the qualitative evidence about how active many CJGs are in their communities, with many different points of engagement with community members across a wide range of CJG activities.

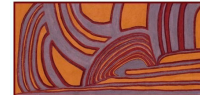
6.4 Enhancement to pre-existing CJG prevention programs

The evaluation's additional visits to CJGs in Phase 2 have created a better picture of CJGs' activities in the area of crime prevention. Two of the most well-developed prevention programs are Thursday Island Justice Group's Zenadth Kes Boxing Club and Wujal Wujal Justice Group's on-country camps. These are both good examples of primary prevention programs that were initiated by CJGs some years ago on an unfunded basis, but are now more sustainably resourced as a result of the additional funding for the CJG program. Each initiative is profiled in Boxes 4 and 5.

The common factors in the stories of the successful development of these initiatives are as follows:

- they were initiated by the CJG in response to a perceived gap in existing responses to the needs of young people
- their success was underpinned by highly motivated volunteer members of the respective communities, who put their own time and sometimes money into the enterprises for a period of years until they became funded
- because they were not externally funded, the delivery models for the programs were shaped entirely by the CJGs' own ideas and priorities and not by the requirements of funding guidelines or the goals of funding agencies
- the initiatives involved the CJG entering partnerships with other organisations, who were enabling and empowering rather than seeking to impose their own directions on the initiatives (Torres Health in the case of the boxing club, and a private philanthropist in the case of the Wujal Wujal on-country camps)
- both initiatives were embraced by the community, with high levels of participation by community members
- the initiatives were sustained because the success and community buy-in of the initiatives led to more community workers committing to building their skills and experience to deliver the programs and offering support for the original champions of the initiatives.

⁸⁴ In interpreting this data, it should be noted that the number of surveys collected at sites ranged from 7 to 52, with most communities having between 15 and 30. A low count for a site should not therefore be interpreted as a low level of activity by the CJG – it may simply be a small sample size.



The evolution of the Thursday Island boxing club and Wujal Wujal on-country program provides a blueprint for successful development of other prevention initiatives by CJGs. The above factors may be seen as key ingredients for such initiatives, although CJGs will hope that flexible sources of funding may become more readily available to initiate these projects rather than having to volunteer their own time and resources in the early stages. An important lesson is that success takes time, especially to build up the team of local workers with the skills and passion to sustain the initiative until it is a 'business as usual' activity. There is a risk that such programs will be set up as pilot initiatives with funding of insufficient length to embed the program sustainably within a CJGs' operations.

Box 4. Wujal Wujal CJG's Healing on Country Program

In 2015, the Wujal Wujal CJG was funded only for a coordinator position to work with the volunteer Elders to provide court support. The group was frustrated with the lack of resources to work with people in the prevention space so it started applying for grants. As a staff member recalled, "The Elders were basically just on that merry go round of like helping people go to court and, you know, telling the magistrate what's going on, but not really having the resources to do much about it." What the CJG really wanted to do was "take people out on country and go camping and do counselling out there in the bush with the Elders and all that good stuff." After several unsuccessful grant applications, the group received a small donation from a philanthropist organisation, which enabled hire of a vehicle and very limited staff wages to start the program. The group borrowed camping equipment from the Council and used a lot of their own resources and locals volunteered to run the camps. Participants included men on Probation and Parole orders, but the program was open to anyone that wanted to join in the activities.

In 2016, the CJG attracted funding from the Australian Government to continue these camps. The CJG discovered that the highest need was with children, especially young boys, starting from upper primary school age, right through to high school. As a staff member recalls:

"We started noticing, with the males, a lot of our time was getting taken up by helping young boys and men. Often with young fellas, from 11, 12 years of age, it starts to sort of go off the rails a bit. And then by the time they're adults – it's not too late, it's never too late – but it's like if you catch them when they just start going off the rails, you can veer them back a bit easier. You know, like take them out camping. We did that a few times where we took some young boys that were getting in trouble and took them on a men's camp, with Elders and their uncles. And then they really got shown love, but they also got talked to and told: 'Stop doing this bullshit. And come to these things instead of like trying to break in or break stuff.' And so what ended up happening is a lot of the time we were working with kids, which was fine because the funding was just to cover the whole community."

Through this work, the CJG was able to attract support for a targeted youth program, to complement the adults program.

The CJG faced some scepticism as to why the government should be funding camps on country to go fishing. However, the CJG was able to demonstrate that the camps were involving high numbers of participants who were on probation or parole orders, and men who were involved in DFV who other services were unable to engage. The women's and men's groups and the camps on country were providing a space for the CJG's counsellors and Elders to work with them in a culturally appropriate way, so the clients felt comfortable to open up about their problems.

In 2017, the CJG was included in the DFVE program and received funding for its Men's Group and its Women's Group and to continue its Healing on Country Program. Funding support for the CJG's programs was expanded with the CJG funding enhancement from 2019.

A feature of the Healing on Country program has been the level of community participation and ownership. The funding has enabled community members to be employed to assist with the camps. At first the camps were instigated by the CJG staff, but over time Elders themselves started coming forward and asking the CJG to organise a camp at a particular location where they wanted to show their young people how to dig for a particular food or resource. "So it's led by the community, which is how it should be."

Box 5. Zenadth Kes Boxing Club, Thursday Island



Zenadth Kes Boxing Club was established in 2017 by volunteers from the Thursday Island Justice Group. For a period of years, it was run by volunteers with the help of fundraising and local community sponsorship. The Club quickly attracted and has maintained a strong degree of community participation from young people and adults. The CJG coordinator reports that attendance at the club has been up 50-60 people a week for over 5 years. On Wednesdays, the Club runs public after school classes for children under 11 and youth over 12. On Tuesdays, classes are for high school students and on Fridays, the Club collaborates with police and the school to run the Blue Edge mentoring and fitness program. The Boxing Club also runs beach camps with its boxing squad in the lead up to tournaments on the mainland several times a year. The Club has benefited from local partnership with Torres Health, which provides the use of a shed facility for the gym and obtained funding for a boxing ring.

The CJG Coordinator and the CJG Youth Programs Officer and his partner are the driving forces behind the club. Starting as a volunteer, the Youth Programs Officer position is now able to be funded out of the enhanced CJG funding that was available from 2019. The Club and the associated youth camps are part of the CJG's Community Specific Activities supported by the funding enhancement in the triennial service agreement.

The CJG sees the boxing club as more than just filling a gap in regarding the lack of recreational opportunities for Thursday Island youth and adults. According to the programs officer, the main things are "self-confidence, respect and discipline." The CJG sees the Club as a crime prevention program, by capturing kids at primary school and giving them the life skills and discipline to follow educational and sporting pathways. Over 5 years, they have seen participants develop as individuals and graduate from school and go on to university, becoming role models for younger children.

The CJG Coordinator sees the club as part of its DFV prevention work too: "It's a good blueprint for what kids should be experiencing in their own house. Sometimes they don't have that structure, so they get it from the club. That's why it's a safe place. That's where I could justify it in the domestic and family violence space – even though we don't pull up a big whiteboard to try and ask the kids about domestic and family violence issues, they're still getting that knowledge of structure and discipline and respect of the club, and the opportunities and the growth."

A feature of the initiative is that it was a community-driven initiative that did not fit any government program guidelines but provides opportunities for holistic, wraparound support for individuals and their families:

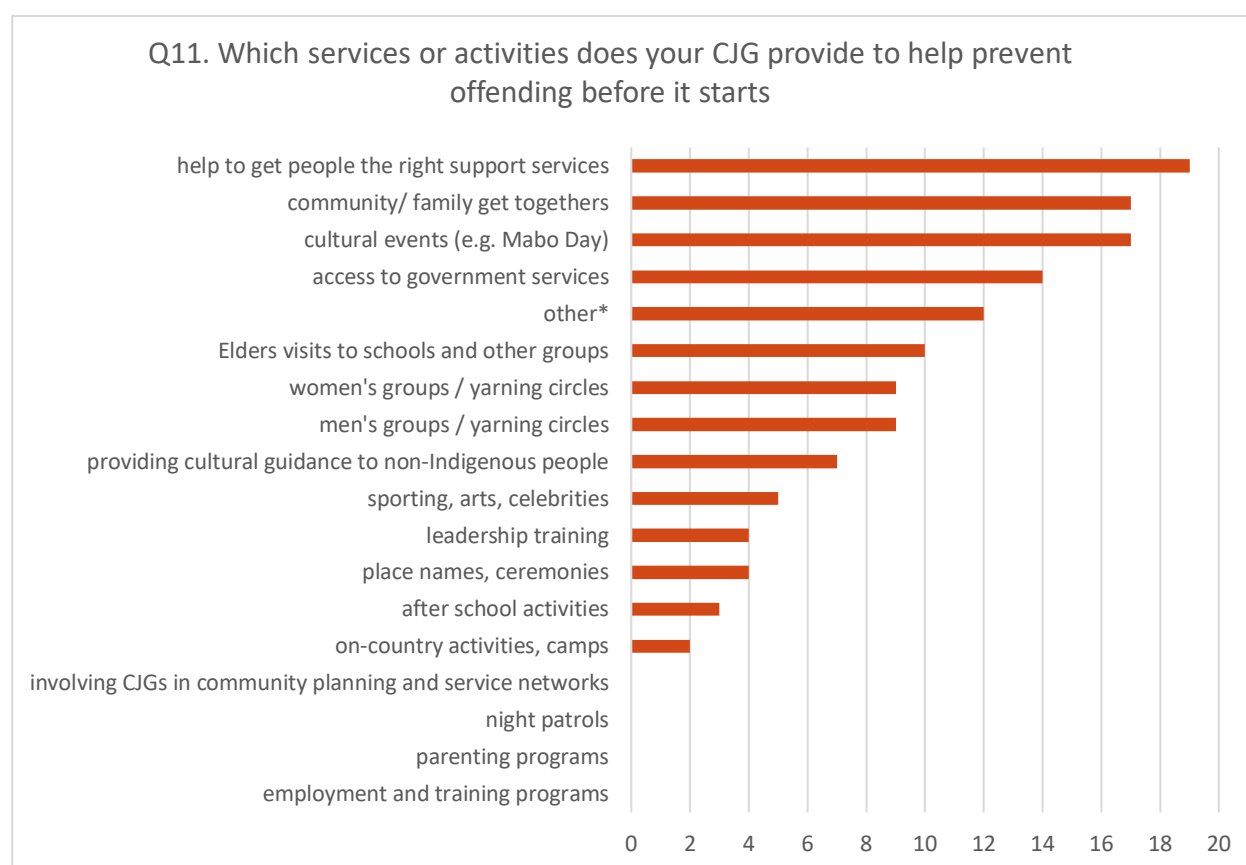
"Most organisations come to you with resources and how to do it, and blueprints to follow and boxes to tick to make it fit into that programme. This one is holistic and boxing is the tool that captures everything around it. It's not just a boxing club... Because the attention we give to one person, we give to the whole class. And it's that extra time after that - not just the kids, the family, the parents too, they get the positives out of it... If we didn't have this thing going, where would these children be?" (CJG coordinator)

6.5 New CJG prevention activities

As well as enabling CJGs to properly resource pre-existing prevention activities, the enhanced CJG funding of recent years has enabled many CJGs to initiate new prevention programs, in line with their vision expressed in the 2019 workshops. In the Statewide survey of CJGs in August 2022, CJGs indicated that they currently provide the services or activities listed in Figure 15 to 'help prevent offending before it starts'. The survey options of 'help to get people the right support services' and 'access to government services' may have some crime prevention impacts but are not targeted crime prevention activities and are dealt with in this report under Part 5.4, which deals with the court support output.

The survey results show that the five most common self-reported primary crime prevention activities are 'community/family get togethers', 'cultural events', 'Elders visits to schools and other groups', 'women's groups/yarning circles' and 'men's groups/yarning circles.'

Figure 15. Statewide CJG Survey, August 2022



* Other = Community service programs; offender transitional and reintegration support; individualised case work; and advocacy with government and non-government services; facilitation of engagement with support services; documentation assistance; cultural mediation; parental visitations; DFV activities; Reconciliation, Sorry Day support; youth events

The Local Evaluations conducted to date provide more detail about the types of primary prevention activities that CJGs are now providing. Table 5 summarises these.

Table 5. Examples of primary prevention activities by CJGs

| Type of prevention | Examples of CJG initiatives |
|---|--|
| Cultural events, awareness-raising events | <p>Raising awareness about LGBTQ issues during Domestic and Family Violence Awareness Day, to address an identified community need (Coen)</p> <p>Involvement in White Ribbon Day walk to raise DFV awareness (Mossman)</p> <p>In the Statewide Survey, 85% of CJGs responded that they are involved in cultural events and community/family get togethers as part of their CJG activities</p> |
| School visits and programs | <p>Inviting Centrelink and QPS in for talks with youth at Youth Intervention Sessions (Coen)</p> <p>Elders visiting the school to talk about Murri Court and avoiding offending (Mackay)</p> <p>Assisting school with mediation between students (Hope Vale, Tablelands)</p> |
| Youth leadership | <p>Partnership with a mainstream private school to host camps on country and send young community leaders to the partner school for a Youth Leadership Program (Wujal Wujal)</p> |
| Men's Groups | <p>Delivered or supported by CJG in Wujal Wujal, Hope Vale, Mossman, Tablelands, Mount Isa, Coen, Cherbourg, Doomadgee</p> |
| Women's Groups | <p>Delivered or supported by CJG in Wujal Wujal, Hope Vale, Mossman, Tablelands, Mount Isa, Coen, Goondiwindi</p> |
| Activities (sporting, arts, celebrities etc) | <p>Touch football competition (Coen, after hours)</p> <p>Zenadth Kes Boxing Club (Thursday Island)</p> <p>Using surplus funds to support children to travel to an athletics carnival (Normanton)</p> |
| On-country camps, activities | <p>Bringing Back Our Mob youth on-country camps program (Tablelands)</p> <p>Youth camps on nearby beaches (Thursday Island)</p> <p>Camps for adults and young people on properties near the community (Wujal Wujal)</p> <p>Camps and activities on a property and the beach near the community (Hope Vale)</p> |
| Night patrols | <p>Elders and CJG staff conducting walks around local shopping centre to talk to kids and assist Police Beat during late night shopping (Mackay)</p> <p>Night patrols on the town's streets to help young people (Cloncurry)</p> |
| Healing programs | <p>Grief and loss group, for people to process the trauma of losing loved ones (Doomadgee – see Box 7)</p> |
| Parenting support | <p>Working with women's shelter to supervise children for a couple of hours so that mothers can have some respite and undertake errands such as Centrelink, shopping, and housecleaning (Coen)</p> |
| Employment and career support | <p>Assisting men in the men's group with resumes and applying for jobs in nearby tourist centre (Mossman)</p> <p>Collaborating with an NGO so that male clients can be trained in traditional fire burning (Tablelands, Goondiwindi)</p> <p>Assisting men with training and career pathways into the Army (Wujal Wujal)</p> <p>Providing cultural awareness training to local businesses around recruiting Indigenous employees and placing 36 clients in jobs with local businesses (Goondiwindi)</p> |
| Drivers licensing | <p>Hosting a 'muster' of agencies that can assist with identification and issue of driver licences (NPA)</p> |

An example of an on-country program that has been expanded by a CJG with the aid of the new funding is Tablelands CJG's Bringing Our Mob Back program. This is profiled in Box 6.

Box 6. Bringing Our Mob Back on-country camps

Since 2019, Elders and staff from the Tablelands Community Justice Group have delivered on-country camps for youth from communities across the Atherton Tablelands. The Bringing Our Mob Back (BOMB) program targets youth involved already with Youth Justice (YJ) and youth who are at risk of offending.

The BOMB camps are intended to reduce youth offending. The idea emerged out of the CJG's frustrations that programs for youth were run during working hours, but offending tended to after hours, on weekends and during school holidays, often driven by boredom, lack of transport and lack of money.

The CJG describes the philosophy of the BOMB program as follows: "By taking youth back on country with Elder involvement, reinvesting in Indigenous cultural values, traditions and lores, we can teach our youth to respect our Elders, other people and each other." The CJG coordinator explains that the Elders are central to the BOMB Program's impact:

"The elders were key. And they've always been the key to changing these kids' minds and giving them that cultural perspective, as well as the lore and everything else that they don't have in their lives at the moment or in their homes."

The camps are delivered at various stations and properties around the region. The length of camp varies, from 5 days, a weekend, or a day trip. Local Traditional Owners are involved in some camps, teaching language, sharing cultural knowledge of local sites, and introducing the youth to bush foods and medicines. Activities include fishing and hunting and storytelling.

The BOMB camps were started by the CJG coordinator using her own vehicle and her own funds, with support from families. The camps are now funded as a Community Specific Activity under the CJG's Service Agreement with DJAG. However, the costs are not fully funded by the CJG program, so the CJG partners with a number of other organisations to share costs and equipment, including community health services, Youth Justice, Probation and Parole, and Mission Australia, which is funded by YJ to work with young offenders. In the past, the CJG has also attracted sponsorship for the camps – for example, from Suez Community Grants.

The CJG is exploring how to attract funding to deliver training at future camps. The CJG is also seeking a permanent base to host the camps on a regular basis.

Men's groups and women's groups, sometimes referred to as 'yarning circles', have significantly expanded as CJG-run activities in recent years. CJGs have established these groups for a range of reasons: as gender appropriate cultural interventions to provide cultural, educational and therapeutic guidance to community members, as support groups where Murri Court clients can be referred, or as interventions specifically for DFV perpetrators and victims as part of DFV Enhancement projects. Where a group's focus is working with offenders, they are primarily 'tertiary' prevention tools as they are targeting individuals who are already in the justice system. Some men's and women's groups may also have a primary prevention function where they aim to assist community members who are not currently in the justice system to stay out of the justice system. They do this by providing positive activities that divert people from alcohol or drugs or antisocial behaviours, providing education or awareness about issues that may lead to offending, and offering mentoring and peer support that builds individual resilience and strengthens communities.

To understand the role that men's and women's groups play, CJGs involved in the Local Evaluations were asked whether their men's or women's group was targeted at people within the justice system or whether it also included people who were not in the justice system (a primary prevention focus). This varied from location to location. At the Murri Court sites visited, the men's and women's groups run by CJGs were focused on rehabilitation and addressing recidivism by Murri Court clients. These groups are sometimes referred to as 'yarning circles', presumably reflecting that they are more focused on talking through issues

than engaging in social activities. Similarly, groups established by male or female DFV support workers under the DFV Enhancement project are likely to be focused on reducing DFV recidivism. The therapeutic value of these groups was highlighted by reports from some CJGs that participants who attended groups as a result of court orders sometimes continued to attend the group when they were no longer required to do so.

In some locations, men's groups or women's groups are run by organisations external to the CJG. These also range from having a community development focus (for example, delivering largely social activities and opportunities for education and awareness raising), or they may have a targeted therapeutic purpose (for example, the 'Walking with Dads' program, which has a focus on working with male DFV perpetrators as fathers). In these locations, the CJG may refer clients to the program or advocate for referrals by courts.

It may be difficult for a men's or women's group to perform both the functions of primary prevention and reducing offenders' recidivism (tertiary prevention). For this reason, one CJG took the approach of creating a separate yarning circle for DFV offenders in order to retain the prosocial, community-building nature of the men's group:

"[W]hen we got that DV funding, we said, 'well let's have a serious moment where we can talk about DV because it is a big issue in community like so many places... but that's not really appropriate, every Wednesday night [at the men's group] to be talking about DV because the men are just going to get sick of it.' Because there's a lot of men that don't have DV. They don't want to listen to it. So we made a specific yarning circle every Tuesday morning. That is when people that either have those kind of problems in their life or that get mandated from the court or Probation and Parole says they have to attend the program, they can come there... [Then] we still have a specific time and a place where the men come together for men's business, on the Wednesday night [at the men's group], which is more like a social thing – sometimes it gets pretty serious, like if there's issues in community or if people do want to talk about stuff, they can, but it's not forced on them, you know." (CJG staff member)

The evaluation does not have the data to permit comparison between the current level of CJG output in prevention-type activities and the level prior to the funding enhancements. However, the emergence of new programs such as BOMB, the establishment of many men's groups and women's groups, and the breadth of activity in Table 5 indicates that the funding is making a positive difference by enabling CJGs to expand their crime prevention outputs. Phase 3 of the evaluation will be an opportunity to collect data about the outcomes of these programs.

6.6 Risks and inhibiting factors for expanding prevention outputs

While the extra funding is allowing CJGs to expand their prevention activities, some CJGs and external stakeholders have raised concerns about whether the program's funding model could sustain this properly. It seems that the additional funding has not yet resolved the tension within the CJG program between focusing on primary prevention and focusing on assisting people within the criminal justice system.

For example, a staff member involved in delivering youth camps explained how difficult it was to deliver this prevention activity in addition to their core duties around assisting people in the courts.

"It's very tiring, you know. You go out and you could be gone for four days over the weekend, but you're still back at work the next day. So you're not stopping yet. You don't get a two day break in there, just because there's so much else to do." (CJG staff member)

This CJG is looking at how they can find another staff member to assist with delivering these camps, to make it more sustainable.

At another CJG, an Elder was concerned about the workload of staff delivering the core court services as well as the new diversionary activities. The Elder recalled that the staff had ‘burnt out’ trying to deliver the new activity.

“The Justice Group really got the core funding of \$200,000 per year for court, and then there is \$80,000 to do a community specific thing, [but] it's not really enough to run a big diversionary program. You can't expect the staff that are doing the core work to do that as well. And that's what unfortunately was happening. It's an additional thing, and towards the end of last year, it took people to the wall... because it's just a lot.” (CJG Elder)

While many CJGs raised this concern about whether their resources were sufficient to pursue some of their new initiatives, the evaluation notes that many CJGs are not fully expending their budgets. It is possible therefore that the issue is partly about the challenge in recruiting and retaining staff with the right skills (a problem in remote communities), or the CJGs’ administrative efficacy in maintaining staffing for its functions. As Part 5 discussed, CJGs are still building their expanded organisational foundations and will need considerable additional support in these areas.

In some locations, CJGs wished to highlight to the evaluation team that they were delivering crime prevention activities in their own time. The staff of a remote community CJG were delivering youth recreational activities after hours, because they could see the need for it to prevent crime, but they were conscious that their Service Agreement was focussed on justice system deliverables. One of the workers had helped young men set up a football team and was taking them to competitions in a nearby town: *“This came from the boys themselves, six to eight young fellas, 18 to 22 years old, got together and said they were sick of fighting, they were sick of drinking, doing the drugs and alcohol and all of that and they said, ‘let's just focus on something we can do positive’, and they came up with footy.”* He explained that he was helping even though it was outside his CJG-funded role:

“It's basically youth and stuff that I'm not funded to do... I focus solely on court clients – the older fellas who need social and emotional wellbeing support... But I do it anyway... [because] there's been no support here for two years for these young fellas.” (CJG worker)

This example illustrates that some CJG staff are prioritising youth crime prevention and diversion activities – sometime outside their funded deliverables – because it is a gap and they perceive that it could make a real difference in keeping people out of the justice system. For the evaluation, this begs the question whether CJGs’ funding agreements need to be recalibrated towards crime prevention activities that CJGs see as most impactful in reducing contact with the justice system, including youth. Repurposing surplus funding is one option providing the flexibility for CJGs to undertake such priority initiatives.

However, the tendency of CJGs to prioritise prevention activities that are gaps in the service system also begs the question of whether CJGs can sustainably fill systemic gaps. This will depend on the gap. In some cases, there may be no existing funding program or service that targets a gap that the CJG has identified as a priority. For example, some CJGs speak about the need for Elders to be teaching children in schools about lore and respectful relationships. This is not something that is funded by other agencies and the Elders of CJGs may in fact be best placed to deliver this form of primary prevention activity, because of their unique cultural knowledge and authority.

Almost half of the CJGs are registered by Queensland Corrective Services as community service sites for the supervision of people on community service orders. However, in most instances there have been no funds from QCS for the costs of supervision, insurance, equipment and materials. By default, CJGs redirect DJAG CJG program funds and/or work voluntarily which reduces the capacity of funded service deliverables.

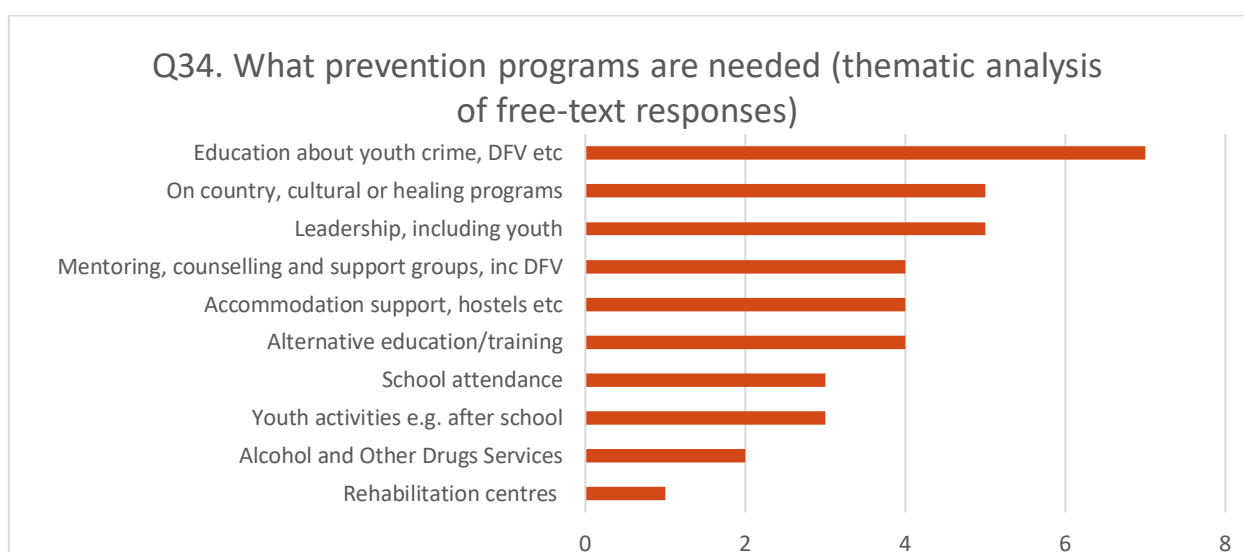
The issue of CJGs filling service gaps is discussed in Part 11. The vexed question of which outputs should be prioritised with the CJG Program funding is discussed further in Part 13, which follows the exploration of the full range of current CJG outputs.

Apart from questions of adequacy of resources and the increased workload on CJG staff, the other factor affecting CJGs' outputs in the area of crime prevention is the level of risk and duty of care in working with young people. CJGs will need further support in adopting strategies and policies to assess and manage risks, although as one government stakeholder noted, it will be a balance between having risk management in place and *"not losing the cultural aspect of it."* The evaluation understands that duty of care and safety and risk considerations are already a key part of DJAG's governance support for CJGs. Funding agreements prompt CJGs to develop and provide policies and insurances relative to activities, and IJO support visits help CJGs to develop those frameworks. The evaluation's recommended CJG Capacity Development Program would have a key role in providing further support to CJGs with the training, systems and policy frameworks to successfully deliver primary prevention activities that they wish to pursue.

6.7 Priority CJG prevention activities for the future

In DJAG's Statewide survey for Phase 2 of the evaluation, NGO and government stakeholders were asked what additional prevention programs are needed in communities where CJGs are located. A thematic analysis by the evaluation of the free text responses (see Figure 16) indicated that the three areas most often mentioned related to education and awareness about youth crime and DFV, on-country/cultural/healing programs, and leadership programs (including youth). Like CJGs, stakeholders see benefits in primary prevention programs that target youth. It should not be assumed that stakeholders thought that CJGs should deliver these activities, just that they were needed in communities where CJGs were in existence.

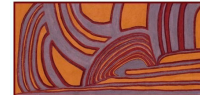
Figure 16. Statewide Stakeholder Survey (Government and NGOs), 2022



From the interviews with CJG staff and members during the Local Evaluations, a number of strong themes emerged about perceived gaps in prevention programs and activities. These are described below.

Youth drop-in centres

The need for a dedicated facility for Indigenous youth in the community was raised by stakeholders and CJGs in several locations. A youth drop-in centre has been a priority for the Wujal Wujal CJG. The Tablelands CJG has also identified the need for a house or facility where the CJG can work with young people and their families. PCYCs are not considered to meet this need, as they are focused on sport and recreation programs, and are not 'cultural spaces' where youth can feel comfortable and be mentored by Elders or community youth workers. The Thursday Island CJG has also discussed opening the CJG office at night and having a security service to supervise it so it could be a safe space for youth to go. In interviews, CJGs in locations across the State repeatedly expressed frustration that there are either too few services addressing the needs



of youth, or these services are only operating during business hours, yet Indigenous youth are most vulnerable and most likely to offend after hours.

While there are agencies and organisations specifically funded to work with youth, many CJGs see that they could play a more impactful role in this space. They emphasise that they are uniquely positioned to harness the skills and wisdom of Elders to provide cultural guidance to young people⁸⁵, and provide more holistic support to families through their local community and service networks.

Healing centres

Another primary prevention idea regularly raised in the Local Evaluations was healing centres. Conceptions of what a healing centre might look like differ – for some CJGs, a healing centre may simply be a camp facility where they can run on-country programs. For others, it is an urban facility with trained counsellors working with groups and individuals. Whatever form of healing ‘centre’ is envisaged, at their heart is the belief that the issue that is the cause of much offending behaviour is unresolved trauma. As an Elder explained:

“A lot of our people hurt and they don't even know it. The one thing, if I go to my grave with something that I've not been able to get the government to acknowledge, it's the compounded trauma. Your great grandmother, your grandmother, your mother, your great grandfather and all those generations have had unresolved trauma. And you don't know it. But you inherit some of it. It affects your health. And then before you know it, you're sitting there as an Aboriginal person, you're taking on your own sense of trauma, but you don't realise that you've got unresolved trauma. So it's like a melting pot, and sooner or later it explodes, and that's what people need to be looking at.”
(CJG Elder)

A lawyer who has spent 30 years working in Aboriginal legal services had reached the same conclusion:

“The overwhelming reason for Indigenous people committing anti-social acts – some people call them crimes, I prefer to call them anti-social acts – is because of trauma.” (Defence lawyer)

The role of transgenerational trauma as both a cause and effect of violence was a central theme of the Aboriginal and Torres Strait Islander Women’s Task Force on Violence in 1999.⁸⁶

At a Murri Court network meeting, a magistrate expressed support to expand the centre that houses the CJG to become a healing centre that offers a much wider range of programs for the Indigenous community. Counselling services and other therapies would presumably be key offerings of a healing centre. The difference from mainstream counselling services would be the involvement of Elders and the centrality of cultural strengthening and self-esteem in all the interventions. As the defence lawyer noted:

“They [the CJG] are, to me, the only group of people that are going to have any real chance of getting traction in helping to alleviate the trauma and the suffering and the offending, the anti-social acts of the men, women. Because it's all connected.” (Defence lawyer)

An example of a CJG initiative that targets underlying trauma is the Doomadgee grief and loss group, described in Box 7. This intervention is based on Elders’ observation that a lot of violence and offending in remote communities is perpetrated by people who have recently suffered personal loss and grief, which they have not properly processed and dealt with.

In remote and regional locations, healing centres are often envisaged as outstations, which are permanent on-country camp facilities. For example, at Wujal Wujal, CJG Elders have been liaising with the Army and station owners to obtain funding to establish a permanent site for the CJG’s on-country camp program for

⁸⁵ For example, see Box 6 regarding Tablelands CJG’s BOMB program.

⁸⁶ Aboriginal and Torres Strait Islander Women’s Task Force on Violence, 1999. *Final Report*, section 1.2.

youth. Elders have described this as a Healing Centre. Similarly, the Tablelands CJG has discussed the possibility of a permanent location on-country for its BOMB program, where it could schedule regular cultural programs for youth.

As interventions that target underlying trauma, healing centres would not only have a primary prevention function, but would also be an early intervention for individuals at-risk of offending (secondary prevention), as well as an option to treat individuals who have already offended (tertiary prevention). They would, however, have the greatest impact in reducing Indigenous over-representation in the justice system if they worked to assist large numbers of people in the community who need help with unresolved trauma, *before* this manifests in offending behaviour. For this reason, support for a CJG to establish a healing centre should not be limited to individuals already exhibiting risky behaviours or already convicted of offences.



Box 7. Doomadgee Grief and Loss Group

In Doomadgee, a rapidly growing Grief and Loss Support Group is giving local people a safe space to heal after trauma through shared stories, understandings and insights into the process of grieving and the manifest experience of trauma and loss.

Cynthia O'Loughlin, coordinator for the Doomadgee Community Justice Group, says members of the group, who range in age from their teens to their seventies, all look forward to regular meetings, which are always held outdoors, where no-one feels 'trapped' and there is 'a sense of openness and feeling free.'

'It's been so positive,' Cynthia says. 'People telling us directly they're looking forward to going to sessions. They just want to talk.'

The Grief and Loss Support Group was started by a Justice Group Elder, the CJG coordinator and partners from local organisations, with the assistance of a trauma counsellor.

Cynthia says, 'The purpose overall is to assist those families who've experienced a loss in the family group and to allow them a voice to speak about their loss.' She also notes that the group have 'recently sent elders to receive mental health training', so that they might return to Doomadgee fully equipped to help families within the community experiencing trauma and loss. In Doomadgee, the need for elders to step up and perform this kind of grief and loss counselling and support work in their own community is an ever-present reality. 'Sadly,' Cynthia says, 'there's been numerous losses in Doomadgee. At one stage, there was ten people waiting to be buried. They passed away one after the other. It's not just deaths but also suicides.'

'Our group gives community members not just a sense of relief in being able to talk about how these things affect them but also it gives them a way to understand their feelings and what they're going through, either because they're talking openly about it or seeing someone else talk about a similar emotion.' In the past, Cynthia says, people's inability to 'tell their story' was often related to the lack of a safe, empathetic space, in which to express their deepest feelings and thoughts. In getting feedback from the group, they tell us the people they're used to speaking with about this has mostly been within their family. I think what we offer them is a step-back from that and they find it freeing.'

Of course, as Cynthia acknowledges, in a community like Doomadgee, where grief and trauma are experienced by the whole community so routinely, the process of healing can be challenging. 'It can feel like hitting a reset button sometimes,' she says. 'When a close family member passes within a close family group, it re-triggers the loss of previous losses. We've had people come to the group who, despite experiencing recent losses, they come to the group to talk about a loss from a much earlier stage of life.' 'It's very much this sense of cleansing an old wound, in order to heal a new one.'

'If I may share a story,' Cynthia says. 'We had a teenage girl whose mother and siblings were lost in a car accident when she was quite young. Since the accident, the girl has not been able to talk about that loss, or how it's affected her. However, she attended a session of ours and at the next one, through her grandmother, read a letter about losing her mother. The grandmother told us she had never seen her grandchild be so open about that experience since the day of the loss. The grandmother told us when they both get home, they're actually able now to talk about the accident.'

Cynthia believes that other communities could also benefit from Grief and Loss support groups, like the one running at Doomadgee, if they desire to set one up and if they can also tailor it to their own needs. 'We would love to see that what we're able to do here in our community could benefit another,' she says. 'We'd never jump up and down about it – (but) if you've got an idea, share it! That's what life is about, sharing and caring. Being open to how you can help others.'

6.8 DFV Enhancement projects targeting DFV primary prevention

In Part 3, the evaluation noted that the initial funding parameters for the DFVE program required that all DFVE projects contribute to the justice system response to DFV. Hence, the type of DFV prevention prioritised under the program design is at the tertiary prevention level – that is, working with community members who have come into contact with the justice system. The main primary prevention activity mentioned in CJGs' Service Agreements for DFVE services is for the CJG to support local DFV awareness initiatives. For example, CJGs are encouraged to participate in events like Domestic and Family Violence Prevention Month (each May), White Ribbon Day (25 November), and other awareness-raising events (for example, RU OK Day).

In activity mapping at the five Local Evaluation sites where the CJGs were delivering DFVE services, the average proportion of their time that CJG staff said they spent on 'education, awareness and prevention' was 13%, with individual sites ranging from 0% to 21%.⁸⁷ These figures were an average of all CJG staff at the site, not just the staff employed for the DFVE service. At a site where activity mapping was conducted separately with DFVE staff, one staff member estimated they spent 4% of their time on prevention and the other estimated 27%.

CJGs with DFVE funding have performance measures in their service agreement related to how many DFV education and awareness activities they attend. These were reported in their quarterly reports during the first three years of the DFVE Program and are set out in Table 6 below.⁸⁸ The numbers indicate that each CJG attends between 5-7 DFV awareness initiatives and programs each year. These data do not capture whether CJGs initiated these awareness activities or whether they were attending activities run by other organisations, such as local women's shelters or family services organisations. At two of the Local Evaluation sites, the DFV staff spoke about awareness-raising activities that they had organised themselves. Overall, while each CJG has a different activity mix, the data suggest that CJGs on average may spend a few days per month delivering education and awareness outputs.

Table 6. Aggregated yearly data from CJG performance reports

| Year | Number of local domestic and family violence awareness initiatives and programs attended |
|----------------|--|
| 2017/18 | 32 (5 sites operating) |
| 2018/19 | 53 (10 sites operating) |
| 2019/20 | 89 (12 sites operating) |

Many of the co-designed DFVE service models included establishment of a men's group coordinated by DFV workers at the CJG. These are aimed principally at men already in the justice system, but they may have a primary prevention function where they are attended by community members who are not currently involved in DFV. Men's groups encourage healthy lifestyles and positive relationships, and raise awareness about men's issues including DFV. They can therefore help prevent men from perpetrating DFV in the first place. At the CJG sites visited to date, most of the men's groups appeared to be attended by men who had been referred to the group as a result of contact with the criminal justice system, such as a police referral (where attendance is consent-based) or court referral (where attendance may be mandated, or incentivised

⁸⁷ In the activity mapping, activities listed under education, awareness and prevention included men's groups, women's groups and yarning circles.

⁸⁸ These data are no longer aggregated by DJAG.



during the period where sentencing has been deferred). A notable exception, described above, was the Wujal Wujal men's group, which has a broader social and peer support function, with the DFV-focused intervention undertaken by the separate DFV yarning circle.

In some DFVE sites, CJGs have established women's groups. These may also have a primary prevention function by educating women on DFV issues, to help them avoid becoming victims or perpetrators of DFV.

The potential role of men's and women's groups in primary prevention in a community is illustrated by the following good news story in the Wujal Wujal CJG's quarterly report from April-June 2019 for the DFVE project:

Mens and Womens Group Co-ordinators have been actively involved in providing DFV education over the last quarter. The end result was the coming together of the Wujal Wujal community in an outward demonstration against domestic and family violence for the first time. The womens group made their own banner and walked proudly with the men (and children) in an array of purple/pink 'No to DFV' shirts.



In Part 3, the evaluation questioned whether the Queensland Government's decision to position CJG's DFV enhancement as a justice system response within the broader DFV Prevention Strategy was a missed opportunity to support primary prevention-focused responses by CJGs. The evaluation's literature review of effective responses to DFV in Indigenous communities found an emphasis on prevention pathways over justice system responses to DFV. As the previous Part 6.7 shows, many CJGs adopt healing approaches in their programs with individuals involved in the justice system, especially through on-country programs. In addition, many groups have raised ideas for primary prevention approaches that would address the underlying causes of anti-social behaviour with young people or community members not yet involved in the justice system, such as expanded cultural healing programs and healing centres.

The evaluation suggests that in the further evolution of the DFVE Program, there may be scope to provide greater flexibility for purely primary prevention or early intervention initiatives that do not involve the justice system. This would need to be guided by community priorities, as there is also urgency around supporting Indigenous people involved in the justice system for DFV matters. A broadening of Program scope could, however, take cues from the literature on what works in Indigenous DFV prevention, and provide more targeted support for additional novel ideas that CJGs have to tackle underlying causes of DFV – in particular, healing and cultural strengthening approaches that address trauma, low self-esteem, loss of cultural connectedness or pride, and CJG concerns about unhealthy attitudes towards relationships and violence amongst some community members. This would represent an evolutionary shift for the DFVE Program, and the question remains whether current DFVE resourcing is adequate to deliver both DFV court support and extensive new primary prevention initiatives. Recent reports by the Women's Safety and Justice Taskforce have made several recommendations to improve the responses to DFV in Aboriginal and Torres Strait Islander communities. There is also a question about what is the optimal role for CJGs in primary prevention – is it delivering such programs themselves, or advocating and being part of the co-design of new programs to be delivered by other organisations? This issue is an issue for the whole CJG program, not just the DFVE, and is discussed further in Part 13.

6.9 Future focus on prevention outputs

Many staff and members of CJGs told the evaluation that they believe the goal of the CJG program to reduce their people's contact with the justice system requires much more focus and resources towards working with

people *before* they are in the justice system (see Part 13 later in this report). The conundrum is that CJGs are dealing with a high level of need amongst individuals who are already in the justice system, leaving limited time to look at primary prevention, especially with young people. In the interviews with some CJG staff, there is a sense of exasperation, that if they only had more time to work in the prevention space they might not have as many people to help in the courts. Part 13 discusses this issue in more detail, including the options for how primary prevention responses could be resourced, and the potential role of other agencies as partners for CJGs.

The Phase 3 review of outcomes will seek to quantify the impact of CJGs' current primary prevention outputs, such as those profiled in this Part, to test the view that more resources directed to this area would enhance Program impact. The evaluation intends to further investigate the promising anecdotal evidence about reduced offending due to programs such as the Zenadth Kes Boxing Club and the Wujal Wujal cultural camps.

7 OUTPUT – EARLY INTERVENTION AND DIVERSION

7.1 Importance of this output

The ‘refocused CJG model’ in DJAG’s *Framework for Stronger CJGs* recognises early intervention as an important activity for CJGs to reduce the number of Aboriginal and Torres Strait Islander people coming into the justice system. This CJG output relates to a range of activities that aim to intervene early in relation to community members who are at risk of deeper contact with the justice system – for example, they may be exhibiting behaviours that are likely to end up in the courts or they may already have been involved in low-level offending that seems likely to escalate. This output involves many of the same types of activities as the prevention, education and awareness output aimed at the general community (discussed in the previous Part 6) but is targeted directly towards people who are further down the pathway into the criminal justice system – in other words, individuals ‘at risk’ of offending.

7.2 Phase 1 findings

The Phase 1 report confirmed that CJGs are involved in a wide range of activities that have an early intervention focus. The mix of activities differs across locations. The most significant categories of early intervention activity identified in Phase 1 were the following:

- *Mediation and peacemaking.* CJGs’ work in this area was rated as extremely valuable by stakeholders in the Phase 1 Statewide survey. Many CJGs have been undertaking informal types of mediation and conflict resolution in their communities for decades, and in Aurukun and Mornington Island this CJG service was more formalised under pilot projects in the past decade. The evaluation heard many positive stories of outcomes achieved through CJG mediation.⁸⁹
- *Police diversion to cautioning.* In some places police and CJGs work together to divert low level offences from the court by administering a caution to the offender.
- *Diversion to programs and support.* In some locations, police refer people who have come to their attention to the CJG, so the CJG can offer them early intervention programs (for example, men’s groups, women’s groups, cultural camps) or simply provide some support or cultural guidance from Elders.
- *Restorative Justice Conferencing.* In service mapping by the Department in 2021, seven CJGs listed involvement in Restorative Justice Conferences administered by Youth Justice.
- *Night patrols.* Two of the five CJGs visited in Phase 1 were involved in some form of after-hours street patrols to intervene early with young people and adults at risk of offending.
- *State Penalties Enforcement Register (SPER) debts.* Some CJGs were involved in the new SPER Hardship Partners program, providing activities for people to pay off their SPER debts. This is a practical means of helping individuals at risk of deepening their contact with the justice system through accumulating unpaid SPER fines.

In Phase 1 interviews, CJGs and stakeholders saw significant potential for CJGs to expand their activities in the early intervention space. Magistrates and police were especially supportive of CJGs offering more early intervention activities, to divert individuals from further contact with courts and the criminal justice system. Stakeholders agreed that the key value that CJGs could bring to early intervention is the cultural authority and skills and knowledge of Elders. For this reason, CJGs and stakeholders saw value in programs that would

⁸⁹ Aurukun’s *Thaa Pant* mediation service is funded by the CJG Program while the Mornington Island mediation project is funded by the Australian Government.



enable Elders to work with, and provide cultural guidance to, at-risk youth and adults – for example, camps, culture-based activities and mediating conflict through peacemaking.

7.3 Current scope of CJG outputs in early intervention

The Phase 2 data generally confirm the Phase 1 findings that CJGs are currently most active in the following areas of early intervention:

- *Diversion by police and other agencies to CJG support and cultural mentoring:* At many of the Local Evaluation sites, police divert people to the CJG to assist in dealing with community conflict or less serious problem behaviours, to avoid the need to take the matter to court. CJGs are called in to provide ‘cultural counselling’ or guidance to the individuals or families involved.⁹⁰ It is common for Elders and CJG staff to conduct home visits to talk to people about the issues that led to police involvement, or issues that caused a referral from another authority such as a school. In some places, this process is formalised through the CJG being registered on police referral systems (such as the online SRS referral system). In Mount Isa, the CJG also takes referrals from the High Risk Team.
- *Mediation/peacemaking:* At two of the Local Evaluation sites in Phase 2, the CJG is proactively mediating conflict in the community on an almost weekly basis. At several other sites, CJGs are asked on a case-by-case basis by police or other stakeholders to mediate major episodes of community or family conflict.⁹¹ Mediation may be court-ordered in some places, or conducted pre-court to resolve matters before they are heard by a magistrate. Mediation training is near the top of the list for CJGs in discussions of training needs,⁹² which demonstrates the importance that CJGs place on it.
- *Restorative Justice Conferencing / Youth Justice Conferencing:* Some, but not all, CJGs are involved in supporting Youth Justice to run conferences involving young offenders and their families. The Thursday Island CJG is involved in these conferences on a regular basis. The Bayside CJG is involved in a few each year. Two CJGs in regional towns were frustrated that this was not available at their location.

A hallmark of effective early intervention strategies is having strong partnerships with other agencies. As the first points of contact for anti-social behaviour, police are a critical partner in the early intervention space. The example in Box 8 illustrates how a CJG and local police can work together to manage community issues and prevent problems from escalating into the courts.

In the Phase 2 survey, CJG representatives were asked what early intervention services or activities their CJG delivers. The results are in Figure 17. The top five categories were:

- cultural mentoring (82%),
- DFV counselling (77%),
- assistance to individuals to pay off fines (73%),
- peacekeeping/mediation (64%), and
- building up people’s cultural belonging (55%).⁹³

⁹⁰ For example, a CJG coordinator said: “If there’s more severe throughcare that we need to provide, we offer cultural counselling, where we strip it back... Like the Elders go round and they give that that, you know, that intense conversation.”

⁹¹ See the Doomadgee example in the Phase 1 Annual Report.

⁹² See Phase 1 Annual Report, Part 4.9.1.

⁹³ Some CJGs did not have respondents to the survey and some of the 22 respondents may be from the same CJG, so these figures do not reflect the proportion of CJGs that deliver these services.

A total of 45% of respondents said their CJG is currently running on-country programs.

CJG respondents were asked about other early intervention services provided. Common responses were men's and women's groups and yarning circles, and assisting people to access other counselling and services that they need. This indicates that CJGs see men's and women's groups as places where they can steer at-risk individuals for support to prevent them from progressing to offending.

Part 6 outlined a few of the on-country programs that CJGs are delivering to youth. These were described as primary prevention programs, but they often also include young people at high risk of offending, such as those who are exhibiting difficult behaviours. For these individuals, they may be effective early intervention programs.

Box 8. Police and CJG working together in early intervention

In a remote Indigenous community, a new Officer in Charge (OiC) from Queensland Police and Indigenous staff from the CJG have forged a strong relationship to manage justice issues in the community. The OiC's arrival coincided with a period of unrest caused by friction between local families. The CJG and police quickly identified the importance of regular contact with each other.

"It was just an important thing for [the CJG coordinator] and I to [communicate] with each other... We did that every Friday. Just networking. Just to make sure that the police and the Justice Group are on the same page." (OiC)

Although the CJG coordinator has connections to a local family, the OiC appreciates that "she bends over backwards for all, and she tries to be independent from the different families in town, and does it pretty well." For police to work well with the CJG, the key things are "independence and transparency":

"So that makes my job easier if I need to speak to people or if the Justice Group need to speak to people, we can usually work together around that." (OiC)

From the CJG perspective, they are appreciative of QPS' willingness to work with them and through them when engaging with the community:

"[QPS] have been good. We've made it known that if the police need help with anything, they should, they need to come to the Justice Group... Because we've asked the community before, how do you want the proceedings between the police and the community to be handled, and the [role of the] justice group? Well, at the moment they said, 'Well, we want everything to go through to Justice Group' because some locals here had bad experiences with the police, and the police know that. And so we said to [the OiC] last year 'it's not you personally, it's just the police. So we need you to work with us more than ever.' And it's been good. We've been having a well-connected working relationship. There are things that we still need to do. [We tell them] 'if you want to engage with these locals, then you're going to have an issue with them. So come to us and then we'll relay the message or we'll try and get them to work with you instead of you barging into places.'" (CJG staff member)

The CJG was grateful for QPS support during the period of family unrest in the community. The police and the CJG worked together to engage with families and discuss mediation:

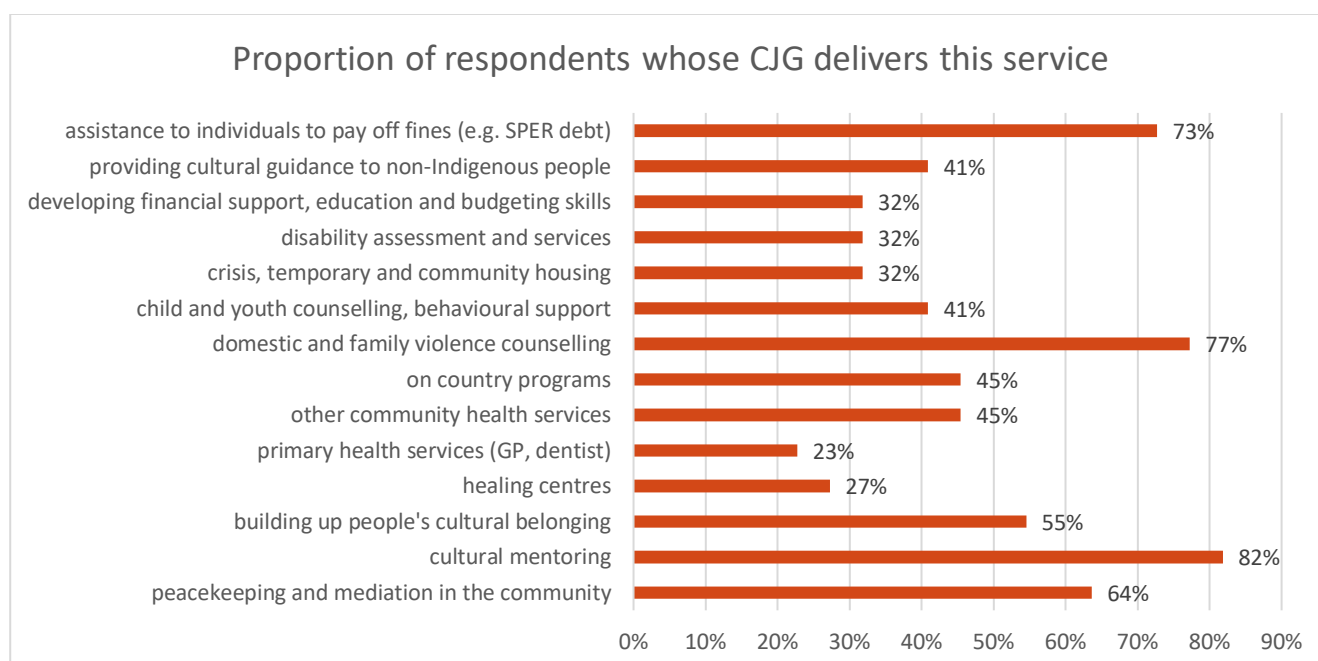
"[Police] have been really good, like with the unrest. There were some families that... well, I've got to put my safety first [when dealing with them]. And the police actually came and worked with me to deliver letters to each household." (CJG staff member)

The CJG staff have also appreciated that police have been willing to be involved in CJG activities.

"They've been part of a DV Awareness Day and Awareness march. They get fully involved in any activities and programmes that we are involved in." (CJG staff member)

The CJG staff are conscious that the arrangement is built on personal relationships and trust and they have to be proactive in doing that with any new police. "We will have to re-educate the next sergeant who comes in... that this is the community standard and this is how we like to operate with the police."

Figure 17. Statewide CJG Survey, 2022



7.4 Early intervention outputs from DFVE projects

For those CJGs with funded DFVE projects, the additional staff provide them with an opportunity to deliver early intervention activities to people at risk of entering the justice system for DFV behaviours. The role of many DFV staff includes running a men's or women's group. While these groups are often targeted at people already involved in the justice system (both perpetrators and victims), for some at-risk participants they may provide an early intervention that stops them entering the system.

Some CJGs use mediation as an early intervention in DFV matters. Staff from one CJG explained that when they get early notification of a DFV risk in a household, their priority is to intervene early to prevent it progressing to the courts, because once a DV order is in place for a period of years, there is a strong chance that it will lead to a breach of the order:

"So let me go in... We think we can solve that... Especially if it's domestic violence and there's a police protection notice there, they don't have to get the [criminal] history, it's not a criminal offence. What we try to stop is them getting the order for three or five years, which then allows them to breach."
(CJG staff)

It is not clear how much opportunity CJGs' DFVE staff have to engage with people at the early intervention stage. This will depend on whether they see it as their role to engage with clients at this point. The DFVE staff at the site above clearly see this as part of their role. At another site, however, the DFVE staff told the evaluation their role was to support people involved in court and did not extend to early intervention.

Mornington Island's DFVE service model was explicitly built around the concept of early intervention in DFV matters. The Quick Response Service model involves the CJG staff and Elders responding immediately to DFV incidents (with parties' consent), to identify pathways to address underlying issues such as relationship problems or alcohol. This assistance is intended to occur *before* police or the courts need to be involved.

DFVE staff at several CJGs involved in the Phase 2 Local Evaluations pointed to the concept of men's shelters as an early intervention that would reduce incidences of DFV. These staff noted that in instances of intimate partner DFV, the intervention to keep women safe often involves removing the women and the children to a

women's shelter. It was suggested this disruption to the family could be avoided if there was a place that the male could go to until the crisis subsided. These facilities already exist in some communities. Palm Island has a diversionary centre for men, which is a sobering up place. Cherbourg's Muran Djan Centre was funded under the DFVE in 2017. One of its intended functions was as a drop-in centre for men, where they can socialise and debrief. The Doomadgee CJG recently negotiated with the Council to occupy a vacant house as a hub for male Elders to provide a safe space and cooling down facility for men. The CJG at Cloncurry has recently received a grant for a men's shelter, as has the auspicing organisation for the Coen CJG.

At a north Queensland CJG, a staff member explained the importance of a men's shelter:

"It is domestic violence prevention. That's what it means to me. It means a safe haven. A place that should be a turning point for these fellas... a place where immediately that's where they go to if they're having trouble at home. Instead of going to the pub angry, get drunk, go back home angry, and then next thing you know, they're fighting and ending up back in court... Having those activities, a pool table, a dart board, the little stuff, the boxing bag that they can punch around or whatever, just to chill for a few hours to calm down. You know, that's important. That is one less court case. That is one less cultural report that I have to do to present to the Magistrates Court." (CJG worker)

7.5 Gaps around early intervention

CJGs clearly see men's shelters as a gap in early intervention services in many communities. The Phase 2 Statewide stakeholder survey asked government and NGO stakeholders about the availability, accessibility and suitability of 'culturally safe early intervention services or activities' in communities where CJGs are located. It should be noted that the survey questions did not ask whether CJGs should be delivering these services, but whether they were available in communities where CJGs are located.

The top 5 early intervention services listed as 'available' were: legal services, primary health, referral pathways, substance abuse and DFV support. However, many of these services were not listed by respondents as 'suitable' (that is, culturally safe and meeting client needs).

The early intervention services that respondents were least likely to list as available were healing centres, financial support/education/budgeting skills, on country programs, peacekeeping/ mediation, and dealing with government (e.g. paying fees, fines, getting licences). Yet these were some of the services that respondents were most likely to mention as 'suitable' where they are available (see Figure 18). For example, 83% of people who said healing centres or peacekeeping/mediation were available also listed these services as suitable.

Asked the same question, CJG representatives also felt the most suitable of the available early intervention services are building up people's cultural belonging, cultural mentoring, healing centres and peacekeeping/mediation (see Figure 19). These are the types of early intervention services that CJGs already deliver, or aspire to deliver. A very low suitability score was for child and youth counselling/behavioural support – this was one of the services that CJGs listed as most available, but only 33% felt it was suitable. This may explain CJGs' desire to set up therapeutic programs that involve Elders taking at-risk youth on country.

In a follow-up question asking what early intervention services are important in communities that have CJGs, many non-CJG stakeholders responded that there were no early intervention services. The most commonly mentioned other early intervention services that are important were in the categories of education, youth development, cultural/on country activities, sports, AODS, and case management/ integrated service



delivery. Youth development and cultural/on country programs are both areas that CJGs have expanded their activities and identified as priorities where they would like to do more.⁹⁴

Figure 18. Statewide Stakeholder Survey (Government and NGOs), 2022

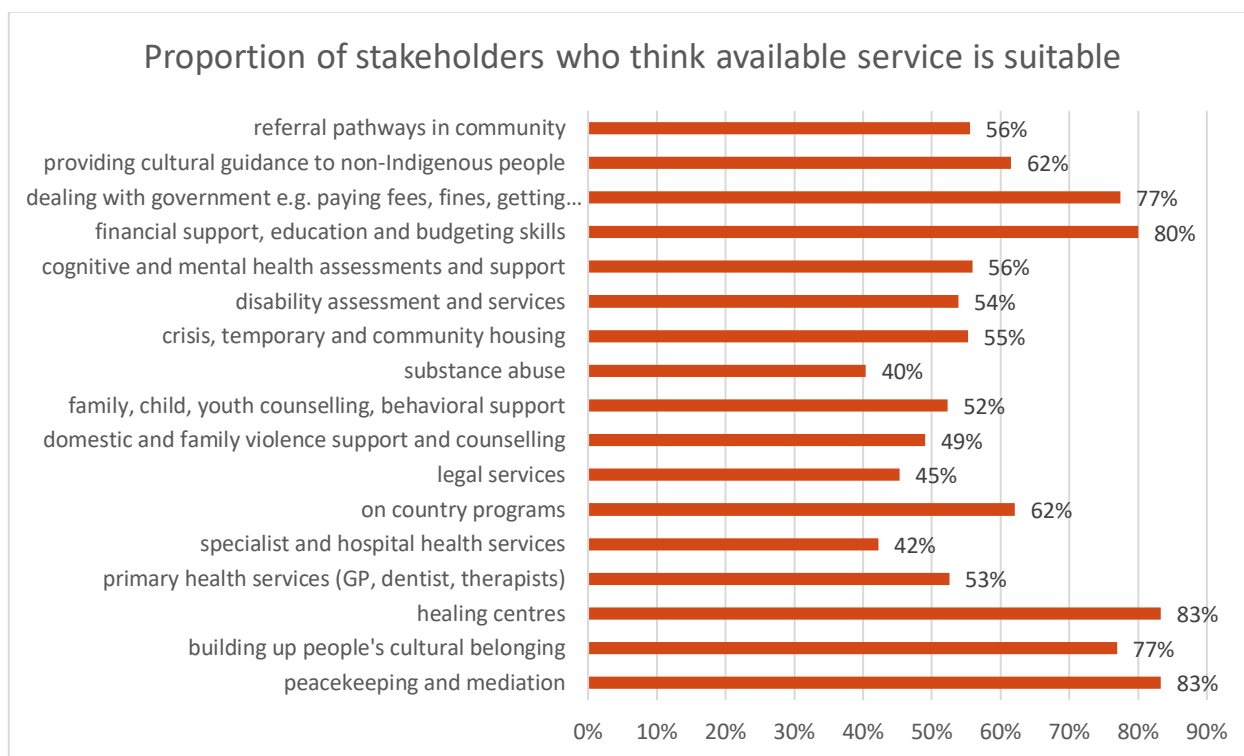
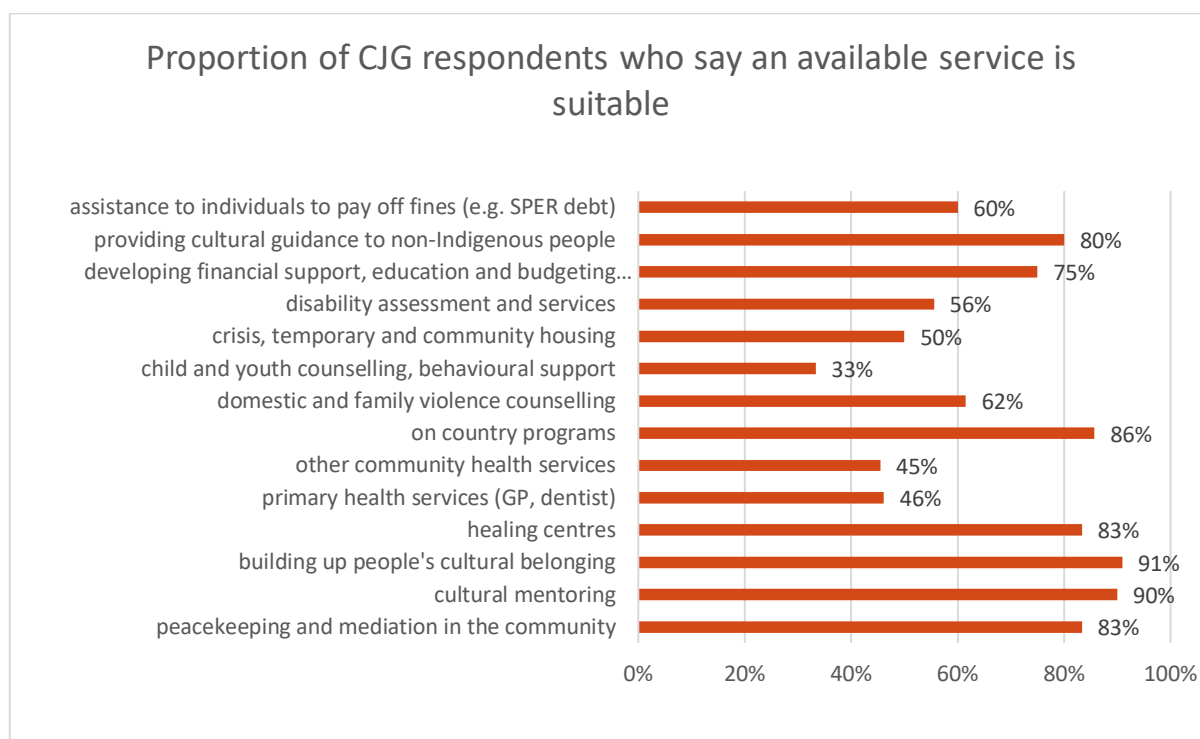
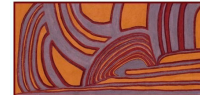


Figure 19. Statewide CJG Survey, 2022



⁹⁴ See Vision Statement from the CJG workshops in 2019 (KPMG, 2020).



The survey results confirm that both stakeholders and CJGs alike see major gaps in early intervention services and activities in Indigenous communities, both in their availability and in their suitability for Indigenous clients. The most suitable services are identified as services that have a strong cultural basis, which are the types of activities that some CJGs currently deliver, and others wish to expand into.

7.6 Scope for CJGs to increase early intervention outputs

Three CJG coordinators interviewed for the Local Evaluations in Phase 2 identified early intervention as the domain in which they would like to expand their activities, because they felt they could have a greater impact there. However, all three felt constrained by the lack of time and resources. This is a 'catch-22' for CJGs: they feel that more work in early intervention and prevention could reduce the number of people in court, but they may be too overwhelmed by the current number of people needing support in court to kick off new early intervention activities. Early intervention activities tend to be time-consuming, whether it is doing home visits to at-risk individuals, driving around the community to drum up participation in a men's group or organising a camp or activity on-country.

This has not deterred some CJGs from investing the additional time. However, some staff at CJGs that have commenced early intervention activities in recent years told the evaluation about their struggles to sustain these new activities at the same time as meeting the demands of their work in the courts and the justice system. Some were seeking to engage additional part-time staff, either to help them with their court paperwork and free up some of their time, or to help run the early intervention programs.

Lack of time is a particular issue for CJGs delivering Murri Courts with high numbers of clients. The workload allows little time for getting involved in early intervention. At the four Murri Court sites where the evaluation conducted Activity Mapping, the CJG staff said they spent the following proportions of their time on early intervention: 5%, 3%, 0%, 3% (see Figure 7). On the other hand, in regional towns that only have court sittings on a monthly circuit, this affords them a lot more time for early intervention activities – 17%, 15%, 9% and 15% for staff at these four sites. In theory, this should also be the case at remote communities with monthly court circuits, but some of these have high numbers of court clients – CJG staff at the four remote communities reported spending 7%, 5%, 32% and 3% of their time on early intervention.

As was the case during Phase 1, Magistrates were some of the strongest advocates for CJGs to be more involved in early intervention activities:

"I would have thought [the justice group] would have a larger role to play... to try and nip things in the bud before they even get to that point. So, you know, if they hear whispers that there's a bit of trouble, then maybe instead of waiting for the police to knock on the door in the middle of an argument... [maybe] they've got that capacity to just meet up with people and invite them for a cup of tea. I would have thought that could be useful." (Magistrate)

8 OUTPUT – COURT SUPPORT

8.1 Importance of this output

Supporting Aboriginal and Torres Strait Islander people in courts has traditionally been the core funded function for the DJAG's CJG Program. As Part 1.2 discussed, it is only in recent years that increased funding for the program has enabled the program model to be broadened to directly accommodate a wider range of funded activities, including prevention, early intervention and transition from custody. Nonetheless, supporting Indigenous defendants and victims and contributing to the functioning of courts remain the focal activities, particularly for reporting under CJGs' Service Agreements.⁹⁵ CJGs' work in the court system is intended to achieve the following direct outcomes:

- Aboriginal and Torres Strait Islander offenders and victims are supported in the justice system
- Bail and sentencing decisions are culturally appropriate and take into account a person's relationship to the community
- Strong relationships exist with other agencies so that effective referrals are made

These short-term outcomes are intended to contribute to medium term outcomes⁹⁶ such as supporting the cultural safety and rights of Indigenous people in the justice system, increasing people's confidence in the justice system, helping people address underlying needs that contribute to or are related to offending, and ensure communities have a say in how victims, offenders and their families are supported in their interactions with the justice system. In the longer term, this work aims to reduce Aboriginal and Torres Strait Islander contact with the criminal justice system.

8.2 Phase 1 findings

The Phase 1 Annual Report provided a very detailed description of the scope of CJGs' outputs related to courts. A high level summary of that discussion is as follows:

Scope and level of court support output

- The evaluation estimated that CJGs provide court support to about one-quarter (24%) of Aboriginal and Torres Strait Islander people with finalised court appearances in court locations where a CJG operates. This is based on CJGs reporting that, in aggregate, they provided court support to 2363 individuals in 2020-21, while QWIC data indicated there were 9975 Aboriginal and Torres Strait Islander people with finalised court appearances at those courts during 2020-21. The evaluation noted that CJGs are not funded to provide support to people in all courts in the CJG locations, and whether an Indigenous person accepts support offered by a CJG is a voluntary decision.
- The proportion of CJG staff time spent on services within the court process for the Phase 1 Local Evaluation sites ranged from 4% to 50% (average of 41%). This was influenced by factors including the focus of the Service Agreement's funded activities (with Murri Court locations more focused on court support), the frequency of court sittings in a CJG location, and the number of Indigenous defendants before the local court.
- While the performance measures in CJGs' Service Agreements are focused on court support outputs, the evaluation suggested it would be beneficial to support CJGs to develop their own performance measures to capture other aspects of their work, especially for those CJGs in locations where there are low numbers of Indigenous people in the courts.

⁹⁵ See Part 8.0 of the Program Guidelines.

⁹⁶ See the CJG Program Logic, in the CJG Evaluation Framework.



- The Phase 1 CJG stakeholder survey indicated just over half of stakeholders thought that the level of CJG output for court support had remained the same in the past 12 months, while about a quarter felt that CJGs were doing more in this area. Half of CJGs themselves felt they were doing more.

Value placed on court support

- Defence lawyers (from ATSILS and LAQ) interviewed for the evaluation indicated that CJGs provide crucial support for their work, including help to find and engage with clients, information and cultural reports, medical assessments, intelligence about community issues and protocols, transport of clients to court, paperwork for clients to access legal aid, help for lawyers to communicate effectively with clients, and logistical support for lawyers on court days in the community (office space, interview rooms, transport etc).
- CJGs' work in getting people to court (or providing explanations for absence) has a direct outcome in reducing warrants for arrest, and reducing the incidence of longer prison sentences once sentencing takes place.
- Magistrates find CJGs' presence in court very helpful to ensure defendants understand what is going on and to advise Magistrates about cross-cultural communication issues.
- Feedback from Magistrates and defence lawyers indicate that CJGs' advice to courts about bail applications has a direct outcome in assisting people to stay in the community rather than being remanded in custody, and to provide opportunities for people to take action to address underlying issues and consequently reduce the likelihood of incarceration when sentenced.

Cultural reports to courts

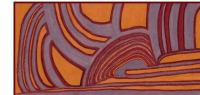
- The way that cultural reports are provided to mainstream courts varies widely around the State, according to court preferences and the capability of CJGs and their staff. In some locations, detailed written submissions are provided, while other CJGs provide verbal submissions in court. Some are provided only by staff, while some locations involve CJG Elders and respected persons.
- Magistrates in mainstream courts generally report that they find cultural reports very useful. CJGs believe they help the court to better understand a defendants' background, cultural issues at play, and the role of 'lore' in law and justice issues.
- As Magistrates' preferences about the content and process for cultural reports differ, it is very important for regular meetings and communication between Magistrates and CJGs.
- CJGs in some areas are also providing cultural reports to higher level courts (mainly District Courts).

Magistrates Court diversion to CJGs

- In some locations, Magistrates and CJGs are proactively working together to divert suitable matters to CJGs – for example, diverting a DFV matter to the CJG to assist a couple prior to making a lengthy DV order, or diverting a matter to CJG-run 'cultural mediation' to sort out conflict and arrange restitution prior to further court consideration of the matter.
- Stakeholders identified the need for more programs to support people on bail – for example, in minor DFV matters and in relation to youth offenders.

Perceptions of quality of CJG court input

- Many Magistrates and other court stakeholders commented positively on the quality of CJG staff and members' input into court processes. Stakeholders acknowledged that this was dependent on the knowledge and skills of CJG staff and members, and that more training was needed in some areas. Some CJGs themselves acknowledge their need to develop their skills in this area.
- In four Local Evaluation sites where the evaluation conducted community surveys, clients and their families were overwhelmingly positive about the support they received in court (60% were 'very happy' and 35% were 'happy'). Responses were strong in all areas of support, including 'help



understanding court processes', 'making sure the court treated people fairly', 'helping the court understand cultural issues', and 'helping individuals stay out of trouble with the law.'

Murri Court

- In the interviews with program-level stakeholders (government agencies, judicial officers and NGOs) and the interviews at two Murri Court sites, there was very strong support for the Murri Court model. People felt the Murri Court was an important initiative to harness Elders' and respected persons' knowledge and skills in the court process and to give offenders an opportunity to address issues that underlie offending behaviour (through referrals and support programs).
- The ingredients for successful Murri Courts were identified as strong relationships of respect between Magistrates, CJGs and Elders, and committed and well organised Coordinators.
- The reasons why the Murri Court is considered an effective intervention were because it encourages people to take responsibility and be accountable for their actions, provides the time and the opportunity for people to get help and make changes, strengthens people by re-connecting them with culture and kinship networks, and shows people care and compassion.
- Factors inhibiting Murri Courts were the unwillingness of some participants to engage in the process and accept help, lack of respect for Elders by some participants, and reduced impact where Elders do not have cultural or family connections to participants.
- Previous surveys of Murri Court participants have shown a high level of satisfaction by participants.

Programs and interventions available for individuals in the Murri Court and Magistrates Courts

- Magistrates and other stakeholders strongly believe that by providing the opportunity for participants to access support, make changes and demonstrate their progress to the court, the Murri Court leads to reduced sentences for Aboriginal and Torres Strait Islander defendants (including less incarceration), and better rehabilitation outcomes.
- CJG-reported data show that the most common referrals (for Magistrates Courts and Murri Court defendants) are referrals to receive help from the CJG itself, followed by referrals to Yarning Circles/Outstation, Men's Group, DV support, Health/Drug and Alcohol/Rehab, and Counselling.
- Some Murri Courts have introduced more stringent assessments of clients for cognitive and mental health assessments, paving the way for NDIS assistance.
- Magistrates are very positive about the assistance that CJGs provide to Murri Court participants through yarning circles.
- In Murri Court locations, stakeholders reported a range of challenges inhibiting effective referral processes, including under-developed referral procedures, lack of information-sharing protocols, and competition between service providers.
- In remote and rural communities, the biggest challenge for CJGs looking for referral options for court clients is the lack of effective referral pathways, either as a result of gaps in availability of programs or services or the poor level of service responsiveness or cultural competence of current providers.
- Given the well-documented lack of coordination within the service system for Indigenous communities, one of the most important contributions of CJGs is the assistance they provide to individuals to navigate the system and obtain the help they need. Stakeholders noted that involvement of CJGs in inter-agency meetings (including Murri Court Stakeholder Meetings convened by CJGs themselves) enables them to work across boundaries, and that a CJG's starting point is the person, rather than jurisdictional or service parameters that limit other service providers from providing holistic, wraparound assistance to an individual. Some CJGs are providing a de facto case management role for clients, which some stakeholders identified as a sustainability risk because CJGs are not necessarily resourced sufficiently to perform this role for their large client caseloads. There was a widely expressed concern that CJGs are filling gaps in the broader service system.

8.3 CJG reporting of court support outputs

As one of the core funded program activities, CJGs collect and report data on their provision of court support every quarter. IJOs provide regular training to CJG staff about how to collect and report this data against the performance measures in their Service Agreements, but turnover of CJG staff and differences in administrative capability inevitably leads to variability in the quality of data reported. Furthermore, there is some subjectivity in what is counted as a 'referral', leading to considerable differences in reported numbers between sites. These are unlikely to reflect actual differences in the relative output levels of those CJGs. Hence, the CJG-reported data provide only a very rough indication of the court support outputs being delivered by CJGs.

DJAG staff report that their experience providing training to CJGs suggests that the actual level of court support provided by CJGs is greater than reported. For example, CJGs may attend court as a support person or companion, providing valuable support to a client but not necessarily providing a court submission or referral captured in the statistics.

Mainstream courts

Aggregated data across all CJGs for mainstream court support in 2021-22, excluding support provided by CJG DFVE staff, indicate:

- Instances of court support to defendants: 3070
- Instances of court support DFV defendants: 337
- Court proceedings attended: 785
- Bail submissions – oral: 205 (298 in 2020-21)
- Bail submissions – written: 26 (56 in 2020-21)
- Sentence submissions – oral: 367 (587 in 2020-21)
- Sentence submissions – written: 77 (190 in 2020-21)
- Defendant referrals Non-DFV: 1840 (972 in 2020-21)
- Defendant referrals DFV: 277 (173 in 2020-21)
- Aggrieved referrals: 19 (5 in 2020-21)
- Respondent referrals: 24 (28 in 2020-21)

The simplest output measure is 'instances of court support provided to defendants',⁹⁷ and totalled 3070 in 2020-21. Averaged across the year, this equates to about 59 Aboriginal and Torres Strait Islander defendants were being assisted by CJGs in mainstream courts (mostly Magistrates Courts) every week. Changes to the way these measures are defined mean it is not possible to compare the output counts across years.⁹⁸

CJGs reported making 231 bail submissions to mainstream courts over the year, with 89% oral and 11% written. CJGs reported making 444 sentence submissions, with 83% oral and 17% written.

Murri Courts

As Figure 20 indicates, Murri Courts across the 15 current locations received 573 referrals in 2021-22, and 245 matters proceeded to sentencing during the year. The number of referrals depends on several factors, such as the willingness of lawyers to refer matters to the Murri Court, the willingness of defendants to agree

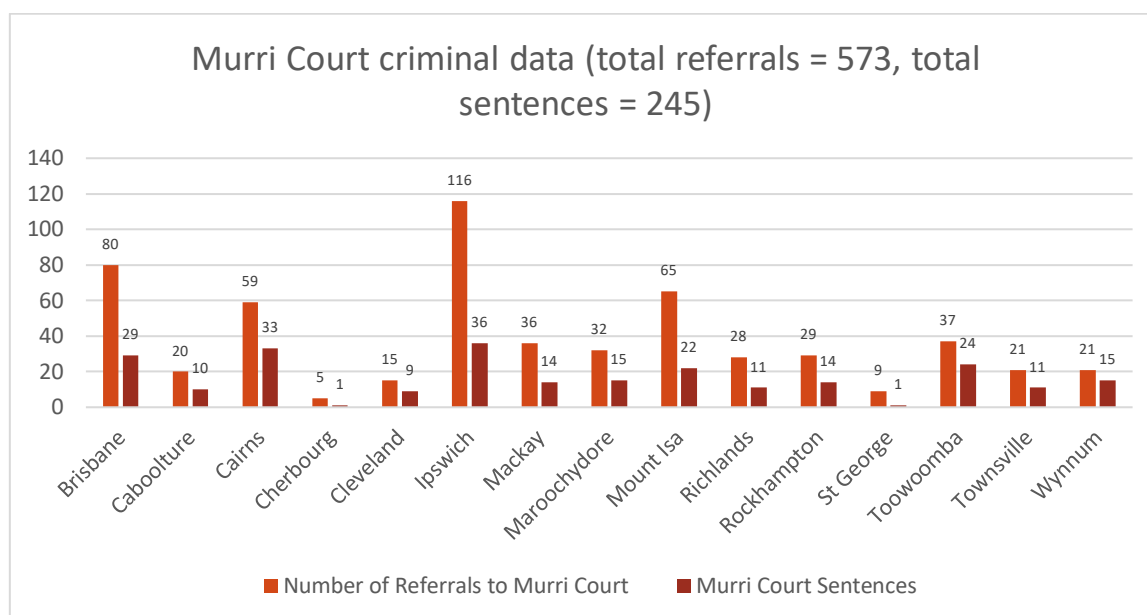
⁹⁷ It is not possible to count the number of individual Defendants who have been supported in Court, so these are counts of the instances of support. A defendant may have multiple instances of support across the year.

⁹⁸ Previously, 'Days at Court' was reported and collected but this has changed to 'Court Proceedings Attended' as CJG's can attend two or more different Courts in the one day.

to Murri Court, and whether the Murri Court Magistrate and the Murri Court Elders accept a person into the process.

Figure 20 shows considerable variation in numbers across Murri Courts. The busiest Murri Court was Ipswich, with 116 referrals (an average of over 2 new referrals per week) and 36 sentences (an average of 3 per month). This large caseload has put a strain on the CJG. Stakeholders in the Ipswich Murri Court have been working together to reduce the numbers being managed in the court. A respondent to the 2022 stakeholder survey expressed the opinion that “some Murri Courts have too high caseloads resulting in minimal effect because [their] supports are spread too thin.”

Figure 20. Quarterly reporting data from CJGs, 2021-22



DFVE court support

The figures above for mainstream courts do not include the court support activities delivered by the DFVE staff in the 15 discrete communities where those projects were operational in 2021-22. The figures reported by the 15 CJG DFVE projects in 2021-22 were as follows:

- DFV proceedings attended by staff: 176⁹⁹
- Offenders supported through court process: 1115
- Victims supported through court process: 410
- Offender referrals: 860
- Victim referrals: 128
- Men supported through Men’s Group/Hub: 601
- Women support through Women’s Group: 261

The count of people supported through court processes suggests an average of 74 offenders and 27 victims supported at each DFVE site over the course of the year, which is about 6 offenders and 2 victims supported per month.

⁹⁹ In some locations, 2 staff attend the same DFV proceeding.

8.4 Number of Indigenous people needing assistance in court

To understand the potential number of Indigenous clients who might require assistance from CJGs, the evaluation analysed courts data for those locations where CJGs are currently funded to provide court support. This QWIC data was drawn from 52 court locations across the State, covering seven years from 2015-16 to 2021-22. Charts relating to this analysis are contained in Appendix 1. Key findings that provide context to CJGs' work in the courts are:

- The total number of Aboriginal and/or Torres Strait Islander unique individuals who appeared in criminal courts at CJG locations in 2021-22 was 15,062, which is an average of 290 every week.
- The total number of unique individuals appearing fell slightly between 2015-16 and 2021-22.
- The total number of appearances by Aboriginal and/or Torres Strait Islander defendants in 2021-22 was 24,637, which is an average of 474 every week.
- The total number of appearances fell slightly between 2015-16 and 2021-22.
- The total number of charges heard against Aboriginal and/or Torres Strait Islander defendants increased significantly between 2015-16 and 2021-22, from 73,296 to 93,672.
- The number of custodial sentences for Indigenous defendants increased 18% between 2016-17 and 2021-22, whereas the number of custodial sentences for non-Indigenous defendants at these same courts fell by 3% during the same 6 years.
- 30% of the Indigenous people appearing in these courts between 2015-16 and 2021-22 were female, compared to 23% of the non-Indigenous people appearing.
- 20% of the Indigenous people appearing in these courts between 2015-16 and 2021-22 were under 18 years of age, compared to 9% of the non-Indigenous people appearing.
- The proportion of Indigenous offenders under 18 years of age has stayed at a similar level of around 20% for the past 7 years, whereas the proportion of non-Indigenous offenders under 18 years of age fell from over 9% to about 8% in this time.
- The total number of DV orders made against respondents recorded as identifying as Indigenous in the court locations serviced by CJGs was 6654 in 2021-22, which is an average of 128 every week.
- The proportion of court appearances that were flagged as DFV related offences was 13.7% for Indigenous people between 2015-16 and 2021-22. This was almost twice the proportion for non-Indigenous people (7.5%).

These data highlight the high level of potential demand from Indigenous people requiring CJG support when appearing in courts at CJG sites across the State. The data also underline the significant number of children (20%) and women (30%) appearing in courts, and the rise in Indigenous people receiving custodial sentences. The data also highlight the considerable amount of DFV matters coming before these courts.

To understand the number of Indigenous people requiring assistance with DFV matters at the courts serviced by DFVE projects, the evaluation looked at court appearance data for the 17 courts servicing these 18 discrete Indigenous communities:

- There were 1648 DV orders made against Indigenous respondents at DFVE court locations in 2021-22. This number had fallen from 1974 in 2015-16.
- The court at a DFVE site with the highest number of DV orders across 2015-16 to 2021-22 had 2098 orders (an average of 25 orders per month), whereas the court with the fewest had 185. Most courts had approximately 800-1300 during this time, which equates to an average of about 9 to 15 orders made each month in these courts.
- At DFVE sites, the number of DV lodgments for intimate personal relationships has not changed considerably from 2015-16 to 2021-22 (between 250 and 300 per year), whereas the number of lodgments for family relationships has increased 43% in this period (from 177 in 2015-16 to 253 in 2021-22).

- At DFVE sites, the number of sentences involving imprisonment, fines and probation for DFV-flagged offences have all risen steadily between 2015-16 and 2021-22. Single and concurrent prison sentences across the DFVE sites for DFV-flagged offences rose from 132 in 2015-16 (average of 11 per month) to 216 in 2021-22 (average of 18 per month), a 64% increase.

The courts data at DFVE sites illustrate the high number of Indigenous people needing support with DFV matters at these courts, both in the civil court where DV orders are made and the criminal court where DFV offences are dealt with. The data also show the rise in family-related matters as opposed to intimate partner matters. The increasing rates of imprisonment, fines and probation for DFV matters underline the urgency of developing more effective responses to DFV in these communities.

It should be noted that these aggregate figures for courts at DFVE sites do not reflect the outcomes of the work of CJGs in these communities. In three of the communities eligible for DFVE funding, the new DFVE projects had not commenced during the period the data cover (up to 2021-22). At the other 15 sites, the DFVE project may have operated from anywhere between one and four years, depending on which year the project co-design and implementation was scheduled (see Table 3 in Part 3.4.2). Impacts of the DFV prevention work would not be expected to show in the aggregate figures. In Phase 3, the evaluation will be looking at court data in each DFVE location to investigate any 'before and after' differences since the DFVE projects commenced.

8.5 Cultural reports by CJGs

The raw numbers cited above about the number of cultural reports provided by CJGs provide an indication of the quantity but not the quality of CJGs' output in this area. CJGs advised that they do not provide cultural reports for all defendants in mainstream courts – this will often be decided with the legal representatives and will be affected by whether it is considered that a report will improve the court's ability to make a better decision and whether the defendant is willing to provide information for the report.

In the community survey at 11 CJG locations, community members who had attended court (or had family or friends attend court) were mostly very positive about whether the CJG had *helped the court understand the cultural issues* involved in the matter. As Figure 21 shows, 49% said the CJG had helped the court's understanding 'a lot', while 20% said the CJG had helped 'a fair bit'. Only 8% did not think the CJG had helped.

Community members also felt that the CJG's input had made sure they were *treated more fairly* when going to court. As Figure 22 shows, 46% said the CJG had helped 'a lot', while 31% said the CJG had helped 'a fair bit'. Only 6% did not think the CJG had helped with fairness in court.

Figure 21. CJG Community Surveys, 2021 and 2022

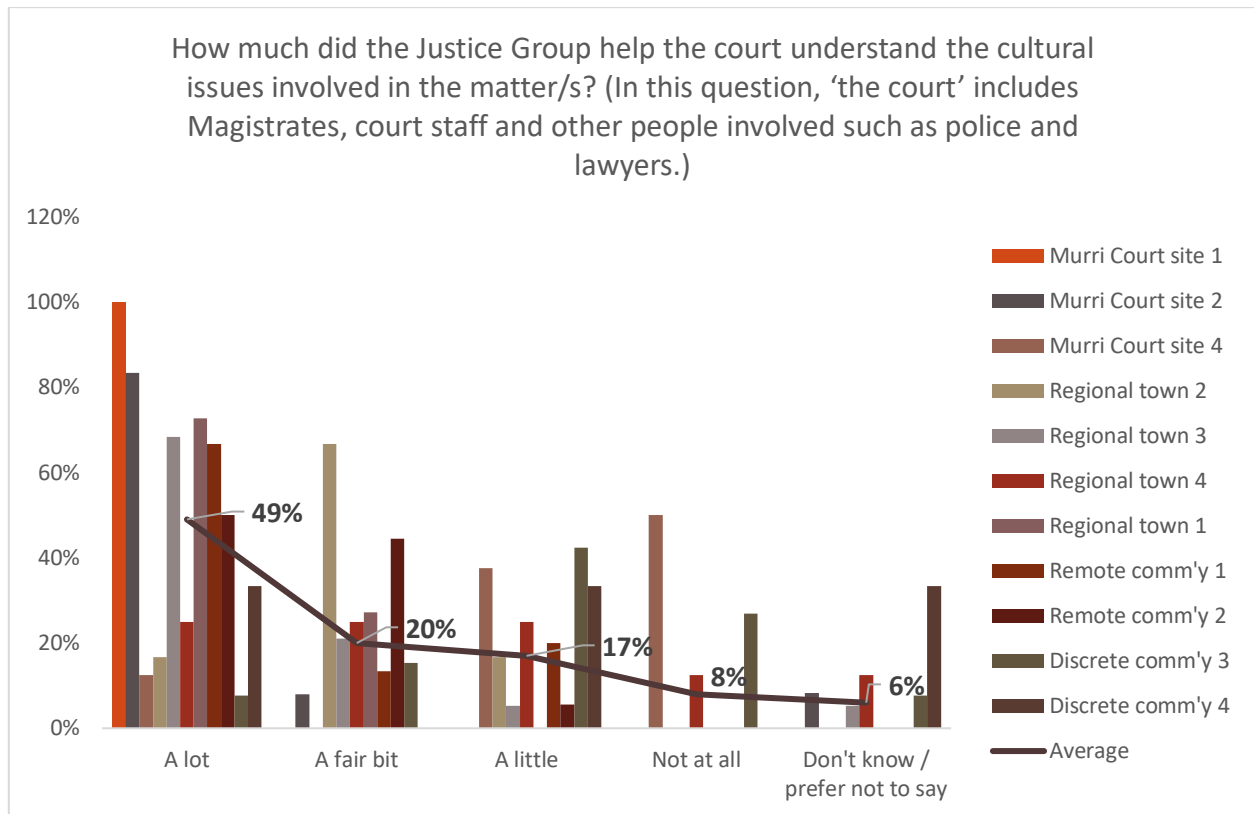
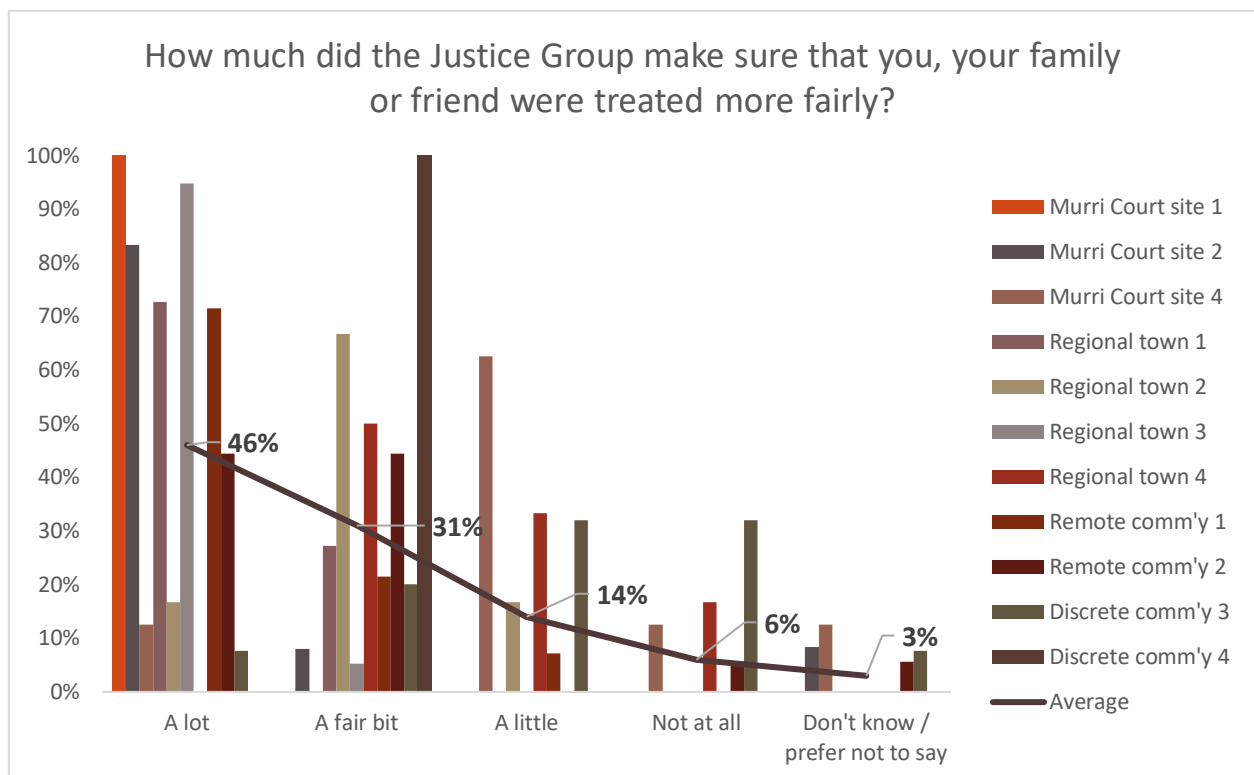


Figure 22. CJG Community Surveys, 2021 and 2022



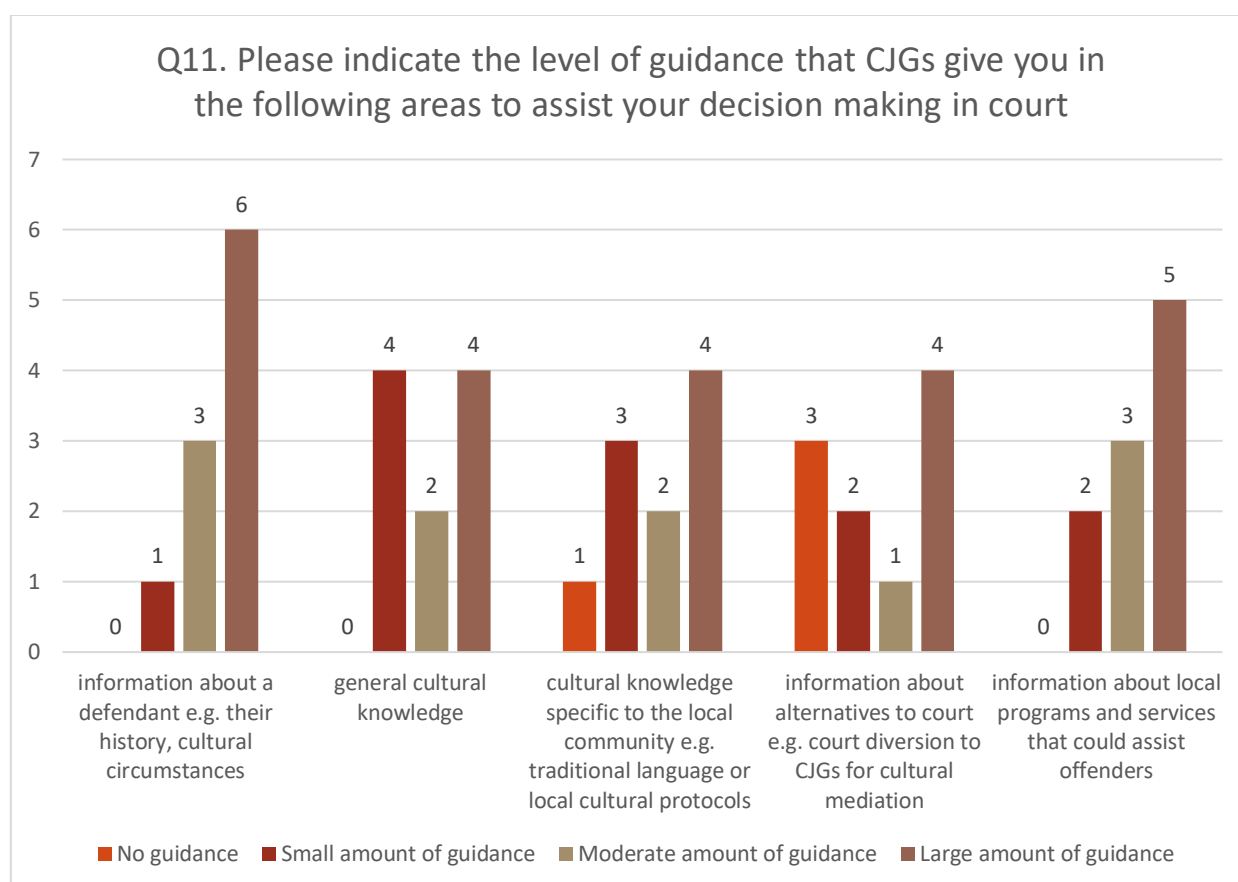
With the benefit of data from a larger number of CJG sites in Phase 2, the evaluation has identified the following factors that are present when cultural reports are, according to stakeholders, making an important contribution to improving court outcomes.

(a) CJG understanding of what the court needs in a cultural report

The good practice example in Box 9 illustrates the importance of the CJG knowing what information the court wants in cultural reports. DJAG staff provide regular training to CJGs about ‘Operations of Court’. Phase 1 highlighted that individual Magistrates have differing expectations about the content and format of cultural reports, so communication between the Magistrate and the CJG is important. In a survey of judicial officers for the evaluation, only 58% indicated that their interaction with CJGs included ‘give information and/or training to CJGs about your preferences in court’. This indicates the need for more structured opportunities for this to happen, which the evaluation understands is a commitment in the Magistrates Court’s Reconciliation Action Plan.

In the judicial officer survey, CJGs not understanding the court’s preferences was only flagged as an issue moderately affecting CJG performance by 20% of respondents, and 50% said it was not an issue at all. Furthermore, as Figure 23 shows, in all categories a majority of judicial officers felt they were receiving at least a moderate, and often a large, amount of guidance from CJGs about a range of matters relevant to sentencing. This suggests that CJGs not understanding the information the court needs is only an issue in a small number of locations.

Figure 23. Statewide Judicial Officer Survey, 2022



Box 9. Good practice example: Providing cultural reports to court

The new coordinator of a CJG explained the challenges with learning the court support aspect of the coordinator role:

"At first, I didn't like the court stuff. Because of not knowing what to do and just sitting there. And it just seemed like I was in court for myself, [just] sitting there and you can feel that tension from community members, [saying] 'you just sat there'..."

With support from [my manager] and meeting with the Magistrates, I've picked up on what the Magistrate and what the court wants to hear about a client: what they're doing to help themselves. I didn't know that. What sort of information that they want to hear in the courtroom. And since we've started doing that, that's built up a bit of trust between us and court clients, especially after the unrest anyway. [Clients know] we're not telling lies in the court report – we make that quite clear, what information that's gone on your record, [whether] that's actually verified and confirmed that you've attended counselling.

And now, we actually get asked [by the court] to submit verbal submissions. It's really good now for community members. You know, they talk to us, they say hello, they feel comfortable now. But they know you go to the side, you're not making judgement on anyone. It's just basically going off facts."

The CJG staff have connections to an Aboriginal family in the community, and are conscious about the need for court support to be impartial and to be perceived to be impartial. They also seek to involve Elders in the court support work:

"According to a court list, if the majority is from that one clan, I'll actually get a person on the [CJG] member's list to represent that clan, to sit in court and then to actually after court to talk about the court outcomes, what they have to do, and maybe get a few more suggestions after as well from the members on what should happen... other ideas, like [sending the defendant to] that outstation, or work."

Another staff member at the CJG explained that the encouragement of the Magistrate had been very helpful in building the CJG's confidence to participate in the court:

"I'm glad that we have a Magistrate that understands what it's like because she's worked in community for over ten years, apparently, and she understands what it's like to have a justice group. And I like that she gives... justice group the opportunity to respond or to have an input."

The Department received feedback from the Magistrate that the CJG had been very good to work with.

(b) CJG capacity and confidence to provide quality cultural reports

It can be a daunting prospect for CJG staff or Elders with limited or no legal knowledge or training to speak up in a formal court process. Several stakeholders have observed that CJG staff or Elders tend to sit in court without participating if they do not feel confident or competent to contribute.¹⁰⁰ In the survey of judicial officers, 50% of respondents said a large issue affecting CJGs' services was 'CJGs not having an understanding of appropriate parameters for submissions e.g. information or opinion prejudicial to offenders or appropriate content for submissions. On the other hand, 30% said this was 'not an issue' and 20% said it was a 'small issue'. This accords with the feedback the evaluation received from five Magistrates interviewed to date, that in most cases CJG staff and members were highly competent in providing court reports, but there were

¹⁰⁰ This is one of the most common criticisms the evaluation has heard about some CJGs and was reflected in the comments of some government and non-government respondents to the 2022 stakeholder survey. A judicial officer commented: "Justice Groups need to be better resourced so that appropriate members have the confidence to tender either oral or written submissions, not only in favour of defendants but also for the benefit of the victim and community. Justice Groups have much to offer but often lack the necessary confidence to be prepared to stand and demand attention"

a few that needed more training and support. The following example illustrates the value that Magistrates place on a well-crafted cultural report.

"[The CJG] just impressed me. A particular person, who really just had some very bad things happen. And he was an adult so he wasn't getting treated in the juvenile court system. But [the CJG] engaged, helped, sent for counselling, found counselling, did that wraparound as a justice group and then rolled it all up. And [his issue] was something, I think it was DV, that I wouldn't have understood. But I completely understood it because they spent hours spelling out over six or seven pages exactly what the history of the situation was. And it was, 'can I give you a hug rather than a penalty?' in the end. From something that was quite serious to start with. And that, to me, is what a community justice group can do – it's that 'this is what it looks like to you because you're from southeast Queensland, but this is actually what's really going on'." (Magistrate)

(c) CJG impartiality

The example in Box 9 illustrates the pressure on CJGs to be seen to be acting impartially on behalf of all families in the community. This is particularly acute where the CJG staff are local community members or have connections to a local family. Some of the respondents to the community surveys in Local Evaluation sites were critical of CJG staff or members for what the respondent perceived as the CJG providing more support or services to certain families or taking sides in court cases.

Judicial officers recognise impartiality as an issue for CJGs, but do not generally consider it to be a very significant problem. In the survey of judicial officers, no respondents raised 'conflict of interest between CJGs and court participants' as a 'large issue', while 25% rated it as a 'moderate issue', 50% rated it as a 'small issue' and 25% rated it as 'not an issue'.

(d) Involvement of Elders and respected persons (CJG members) in court

It was clear from interviews with Magistrates and other stakeholders that they see substantial benefit from the involvement of CJG members in the court process. Elders can provide relevant information and cultural knowledge to the court and they carry traditional authority that can be influential on the behaviour of defendants. A common theme from interviews is that Elders make sure the conversations in the court are 'honest' and that people are 'accountable'.¹⁰¹ Stakeholders in the Torres Strait observed that in two of the outer islands, Badu and Mer Island, powerful elders sat on the bench with the Magistrate and played an influential role in correcting defendants, explaining the community's expectations of them and expressing disappointment in their behaviour.¹⁰²

As discussed in Part 5.4.2, one of the challenges for CJGs is keeping Elders engaged and renewing membership as Elders step down or pass on. When the evaluation has asked stakeholders how various aspects of CJG work could be improved, a common response is that the CJG needs to recruit more Elders or get the current Elders more involved in courts and other activities. This is seen as a key success factor for CJGs' work in courts.

(e) Availability of local programs and support, communicated to the court by the CJG

¹⁰¹ For example, a police officer commented on a CJG staff member who is an Elder: "She makes people take responsibility. She made a comment the other day when we were dealing with this person who went and started drinking at home and she turned around and said, 'the family doesn't have to put up with your bad behaviour'. And she makes offenders accountable. She doesn't try to make excuses for them."

¹⁰² Stakeholders also noted that in some of the Torres Strait Islands, these Elders were no longer available and the younger, current members of CJGs needed to be encouraged to play this role and speak up in the court.



In the *Penalties and Sentences Act 1992*, one of the purposes of CJGs making cultural submissions is to advise the court about relevant programs and services for offenders in the community that the CJG is involved in. This advice could extend to telling the court about programs or support that the defendant has already accessed since being charged (for example, where the matter was earlier adjourned) or advising the court about options that the court could consider in granting bail to, or sentencing, the defendant.

The value of this advice will depend on the availability, accessibility and suitability of such programs and support, which is discussed further in Part 8.8, and whether the CJG makes the court aware of these in its court report. The responses to the judicial officer survey set out in Figure 23 suggest that respondent judicial officers were largely satisfied with the information they received about local programs and services (80% were receiving a large or moderate amount of guidance), but half (50%) felt they were receiving little or no guidance about local alternatives to court (such as cultural mediation).

The observations of a police prosecutor underlined the importance of CJGs providing guidance about sentencing options:

“But the reason that the [...] Justice Group is exceptional is because of, first of all, the interaction. So [the Coordinator] speaks to the Magistrate in regards to when sentencing is being determined. She's very concise about the role that the Justice Group provides to the community in regards to programs for people who are recidivist offenders, if they have substance abuse or if they have anger management or with juveniles, if there's lack of supervision and so forth, she makes the court aware of the different programs that are available. So then... in my role, the Court can take my submissions into consideration and I will make the submission if I think that an offender would be more appropriately monitored, say, on a community-based order with the access to the Justice Group for assistance instead of a suspended sentence.” (QPS prosecutor)

(f) Willingness of the court to accept and value the input from the CJG

The final factor that underpins effective CJG input into court decision-making is the willingness of the court to accept input from the CJG. The feedback from Magistrates interviewed by the evaluation, together with the results of the judicial officer survey, show that the Magistrates and judges involved have a very high regard for the value of the input provided by CJGs. For example, feedback to the stakeholder survey included:

“In my opinion, the circuit of the Torres Islands could not have commenced or continued without the enthusiastic support of the CJG. I am disappointed that these magnificent volunteers are not more widely acclaimed.” (Judicial officer)¹⁰³

“The work of the CJG's in North Queensland is vital. Significantly disproportionate numbers of Aboriginal and Torres Strait Islander people in North Queensland appear before the courts or are incarcerated. In discrete communities where judicial officers 'fly in, fly out' the court would have little or no understanding of the cultural and societal issues that [a]ffect the community without a CJG.” (Judicial officer)

“The CJG in Yarrabah is to be commended. They actively look for ways to assist the court and the community. They ensure there is someone present for each and every court date.” (Judicial officer)

“I would like the ... elders and CJG's to be ...adequately funded for the very valuable role that they perform and the assistance they provide to the community. My experience is that the level of funding is not in any way capable of compensating them for the time and passion they put into their roles

¹⁰³ The outer Islands of the Torres Strait do not receive funding consistent with the 41 CJGs across the state. The outer Islands of the Torres Strait have not been covered broadly in this report as that had been deemed out of scope of the evaluation. It is suggested that government consider reviewing the investment needs of CJGs of the outer Islands of the Torres Strait.

and leads to fatigue. My experience is we ask a small group of very motivated, compassionate people to perform a huge role without recognizing adequately the impact this role can have on them and the conflict it can put them in with community expectations of them.” (Judicial officer)

“My view is that every CJG I have had the pleasure of being involved with is performing an extraordinary role in the justice system and should be commended for their dedication and assistance.” (Judicial officer)

The role of CJGs is not universally understood across the magistracy and some judicial officers may have had little exposure to the work of CJGs. The evaluation heard some examples of misunderstandings where CJGs’ DFV court support workers had been excluded from closed courts where they were seeking to provide support to clients. This underlines the need for continuing promotion of the role and contribution of CJGs in the courts.¹⁰⁴

8.6 Other forms of court support by CJGs

The data collected from the Local Evaluations in Phase 2 have highlighted the extraordinary contribution that CJGs make to the functioning of courts in other respects not related to providing cultural reports. Figure 24 shows the value that judicial officers place on the court support provided by CJGs. It shows that judicial officers value the following functions of CJGs even higher than their written and verbal submissions:

- explaining absences in court
- reminding people of court appearances
- supporting offenders to deal with the underlying issues related to their offending
- linking people in the court to support services
- helping people know what to do in court

In the community surveys at 11 CJG sites, community members were asked several questions about the support they received in court. Figure 25 indicates that the community members generally felt that the CJG had assisted them to *understand the court process and what you had to do*. Across the 11 CJGs, an average of 42% said the CJG had helped ‘a lot’ and 32% ‘a fair bit’.

Government and non-government stakeholders were asked in the stakeholder survey to assess the availability, accessibility and suitability of various court services in CJG communities. The perceived availability of these services is set out in Figure 26. Some of these court services are areas where CJGs may provide assistance in the court, so the responses are a relevant data source when considering CJGs’ court support outputs. All of the services have a consistent number of respondents indicating they are available, except interpreter or translation services, assistance to victims (helping people who have been harmed), and cultural mentoring of court staff and magistrate. The highest counts are for ‘helping people know what to do in court’ and ‘helping people to follow court orders.’ As these are both areas where CJGs tend to play a key role, the survey responses are one indication that CJGs are meeting this need in their communities.

¹⁰⁴ A judicial officer commented in the survey: *“I think judicial officers must also be more accepting of and respectful to the opinions of the Group. I made a point of indicating to the Court community that where appropriate a sentence had been molded having full regard to the CJG’s submission. If I disagreed with the submission I was careful to explain why.”*

Figure 24. Statewide Judicial Officer Survey, 2022

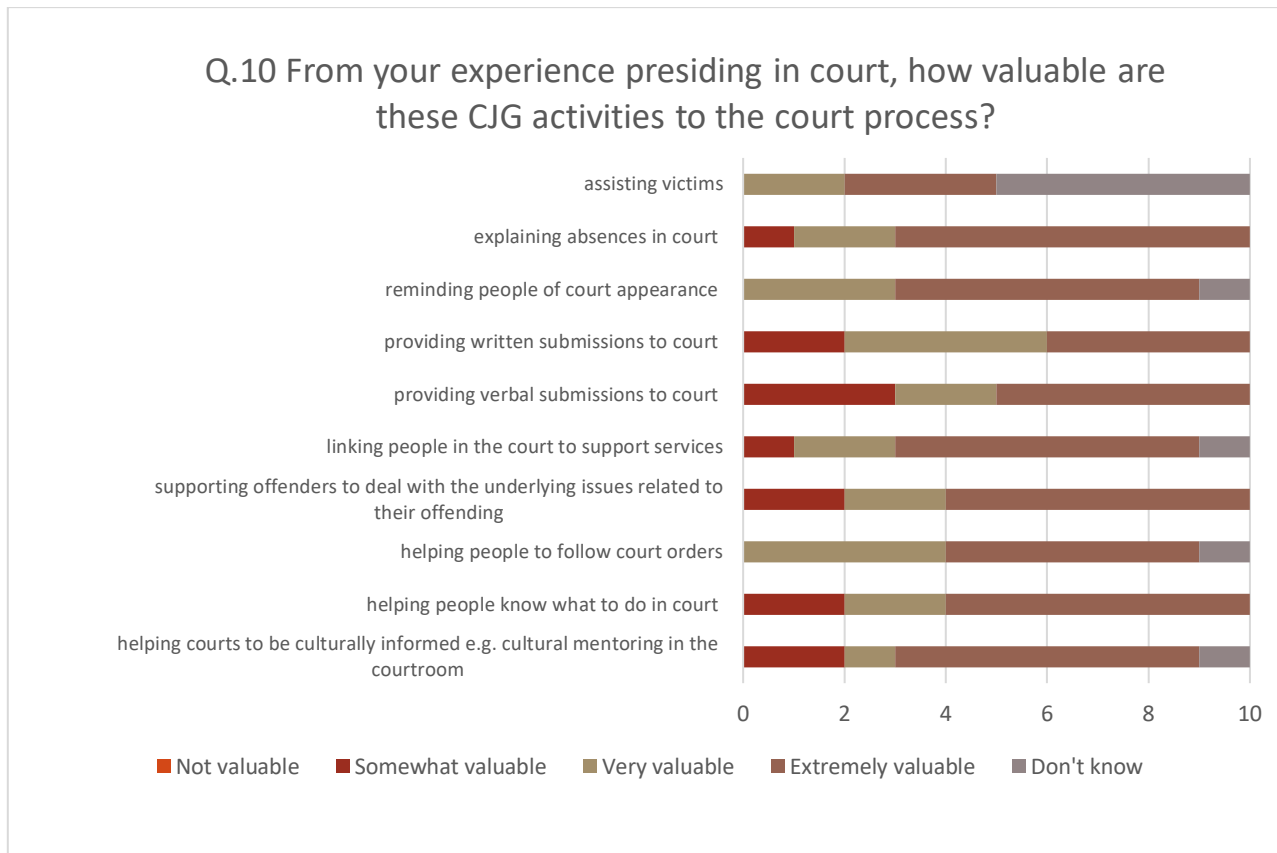
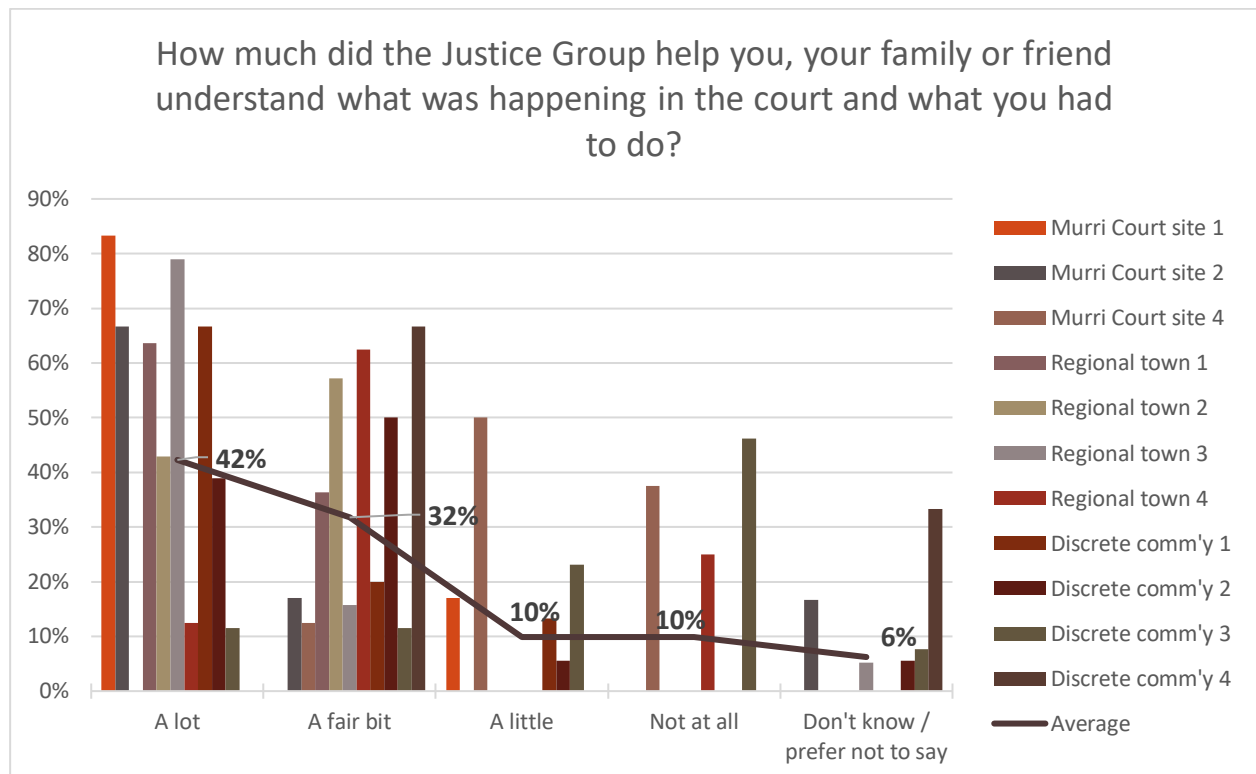


Figure 25. CJG Community Surveys, 2021 and 2022





Stakeholders' views about the suitability of these services give an indication of perceived quality of the supports currently provided. Figure 27 shows that the available services that were most likely to also be rated as suitable (in other words, meeting the need in a culturally appropriate way) were 'interpreter or translation services', 'reminding defendants and taking them to court', 'helping people to know what to do in court', 'cultural mentoring of court staff and magistrate', and 'telling court of people's strengths and challenges.'

Figure 26. Statewide Stakeholder Survey (Government and NGOs), 2022

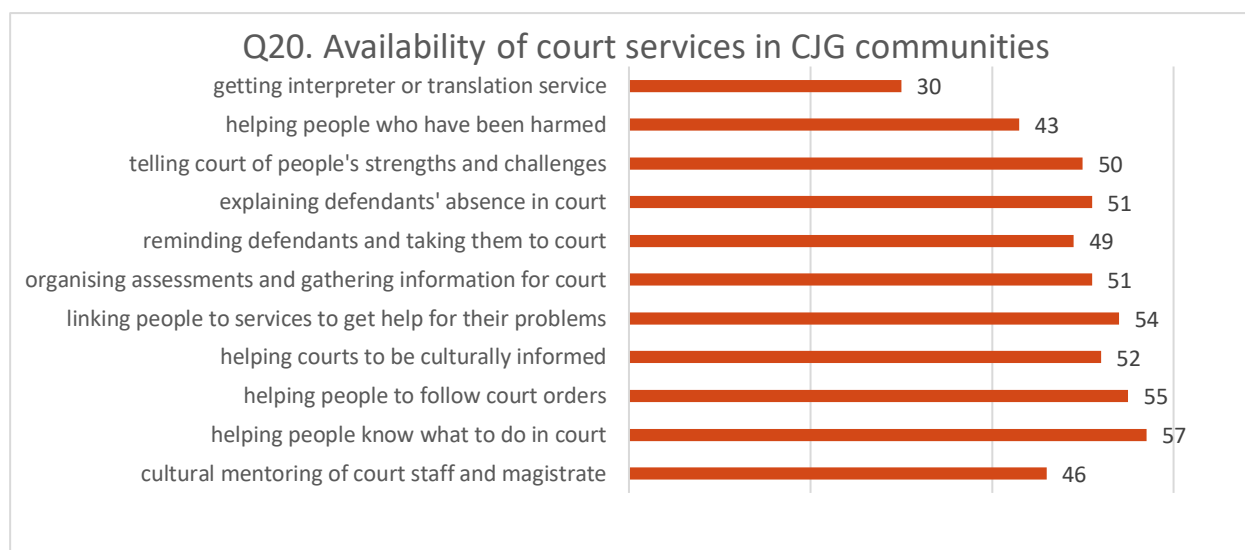
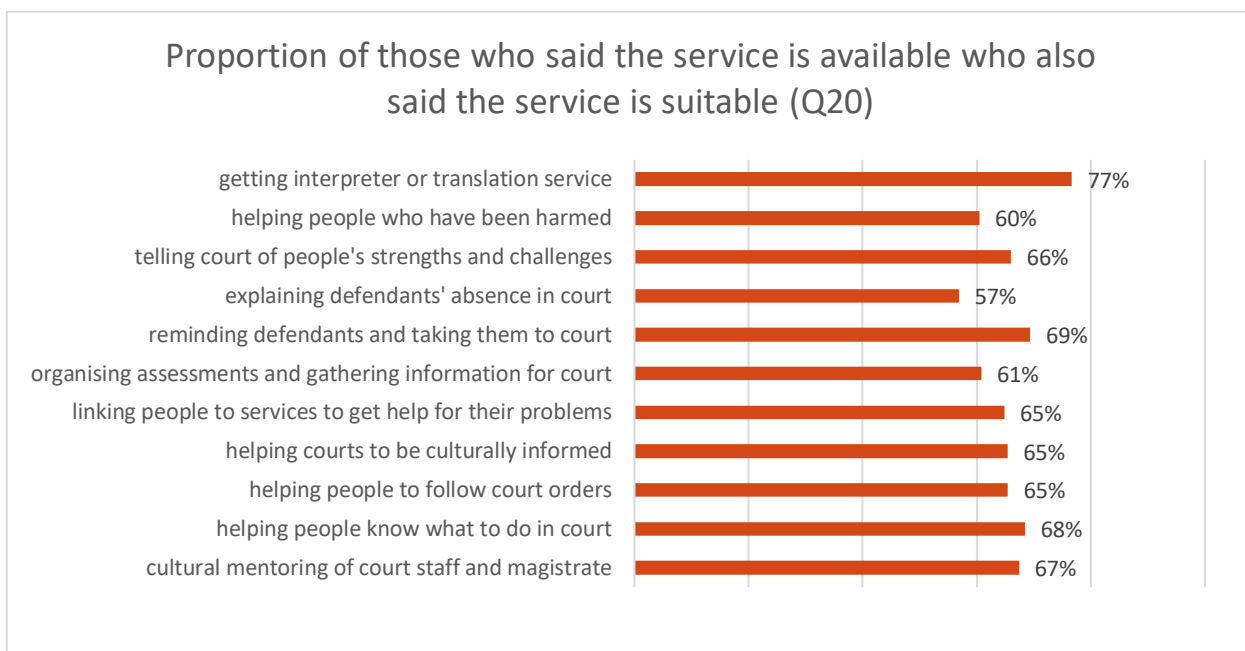


Figure 27. Statewide Stakeholder Survey (Government and NGOs), 2022



Another important court support output provided by CJGs that is not widely recognised is the logistical support they provide to circuit courts in remote and rural communities. The Local Evaluations revealed CJGs spend considerable time transporting clients, lawyers and other court stakeholders to and from court. In one location, the CJG cleans and maintains the court facility. The outer islands circuit court in the Torres Strait is

heavily dependent on the local CJGs, as well as support from the Thursday Island CJG.¹⁰⁵ If the CJG program did not exist, courts would struggle to function properly in many locations, unless significant additional resources were expended.

A factor raised in several Magistrates Court and Murri Court locations as a strong inhibitor to the court support work of CJGs is inadequate facilities at courthouses. For example, at the Wynnum courthouse there is no allocated meeting space for the CJG staff and Murri Court Elders to confer with clients and wait until their nominated time in court. When Murri Court sittings were delayed by other matters at a sitting day in early 2022, a physical altercation between Murri Court clients and other court users resulted in some clients being put in the watchhouse. At Doomadgee, the lack of meeting facilities at the courthouse requires CJGs and lawyers to confer with clients in public places in the open, which is not ideal when preparing for sensitive court proceedings.

Adequacy of facilities at court for CJGs was acknowledged by most judicial officers as an issue. As Figure 23 shows, 40% said this was a 'large issue' and 30% said it was a 'moderate issue.'

Feedback by a CJG respondent to the Stakeholder Survey highlighted how helpful it is to the CJG to have appropriate facilities. The respondent explained how a dedicated room and kitchenette at a courthouse had created a safe place for Elders and clients, and greatly enhanced the CJG's ability to provide court support.¹⁰⁶

8.7 CJGs' Murri Court outputs

The Phase 1 Annual Report provided a detailed picture of the work that CJGs do in Murri Courts around the State, and the strong support for the Murri Court model from all stakeholders (see summary in Part 8.2 above). The factors outlined in the previous section as underpinning effective CJG input into Magistrates Courts apply equally in the Murri Court.

One other factor emerged as a theme from the interviews at Murri Court locations in Phase 2. Murri Courts are considered to be at their most effective when the Magistrate and the Murri Court Elders work together to connect with the participant in a way that enables them to genuinely 'open up' to the consequences of their behaviour and the possibilities for change. The reflections of two Murri Court Magistrates in Box 10 underscore the vital role of relationships, connection and honesty.

A challenge for some Murri Courts has been maintaining an optimal number of cases for the intervention to be successful. Too few cases is not an efficient use of resources, while too many risks overwhelming the CJG and not being able to provide adequate one-on-one support to the participants. Figure 20 showed there is a wide range of caseloads across locations. The highest caseload, at Ipswich, has led to stakeholders taking steps in 2022 to cap the number of participants to a more manageable level. The Mount Isa Murri Court has had increasing numbers, but the CJG has introduced measures to manage the workload. The coordinator splits the caseload into manageable cohorts for each Murri Court sitting, and low-need participants are brought before the court in groups of three to expedite the process, while higher-need participants are seen individually.

There is vigorous debate in some locations about whether the Murri Court is targeted appropriately. In Ipswich, Bayside, and Mount Isa there has been discussion about extending Murri Court to youth, to address

¹⁰⁵ A judicial officer commented in the stakeholder survey that this circuit would never have been established and maintained without the CJGs' support. At the time of the evaluation, the CJGs in the outer islands receive only a grant of \$1000 each per annum to support these circuits.

¹⁰⁶ The response was: "We attend court with the Coordinator and elders. We have been provided a permanent room with a kitchenette and toilet. If parents attend court with small children/babies, they often stay in the room with the elders while the parent is in the courtroom itself. Our office is a safe place for people to sit, yarn and have a cuppa. We can privately get the background of the person and can give oral or written submissions in court for them."

significant youth crime issues in those locations. At Mackay, the Youth Murri Court has low numbers and some stakeholders suggest an adult Murri Court is required.

Box 10. How Murri Court works best: relationships, connection and honesty

“When [Murri Court] works really well is when we have defendants who totally surrender, and they can sit there, they can cry, they talk about the innermost feelings of all of their vulnerabilities, and they feel comfortable enough to put those things on the record, to tell us what their problems are, which is not an easy thing to do. I feel that because I, and probably most Murri Court Magistrates, deal with their child safety issues and their domestic violence issues and we know if we've disqualified them from driving and we know all about them, that they already know us quite well and we already know them quite well... And you get a chance to build a connection with them. My whole hope is that they start to feel a bit more of a sense of justice and a bit more of a sense of ‘I actually want to comply with the law because the police aren't so bad, they dropped the charge down from disqualified driving to unlicensed driving, and the magistrate listened to me... And so they don't want to disappoint you... I think they feel listened to and they feel someone cares.” (Murri Court Magistrate)

“The Murri Court is very powerful, very good. But it's in the men's group, it's in the connection with people who've had the same experiences, who they don't have to feel embarrassed in front of, and who they can be honest with themselves and them about why they're here. Because we don't have a large number of bad people. Bad people exist in the criminal justice system, but they're fewer and further between than you would think. Most people that I've represented over the 20 years and seen in courts, as I've got here, there's a pathway, there's reasons... and there's a way out of it and it mostly comes from just being honest with themselves.” (Murri Court Magistrate)

8.8 DFVE court support outputs

For the CJGs in discrete communities that have a funded DFVE service, it is difficult to separately identify the level of court support outputs for the DFVE staff, as the operation tends to be integrated with the rest of the CJG's court support activities. For example, the CJG coordinator and other CJG staff may also be involved in delivery of the DFVE services, in addition to the dedicated DFVE staff.¹⁰⁷

Providing support to people involved in DFV matters in court is a core service for all 17 of the DFVE service models approved by DJAG to date. The main court support functions of DFVE staff include:

- taking referrals from police for community members with DFV issues, and following up to provide support to both aggrieved and respondent parties, including assistance with any upcoming court processes
- helping victims to prepare DV order applications, or to access legal services to assist with them
- helping parties prepare for court, by facilitating legal representation and explaining the court process
- transporting parties to court and to appointments with service providers (many projects were funded for an additional DFV vehicle for this purpose)
- supporting parties in the courtroom
- explaining orders and conditions to the parties
- linking parties with services and other assistance before and after court processes, including men's groups, women's groups and yarning circles run by the CJG itself, or third party programs
- assisting aggrieved parties to seek variations to DV orders.

¹⁰⁷ An exception is at Palm Island, where the DFVE court support workers are supervised by a different staff member from the auspicing body, and operate out of a different office as a standalone service to the CJG.



Cultural reports for courts may also be provided by the CJG in relation to DFV matters, depending on the circumstances of the court appearance.¹⁰⁸

As the CJG-reported figures in Part 8.3 show, DFV staff from the 15 active DFVE projects in 2021-22 reported attending 176 DFV court proceedings and assisting 1115 offenders and 410 victims through the court process, which averages to about 6 offenders and 2 victims supported per month at each DFVE site.

The evaluation team has conducted Local Evaluations at the following DFVE sites in Phases 1 and 2: Doomadgee, Cherbourg, Wujal Wujal, Hope Vale, Mossman, Thursday Island, Coen and Palm Island. The DFVE projects at these sites are at different levels of maturity, with some in place for 5 years and others established more recently. The DFVE projects have had positive employment outcomes in the discrete communities, with preference in recruitment to employing local people. This has the advantage of ensuring workers have local knowledge and cultural competency, and hopefully more continuity than employing 'outsiders.' It also recognises the pragmatic reality that housing is very restricted in discrete Indigenous communities, making it very difficult to attract external candidates.

A challenge with recruiting locally is that there is a smaller pool of potential candidates and it may be hard to find people with previous experience in DFV or related justice system work. In recognition that capacity may take some time to develop in these services, DJAG has provided on-boarding training for the new staff and encouraged their ongoing participation in training and development – this was a performance measure for the Projects to report on. Nevertheless, in some locations, regular turnover in the DFV positions has been a challenge for the CJGs, and affected continuity of delivery.

At five DFVE sites visited, the evaluation team conducted community surveys. Many respondents understandably preferred not to answer questions about support they received from DFV workers for court matters, but there was still some informative feedback received. Figure 28 shows that an average of 57% of respondents who had been supported by the DFV workers had been assisted to go to court, with the second most common area being referral to counselling (54%). Figure 29 shows that respondents at these sites generally had a high level of satisfaction with the CJG's support around DFV – the sites averaged 45% for 'very happy' and 39% for 'happy', and a very small percentage of people were 'very unhappy'. Comments included:

"I get support as I have problem to read, they do my paperwork. [M]ale support."

"Friendly, open door, support, sensitive to my needs"

"Felt supported by them. Men's group. Court support."

"They have always helped and listened to me."

"[DFV worker] takes us out for men's group and helps us a lot to deal with personal issues."

"Caring and support"

"Got a good outcome"

¹⁰⁸ A technical breach may not require a cultural report, whereas multiple serious breaches such as assault breaches may attract the need for a report. Escalating offending attracts escalating sanctions, which may require more sentencing deliberation including a CJG cultural report amongst other information to the court.

Figure 28. CJG Community Surveys, 2021 and 2022

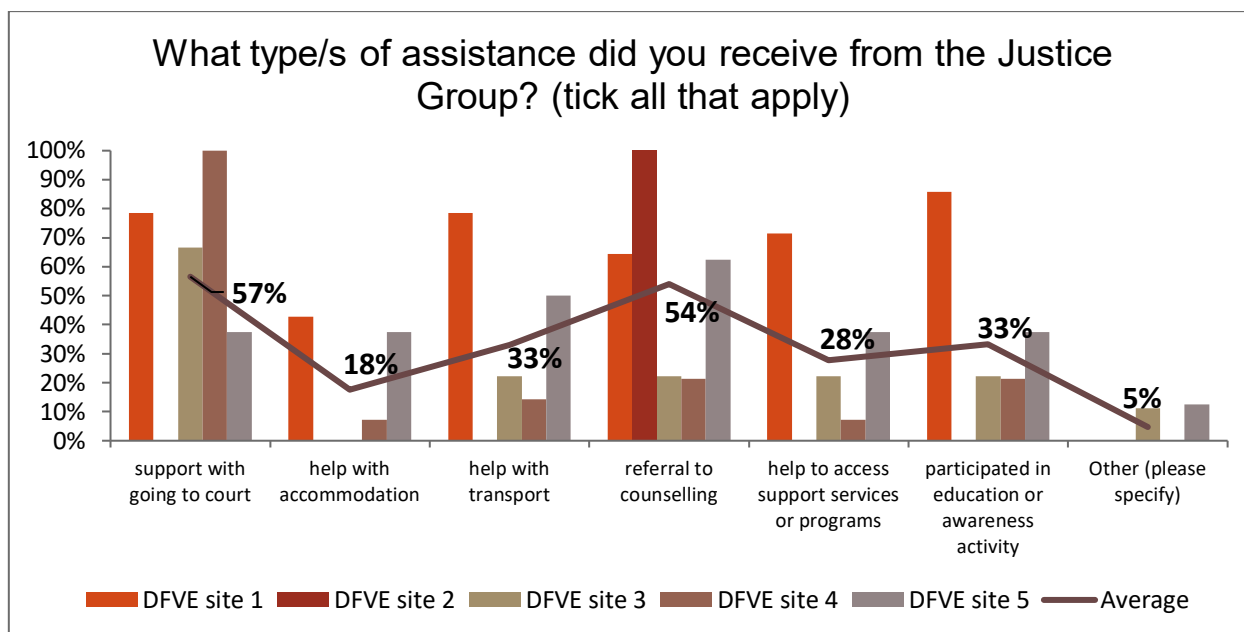
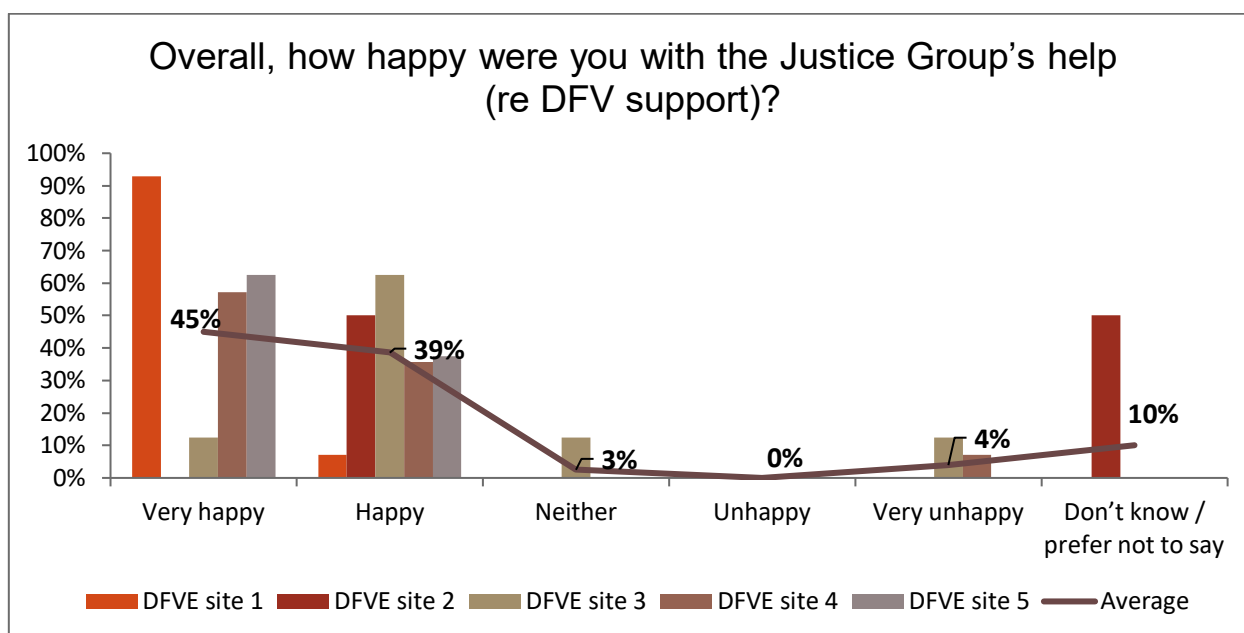
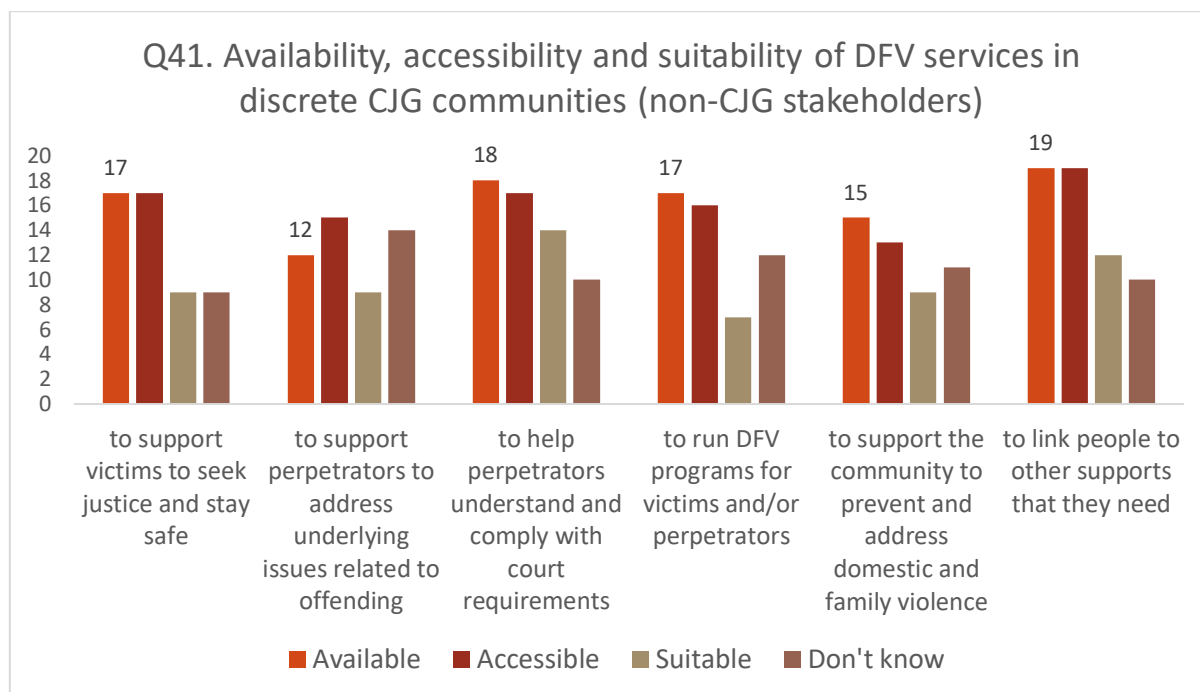


Figure 29. CJG Community Surveys, 2021 and 2022



The Phase 2 stakeholder surveys provide another indication of the perceived level of output that CJGs are delivering in supporting parties to DFV matters. Figure 30 shows that non-CJG stakeholders perceive the most available DFV services in the discrete Indigenous communities to be linking people to other supports they need, helping perpetrators understand and comply with orders, supporting victims to stay safe, and running DFV programs for victims/perpetrators. Least available were perpetrator programs, which accords with consistent feedback during the Local Evaluations about the lack of perpetrator programs (particularly for men, but also for women). Suitability was rated as relatively high for the help to perpetrators to understand and comply with court orders (a key task delivered by CJGs), but services to run DFV programs for victims and/or perpetrators were not considered suitable.

Figure 30. Statewide Stakeholder Survey (Government and NGOs), 2022



In the interviews at the DFVE sites, CJG staff felt their most important areas of court-related support were:

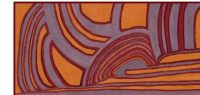
- explaining the conditions of DV orders to parties,
- advising the court about the family context,
- assisting parties with variations to orders, and
- referring people to programs and support (delivered by either the CJG or another service provider).

Staff felt their role was especially important in dealing with unworkable conditions on DV orders and ensuring the process operates fairly. Common concerns were that police and courts were imposing DV orders on the wrong party because they did not understand the circumstances of a DFV incident, and that the 'no contact' conditions on orders were leading to injustices where the condition was unworkable or where parties were abusing the process. The following examples from CJG staff¹⁰⁹ are illustrative:

"Men can be victims and more so nowadays. Especially now where a DVO can be put on you at the drop of a hat. I've got a new [male] client, and she's rung him and asked him to come over to help with the kids. He's got there, she stood on the verandah yelling at him, the neighbours called the police and the DVO gets put on him. For officers that are supposed to investigate, they don't investigate a lot." (CJG staff member)

"So the conditions of the order, we explain what kind of order they're on. If we see a gap where the sword is the shield or the shield turned into the sword. You know what I mean? So sometimes the order is taken out on this person. But that person has got that coercive control over that defendant. And they use that against some of our people, our males especially... But yet the woman is probably more aware of what the conditions on the order are because of the services for women. And then she use it against the person, you know. 'Come on, come over... Now I call the cops on you.' And then the poor lad already signed the conditions of his order and that is a breach... So them kind of things we can identify and make recommendations, so there's a clearer picture to the courtroom. The LORE

¹⁰⁹ A councillor in one of the communities also raised this as an issue: "People can use the orders the wrong way. Fellas trying to do the right thing with the orders but the no contact one in particular is used against them, in a bad way. And people dob them in. You think about some of the men that really do want to try and change, but these orders just put them straight back in."



and LAW... And it has to come from community to educate the court, the legal system on how and why some of these breaches are about to happen, or you're setting some of these people up to fail.”
(CJG staff member)

In addition, the prevalence of police applying for orders for both parties in a DFV situation (cross-orders) can lead to female victims of DFV being wrongly identified as perpetrators. A recent police assessment of DFV matters in the Torres Strait and NPA found that male recidivist DFV respondents had used the DFV legislation to their advantage by calling for service from police and gaining recognition as the aggrieved in a matter.¹¹⁰

Some CJG staff and members told the evaluation that these problems occur because the DFV legislation and the way it is enforced by police and courts are founded on mainstream assumptions about the nature of DFV that do not always hold true for Indigenous communities.¹¹¹ As a result, they perceive the DFV system does not always work to protect the people who need to be protected¹¹² and address the real causes of violence. These CJG staff and members worry that the system may, in fact, entangle Indigenous people further in the court and prison systems, making things worse for Indigenous families without actually addressing the problem. A Magistrate told the evaluation of being approached by an Indigenous woman in the street who asked, ‘can you please give us our men back?’ Hence, CJGs see their input into court processes and their support for participants as a means to ensure the justice system deals more appropriately with Indigenous people and contributes to solutions rather than exacerbating problems.

The recent *Commission of Inquiry into Queensland Police Service responses to domestic and family violence* reported similar concerns about the operation of the mainstream DFV system in Indigenous communities, finding that:

*Protection Orders that are not tailored to the needs of the specific relationship can become counter-productive. Impractical or unnecessarily onerous conditions, and conditions which are not properly understood by the parties (either because of complex language, or because the parties were not involved in the legal process which saw the conditions being imposed), are more likely to lead to a criminal justice response.*¹¹³

The Commission further found that CJGs have an important role to play in assisting courts with appropriate conditions for DV orders and ensuring parties understand the conditions. The Commission recommended as follows:

Recommendation 52

Within 12 months, the Department of Justice and the Attorney-General increase the support of, and funding for, Community Justice Groups, including by expanding the membership where appropriate.

The Commission also called for more First Nations community-led responses to DFV, including partnerships with police, as a means of overcoming the distrust that Indigenous people may have of police and the formal justice system as an avenue for dealing with DFV issues they are experiencing.

¹¹⁰ Commission of Inquiry into Queensland Police Service responses to domestic and family violence, 2022. *A call for change: Final report*, p.265.

¹¹¹ For example, a female CJG Elder observed that “if you used to walk into a court and see violence prevention [posters], it was always one of our men pictured. So in some ways there is a bit of cultural profiling going on.” She urged “we’ve got to start changing the dialogue around violence prevention. It has to have no cultural face to it, no gender face to it. Doesn’t matter what colour the hand or what gender, violence should never be accepted.”

¹¹² Two CJG staff raised the issue of same-sex DFV not being sufficiently recognised.

¹¹³ Commission of Inquiry into Queensland Police Service responses to domestic and family violence, 2022. *A call for change: Final report*, p.254.

The possibilities for CJGs leading more culturally appropriate DFV models was illustrated during one of the Local Evaluations. Staff of a CJG in a remote community emphasised that they saw their local DFV response as being more holistic, culturally appropriate and whole-of-family focused than mainstream DFV response models. The CJG coordinator explained that they supported both the female and the male and any children involved. Her job was to support the female and the male DFV worker supported the male and they both work together to *“find out if the kids are OK.”* The CJG is seeking a response that deals with the issues for the whole family: *“And just because there’s a female there [at the women’s shelter] doesn’t mean we are just taking her part – it’s supporting the whole three of them, including the father and the child.”* To complement the existing women’s shelter, the CJG organisation is in the process of establishing a men’s shelter, to be both a ‘cooling down’ place for men at risk of DFV (as either perpetrator or victim) and a venue for delivering appropriate activities, support and counselling to men.¹¹⁴

Another CJG output related to DFV is support for the Specialist Domestic and Family Violence Court at Mount Isa. The Mount Isa CJG is not one of the 18 discrete communities eligible for DFVE funding; however, it receives additional DJAG funding to support the SDFV Court. The Local Evaluation at Mount Isa found that the CJG staff perform a similar range of functions in supporting the SDFV Court as DFV court support workers in the DFVE locations. The CJG staff receive referrals from police and follow up with aggrieved and respondent parties to link them to support and help prepare for court proceedings. The CJG transports people to court and helps parties navigate and understand the process. The CJG also runs a women’s group and men’s group to support DFV perpetrators and victims. The evaluation found the male and female CJG staff to be highly motivated and delivering a strong level of output supporting men and women in the court.

8.9 CJG outputs in linking people to support (non DFVE staff)

In the stakeholder survey, non-CJG stakeholders responded that ‘linking people to services to get help from their problems’ was the third most available court-related service in CJG communities, after ‘helping people to know what to do’ and ‘helping people to follow court orders’. In the Murri Courts, perhaps the most important part of the CJG’s role is referring individuals to services to assist them to address their underlying issues. In non-Murri Court locations, assisting court clients to get help is also a core part of the mission of CJGs, even if the process is not as structured as in the Murri Court. While offenders are the primary focus of CJGs’ referrals, CJGs also play a role in assisting victims to get help.

8.9.1 Referral pathways within and external to the CJG

Support that CJGs refer offenders to may be delivered by third parties or the CJG itself.

(a) Referral to programs and services delivered by CJGs themselves

The most significant change to the CJG Program in recent years is that enhanced funding has enabled CJGs themselves to initiate new programs and interventions to assist offenders. In CJG budgets, an additional \$81,000 can be allocated to a ‘Community Specific Activity’ designed by the CJG. This might be a yarning circle, men’s group, women’s group, on-country camps, healing program, mediation or some other local initiative. Some of these activities may be targeted towards primary prevention or early intervention (as discussed in Parts 6 and 7), or towards supporting people in custody or transitioning back to community (see Parts 9 and 10). However, many of the new activities are directly targeted at supporting offenders to address the underlying issues for their offending behaviour, and are therefore part of the support that CJGs offer individuals through the court process.

¹¹⁴ Another example of the unique, culturally specific approach that CJGs take to DFV issues is at Wujal Wujal, where CJG reports indicate that gender separated yarning circles are brought together at various points to focus on accountability and shared solutions.

One of the forms of support that CJGs may themselves provide to court participants is cultural mentoring by CJG staff and members, especially Elders. In some cases, this is bundled into a formal program, such as where staff or Elders facilitate a yarning circle or cultural camps that people can be referred to. In other cases, this is just informal support that CJGs provide through their engagement with the clients. As one coordinator pointed out, “*sometimes people just want someone to talk to*”. As they may not be qualified counsellors, CJG staff and members have to be careful to maintain appropriate boundaries in these interactions.

In some locations, a CJG may be able to refer offenders or victims to other services within the same organisation that auspices the CJG. The evaluation has found that basing a CJG within an Indigenous community organisation delivering a range of social services can be advantageous in terms of the CJG to easily refer people to services they need.

(b) Referral to programs and services delivered by other organisations

CJGs also refer court participants to a wide range of other organisations that have programs and services relevant to the client’s particular needs. The evaluation has found that the most common referral points for CJGs, in approximate order from most to least frequent, are:

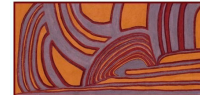
- *Alcohol and Other Drugs (AODS) interventions.* As offending is often linked to alcohol or drug abuse, AODS programs and services are the most common external referral by CJGs.¹¹⁵ These may be delivered by government or non-government health services or counselling organisations. They may consist of AODS education, individual counselling, group programs, treatment programs or residential rehabilitation facilities.
- *DFV interventions.* With such a high proportion of offences being DFV-related, CJGs commonly refer individuals to DFV programs and services, where these are available. This includes perpetrator programs and women’s shelters for victims.
- *Counselling and mental health support.* These programs may be delivered by government or community health services or other non-government organisations (such as Relationships Australia, wellbeing centres)
- *External men’s groups and women’s groups.* Where CJGs do not run their own men’s or women’s group, referral may be to a group run by another organisation.
- *Parenting programs.* These are typically delivered by non-government organisations.
- *Health and disability.* CJGs may refer people to health services for untreated health conditions that make people vulnerable to offending. Many Murri Courts and CJGs have developed referral processes with NDIS.
- *Employment services and employers.* Some, but not all, CJGs support participants to access Job Active support for jobseekers or to directly link with employers.
- *Education and training.* Some CJGs assist clients to access education and training opportunities.
- *Financial management.* In some communities, CJGs refer people to agencies that help with budgeting and saving (for example, O-Hub in some Cape York communities), which might reduce stress that is linked to offending.
- *Housing.* Housing situations are often linked to offending and stable housing contributes to bail and parole success, so CJGs may refer people to housing agencies and crisis accommodation.

8.9.2 Stages in the court process when referrals can occur

CJGs are organising assistance for people at several different points in the justice system cycle:

- *Pre-court.* When a person is charged with an offence, they may receive a notice to appear in court at a later date (if they are not arrested, or arrested and then released). This is an opportunity,

¹¹⁵ For example, the Mount Isa Murri Court refers 100% of clients to AODS services.



especially in locations with monthly or bi-monthly court circuits, for the CJG to help the individual access support. This can be an effective intervention because any progress the person has made can be taken into account during the court proceeding, potentially reducing any penalty. Immediately following the offence is also the time when the CJG may seek to assist the victim to access support.

- *On bail.* The period that a person is on bail awaiting trial or sentencing is another point at which the CJG can support them to access help. This is the basis of the Murri Court initiative, which formalises the process for an offender to be given bail and assisted by the CJG and Murri Court Elders to access available programs and support, before returning later for sentencing (which will be less onerous if the offender has made progress in the intervening period). In other Magistrates Courts, the period between bail and trial or sentencing is also an opportunity for the CJG to work with the defendant. Participation in a program may be a condition of bail. For example, a Murri Court participant may be required to attend CJG yarning circles and undertake specified programs.
- *Post-court.* Following a non-custodial sentence, the CJG can assist the offender to access programs or services to address underlying issues and avoid re-offending. The sentence itself may compel participation in programs.

8.9.3 Data about referrals made by CJGs, externally and internally

In 2021-22, CJG staff across the State reported making 1840 referrals for defendants in non-DFV matters and 277 referrals for defendants in DFV matters. In addition to this, the DFVE staff of CJGs reported making 860 offender referrals and 128 victim referrals for DFV matters. CJGs also record the destination of the referral, although differences in the way that different CJGs record the data make it difficult to interpret. The 2021/22 data do indicate the following:

- The largest number of CJG referrals are made to the CJG's own programs/activities. This includes transport, cultural mentoring, and healing and cultural activities (yarning circles, men's and women's groups and cultural camps).
- The top three external referrals are for legal services, men's groups, and AODS support
- Less frequent referrals are counselling, women's groups, mediation and health.
- There were 36 referrals to CJG mediation, which comprised 13 at Thursday Island, 10 at Aurukun, 6 at Hope Vale, 4 at Coen, 2 at Yarrabah and 1 at Doomadgee.

The prevalence of referrals to CJGs' own programs is illustrative of the gaps in services and interventions available for offenders as well as the inherent strengths of CJGs in supporting Indigenous offenders with culturally safe services.

An indication of CJGs' internal outputs in delivering programs and services for offenders (and less commonly, victims) is in the responses to the community surveys set out earlier in this report in Figure 14. The surveys show that the most common interactions that community members had with CJGs was attending a women's group, men's group, yarning circle or sporting group. Other well-attended CJG programs or interventions that might support court participants were transport, educational/training programs, mediation and cultural camps. The self-reported data and the community survey data show that CJGs are providing a wide range of referrals, including to their own programs and interventions. Box 11 illustrates how a combination of CJG and third party support can turn around the life of an offender, and just as important, the offender's family.

Box 11. How the right help and support can turn lives around

So one of the Murri Court clients I've been working with [is] a younger person, just aged 24. He's had... a period in custody for a month due to selling drugs and using and paraphernalia. [Now] he's been put on probation and parole. He's been working with us now for well on eight months and is [keeping] abstinence from all drug use. He's changed his life, thanks to Murri Court support, along with my support and Probation and Parole, he's been able to access a psychologist for his grief and loss and trauma histories. He's had a very prejudicial childhood as most of our cohort has. And him and his partner have also been able to regain their children's custody from DOCS... So it's remarkable what he's been able to achieve, putting his family back together and securing housing and also part time employment, which should lead to fairly full time employment for him. He's a regular attendee at the [CJG] men's support group, and regularly links in with the Elders... when he needs a little bit of extra support. So I think I think he's a really good role model for the young people of his age group. So I think that would be a highlight story for me. And you know, without Murri Court support, he would have potentially been in custody for 3 to 5 years. So he wouldn't have got to see his son grow up at all.

8.9.4 Factors for effective referrals

The interviews and data collected during the Local Evaluations with 15 CJGs in Phases 1 and 2 suggest the following common factors underpinning effective referral processes.

- **Strong CJG networks and partnerships.** A feature of CJGs that are having success in obtaining help for their clients is that they have built strong networks and partnerships with a range of referral agencies in their community. For Murri Courts, this is often through the Murri Court stakeholder networks, which are most effective when they involve not only Magistrates and justice agency staff but also referral services. CJGs that participate in, or even convene, inter-agency forums involving government and NGO service providers gain access to a wider array of potential referral partners.¹¹⁶ In some places, strong partnerships had enabled cost sharing for delivery of programs and services. The relationship-building capability of the CJG staff is critical.
- **Robust referral and information-sharing processes.** As the Phase 1 annual report highlighted, under-developed processes for referrals and information-sharing are a major obstacle to Murri Courts. This works best where there is an agreed process for making and receiving referrals and arrangements in place to facilitate sharing of information between the CJG and the service provider. The CJG needs information back from the service provider about the client's participation and progress. This is included in cultural reports and is critical to improve the client's sentencing outcome. A number of stakeholders have suggested the need for Memoranda of Understanding between CJGs and service providers. Processes where clients consent to the sharing of information between the CJG and service providers can also help avoid the situation where clients have to provide the same background information multiple times. Stakeholders emphasised the importance of open communication channels between CJGs and referral agencies, to enable them to partner in ensuring that a client is able to access the service.
- **Culturally appropriate programs and services.** CJGs are having most success where they are able to refer to services that have Indigenous staff or high levels of cultural competence. CJGs emphasised the importance of "culturally safe places" for their clients. A coordinator observed that her clients

¹¹⁶ For example, the Bayside CJG is part of the Redlands Indigenous Service Provider Network, hosted by the CJG's auspicing body, Cooee. The Pioneer Murri Court Elders participate in a successful network of Indigenous community organisations.



would not turn up for appointments she organised at non-Indigenous service providers because they did not feel comfortable there.

- *Fostering relationships between clients and service providers.* CJGs play an important role in fostering the relationships between their clients and the service providers who can help them, especially non-Indigenous service providers. This is helped greatly where the service provider staff attend on court day, so they can be introduced face to face to the CJG clients. In other cases, CJGs have facilitated these relationships by inviting service provider staff to activities that the CJG runs with offenders, such as men's group or women's group or cultural camps. Relationships are difficult to build when the service providers' staff change regularly – this has been a key constraint and frustration for CJGs.¹¹⁷
- *Referral staff with real-world experience of the issues facing clients.* Some CJG staff noted that the best assistance for their clients was from staff of referral agencies who have real world experience of the issues that Indigenous offenders face in their lives, rather than “textbook taught”.¹¹⁸
- *Referrals based on empowerment and choice for the client.* Some CJG staff said they were having most success where they did not try to compel participants to attend a referral service, but instead equipped them with the information and the opportunity to engage. For example, by bringing a counsellor to the CJG men's group, participants could get to know the counsellor and hear what they could offer, leaving the participant to make their own choice whether to access the help.
- *Activity-based programs.* CJG staff emphasised that programs that engaged participants in activities were more effective than group sessions or counselling sessions that tried to directly confront issues related to offending behaviour. This was seen as a more culturally appropriate way of engaging Indigenous offenders. CJGs spoke of men being more likely to ‘open up’ in a men's group activity on country or during some practical training “where their hands are kept busy”.
- *Trauma-informed approaches.* Many CJGs believe that unresolved trauma is the issue underlying most offending behaviour by Indigenous people, and are the cause of issues such as alcohol and drug abuse that contribute to crime. Hence, referrals to services that address trauma or adopt trauma-informed approaches are considered most effective. Related to trauma is the concept of *shame*, which inhibits the willingness of people to engage in interventions that might help. CJGs are most successful in assisting clients to engage in referrals where they have strategies in place to minimise any feelings of shame that might be triggered.¹¹⁹

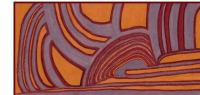
8.10 DFVE outputs in linking people to support

For the CJGs in discrete communities that have DFVE funding, a key role for the new funded DFV positions is linking perpetrators and victims of DFV to appropriate support. The process for DFV referrals varies across locations, although it generally occurs in a similar way to the referrals the CJGs make from Murri Courts and when supporting people in the Magistrates Court. For the DFVE staff, referral destinations for court

¹¹⁷ A Murri Court Coordinator said: “Reports back to me is that a lot of my clients are getting sick and tired of their counsellors being changed. They get one, you know, they divulge all this information and start to build a connection. And then before they know, they move them on to somebody else, retell the story and so they’ve just given up. It’s like, ‘I’m not telling my story and I don’t want to talk about it again’.”

¹¹⁸ A Murri Court Coordinator observed: “From my experience, counsellors can be quite useless unless they have experience in something similar. Because of lot of them are just textbook taught.”

¹¹⁹ An Elder who is employed by a CJG to convene a women's group gave an example of how they manage shame: “We try to get them out of their shells, of shame. Because we have a shame mat at the door before we start our session. And they walk in they step on the shame mat and I explain to them ‘that’s where your shame stays. You passed that carpet, you’re in this room, you’re now as part of a family. Everything is all confidential. So it gives them that feeling of trust.” (CJG Elder)



participants also comprise a mix of the CJG's own offerings and third party programs. In many locations, the DFVE funding has enabled the funding of new CJG-delivered men's groups and women's groups and yarning circles.¹²⁰

The DFVE projects in the 15 locations operating in 2021/22 reported the following data against their contracted performance measures:

- Men supported through Men's Group/Hub: 601
- Women support through Women's Group: 261

All of the same enabling factors discussed in the previous section for CJGs' work supporting people in the courts with non-DFV matters apply to their work with DFV clients. Three success factors stood out from the Local Evaluations in relation to the work of the DFVE projects linking people to help.

First, strong networks and partnerships with other agencies are particularly important for CJGs' work in DFV. The most successful DFVE projects have embedded themselves within a network of services that are working together to provide wraparound assistance to perpetrators, victims and families experiencing DFV. Key partners include legal services (for example, ATSILS and QIFVLS), women's shelters, DFV-specific services and programs (for example, AODS, counselling, behavioural programs).

Second, as in the rest of their work, an evident strength of the way CJGs approach DFV support is their holistic approach to dealing with individuals and families. Unlike other service providers, the CJG's starting point is not the service parameters or the organisation's jurisdictional boundaries. The CJG is not limited to being a 'victim support service' or a 'perpetrator intervention service.' Rather, it is working with the whole family.

Third, a CJG worker who had previously worked at a DFV organisation reflected how she felt their CJG's approach to DFV prevention was much more culturally appropriate and more empowering for individuals. She recalled that in her previous role *"you were actually in people's business telling them [what to do], like I felt that we were actually sitting at their table, I felt like I was, you know, invading their privacy."* She felt that the strength of the CJG's approach is that they were helping people with the information and awareness so they could make their own decisions, rather than telling them what to do.

8.11 Gaps in support for court participants (both DFV and non-DFV)

The Phase 1 interviews highlighted the substantial gaps in the services and programs available for CJGs to refer offenders to. This was again a central theme of interviews with CJGs and other stakeholders in the Phase 2 Local Evaluations, and it is also reflected in the Stakeholder Survey results. The most significant gaps raised by CJGs and stakeholders are described below.

DFV perpetrator programs

The lack of perpetrator programs was raised repeatedly in interviews with CJGs and stakeholders. It is also a recurring theme in the responses to the Stakeholder Surveys.¹²¹ Magistrates interviewed during Phase 2 listed this as the most significant gap in services for offenders.¹²² This was raised as a gap in all locations, urban, rural, regional and remote. An urban Murri Court coordinator told how a client who was very keen to seek help was in Murri Court for over 12 months because the CJG could not find a DV program that could

¹²⁰ A yarning circle is a form of men's or women's group but may be less activity-focused and more about facilitated discussion of issues impacting participants.

¹²¹ In the stakeholder survey the following received the highest number of responses when asked about gaps in culturally safe services and activities in CJG communities: Housing (57), Mental health (51), DFV support and counselling (49).

¹²² A Murri Court Magistrate commented: *"We're just so, so short on counselling, particularly for men. And DV is probably 50% of what I do now – breaches of domestic violence orders."*

take him. There were a small number of programs available, but they cost between \$1200 and \$5000, which neither the client nor the CJG could afford. An ATSILS lawyer told the evaluation that the single most useful intervention would be a culturally appropriate psychologist or counselling service for men to be referred to. Some stakeholders further noted that there were no programs for female perpetrators of DFV either, and there were rising numbers of female perpetrators in the courts.

The Women's Safety and Justice Taskforce recently found a "clear consensus" that "a significant deficit in Queensland's current approach is the lack of available and accessible high quality intervention programs for perpetrators."¹²³ The Taskforce recommended a Statewide network of programs for perpetrators (recommendation 25), including programs "specifically tailored to meet the needs of Aboriginal and Torres Strait Islander peoples that embed a healing approach and are connected to culture, community and country", which should be "accessible through existing services accessed by Aboriginal and Torres Strait Islander peoples including health services and build upon strengths of successful programs being implemented by Aboriginal and Torres Strait Islander services" (recommendation 27).¹²⁴

Men's shelters

Another theme from the evaluation's interviews in many of the Local Evaluation sites is the need to establish facilities often referred to as 'men's shelters' or 'men's sheds'. This is not a new concept, having been raised by CJGs in the KPMG consultations in 2019.¹²⁵ Proponents commonly mention several functions that would be served by a men's shelter, which would all contribute to preventing DFV and other offending.

- It would perform a primary prevention function as a place for pro-social activities and peer engagement and support (for example, men's group), to create meaningful activities for men, diverting them from problem behaviours (for example, alcohol, drugs and family conflicts), developing employability and life skills, and generally strengthening self-esteem and resilience.
- As discussed in Part 7.5, a men's shelter would be an important early intervention (secondary crime prevention) measure by functioning as a 'cooling down' place where men can escape domestic situations which might otherwise lead to a DFV incident, perpetrated by the male, his partner or both.
- In the post-court (tertiary prevention) space, a men's shelter would be a venue for delivering intervention programs for men, whether DFV prevention, perpetrator programs or other education and training.

A men's shelter is considered by stakeholders to be needed in urban areas as much as in rural and remote communities.¹²⁶

Healing programs/centres

As Part 6.7 noted, many CJG stakeholders see the fundamental cause of offending behaviour as unresolved, inter-generational cycles of trauma. When asked about the CJG's biggest need, an Elder responded: "Affordable, accessible healing centres – that's what we've been fighting for, for years." The lack of healing-focused programs to respond to trauma has been raised as a gap at the primary prevention level, but is equally needed as a post-court intervention for offenders to break the cycle of offending. At a Murri Court site, a magistrate indicated their support for a full-service 'healing centre.' Healing programs are an

¹²³ Women's Safety and Justice Taskforce, 2021. *Hear her voice: Report One*, p. xvii

¹²⁴ Women's Safety and Justice Taskforce, 2021, p. lviii

¹²⁵ KPMG, 2020. *Community Justice Group Consultations: Community Justice Group Service Delivery Blueprint*, p.21.

¹²⁶ A female Murri Court coordinator in a Brisbane area said "we have been talking about this for ages" and it was also raised by a female DFV worker at the CJG in Mount Isa.

appropriate basis for DFV perpetrator programs (discussed above), but may also be suitable treatments for other offenders, including young offenders.

Drug and alcohol counselling and rehabilitation

Another commonly mentioned gap in interventions for Indigenous offenders is drug and alcohol programs. Counselling is available through AODS providers in some locations, but many CJGs felt the need was not being adequately met. The difficulty in referring someone to a rehabilitation facility was also raised by several stakeholders, including a Magistrate.

While some of these gaps have been discussed by stakeholders for many years, the evaluation has found that CJGs have shown remarkable enterprise in developing their own home-grown responses to the gaps, regardless of the absence of funding. The Wujal Wujal cultural camps, the Tablelands Bringing Our Mob Back program, the Zenadth Kes Boxing Club and the Hope House at Normanton are all examples of initiatives that were started by CJGs in the absence of government support, but have since attracted funding. The enterprising spirit of CJGs is summed up in the following comments of a men's DFV worker at a CJG:

"We rely heavily on male counsellors, which we don't get often here. We've had to adapt to just go back to basics and back to culture. You know, some of these boys, they just prefer to be out of the house anyway amongst other fellows, yarning, sitting by the fire or even just... next week we're going to go get some spear handles... It's more connected when we do cultural activities. Because we're not going to sit here and wait for a male counsellor to come. We'll just take them out bush... we don't even have to talk about the mental health stuff... just have a normal yarning circle and they end up talking. A good fireplace helps, you know... Just kind of healing to that fire." (CJG worker)

9 OUTPUT – IN CUSTODY AND UNDER SUPERVISION

9.1 Importance of this output

CJGs' support for community members in the justice system extends to the post-court phase of custodial or community corrections for both adults and youth. This is a point in the justice cycle where CJGs have an opportunity to work with QCS and YJ to assist in offender rehabilitation.

9.2 Phase 1 findings

The Phase 1 report found that support for community members in custody or in supervision was a small, but important function for CJGs, and included the following range of activities:

- Visiting community members in watchhouses
- Periodic visits by CJG Elders to adult prisons and youth detention centres in urban and regional locations. A QCS officer attested to the positive impact on prisoners' behaviour and safety resulting from these visits.
- Organising video-conferencing between prisoners and family members
- Assisting the Parole Board by participating on panels for Show Cause proceedings and parole applications
- Supervising community members undertaking community service orders
- Assisting Probation and Parole staff to locate offenders who have not met reporting requirements, to avoid breach proceedings
- Assisting Probation and Parole staff to engage with offenders, providing cultural mentoring to the offender and cultural awareness support to the Probation and Parole staff member
- In some remote locations, helping community members on orders report to Probation and Parole using videoconferencing.

The evaluation found that the relationships between CJGs and QCS/YJ were highly variable, ranging from very close collaboration in some locations to non-existent in others.

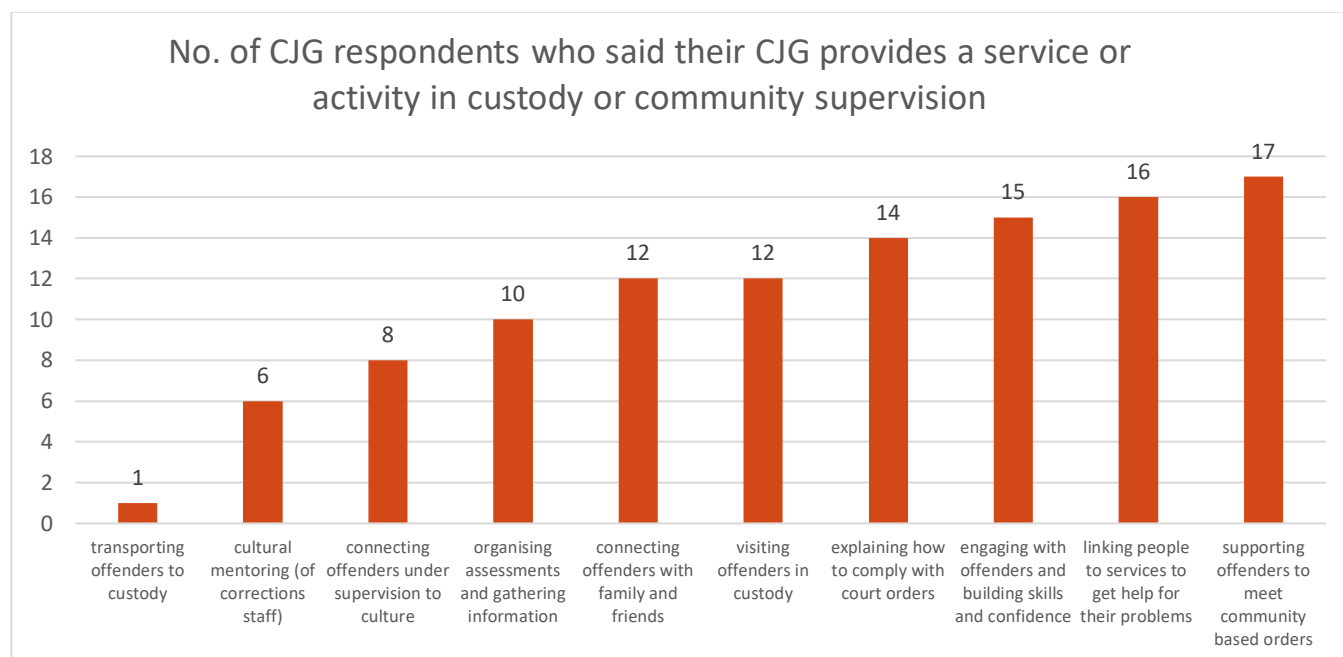
9.3 Current level of CJG output

The data collected in Phase 2 enable the evaluation to provide a clearer picture of CJGs' level of activity in relation to this output. In the activity mapping at Local Evaluation sites, the proportion of time spent by CJG staff in the past month in this area ranged from 0% to 9%, with an average of 3% (see Figure 7). As this estimate is for the past month, it is unlikely to capture the time spent on prison visits as these may only be once a year, and have been less frequent since the COVID-19 pandemic started. The evidence from the Local Evaluations is that for most CJGs, their involvement with corrections issues often occurs as a series of sporadic interactions with offenders, families or QCS or YJ, in relation to a particular issue that has arisen. The stakeholder survey indicated that most government and NGO stakeholders are unaware of the work that CJGs do in this space.

CJGs are an important host for community service for offenders. The Phase 2 survey of CJGs indicated that their most frequent interaction with people under supervision is 'supporting offenders to meet community-based orders' – Figure 31 shows that 17 of 18 (94%) of CJG respondents said their CJGs provide this service. In the 11 locations where community surveys were conducted, respondents at seven locations listed supervision of community service hours as a form of assistance they had received from the CJG. In those seven locations, an average of 20% of respondents had been supervised by the Community Justice Group. While the work often consists of cleaning up around the CJG office, Tablelands CJG staff have involved their

community service participants in improvements to a property that the CJG plans to use for on-country programs.

Figure 31. Statewide CJG Survey, 2022



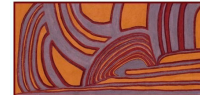
In Figure 31, the next most common categories of CJG involvement with people under supervision relate to direct support to offenders to help them comply with court orders, access services and build skills and confidence. CJG staff working in the DFVE services described this as a central part of their role, so CJGs are now providing a lot more of these types of support.

‘Visiting offenders in custody’ was listed by 12 of 18 CJG respondents (67%) as an activity delivered by their CJG. An important role played by many CJGs in their local community is to visit community members in watchhouses. In the 11 community surveys conducted by the evaluation, respondents at four sites said they had been visited by the CJG in the watchhouse, prison or detention – in two of these sites, 50% of the respondents who had received non-court support, listed visits in custody as a service they had received. In many places, CJGs are providing a de facto cell visitor service, something that the Royal Commission into Aboriginal Deaths in Custody recommended in police watchhouses wherever possible (Recommendation 145).

“Recently, for example, we had a young 12 year old girl in custody. She had been in court a couple of times before this, but she was brought to our attention by ATSILS and prosecutions. And they just asked if myself and an Elder could have a chat with her and find out why she's running away from home, what's causing her to get on the wrong side of the tracks. So it's just simple things like that. On other occasions, [the ATSILS lawyer] is accompanying us to the watch house, and he will have all the legal conversations... but we can be present to try to explain to the young person, something that they might not understand.” (Murri Court coordinator)

“Every morning before we attend court, we go into the watch house to see if any of our mob are in there. We provide support by checking on their health and wellbeing, calling family for them, support them in court.” (CJG representative)

CJGs have been visiting prisons and detention centres for decades. Many CJGs noted that this had not been possible since COVID-19. Some CJGs raised issues with the evaluation team about insufficient funding for these visits. The evaluation understands that this is an eligible cost that CJGs can include in their budgets.



The value of these visits was attested to by the following example relayed by a CJG representative in the CJG survey.

“The Elders who visit people in custody to provide moral, cultural and practical support. The Elders attend special events such as NAIDOC and also provide those in custody support with sorry business. An Elder made a connection with a prisoner who was due to be released soon. The Elder was able to link the client with men's groups and counselling when he returned to community. The client has not reoffended and attends men's group weekly.” (CJG representative)

Even where CJGs are not able to visit prisons or detention centres, many of them are regularly in contact with staff and inmates. The CJG coordinator in Mackay is in regular contact with youth detention centre in Townsville. The Cleveland Murri Court coordinator is contacted regularly by prisoners (both Indigenous and non-Indigenous) wanting assistance with processes such as parole applications.

The evaluation heard frequent examples of CJGs assisting both custodial and community corrections staff with engagement with offenders and their families.¹²⁷ As community-based organisations with strong local networks, CJGs are a vital conduit for corrections authorities in their engagement with Indigenous communities.

“We're only here two days a week so if we're looking for someone, if they failed to report, if we're worried about them, we will contact the Justice Group. And they are often kind enough to run around and maybe try and find that person. [They also help with] things like accommodation reviews. So if someone is on parole or needs approved accommodation, we get input from the community, Police and any other relevant agencies. So I would speak to Justice Group, seeing that they are residing in this community and we're just visiting and they know the families and the interactions with people and can sort of point out any risks that we might not know about.” (Probation and Parole officer)

In locations where CJGs have close relationships with corrections authorities, the two parties may collaborate on delivery of programs. For example, at Mossman and Cherbourg, the CJG's hub facilities have been used by QCS to deliver offender programs. At Wujal Wujal, QCS have trained CJG staff to deliver some of their offender interventions, so they can deliver these with the men's and women's groups. In other cases, Probation and Parole refer offenders to undertake programs run by the CJG. One CJG was exploring whether QCS could pay for this on a fee-for-service basis, by negotiating a Memorandum of Understanding.

9.4 Summary

While currently representing a small part of their workload, CJGs' activities in supporting people in custody or community supervision are impactful and highly valued by stakeholders.¹²⁸ Without their role as an intermediary, QCS and YJ would find it far more difficult to engage with offenders in Indigenous communities. It is clear that CJGs save correctional authorities considerable time and expense. CJGs' work also has a direct impact in reducing incarceration, by helping offenders to meet reporting requirements and understand and comply with the conditions of their orders. This output has grown with the additional support now provided by workers employed under DFVE funding.

¹²⁷ In the CJG survey, connecting offenders with family and friends was listed by 67% of respondents.

¹²⁸ See results of Phase 1 survey, in Figure 15 in the Phase 1 Annual Report.



10 OUTPUT – TRANSITION TO COMMUNITY AND REINTEGRATION

10.1 Importance of this output

The period immediately following a transition from custody back into the community is a point of high risk for re-offending if individuals are not supported to reintegrate. Offenders who are released on parole may be returned to custody if they do not comply with parole conditions. The refocused CJG model (see Figure 6 in Part 4.1) recognises that CJGs can play an important role regarding transitions to community.

10.2 Phase 1 findings

The Phase 1 report noted that stakeholders see reintegration as a valuable role for CJGs, but that CJGs' current work in this area is not highly visible. Consultations with CJGs in Phase 1 indicated that most CJGs have only occasional involvement in reintegration issues when contacted by the corrections or YJ authorities to provide advice or community engagement assistance. There was, however, a desire expressed by some CJG representatives to do more in this area. The evaluation noted that there were advantages in targeting efforts during people's return from custody, as orders can provide leverage to involve people in programs, the outcomes are more measurable (for example, reduced re-incarceration) and the cost savings to the government are clear.

10.3 Current level of CJG output

The activity mapping with CJGs shows that staff spend on average 2% of their time on work relating to the transition back to the community of adult prisoners or youth detainees. This average does not tell the whole story, however – with two CJGs reporting 9% and 11% for this output, while several others reported 0%. Some CJGs have included a specific focus on this activity in their service agreements and spend considerably more time on these matters. Across all CJGs, transition to community support is mentioned in the service agreements as a Community Specific Activity for 10 CJGs.¹²⁹ For many of these CJGs, the planned support involves visits to custodial facilities to connect with detainees and discuss their eventual transition back to community. In the following sites, however, the CJG service is intended to be more structured around transition support:

- **Mount Isa.** The CJG's 'Return Home' scheme includes transitional support to offenders released from custody and their transition back to community including specific assistance to enable return home to outlying communities. The CJG staff spend up to a day per week assisting people: *"picking them up off buses or planes, getting them their Centrelink, helping them to get back home, talking to people about them staying at their place, working with the Parole Board around special programs for people to get early release"* (CJG staff member).
- **Thursday Island.** Through its 'Offender Support Program', the CJG conducts regular visits to custodial facilities on the mainland to talk to prisoners and plan for their release.

CJG staff at Thursday Island explained that the direct discussion with offenders while still in custody was crucial to their work in the transition space:

"When we go there and see face to face, that's when they are clearest. That's when they got the drive. They've sat down, they've thought about what they want to do, how they're going to

¹²⁹ 'Community Justice Group Location Specific Activities, 2021-2023', document compiled by DJAG from Service Agreements. The CJGs are: Cairns, Cherbourg, Doomadgee, Hervey Bay, Kowanyama, Logan, Mornington Island, Mount Isa (Return Home Scheme), Thursday Island, Woorabinda.

contribute when they come out. They are all full of beans. And we have to be part of the transition so when they come out, we meet them and we ask how you want to contribute back to the youth or you know, wherever you can, so you make your journey back home safely, so you can reintegrate back in without being branded, and with the support that you need for housing, [other] help.” (CJG staff)

In the CJG survey, some CJG representatives listed support that they provided to clients released from custody, including transport, counselling and accommodation.

In Phase 1, the evaluation noted that QCS had started a trial (Culturally Engaged Release for Indigenous Parolees (CERIP)) to work with interested CJGs to provide more prisoner reintegration planning and support. The Mount Isa CJG has been participating in videoconferences with the Parole Board and prisoners in the lead up to their release, to discuss a transitional plan to support their reintegration. A likely outcome of this work is to increase the rate of success in prisoners’ parole applications, reducing their time in custody. This can benefit the individual by accessing the help needed to address offending behaviour, and save the State considerable costs by avoiding the situation where individuals eligible for parole stay on in custody due to lack of supports in place for them in the community.

10.4 Transition support provided through the DFVE program

Some of the co-designed DFVE service models explicitly mention support to reintegrate offenders. For example, the Muran Djan Centre (Justice Hub) at Cherbourg is intended to be a centrally-located safe premises, where service providers, including Probation and Parole, can deliver programs and counselling for men. The DFVE Men’s Coordinator’s role includes assisting the Prisoner and High Risk Offender Reintegration Program. Feedback to the evaluation from stakeholders at Cherbourg indicated that the Muran Djan Centre is encountering challenges with consistent service delivery at present, but there was broad stakeholder agreement during the co-design of this model in 2017 that it has the potential to fill a critical gap in support for DFV perpetrators and other male offenders.

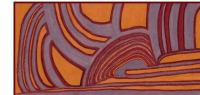
The evaluation heard examples where men’s groups established with funding from DFVE were assisting in offender reintegration. For example, at Mossman, the CJG men’s DFV worker was assisting men returning from custody to find employment in the nearby tourist destination, Port Douglas. The worker was identifying employers willing to employ CJG clients, and helping the clients with resumes and job search skills.

DFVE staff may also be well placed to provide support to victims at the time that DFV perpetrators are released back into the community. CJGs in remote communities have for many years provided advice, on request from QCS and the Parole Board, about the appropriateness of a DFV perpetrator returning to a community. Support for victims is still seen as a gap in relation to the process of reintegration.¹³⁰

As the DFVE projects around the State evolve and mature, there is scope for them to implement targeted strategies for improving DFV perpetrators’ transition back into communities. A DFVE model that targets reintegration rather than individuals going to court would be eligible under the DFVE funding parameters, as it contributes to the program’s goal of strengthening the justice system response.¹³¹ The DFVE workers employed to work with men could collaborate with QCS and the Parole Board and other services in the community to implement re-entry plans providing wraparound support for DFV perpetrators returning from custody. At a workshop with the Aurukun CJG in 2020 about the Aurukun Justice Reintegration Project, members advocated for a model based on engaging a pool of community members on a casual paid basis to

¹³⁰ In the CJG Stakeholder Survey question about service gaps, two respondents mentioned support for victims and their families. In the question about availability of reintegration services, only 27 of 113 stakeholders (24%) said that services ‘supporting people who have been harmed’ were available in CJG communities.

¹³¹ See Part 3.3.2.



be paired with offenders leaving custody and support them for a period of months to implement a reintegration plan agreed between the prisoner, QCS and the CJG. Ideas to increase reintegration support raised by CJGs – such as a buddy system, halfway houses and on country programs – should be explored through collaboration between QCS and CJGs' DFVE projects, building on the work and the outcomes of the CERIP project.

10.5 Scope for increasing CJGs' output in reintegration

The activity mapping exercises conducted with CJGs as part of the Local Evaluations prompted some CJG staff and members to reflect that reintegration was a key gap in their current work. There was recognition that this is a critical point where offenders need support and are at high risk of re-offending. The lack of suitable accommodation was frequently raised as a risk factor for people returning from custody.¹³² Some CJGs raised the need for 'halfway houses' or other temporary accommodation that could be available for returning detainees.¹³³ The other concern raised was the need for more pre-release planning for individuals.

Several CJGs expressed frustration to the evaluation team that they were not notified by custodial authorities about community members who were due to be released.¹³⁴ They felt if they had more notice, they could explore what support is available for the individual returning.¹³⁵ Ideas for programs that the Thursday Island CJG spoke about included having a buddy or kinship approach to pair an Elder with an individual to provide post-release support, or creating a safe place run by the CJG for parolees to report and undertake programs. This is similar to the concept of the Muran Djan Hub for men at Cherbourg.

The comments in the stakeholder survey confirmed that many government and NGO stakeholders see transition support as a significant gap – the need for more pre-release planning and accommodation support were also commonly raised by stakeholders. A number of respondents suggested that CJGs were well placed to address this issue, but some noted the limited funding for this at present.

Some CJGs themselves noted that their funding is for court support and did not currently extend to supporting reintegration programs:¹³⁶

"[Our CJG] are funded for court support, but inadequately for prisoner and parole support." (CJG respondent to CJG survey)

"There isn't anything we can do, because there's nothing [in our budget]." (CJG staff)

¹³² UK research has shown addressing accommodation problems by offenders can reduce reoffending by up to 20% (Queensland Corrective Services, 2016. *Pathways to Reduced Crime*, Queensland Government, p.11).

¹³³ Tablelands CJG has discussed an outstation to accommodate youth offenders leaving custody, "supervised by Elders and with a wide range of services". Thursday Island CJG staff raised the concept of a halfway house run by ex-offenders, but acknowledged that Blue Card requirements would be a barrier. Pioneer Murri Court Elders in Mackay has been advocating for accommodation for young people leaving detention. A CJG respondent to the survey question about what reintegration services were needed, replied: "1. On country programs where families are able to work with clients. 2. Homeland movement - where family Elders are able to live and mentor and teach traditional ways, language, dances and cement relationships. 3. Services to be offered to homeland. 4. Emotional and Social Wellbeing, health, etc. 5. Funding for the program."

¹³⁴ They said they only find out that a release is upcoming if QCS contacts them to obtain information for assessments or to discuss potential risks.

¹³⁵ It should be noted that some releases are court-ordered and may not be anticipated by correctional authorities and it may be difficult for authorities to know the precise date of release for an individual.

¹³⁶ A CJG survey respondent stated: "this is a work in progress. As we are so under resourced (1 staff member working 15 hours per week) there is only so much that has been achieved"

“CJGs need to have more people working within the CJGs to provide community safe activities and to assist in finding accommodation for those who exit custody. More housing is required.” (CJG respondent)

“How can we target work with our offenders saying, ‘all right, this has happened, you’ve gone to court, you’ve end up being incarcerated, but when you come out’ – which is, I think, something that isn’t happening within the Justice Group here – is when you come out, ‘how do we stop you from relapsing? What support can we give you?’ The holistic approach... So if you’ve got your client base and you’ve got enough staff, then you can work with an offender... when they come out of jail.” (CJG staff)

Funding for reintegration projects is eligible as a Community Specific Activity under the CJG program guidelines (for example, the Mount Isa and Thursday Island projects discussed earlier), and it could also form part of a DFVE service model (for example, the Cherbourg men’s hub). Given the finite amount of funding available,¹³⁷ these are difficult questions of priority for CJGs, who also aspire to expand their programs into the area of prevention and early intervention. The negotiation of the new triennial service agreements in 2023 is an opportunity for CJGs and DJAG to explore the optimal use of the available funding to meet the CJGs’ aspirations.

¹³⁷ Approximately \$81,000 for a Community Specific Activity, and \$150,000 for DFVE projects.



11 OUTPUT – COMMUNITY SUPPORT, ADVOCACY AND ACCESS TO SOCIAL JUSTICE

11.1 Importance of this output

While the core funded output for DJAG's CJG Program has traditionally been support for Aboriginal and Torres Strait Islander people in the criminal justice system, in practice a strong feature of most CJGs' everyday work has always been supporting community members' rights and addressing their needs in areas outside the criminal justice system. This is a different sense of 'justice' in the work of Community Justice Groups, because it relates to 'social justice' – the concept that all people should be treated fairly and have equal rights and opportunities in all areas of society, such as health, education, housing, employment and social support¹³⁸.

Helping people to access services and opportunities to bring stability to their lives could be considered a form of primary crime prevention, because it will probably reduce their risk of offending. This output is distinguished from the prevention output discussed in Part 6, however, because the CJG activities are intentional programs and interventions that the CJG has initiated to address some of the specific and well-known risk factors for Indigenous participation in the justice system – for example, alcohol and substance abuse, boredom, loss of cultural connectedness, unresolved trauma, low self-esteem, poor parenting skills, lack of legal understanding, and lack of awareness about DFV and healthy relationships. By contrast, the output discussed in this Part relates to the broader work of CJGs in advocating for and providing practical support for, Indigenous community members to access social justice across a very wide range of issues unrelated to the criminal justice system. Unlike primary prevention strategies, these CJG activities are often driven by demand from individual community members, rather than intentional programming.

11.2 Phase 1 findings

The Phase 1 report noted that this work falls into two categories: broader advocacy and representation for the entire community's interests, and support provided at the individual level.

In relation to advocacy and representation, the evaluation found the following:

- In many communities, CJGs play an important role as advocates and representatives of the community, due to the skills, knowledge and cultural authority of Elders and respected persons who make up their membership. This representative structure is formalised in legislation in discrete communities.
- Their leadership and representative status means CJGs (or the members of CJGs in their own capacity as leaders) are often consulted by all levels of government about a range of different issues, which can often consume considerable time. Most recently, the evaluation heard that CJGs and their members were involved in many meetings around various government initiatives for locally-led decision making, such as Local Thriving Communities (LTC), Pama Futures¹³⁹ and service reforms to youth justice and child protection systems.

In relation to support for individual community members to access services or opportunities, the evaluation found:

¹³⁸ This function is similar to the work carried out by Neighbourhood Centres, funded by the Department of Communities, Housing and the Digital Economy.

¹³⁹ Pama Futures is a single cohesive reform agenda incorporating Land Rights, Empowerment and Economic Development for the people of Cape Youth by the people of Cape York (pamafutures.org.au)



- Assistance provided by CJGs ranged from birth certificates, tax, Census, Blue Cards, consumer rights, Public Trustee, Public Guardian, banking, superannuation, civil debts, legal letters, Centrelink, housing and tenancy, witnessing documents, administrative law, reparations, driver licensing and registration, community identification, NDIS and employment services
- Some CJGs in remote communities do considerable work around funerals and sorry business.
- Many community members access the CJG's help in getting transport to access services
- CJG staff reported spending considerable amounts of time both during and after hours providing these types of support (anywhere from 15 to 30 hours per week)
- CJGs are appreciated because they will generally not turn away anyone in need of help
- Some of the assistance that CJGs provide are services that other agencies or organisations are funded to deliver, but sometimes community members prefer to go to the CJG because they may see a mainstream provider as not 'culturally safe'
- In some regional and remote locations, CJGs are filling gaps because services are not available locally or are only available infrequently as the service provider has no permanent presence

The Phase 1 Annual Report identified this output as a sustainability risk for the CJG program due to the amount of time and resources it draws away from other functions, and the risk of burnout it creates for staff working very long hours.

11.3 Phase 2 data about scope of this CJG output

The activity mapping for CJG staff at 12 of the Local Evaluation sites (see Figure 7) confirms the Phase 1 finding that CJGs allocate a significant proportion of their time to providing community support, advocacy and access to social justice. Across the 12 CJGs, this area took an average of 14% of CJG staff time, with the responses ranging from 0% for a Murri Court location to 40% for a CJG in a discrete Indigenous community. There was no discernible pattern across the different types of locations. While the requests for assistance might be expected to be higher in remote and regional communities where there are less services available locally, some of the CJGs operating Murri Courts in larger population centres also experienced high demand. For example, a Murri Court coordinator in a large population centre said that her accessibility to the public in an office in the courthouse meant that she received a wide variety of requests from community members (including some non-Indigenous). Although there are many mainstream services in the area, clients still turned to the CJG for help because they feel more comfortable with Indigenous staff than mainstream organisations where they do not feel culturally safe. The closure of a Public Trustee office in the courthouse had led to her being frequently contacted for help with Public Trustee matters.

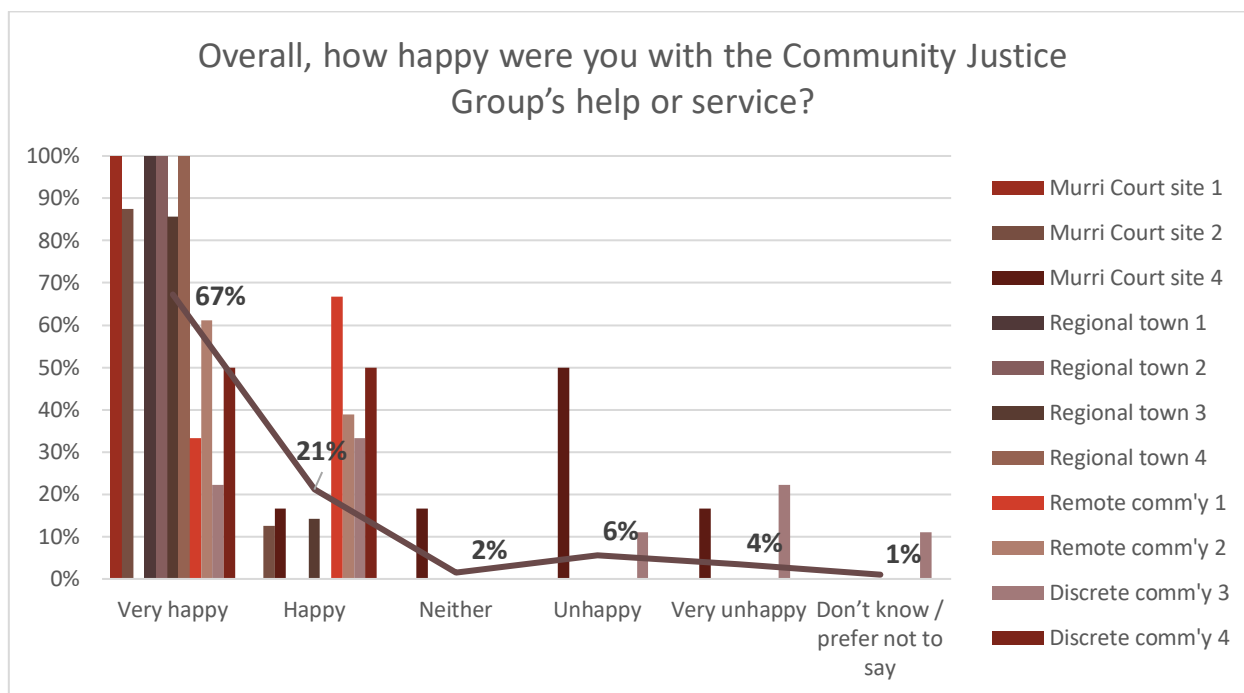
The evaluation's community surveys in 11 locations provide some indication of the services that community members access from CJGs in areas other than going to court, and how they perceive the quality of these services. Community members were asked what sort of things they received the CJGs' help with. The results in Figure 32 show that across the 11 locations:

- an average of 41% of CJG clients at each CJG had received advice or help with paperwork about something other than a justice issue (for example, help with housing, health, finance, pension/Centrelink, child safety, Blue Card, drivers licence etc)
- 24% had received help from the Justice Group to access a service (for example, given a referral, given contact details, helped with making appointment, supported to see someone etc – Services might include Registrar of Births, Deaths and Marriages, Department of Transport, Victims Assist Qld etc)
- 34% had received help with transport.

It is common for CJGs to transport people to court, which is part of their 'core' court support function, but the evaluation also heard many instances where CJGs had transported community members who were not clients for justice matters but were in desperate need of accessing other services.

Community members generally reported a high degree of satisfaction with the non-court related help or service they received from CJGs. As Figure 32 shows, on average, 67% of respondents were very happy and 21% were happy. At 10 of the 11 sites, there were more respondents happy than unhappy with the help or service received.

Figure 32. CJG Community Surveys, 2021 and 2022



11.4 Advocacy and representation outputs of CJGs

The Phase 2 Local Evaluations have confirmed the importance of the advocacy and representation role played by CJGs. CJGs are comprised of Elders and respected persons of high standing in the community, which often gives them the status of a community leadership group. Many CJGs have used this platform to lobby government on issues of community concern. For example, a Wujal Wujal CJG staff member recalled that the CJG Elders had been instrumental in convincing the Queensland Government to establish a police station in Wujal Wujal following the introduction of the Alcohol Management Plan. The Elders had travelled to Brisbane to lobby senior government figures. In another example, the evaluation understands that a new legislative proposal regarding changes to the Blue Card system in Indigenous communities was the outcome of Mount Isa Murri Court Elders lobbying their local member of parliament about an issue they felt was unnecessarily affecting local employment of Indigenous people.

In remote Indigenous communities, when there is an issue that community members are concerned about, it is common for the CJG to call a meeting with the agencies responsible for that issue. Through their advocacy role, CJGs in many communities play an important role in providing feedback to government about community sentiment. The evaluation has heard that discrete, rural and urban communities often expect CJGs to 'keep agencies accountable', not only in relation to justice issues but other service delivery issues, including housing, health, child safety and other social services.

The interviews with CJGs in Phase 2 confirmed that many CJGs and their members are being actively engaged in discussions around the Local Thriving Communities (LTC) reforms, which aim to ensure Indigenous peoples have greater decision-making authority in regard to service delivery and economic development in their

communities.¹⁴⁰ The authority and cultural legitimacy of Elders who are part of CJGs makes them key people in emerging local decision-making structures for LTC. A key consideration in the concept is recognising the range of commitments that community people make and how to join up the number and range of community advisory bodies into the LTC local decision-making body.

The Tablelands CJG sees the LTC initiative as an opportunity to strengthen a whole of community response to pressing service delivery issues in the region. The CJG recognises the same clientele are being engaged with a wide range of disparate services, and that there is significant potential benefit for the client, family and community in integrated case management approaches involving whole-of-government responsiveness. The CJG is in the process of becoming established as a standalone corporation, and has positioned the new organisation as the Tablelands Social Justice Aboriginal and Torres Strait Islander Corporation, with an inclusive governance structure that includes membership drawn from the local Indigenous community and Indigenous organisations across the region.

Not all CJGs are involved in advocacy and representation. This depends on the history and structure of the CJG. At a Murri Court site, for example, the evaluation heard feedback from stakeholders that the Murri Court Elders did not function as a 'community justice group' meeting regularly as a collective, but rather as a group of individuals providing a service to courts. Community stakeholders wanted to see the CJG acting or advocating at a community-wide level to address pressing issues such as youth crime.¹⁴¹ This feedback was relayed to the CJG at the conclusion of the Local Evaluation and it is understood the CJG staff are actively looking at how it can better meet the community's expressed needs. This example underlines the expectation in Indigenous communities that CJGs will be more than service providers, playing an active role championing the community's interests across social and justice issues.

11.5 CJG support for community members and access to social justice

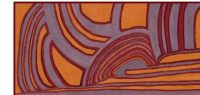
The visits to additional Local Evaluation sites in Phase 2 confirmed that CJGs provide direct assistance to community members with a very wide range of issues, far beyond issues directly related to the justice system. Consistent with the Activity Mapping discussed above, the most frequent requests are for assistance with various paperwork and accessing government services, which often have complex identification requirements or difficult bureaucratic processes to navigate. Given that accommodation and income are the most basic of human needs, it is no surprise that housing and Centrelink requests are very common. Urgent life situations such as evictions or issues around access to children in the child safety system take up a considerable amount of time.

Some of the work done by CJGs is to fill gaps in service delivery. For example, in two locations CJG staff were delivering youth activities and school holiday programs simply because it was an area of high need and the funded organisations were not providing the service.¹⁴² In remote and regional communities, the absence of local staff of some agencies makes access to the service difficult, so people often approach the CJG for help. Many CJG staff expressed frustration at what they saw as under-servicing by agencies. During the COVID-19

¹⁴⁰ See <https://www.dsdsatsip.qld.gov.au/our-work/aboriginal-torres-strait-islander-partnerships/reconciliation-tracks-treaty/tracks-treaty/local-thriving-communities>

¹⁴¹ For example, the community survey at this site showed mixed opinions about the level of respect that the Murri Court Elders and staff had in the community. The feedback was mainly about their level of engagement with the community and included: "[They are] only in the courts, not really community people"; "They don't get out and mix with people."

¹⁴² In one location, the youth recreation position at the funded organisation had been vacant for 2 years. At the other location, the Council, which had responsibility for the youth activities, was under financial administration and had laid off a number of staff.



lockdowns of mid-2020, this problem was even more acute. CJGs were one of the few services continuing to operate in some remote locations and had to step in to support people.

CJGs do this work, knowing that it is not part of their funded role, because they see it as a responsibility to the community.

“Well, we do do what we're funded for. Providing a men's and women's group. And I go to court and that's what my core role is: my court stuff. So we do that, a hundred percent, but then there's all that extra stuff that we don't get funded for, that we can see that it could disadvantage our mob if we aren't assisting, because there's no one else to do it.” (CJG coordinator)

CJG staff were keen that the evaluation process could provide greater recognition to this extra work.

“Evaluation is about seeing if you are ticking the boxes. But is there a box we can tick, a box to say what we do that's not listed? You know what I mean? All the unseen stuff that we do that's not listed there. The real issues.” (CJG Coordinator)

Some CJG staff hoped that this would help make the case for extra funding or staffing to do this general community support work.

“With the admin..., there's things that we do that we're not funded to do. So that needs to be mentioned in the evaluation, that we need to get extra funding for the things. So like ID, we help them with just photocopying stuff and going to the housing office and helping them with housing application. That's not a part of our [funded] role.” (CJG staff member)

“‘Hand holding’. Our people need support to engage in legal, health, social welfare etc systems. So we need more people to provide that kind of support and encouragement.” (CJG respondent to survey)

Others hoped that the evaluation would shed light on how CJGs are filling gaps because other agencies are not delivering what they are funded for.

“It's really difficult... the services that are here need to be more accountable as well, because we're doing their job a lot of the time. And I guess the evaluation really shows us what we actually do. And what other services should be doing, we're doing for them.” (CJG Coordinator)

The issue of CJGs delivering services that other agencies should be delivering was raised by some government and NGO representatives in the Statewide stakeholder surveys:

“Some of answers above [to the survey questions] reflect that it's not the role of the CJG, there are other service deliverers - either there's no coordination or a large gap because others are funded or it's assumed it is others job” (Respondent to stakeholder survey)

“I think that the DV services need to go into communities and have a presence instead of relying on CJG's to do the work.” (Respondent to stakeholder survey)

11.6 Managing community demands for support

While many CJGs are still consolidating their expanded organisational base using the enhanced funding (for example, by recruiting additional staff), there was little evidence overall, that the enhanced funding has relieved the pressure point in the Program caused by community demands for general support with access to social justice. With additional funding, CJGs have taken on additional Community Specific Activities and DFVE projects. This provides more staff, but they have new responsibilities, so cannot necessarily relieve the workload of the existing staff. The issue is not resolved simply by not including this general community support output in the Program Guidelines and Service Agreement deliverables, because CJGs have a high

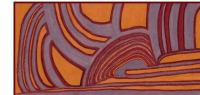
level of commitment to serving their communities and are not comfortable turning away people in need.¹⁴³ CJGs will continue to respond to community needs.

The Phase 1 Annual Report suggested that options to deal with this issue include:

- DJAG could explicitly recognise this work in the Service Agreements negotiated with CJGs (for example, by nominating an agreed level of service that will be provided). Of course, there is no additional funding in the budgets for each CJG, so it would need to be recognised that other deliverables would be scaled back.
- DJAG and CJGs could engage with other agencies and service providers to explore how to reduce the pressure on CJGs (for example, by expanding services to fill gaps or by resourcing or better supporting CJGs to deliver services).

In Phase 1, the evaluation recommended that the Program Guidelines and Service Agreements be revised to explicitly reflect the broader suite of outputs that CJGs deliver in practice (Recommendations 6 and 7). The evaluation also recommended that DJAG work with other agencies to review the data about the amount of work that CJGs do to assist community members to access services or supports ordinarily provided by other agencies, and consider strategies and measures to mitigate this burden on CJGs (Recommendation 12). The findings from Phase 2 have reinforced the importance of these recommendations being implemented and the Interagency Working Group provides a forum for this to be progressed.

¹⁴³ For example, a CJG coordinator made the following comment: *“The Community Justice Group, there's a high expectation for us to do A, B and C. There's also the expectation from the [Department] to not do A, B and C. And it's okay for them to say you can't do it and you got to stop doing it... But they don't understand our community.”*



12 OUTPUT – ASSISTANCE TO GOVERNMENT AGENCIES AND SERVICE PROVIDERS

12.1 Importance of this output

As grassroots community organisations with strong local networks and cultural knowledge of their communities, CJGs are an important source of information and assistance for a wide range of government and non-government agencies and service providers working in Aboriginal and Torres Strait Islander communities. Additionally, in relation to alcohol management, CJGs in discrete communities have a formal, legislated role in providing advice to government.

12.2 Phase 1 findings

The Phase 1 report found that, like the demands for support from community members discussed in the previous Part 11, the demands from agencies are another pressure point on CJGs. Phase 1 found that the support provided to agencies falls into the following categories:

- Cultural capability building support for agencies, such as delivering cultural awareness training and cultural leadership and advice generally
- Advice and community input into policy, program and service design – for example, through consultations, workshops, reviews, and participation on reference groups, steering committees, or inter-agency forums
- Assistance to agencies to contact and engage their clients or a community generally
- Assistance to agency staff to work effectively and in a culturally sensitive manner with community members
- Practical service delivery assistance such as use of facilities, equipment or vehicles.

Service mapping by DJAG in Phase 1 revealed that in terms of non-justice agencies, the most frequent requests were from (in descending order): Education Qld, Child Safety, Qld Health, Aboriginal and Torres Strait Islander Partnerships, Council, Department of Housing, Liquor and Gaming, Births, Deaths and Marriages, Commonwealth Government, Public Guardian, Blue Card, Transport and Main Roads, NDIS, Fair Trading and Dispute Resolution Branch (DJAG).

In Phase 1, the evaluation conducted 20 interviews and focus groups with central office and regional staff from 14 government and non-government organisations that work with CJGs. Together with interviews with frontline staff in Local Evaluation sites, these Phase 1 interviews were an opportunity for a detailed exploration of the interaction between CJGs and key stakeholder agencies, both within and outside the criminal justice system. The key themes that emerged from these interviews were:

- *CJGs' role in building cultural capability.* CJG Elders and staff play an important, if little recognised, role in building the cultural capability of agencies and NGOs that work in Indigenous communities. This is both formal, through being called upon to provide cultural awareness training or inductions, or informal, through mentoring and teaching agency staff during everyday interactions.
- *Support to non-justice agencies and service providers to deliver their services.* While this is often beyond their 'core' funded responsibilities to work in the justice system, CJGs also provide substantial assistance to other agencies delivering social and community services. Most significant of these are Child Safety and Housing, but support also extends to Education Queensland, Queensland Health, and Aboriginal and Torres Strait Islander Partnerships.

12.3 Current level of CJG output in supporting agencies and service providers

The Phase 2 data have provided a more complete picture of the level of support that CJGs provide to government agencies and non-government service providers. In the activity mapping at 12 CJG sites, the average estimated time that CJG staff spend supporting other organisations is 9%, with individual CJGs ranging from 1% to 21%. High levels of this output could be found at CJGs at urban Murri Court locations, regional towns and remote communities.

These forms of support are rarely formalised in any sort of agreement or MoU, and are largely built on the quality of relationships between individuals in CJGs and the organisation seeking assistance. The apparent motivation for CJGs to assist external agencies with frontline service delivery is that this improves the service provided to the community, and positive relationships may also enable CJGs to obtain assistance from the relevant agency to meet CJG clients' needs – in other words, the relationships may be mutually beneficial.

This does not mean the relationship is always balanced in all respects, however. The evaluation heard frequent comments from CJG staff about having to 'do other people's jobs for them.' It is noteworthy that in the 2022 stakeholder survey, government and non-government respondents said that their most common interaction with CJGs (see Figure 33) was to refer people to CJGs (111 of 200, or 56%), whereas assisting people who are referred from CJGs was a much less frequent response (73 of 200, or 38%).

In other areas, agencies reported to have frequent interaction with CJGs, illustrate how CJGs and agencies collaborate to assist people:

- case manage participants needing help together (75 of 200, or 38%), and
- build the service system locally with CJG members with our combined knowledges and expertise (60 of 200, or 30%).

Figure 33. Stakeholder Survey, 2022

Q9. Non-CJG stakeholders' interactions with CJGs (n=200)



The contribution of CJGs in providing cultural advice and training to agency staff is demonstrated by the fact that about a quarter (49 of 200) of these respondents said they have received 'information and/or training from CJGs about making services culturally safe.'



In addition to the support provided by CJGs to frontline service providers, the additional data collection in Phase 2 has drawn into focus some other significant contributions that CJGs make to the work of government agencies and service providers. These are discussed in turn in this section.

Input into policy, legislative and program reform

Because of their local knowledge and cultural authority, CJGs are commonly sought out by a multitude of government agencies and committees conducting consultations, evaluations, legislative reviews or other government business. In recent years, Parliamentary committees have held consultations with CJGs on a variety of issues. Most recently, several CJGs have been actively involved in consultations for the Inquiry by the Legal Affairs and Safety Committee into the Working with Children (Indigenous Communities) Amendment Bill 2021. A proposal under discussion is that CJGs would have a role in vetting people to work in local communities who would otherwise be barred by an inability to obtain a Blue Card.

At a time when State and Australian Governments are debating the need for giving greater voice to Aboriginal and Torres Strait Islander people in government affairs, and the Queensland Government has committed to a Path to Treaty,¹⁴⁴ the embodiment of cultural and community knowledge that is a CJG is a vital asset for governments. Authentic grassroots community voices such as CJGs will only grow in importance as the Voice to Parliament and Treaty reforms progress.

Assisting with inter-agency coordination

The evaluation has observed that a common feature of CJGs that are high-functioning is the role they play in coordinating across agencies and services to better integrate the support for Indigenous people in the justice system. For CJGs running Murri Courts, their Service Agreement requires the CJG to convene stakeholder meetings at least quarterly. Stakeholders in these locations were mostly very positive about these meetings, and the leadership that the CJGs provide. These are unique opportunities for the Elders and respected community members who are part of CJGs to interact directly with agencies and service providers about the issues and potential solutions they see as important for the service system to address.

In non-Murri Court locations, effective CJGs also play an important role in inter-agency meetings and processes. In discrete communities, stakeholders reported that some CJGs have been key players in the development of Community Safety Plans.

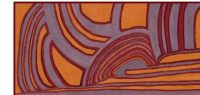
In selecting coordinators, the evidence suggests that CJGs should prioritise networking and relationship skills, not just with community members but with government and non-government service providers. At a Murri Court site, stakeholders commented on the positive changes in integration of support for Murri Court clients as a result of the relationships forged by a new coordinator.

“[The CJG Coordinator] has that kind of reputation and personality to really get the organisations and agencies working together to achieve the best outcome for clients.” (Court stakeholder)

Providing facilities for government service delivery

Since the enhancement of CJG funding in recent years, an ancillary benefit to the broader justice and social services system is the ability to use CJG facilities for program and service delivery. Several CJGs have used funding enhancements to develop a ‘hub’ model, that has a specific outcome of attracting and hosting visiting services to provide programs and support to CJG clients. For example, at Mossman, agency stakeholders mentioned that the availability of the CJG’s premises had allowed them to enhance their local service delivery.

¹⁴⁴ ‘Palaszczuk Government launches the start of the formal Path to Treaty’, Ministerial Media Statement, 16 August 2022.



The advantage of a CJG hub is not just the physical amenities, but the fact that they are ‘safe cultural spaces’ where community members are comfortable to engage. In a regional town, even the police had used the CJG building to engage with community members in an informal mediation. The Officer in Charge explained that “it’s a beautiful building” and a “neutral” space, where people will feel comfortable and talk openly, whereas if you bring them to the police station, they feel they are in trouble or that they are under compulsion.

12.4 Alcohol management functions

Under Queensland legislation or policy settings for managing alcohol in discrete Indigenous communities, CJGs in these locations perform alcohol management functions such as:

- Supporting the community in developing an Alcohol Management Plan
- Providing advice to Office of Liquor and Gaming Regulation in relation to licence applications and permits, regarding extended opening and closing times, alcohol carriage limits, extension/renovations to premises, security and types of alcohol (glass and cans)
- Providing advice regarding making and changing declarations of restricted areas
- Supporting people to apply to have their residential premises declared a dry place or to suspend or remove such a declaration

In the stakeholder survey, some respondents expressed the view that CJGs’ involvement in alcohol restrictions had caused some people in the community to resent or blame the CJG. However, when CJG respondents were asked ‘Do you think your CJG should be involved in Alcohol Management Plans?’, all seven (100%) said ‘yes’. Reasons given were because Elders and workers see the implications, Elders have wisdom, the CJG has local knowledge and understands issues and impacts around sly grogging, school attendance, assaults and drink driving.

Two stakeholders commented positively on some remote community CJGs’ recent input into amending AMPs in line with community goals. One CJG representative commented that *“Our justice group has an active role regarding the AMP. Key player in getting our social club opened.”*

A government stakeholder commented positively on CJGs’ role in making dry place declarations: *“CJGs play an important role in assisting with dry place declaration applications which have helped families to declare places dry to prevent the individual houses from being involved in environments that are destructive to family life.”* This was confirmed by a police officer in a remote community, who felt that the dry place declarations had been useful as a deterrent, as a tool to maintain good order in certain places in the community.

In summary, CJGs in discrete communities seem to be performing a constructive role in alcohol reform matters.

12.5 How to manage the demands to assist other agencies

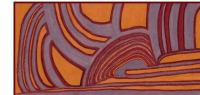
Phase 1 emphasised two themes from stakeholders’ suggestions about how to manage the workload for CJGs in supporting other agencies with their service delivery while delivering on their own core objectives:

1. the need to better negotiate and communicate the scope of the relationship and the assistance expected of CJGs
2. the need for agencies to better support CJGs to manage the level of risk and the workload they take on.

In relation to the first issue, agencies need to be open to formalising their relationships with CJGs through agreements and Memoranda of Understanding. This also goes towards the second issue, which is that such agreements might include provision of funding, in-kind support or training for CJGs who are assisting in the agency’s service delivery.

Further, if the reason for an agency's heavy reliance on CJGs is that its own staff lack the cultural competence or engagement skills to work effectively with Indigenous communities, then the agency should take its own steps to resolve that issue. The evaluation heard stories of government agencies referring clients to the CJG because they did not have Indigenous staff who could deal with the client. The solution should be for agencies to invest in their own cultural capability,¹⁴⁵ rather than outsource the work to a CJG that is already stretched by multiple competing demands on its time and resources. DJAG has established a CJG Inter-departmental Working Group (IWG) for the *Framework for Stronger CJGs*, as a forum for discussion of these issues across government. In the Phase 1 report, the evaluation recommended urgent attention to these matters (see recommendations 11 and 12, summarised earlier on page 10 of this report).

¹⁴⁵ For example, a government respondent to the stakeholder survey said that what is needed to fill service gaps in CJG communities is: *"Agencies themselves could ensure they employ staff who can communicate well with Aboriginal and Torres Strait Islander people, using visual technology or YouTube videos to step people through processes."*



13 DISCUSSION

13.1 Determining which outputs to prioritise

Part 4.1 described the tension that has been at the heart of the CJG Program since the 1990s, which relates to the question of what justice responses the finite funding for CJGs should be targeted towards. The overarching objective of the CJG Program is very broad: to contribute to reducing the over-representation of Aboriginal and Torres Strait Islander people in contact with the criminal justice system. As such, there is a very wide range of activities that could be considered to contribute to this goal, from primary prevention in the community through to working with offenders in the courts and corrections systems. While the funding program from 2010 to 2019 has focused on funding ‘core’ CJG outputs related to court support, additional funding secured by DJAG for the program in the past six years has opened up possibilities to expand the range of explicitly funded CJG activities.

Hence, the ‘refocused’ CJG model in the *Framework for Stronger CJGs* recognises that CJGs may undertake activities across a wider justice spectrum, including in the space before people come into contact with the formal justice system, where this contact might be avoided through prevention, awareness and education or early intervention and diversionary initiatives. For CJGs, the new funding has been greatly appreciated and the refocused model has created some welcome flexibility to negotiate funding for novel, place-based initiatives that they have wanted to deliver but have not previously had the resources to deliver. For example, many CJGs have established ‘on-country’ cultural and healing programs for men, women and youth – interventions that CJGs have long aspired to deliver.¹⁴⁶

With the greater flexibility and choice under this refocused, broadened CJG model, the Department and CJGs have been grappling with the question of how best to direct Program resources. Specifically, which outputs should be prioritised to maximise CJGs’ contribution to the Program’s objective of reducing Aboriginal and Torres Strait Islander people’s contact with the criminal justice system.

Phase 3 of the evaluation will assist with this question by compiling evidence about the justice outcomes being achieved by CJGs. This may be useful for CJGs and DJAG to identify which activities/ outputs yield the greatest impact. In the Local Evaluations to date, there have been some locations where CJGs or stakeholders have commented on a decline in Indigenous offenders coming before the courts. Some stakeholders have credited CJGs’ work with contributing measurably to this improvement, typically pointing to the group’s prevention and early intervention activities. For example:

- At Thursday Island, the CJG believed the boxing club was providing pro-social activities and pathways that contribute to reduced youth offending
- At Goondiwindi, the CJG’s early intervention through an on-country program to reduce SPER debts together with preventive work with youth and adults was credited with reducing the court list
- At Wujal Wujal, the CJG thought the court list had been reduced as a result of the prevention and early intervention work the CJG was doing in the community, such as men’s and women’s groups and cultural camps
- At Mackay, reductions in youth offending were credited to the CJG and other services working together to provide better wraparound support to young people, through the Murri Court process and in the community.

These examples suggest that prevention and early intervention can contribute strongly to reduced offending, although the claimed outcomes will need to be explored further in Phase 3 of the evaluation.

¹⁴⁶ Department of Aboriginal and Torres Strait Islander Policy and Development, 1998. *Report, ‘Coming Together on Local Justice Conference’*, Cairns.

In many areas, however, it is not possible to accurately measure outcomes or establish causation between CJG outputs and outcomes for the community. To a large degree, the Program Logic for the CJG Program therefore relies on theories of change, supported by evidence from research or practical experience, to identify how particular outputs can be expected to achieve desired outcomes. The experience and intuition of those involved in CJGs and the justice system is important in this regard. The evaluation team has sought feedback from CJG staff and members and other stakeholders about which of the CJG outputs they felt were most impactful or should be enhanced to increase the CJG's impact.

Inevitably, different stakeholders see different outputs as more or less important, depending on their own perspectives and backgrounds, but every output area has strong advocates for giving it priority. For example, many stakeholders see the solution to the 'over-representation issue' as being a greater focus on **primary prevention**. A CJG coordinator felt that the group should be funded to do more in education and awareness, in addition to their court support functions. A respondent to the stakeholder survey observed:

"Many services are provided at the wrong end of offending. Services should be aimed [at] changing cultural values... That it is wrong to break laws and hurt other members of the community. Services currently provided close the gate after the horse has bolted." (Stakeholder survey respondent)

Some Indigenous community members argued that CJGs should do more work in prevention rather than focusing primarily on assisting people in the courts:

"And this is just me. I see justice as that prevention before court or before the police or before being charged. I think the justice [group] should be working on that." (Indigenous community member/school principal)

"They [the CJG] are not program-based, they're just support services in the courts helping out people when they are going to court. But the other part of the agenda is being advocates for law and order and community issues, but a lot of work needs to be done in that space. Helping with the court process is the end of the line, but a lot more needs to be done, I suppose with prevention, before people get to that area." (Mayor, Aboriginal Shire Council)

Early intervention was also raised regularly as needing a greater focus under the CJG Program. It is noteworthy that this was especially emphasised by justice system stakeholders, such as police and magistrates, as a potential area for more CJG attention.¹⁴⁷ For example, mediation by a CJG was raised as a diversionary option that could resolve matters before they needed to be brought to a court. Magistrates also felt that more rehabilitation programs needed to be offered in the early intervention space, for low-level offenders or at-risk individuals:

"I think there needs to be a lot more real rehabilitation opportunities earlier in the process. I'm not seeing that until they come to a therapeutic court, whether it's Court Link or Drug Court or Murri Court, it's not happening and it needs to be tackled earlier. And I see all these criminal histories where they've had all sorts of orders over time – lots of community-based orders, probation or parole – and they've received no assistance whatsoever, so they keep offending and going into custody... So if we could get those things dealt with early, I see numbers of people who might never have offended or certainly would never have gone into custody for offending... And Community Justice Groups could play a significant role. But they'd need to be supported. They'd need to be managed in a way where, for example, all the services that we've got with Murri Court would be available to them." (Magistrate)

Other stakeholders felt that the high numbers of Indigenous people needing **assistance in the courts** meant that CJGs needed to focus their attentions there:

¹⁴⁷ For example, see the comments of police and Magistrates in Box 15 in the Phase 1 Annual Report.

“You [hear] talk about the unfortunate... focus on courts only and that actually the whole spectrum needs to be supported. We will absolutely agree with that. But I guess we just need to be really mindful that the volume that we're dealing with at the moment, unfortunately, necessarily hobbles our CJGs to be focussing on those pinch points. There are more prisoners in prison in Queensland today than there has ever been. Ten thousand adult prisoners, a third of whom are First Nations people... So I just want us to be really realistic about whether CJGs can, in fact, do very much more than deal with the crises that happen at every point.” (Government stakeholder)

Some stakeholders felt that CJGs needed to do more in the area of prisoner **reintegration** and preventing recidivism.

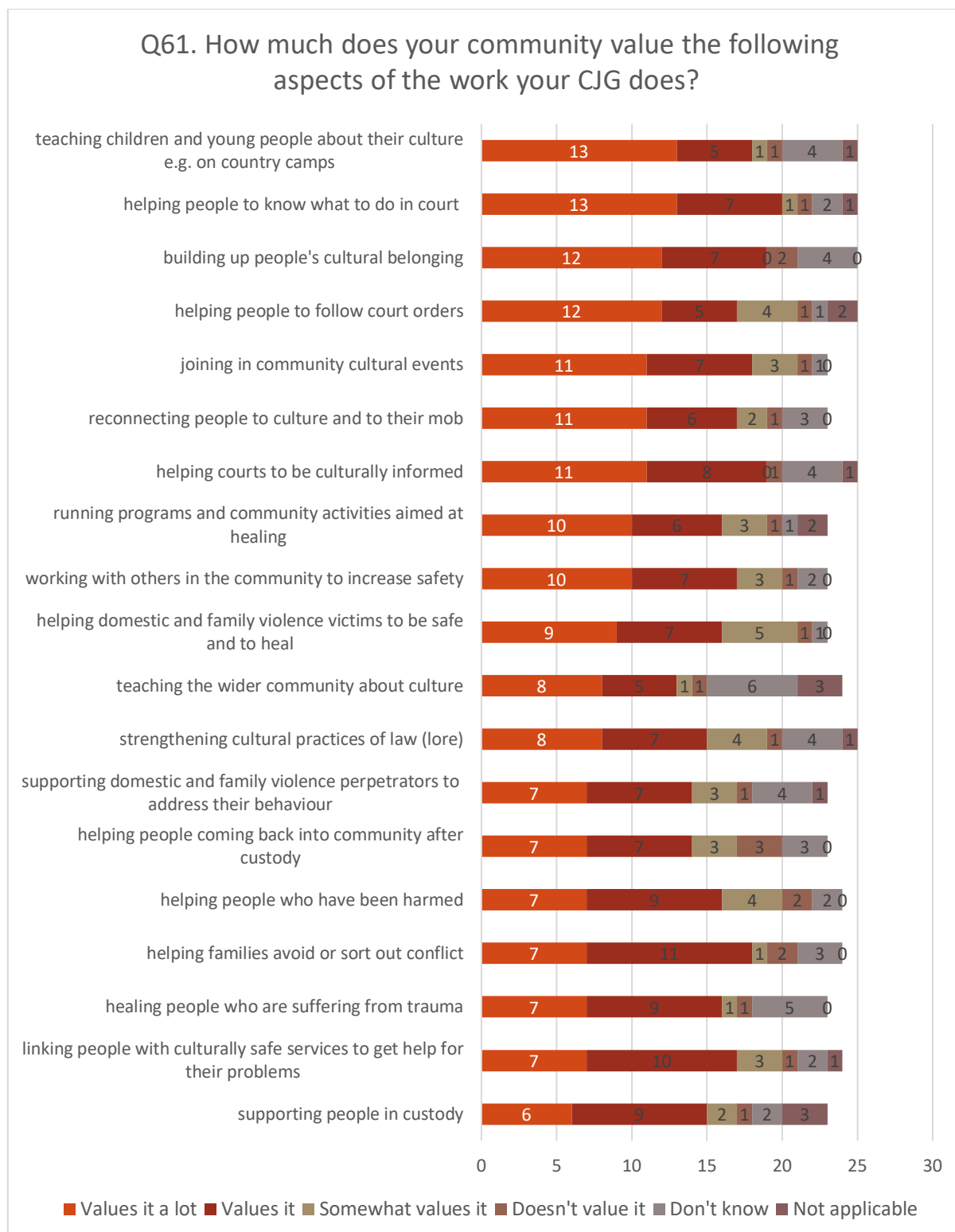
“I know we get a lot of complaints from clients at the rear end about the Justice Group not doing a lot... Especially the ones that come out of prison... just in general discussions with them talking about how they've found the court process and that's when you start to hear complaints about Community Justice Group, that they're not doing very much to help the reoffenders from re-offending.” (Indigenous community member)

In the stakeholder survey, CJG representatives were asked how much they think the community values various aspects of the work the CJG does. The responses in Figure 35 show the activities ranked from most to least valued. The results indicate that communities value *both* prevention and activities *and* support provided to people in the courts. The top four most valued outputs included two prevention-related and two court-related. Two of the most valued outputs are strongly prevention focused and culture-based: ‘teaching children and young people about their culture e.g. on country camps’, and ‘building up people’s cultural belonging’. Activities about reconnecting people to culture and family, and running healing programs were also highly valued. The most valued court-related activities were: ‘helping people to know what to do in court’ and ‘helping people to follow court orders.’ The appreciation of community members for this assistance was strongly evident in the community surveys for the Local Evaluations.

In an open-ended survey question, government and non-government stakeholders were asked where they thought CJGs can have the greatest impact in their community. A thematic analysis found the responses fell into the following categories:

- Focus on prevention, early intervention, empowerment and working within the community (13 responses)
- Focus on courts only (with the emphasis split between CJGs’ function in providing advice to the courts and their function in supporting Indigenous people to get help for issues) (13 responses)
- Focus across the whole justice spectrum, from prevention to court (11 responses)
- Focus on corrections and reintegration (3 responses)
- Focus on youth (2 responses)

Figure 34. Statewide CJG Survey, 2022



In summary, the feedback across all stakeholder groups indicates that people see value in CJGs delivering outputs across the entire justice spectrum represented in the refocused CJG model. There is equal recognition of the contribution that CJGs make in the courts and in prevention and early intervention. There is also recognition amongst stakeholders that CJGs' funded activities to date in DJAG have prioritised court-related functions, and that there is value in a broadening of resourcing that provides greater focus on

prevention and early intervention. While opinions differ, generally the feedback from CJGs themselves is that they value the work they do in the courts, but aspire to do more (and perceive that the community wants them to do more) in the prevention and early intervention space, especially around educating young people, strengthening cultural identity and delivering healing programs for families and individuals. For example:

“Predominantly now [the CJG Program] is about when they get in trouble... The best intervention is for DJAG to allow its funds to be used for prevention and deterrence. What we're saying to DJAG is the Justice Groups have to be like those Elders when [the CJGs] first started – they prevented and deterred those kids from getting into trouble. So the Justice Group needs to be given the mandate to actually implement, like we do here, programs that prevent and deter them from getting into trouble. If they're going to be suspended from school, instead of roaming the streets put them into a program. If they're in child safety's clutches, let the families work with places like this [CJG]. But fund them appropriately.” (CJG Elder)

13.2 Justice reinvestment

A call for prioritising funding towards primary prevention and early intervention over justice system responses was often mentioned in evaluation interviews as a shift towards Justice Reinvestment principles. The concept of Justice Reinvestment recognises that investments directly in the community that address underlying causes of crime reduce the need for investment in the criminal justice system. Advocates emphasise the long-term social benefit – as well as the net economic benefit – of directing government investment towards primary prevention and early intervention that keeps people out of the justice system, and community-based programs for rehabilitation and reintegration that prevents offenders returning to the justice system. An emerging body of evidence is supporting the merits of justice reinvestment approaches.¹⁴⁸

Investment in CJG outputs in the areas of primary prevention, early intervention and transition to community are clear examples of justice reinvestment. Investment in CJG outputs to provide services in the courts can also contribute to justice reinvestment goals – where they divert people to community-based interventions, keep people out of custody (for example, Murri Court processes) and provide better links to support that addresses offenders’ underlying issues leading to offending.

On the face of it, a justice reinvestment model would respond to the conundrum in the CJG program by prioritising funding for CJG outputs in the areas of prevention, early intervention and transition to community, but without diminishing the important role that CJGs play in supporting community members in the courts to get help for the issues that have contributed to their offending. Any redirection of CJG resources away from court processes would involve difficult trade-offs because CJGs’ role in the courts (and to an extent, in prisons) also contributes to the criminal justice system operating in a fairer and more culturally safe manner for Indigenous people. As indicated in the previous section, while many CJG representatives told the evaluation they wanted to see more funding for prevention they did not say that court support was not important. For example, a CJG representative reflecting on concerns about the constrained initial funding parameters for the DFVE, made the following comment:

“I pray to God that the powers to be do not take the feedback obtained throughout the CJG Evaluation as criticism but as constructive feedback designed I imagine, to strengthen what is being seen by many of our CJGs as a great initiative designed to prevent and deter our people from getting

¹⁴⁸ For example, see: KPMG, 2018. *Maranguka Justice Reinvestment Project: Impact Assessment*, Just Reinvest NSW; Guardian Australia, “Proud of my community’: youth crime drops dramatically in Groote Eylandt - Elders say community-led justice reinvestment programs are having a real impact on the Northern Territory island’, 4 December 2022, accessed at: <https://www.theguardian.com/australia-news/2022/dec/04/proud-of-my-community-youth-drops-dramatically-in-groote-eylandt>

caught up in the justice system and to provide the cultural and systemic support required for those who unfortunately do.” (CJG representative)

The *Framework for Stronger CJGs* recognises that CJGs with an expanded service footprint will span many service areas across government. For this reason, DJAG has sensibly sought to engage other agencies in whole-of-government processes (such as the CJG Inter-departmental Working Group) to collaboratively support the further development of CJGs and support the holistic undertaking of CJGs. This is a very challenging undertaking, as other agencies may view CJGs and DJAG’s CJG Program through a division of bureaucratic responsibilities.

In considering whether Justice Reinvestment principles are relevant for guiding the CJG Program, it should be kept in mind that the CJG Program is administered in DJAG’s Magistrates Courts Service, which is a justice agency. Although the CJG Program sits within this area’s Courts Innovation Program, which fosters innovative responses to improve the justice system, it is understandable that any suggestion of diminishing the CJG program’s focus on court-related functions of CJGs could be seen as problematic by government and community stakeholders. From a machinery of government perspective, significant investments in CJGs to deliver prevention and early intervention activities could be seen as a matter for non-justice agencies with responsibility for funding social services. The evaluation has heard the view expressed that such activities - could be funded through community organisations other than CJGs – the rationale offered for this view is either that CJGs’ core experience and expertise relates to the justice system or that CJGs are already stretched and should not be expected to deliver programs in these other areas. These views seem to discount the aspirations of CJGs themselves, many of which are well placed to be providing services in addition to core services funded by DJAG for court and the justice system. In fact, in the absence of culturally suitable funded services, many of the CJGs provide, by default, the same functions as Neighbourhood Centres, in order to meet the daily expectations of the community.-

A CJG representative observed that the tension in the CJG Program between court-related and non-justice system activities reflects the difference in the vantage point of a program manager in a funding agency compared with a CJG view. A program manager in a funding agency sees the funding program within the agency parameters, because the program sits within a system where different agencies have allocated responsibilities, to avoid duplication or gaps and enable appropriate expertise to be located with the relevant service function. Highlighting this is not a criticism of the program manager because there are valid reasons why government programs and services are organised in this way.

The CJG representative emphasised that members or staff of a CJG, however, do not view the support needed by a community member through the prism of this division of responsibilities within the bureaucracy. Instead, the CJG’s philosophy is to take a holistic view of the individual or family concerned and work with them ‘wherever they are at’. This is why CJGs deliver such a wide array of services and outputs that defy categorisation within any ‘service sector’. For example, if young people exhibit at-risk behaviours, the CJG will prioritise cultural camps for cultural mentoring, if they have offended and are in court, the CJG will look to help them there, if they need ID to get a drivers’ licence to get a job, the CJG will help with that, and if they are involved in the child protection system and the relevant department is struggling to assist them, then the CJG will step in and support both the family and the child safety staff. This is the strength of CJGs but it is the feature that makes the scope of a program to fund CJGs very difficult to circumscribe.

13.3 The way forward: Addressing constraints for CJGs seeking to expand outputs

This report has documented the many and varied ways that CJGs across Queensland are seeking to apply their enhanced funding to improve their current services within the justice system and branch out into new initiatives, especially in prevention and early intervention. It is clear, however, that the conundrum at the centre of the CJG program remains. Even with increased funding and increased flexibility under the refocused

model, there are still constraints inhibiting CJGs from expanding their outputs to implement some of the ideas they have for novel community-led responses to tackle the causes of offending behaviour in their communities.

The evaluation's review of CJG outputs in this report suggests that three major constraints need to be overcome to address the conundrum.

1. Constraints in CJG organisational capacity

Many CJGs are constrained in their capability to deliver additional programs and activities by unmet needs for training and capacity-building within the CJG organisation. As the Phase 1 Annual Report and Part 5 of this report highlighted, there have been challenges for CJGs in growing their organisational base from the previously small single staff member operation to a more complex organisation with more staff, more programs and more responsibilities. The fact that 70% of CJGs are underspent against their current budgets at the same time as CJG staff are reporting very long hours, underlines this capability issue along with challenges in recruitment and retention.

The evaluation in Phase 1 recommended a Capacity Development Program to support further development of CJGs' workforce and organisations. This Phase 2 Annual Report has reinforced the need for such a Program. Government must invest into organisational capability before many CJGs are able to pursue their aspirations for undertaking a broader range of activities in areas such as primary prevention, early intervention and post release reintegration.

2. Demands on CJGs from community members and government agencies and other service providers

A significant portion of CJGs' time is taken up with supporting community members with non-justice related issues and assisting various agencies and service providers with their service provision (see Parts 11 and 12). These outputs, which consume on average around a quarter of CJG staff time, constrain CJGs from spending more time on new initiatives and programs.

The evaluation has recommended a whole-of-government process to review and take steps to reduce this burden on CJGs.¹⁴⁹ Options that should be explored include:

- DJAG or other agencies properly resourcing or training CJGs to do this work (e.g. providing funding for administrative or project staff)
- relevant agencies addressing gaps in services that are currently falling to CJGs to fill (e.g. by organising 'musters' to periodically bring together government outreach services in an Indigenous community)
- agencies building their own Indigenous engagement capability to reduce reliance on CJGs (e.g. a whole-of-government response might include creating an Indigenous Engagement Officer position accessible by all agencies working in an Indigenous community, which was one of the most successful elements of the National Partnership Agreement on Remote Service Delivery trials from 2009-2013).¹⁵⁰

3. Limitations of funding

Recent funding enhancements have enabled CJGs to broaden their suite of programs and activities beyond court support, although ongoing surpluses underline that organisational capability gaps and recruitment challenges are constraining CJGs from fully taking advantage of the new funds. However, even if the additional funding could be fully utilised, the level of funding within the CJG program is unlikely to be adequate for some of the new initiatives that CJGs want to deliver in addition to their 'core' funded

¹⁴⁹ See Recommendation 11 in Phase 1 Annual Report.

¹⁵⁰ Commonwealth of Australia, 2013. *Evaluation: National Partnership Agreement on Remote Service Delivery*. Accessed at: <https://www.niaa.gov.au/sites/default/files/publications/npa-remote-service-delivery-evaluation-2013.PDF>



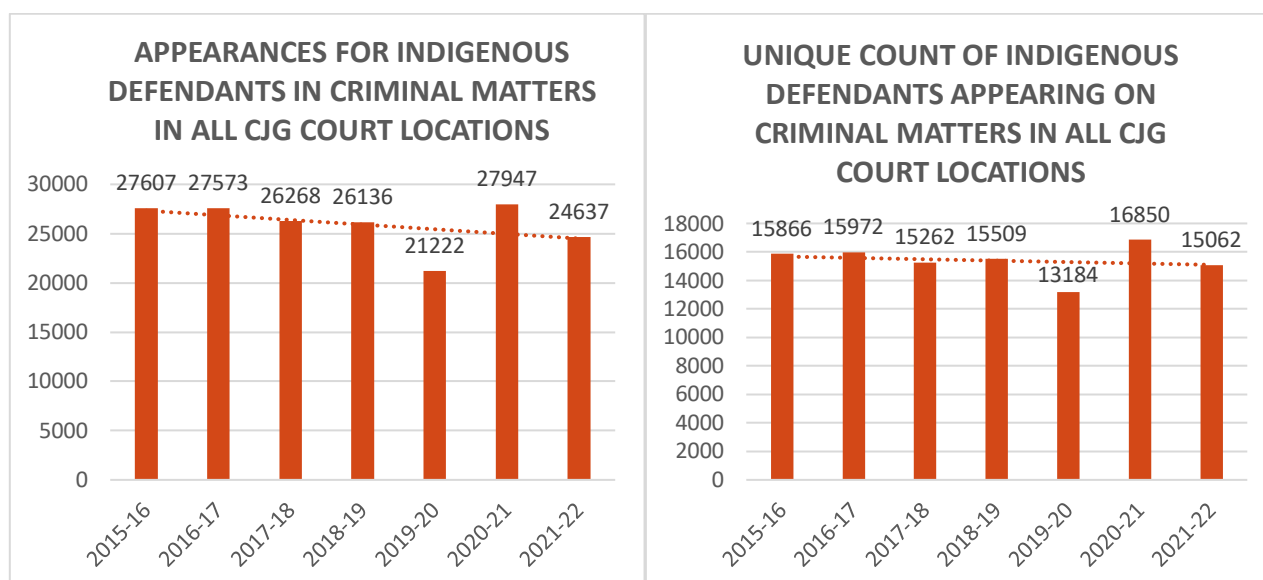
responsibilities. Men's shelters are a good example of a high priority intervention that has considerable capital and operational costs. For most CJGs, the increase of core funding from \$100,000 to \$200,000 has mainly assisted them to properly resource their 'core' court support functions, including remunerating Elders and respected persons to a limited extent. The additional \$81,000 available for a Community Specific Activity may support some ancillary activities but is unlikely to be enough for the CJG to deliver a significant new program or initiative.

Possible solutions to this issue are:

- (a) CJGs could seek additional funding from sources other than DJAG for delivery of significant new initiatives. Some CJGs have already been doing this. For example, Wujal Wujal CJG obtained philanthropic funding and federal government funding to commence their on-country camp programs for adults and youth. Cloncurry and Coen CJGs have recently secured funding to establish men's shelters. The Framework for Stronger CJGs encourages other agencies to consider funding and partnering with CJGs.¹⁵¹
- (b) CJGs can negotiate with DJAG to reallocate resources within their service agreements to prioritise new initiatives over their court support outputs. For example, CJGs that receive \$150,000 under the DFVE program could put forward a proposal for a DFV response that is focused on primary prevention or early intervention rather than supporting parties through DFV court processes. Given the known high level of need and gaps experienced by Indigenous people in the DFV system, careful consideration would be required for this. There is flexibility for CJGs to negotiate with DJAG to use annual surpluses on new initiatives as well as negotiate under triennial funding agreements. Locations where courts have multiple sessions a week and a high volume of Aboriginal and Torres Strait Islander defendants could warrant consideration of additional funding to increase their capacity to meet the needs of defendants, victims and family members outside of court and in the community.
- (c) CJGs lobby and advocate for other agencies or organisations to implement the new initiatives that they believe are necessary, rather than seeking to deliver these themselves. If CJGs were part of the development of such initiatives, they could assist to develop the sort of 'integrated response' service model envisaged by the *Not Now, Not Ever* report in 2015. For example, CJGs could have well-established referral pathways into new programs developed by other organisations. Under this option, CJGs would have an important local leadership role in guiding government investments in local justice responses, including DFV responses. A mechanism for this would be for CJGs to be a Local Decision-Making Body for community safety and justice planning under the Local Thriving Communities initiative in a paid capacity.
- (d) The evaluation has identified many successful models where CJGs enter partnerships with other agencies or organisations to share the costs of delivering the new programs and initiatives. For example, CJG initiatives outlined in this report involving significant contributions from other agencies include the Wujal Wujal cultural camps (partnerships with the Army and Probation and Parole), Tablelands BOMB program (partnerships with Mission Australia, Youth Justice and Traditional Owner organisations), Thursday Island CJG's Zenadth Kes boxing club (partnership with Torres Health) and Goondiwindi CJG's Town Common Project (partnership with local government).

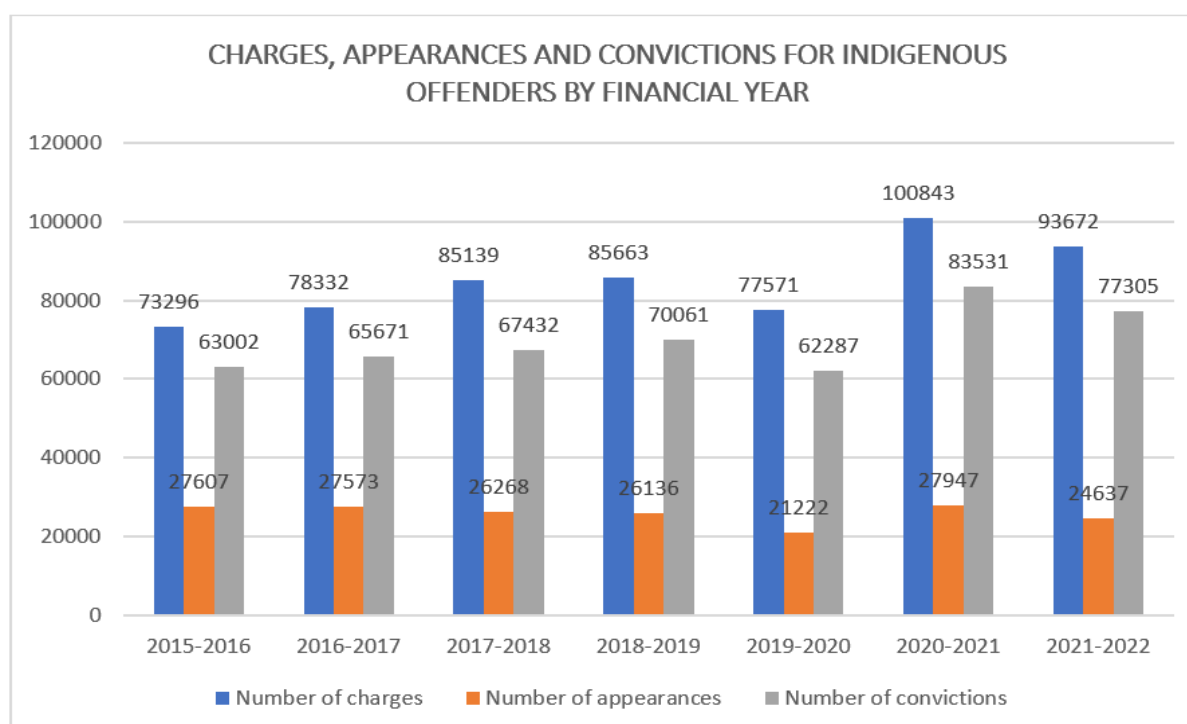
¹⁵¹ In the Framework, the 'Role of Government Agencies' includes: 'More appropriately remunerate CJGs for services delivered in line with program outcomes' and 'Work together as Government agencies with CJGs to develop, embed and share responsibility for place-based service delivery in the justice system' and 'Support CJGs to identify gaps and deliver place-based initiatives within community' (DJAG, 2019, p.15)

Appendix 1: Analysis of court data for CJG communities



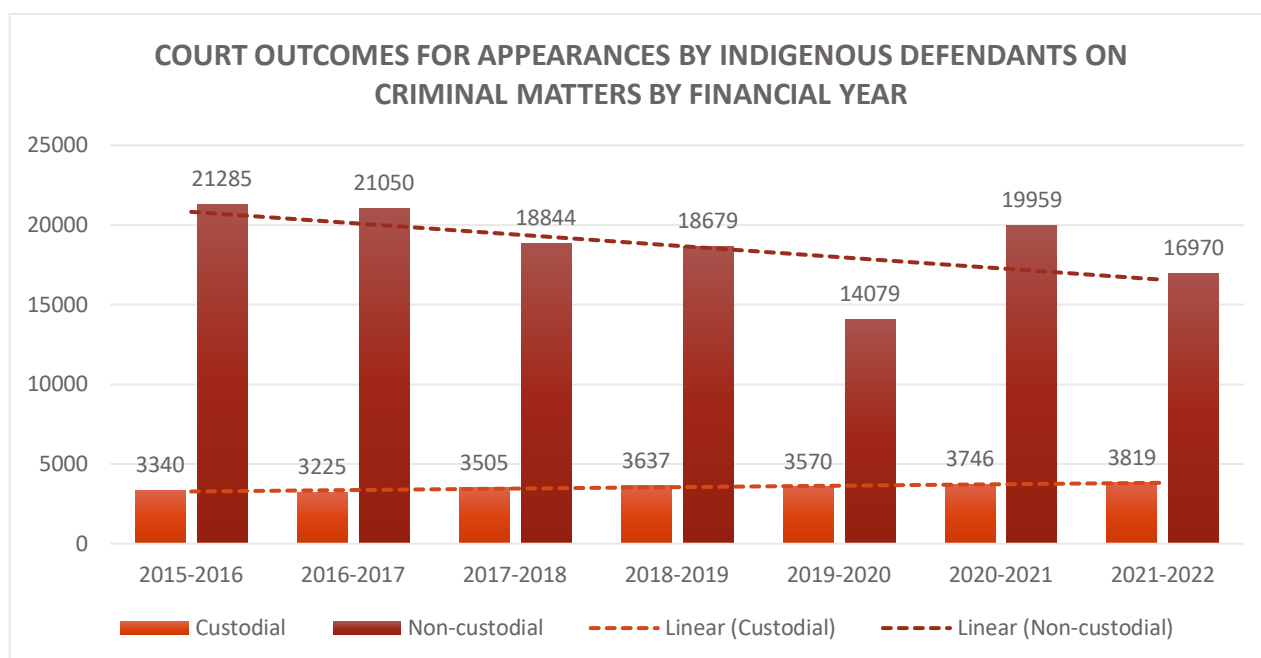
Data source: DJAG QWIC Criminal Court dataset.

Notes: Includes all courts (52 locations), court appearances for Indigenous persons only (i.e., those identifying as Aboriginal, Torres Strait Islander, or both).



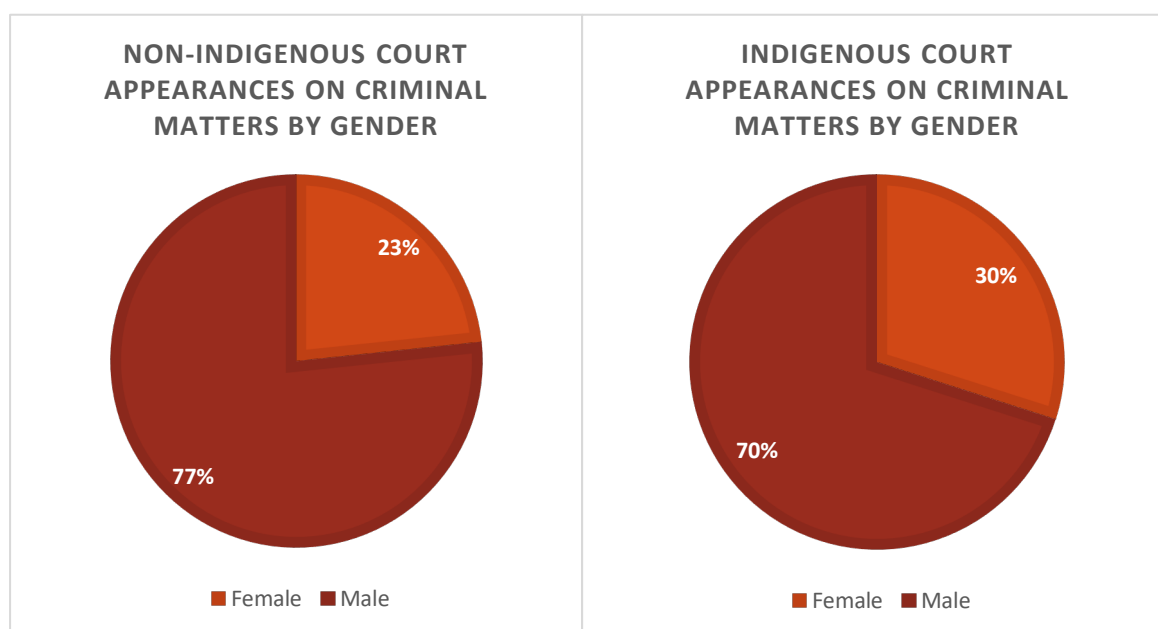
Data source: DJAG QWIK Criminal Court dataset.

Notes: Includes all courts (52 locations), total number of charges, court appearances, and convictions for Indigenous persons only (i.e., those identifying as Aboriginal, Torres Strait Islander, or both).



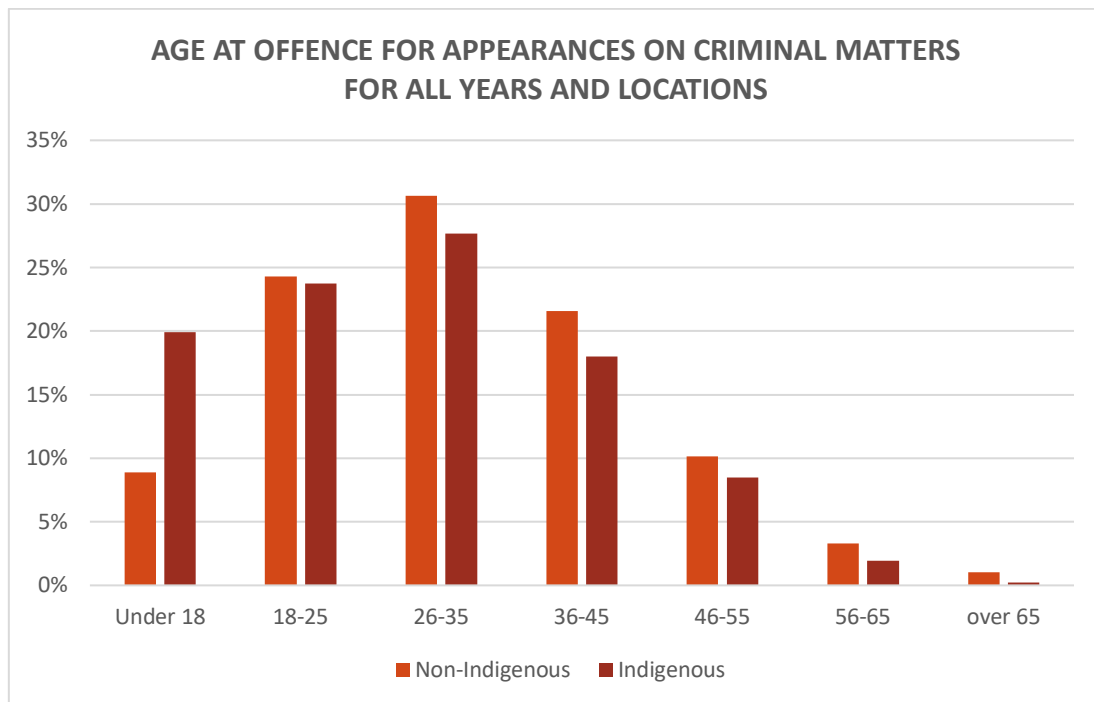
Data source: DJAG QWIC Criminal Court dataset.

Notes: Total number of Indigenous appearances from 2015-2022 across all 52 court locations. Excludes data where Indigenous status was not stated. Custodial outcomes were calculated based on the following categories: single and concurrent prison sentence, cumulative prison sentence, detention, partially served detention, partially served imprisonment. Non-custodial outcomes included all other outcomes. Excludes data for outcomes resulting in no punishment e.g., not guilty, withdrawn and not proceeded with.



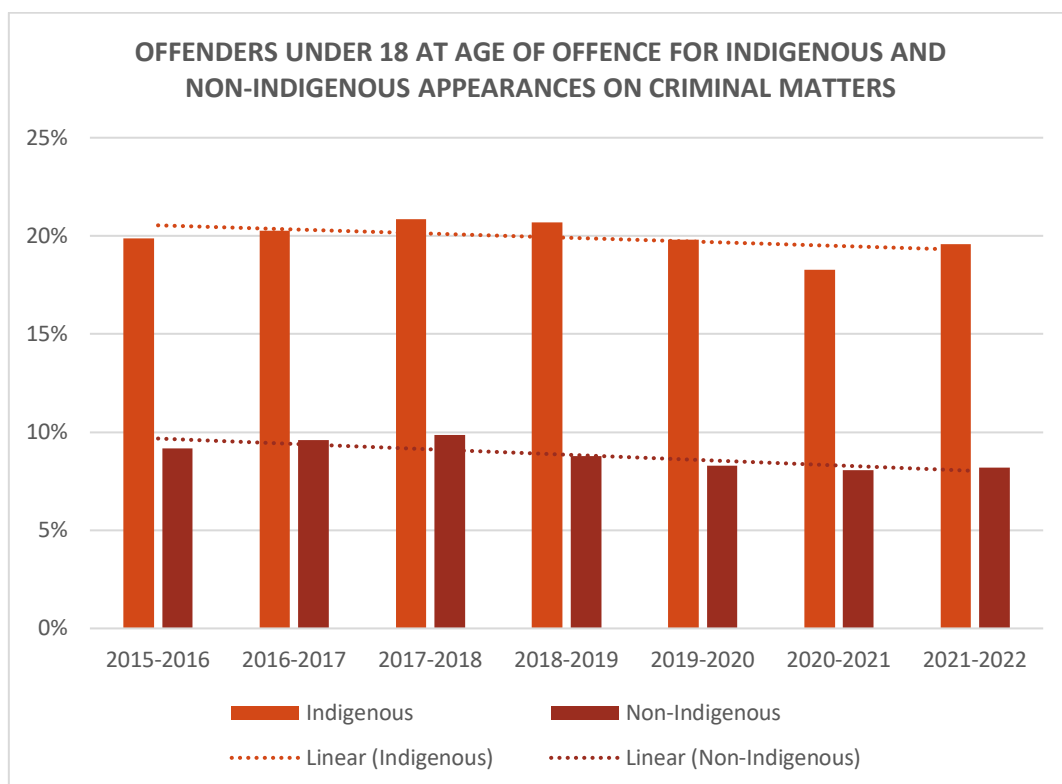
Data source: DJAG QWIC Criminal Court dataset.

Notes: Total number of appearances at all court locations 2015-2022. Cases with gender unknown or unreported were excluded from the analysis



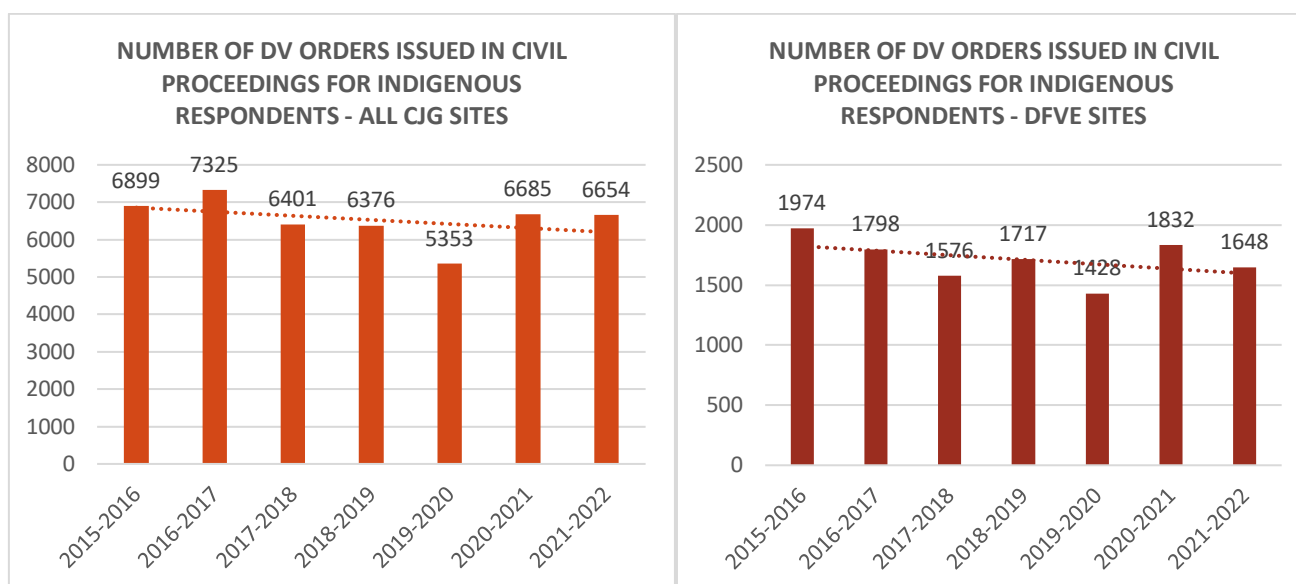
Data source: DJAG QWIC Criminal Court dataset.

Notes: Appearances 2015-2022. Age at offence presented as a percentage of the total appearances in both Indigenous and non-Indigenous categories, all CJG locations.



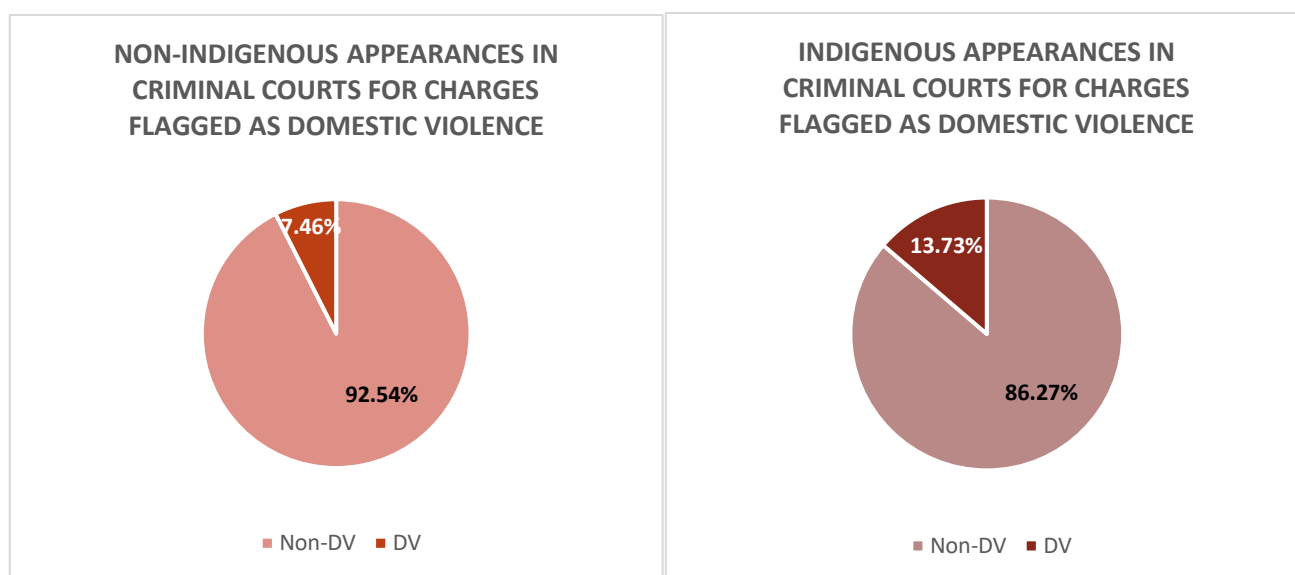
Data source: DJAG QWIC Criminal dataset.

Notes: Appearances 2015-2022. Percentage of total appearances where the age of offence is <18 for both Indigenous and non-Indigenous categories, all CJG locations.



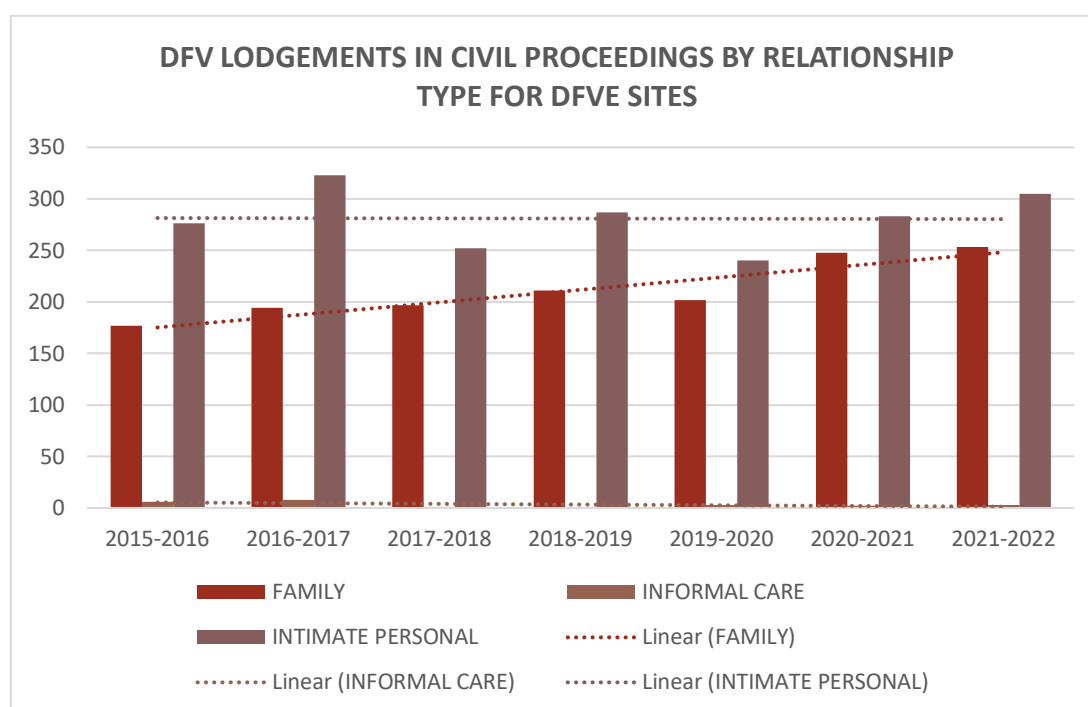
Data source: DJAG QWIC Civil court database.

Notes: Total DFV orders by year from 2015-2022, for cases where the *respondent* is recorded as Indigenous. All CJG court locations (52) compared with DFVE sites only (17).



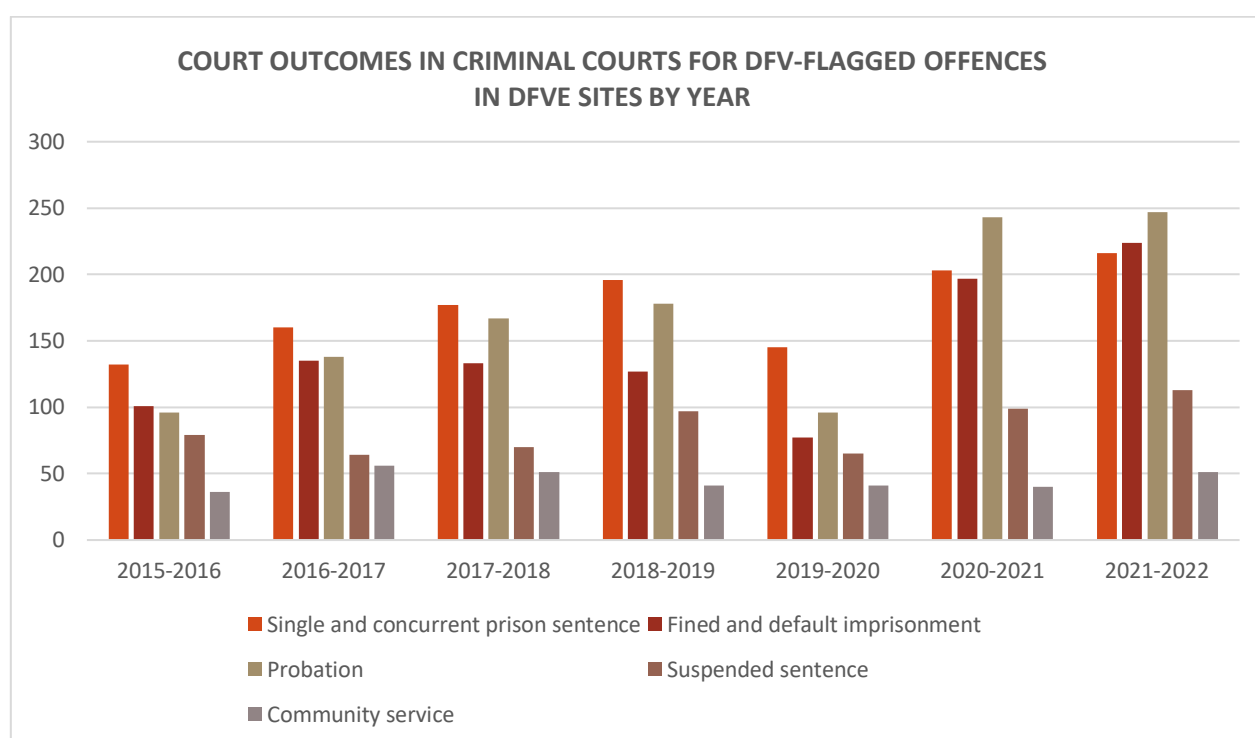
Data source: DJAG QWIC Criminal Court database.

Notes: Total court appearances between 2015-2022 for all CJG court sites. Excludes cases where Indigenous status of offender is unknown or not recorded.



Data source: DJAG QWIC Civil Court database.

Notes: Total DV lodgements 2015-2022 for DFVE sites only



Data source: DJAG QWIC Criminal Court dataset.

Notes: Total court appearances by year from 2015-2022 for DFVE sites only. Includes the five top court outcomes for DV-flagged offences.

List of DFVE funded sites:

1. Aurukun*
2. Bamaga
3. Coen
4. Doomadgee
5. Kowanyama
6. Lockhart River*
7. Mornington Island
8. Mossman
9. Cherbourg (matters heard in Cherbourg and Murgon)
10. Palm Island
11. Pormpuraaw
12. Thursday Island
13. Napranum (matters heard in Weipa)
14. Mapoon (matters heard in Weipa)
15. Woorabinda
16. Hope Vale (matters heard in Cooktown)
17. Wujal Wujal (matters heard in Wujal Wujal and Cooktown)
18. Yarrabah*

**These courts did not have DFVE projects operating in any of the years for which the court data were available (2015-16 to 2021-22)*

List of court locations services by CJGs:

- | | |
|--------------------|-----------------------------|
| 1. Atherton | 23. Maroochydore |
| 2. Aurukun | 24. Maryborough |
| 3. Badu Island | 25. Mornington Island |
| 4. Bamaga | 26. Mossman |
| 5. Beenleigh | 27. Mount Isa |
| 6. Brisbane | 28. Murgon |
| 7. Caboolture | 29. Normanton |
| 8. Cairns | 30. Palm Island |
| 9. Cherbourg | 31. Pormpuraaw |
| 10. Cleveland | 32. Richlands |
| 11. Cloncurry | 33. Rockhampton |
| 12. Coen | 34. Saibai Island |
| 13. Cooktown | 35. St George |
| 14. Cunnamulla | 36. Thursday Island |
| 15. Doomadgee | 37. Toowoomba |
| 16. Goondiwindi | 38. Townsville |
| 17. Hervey Bay | 39. Weipa |
| 18. Ipswich | 40. Woorabinda |
| 19. Kowanyama | 41. Wujal Wujal |
| 20. Lockhart River | 42. Wynnum |
| 21. Mackay | 43. Yarrabah ¹⁵² |
| 22. Mareeba | |

¹⁵²Courts in smaller locations sit less frequently and residents may attend court in nearby townships: This includes Cherbourg/ Murgon; Hopevale and Wujal Wujal/ Cooktown; Mapoon and Napranum/Weipa

Appendix 2. Stakeholder Survey responses re service gaps

Q36. Non-CJGs responses to how much of a gap exists in culturally safe activities or services in CJG communities for the following needs (n=108)

