

MURRI COURT ELIGIBILITY ASSESSMENT



Use this form to assess the eligibility of a defendant to be referred to Murri Court. Upon completion, the Murri Court Eligibility Assessment is to be handed to the magistrate in order to seek referral.

Defendant's Details

Surname		Given name/s			
Date of Birth		Age	Gender	☐ Male ☐ Female ☐ Non-binary ☐ Prefer not to say	Magistrates Court File No.
Address					
Home Phone		Mobile		Email	

Eligibility Assessment Checklist (to be completed by the defendant, his or her legal representative, CJG representative, or magistrate)

Does the defendant meet the following eligibility criteria?		
1. Identify as an Aboriginal and/or Torres Strait Islander person, or has a kinship or appropriate connection to an Aboriginal and/or Torres Strait Islander community; and	☐ YES	☐ NO
2. The offence falls within the jurisdiction of the Magistrates Court or Childrens Court, that is the charges can be finally determined in the jurisdiction; and	☐ YES	☐ NO
3. A guilty plea is entered or the defendant intends to plead guilty; and	☐ YES	☐ NO
4. The defendant is on bail or has been granted bail; and	☐ YES	☐ NO
5. The defendant consents to participate fully in the Murri Court process. (The defendant must sign the consent form over page)	☐ YES	☐ NO

To be eligible to participate in Murri Court, the defendant must answer yes to ALL of the questions above.

Referrer's comment if the defendant is assessed as ineligible:

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Magistrates' decision

With consideration to the information provided above, and submissions by the prosecutor and defence, the defendant's matter/s will:		
☐ Proceed as per usual court process ☐ Be adjourned to the Murri Court	 	Magistrate's reasons for not referring a defendant to Murri Court:
Murri Court Mention date:		
Name of Magistrate:	Signed:	Date:

Referrer's Details

Defendants referred by:	☐ Legal representative ☐ CJG representative ☐ Magistrate ☐ Self-referred ☐ Other	
Number of referrer:	Signed:	Date:
Phone:	Email:	

The Court Services Officer should email a completed copy of this form to the Department of Justice (murricourt@justice.qld.gov.au) and to the relevant community justice group.

Defendant's consent

It is recommended that you seek legal advice prior to signing this consent form

I confirm that the Murri Court process has been explained to me, including that I am expected to:

- talk to the Murri Court Elders about my personal circumstances, needs and goals for the future;
- engage with treatment and support services I am referred to by the Murri Court Elders and community justice group;
- tell the court about my attendance and engagement with treatment and support services I am referred to; and
- appear before the Murri Court magistrate for sentence.

I understand that:

- the Department of Justice (DoJ) is collecting my personal and sensitive personal information on this form to administer my participation in the Murri Court program, including to assist the court to determine my eligibility and suitability to participate in Murri Court. I may be asked to provide further information as part of determining my suitability;
- if I am referred to Murri Court, I am required to contact the community justice group to arrange an appointment to speak with the Murri Court Elders about my personal circumstances;
- the community justice group will collect my personal and sensitive personal information to assist the Murri Court Elders and Murri Court magistrate understand my cultural and personal circumstances and ongoing support needs;
- the information collected includes my personal details (e.g., name, address, gender, contact information, Aboriginal and Torres Strait Islander status), criminal and traffic history, current charges and circumstances, prior interactions with Queensland Police Service and Queensland Corrective Services, medical needs and treatment, accommodation, education and employment history, community risk (including domestic and family violence), involvement with court orders or programs, and financial circumstances;
- the Department's Privacy Policy can be accessed at: <https://www.justice.qld.gov.au/about-us/information-and-privacy>. The Privacy Policy sets out how personal information is handled including ways to amend, access personal information or making complaints about handling personal information;
- the community justice group will provide information collected about me to treatment and support services to which I am referred to assist them in understanding my personal circumstances and providing ongoing support;
- the community justice group will provide information collected about me to DoJ for the purpose of ongoing monitoring of the operations of the Murri Court;
- as part of ongoing monitoring of the operations of the Murri Court, I may be contacted about my experiences, but I am able to withdraw my consent if I no longer wish to be part of the research;
- my personal information will be stored securely and only released where relevant to the operation of Murri Court;
- my email address (if provided) is supported by a server outside of Australia, the personal information sent to my email address will be sent to the server outside of Australia, alternatively I am aware I could provide a postal address and/or telephone number to be contacted instead;
- my personal information will not be used or disclosed for any other purposes unless authorised or required by an Australian law, or Court or tribunal order, including but not limited to any obligations under the *Domestic and Family Violence Protection Act 2012*;
- the Murri Court magistrate may take my participation in Murri Court into account at sentence;
- if I fail to attend appointments with service providers to whom I am referred, this information may be provided to the Murri Court;
- if I do not comply with all reasonable directions of the community justice group and service providers in the context of Murri Court, my matter may be re-mentioned for the court to consider whether my bail should be varied or revoked; and
- if I fail to provide my personal information or sensitive personal information, this may mean that the Murri Court team (including DoJ and the community justice group) will be unable to provide me with full services and supports.

I consent to:

- a referral to the Murri Court assessment panel to determine whether or not I am suitable to participate in Murri Court;
- the collection, storage and use of my personal and sensitive personal information in accordance with the Queensland Privacy Principles;
- my legal representative sharing information regarding my current and prior offending with the community justice group;
- DoJ sharing information regarding my current State Penalties Enforcement Registry (SPER) debt and payment plan with the community justice group;
- the Murri Court assessment panel sharing information about me and discussing my circumstances with my legal representative/duty lawyer, the prosecution, Queensland Corrective Services, Youth Justice, the Murri Court magistrate and service providers I am referred to, for the purpose of supporting my involvement in Murri Court and treatment/support;
- the support service agencies I am referred to providing a written report to the community justice group coordinator regarding:
 - my goals and progress;
 - my attendance at appointments, and, where I do not attend, reasons for my non-attendance (when known);
 - the service provider's satisfaction with my attendance and engagement with the service;
 - alternative or additional support the service provider believes I require.
- my personal information being used for research purposes where my information is kept un-identified.

Defendant to print name:

Date:

Defendant signature:

Date:

Parent/Guardian to print name (where defendant is under 18):

Parent/Guardian signature: