

FINAL REPORT:
Evaluation of Community Justice Groups



THE MYUMA GROUP

November 2023

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List of Acronyms and Abbreviations

AODS	Alcohol and Other Drugs Services
ATODS	Alcohol, Tobacco and Other Drugs Services
ATSILS	Aboriginal and Torres Strait Islander Legal Service
ATSIP	Aboriginal and Torres Strait Islander Partnerships (within Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and Arts)
CERIP	Culturally-Engaged Release of Indigenous Parolees (a Parole Board of Qld initiative)
CIP	Courts Innovation Program, Magistrates Court Service, DJAG
CJG	Community Justice Group
DJAG	Department of Justice and Attorney-General (referred to as the 'Department')
DFV	Domestic and Family Violence
DFVE	Domestic and Family Violence Enhancement
IJO	Indigenous Justice Officer, DJAG
IJP	Indigenous Justice Programs, Courts Innovation Program, DJAG (referred to as the 'Program')
IWG	Inter-departmental Working Group for the CJG Program
JLOM Act	<i>Aboriginal and Torres Strait Islander (Justice, Land and Other Matters Act) 1984</i>
LAQ	Legal Aid Queensland
NDIS	National Disability Insurance Scheme
NGO	Non-Government Organisation
PBQ	Parole Board of Queensland
PCYC	Police and Citizens' Youth Club
QCS	Queensland Corrective Services (also referred to as 'Corrections')
QPS	Queensland Police Service (also referred to as 'Police')
QWIC	Queensland-Wide Interlinked Courts data
SPER	State Penalties Enforcement Registry
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

CJG Stories of Success compendium	Compilation of stories from CJGs, clients and stakeholders describing successful outcomes achieved by CJGs.
Community survey	Survey of 249 Aboriginal and/or Torres Strait Islander respondents from 16 communities where CJGs exist, conducted from 2021 to 2023 during Local Evaluations
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.
Framework for Stronger CJGs	The <i>Framework for Stronger Community Justice Groups</i> is a high-level policy framework released by DJAG in 2020 to outline the expanded model for the CJG Program following the funding enhancements starting in 2019-20. Available at this link .
NPA	Northern Peninsula Area, comprising Bamaga, Seisia, Injinoo, New Mapoon and Umagico communities.
Phase 1	The first phase of the CJG evaluation in 2021, focused on CJG Program inputs.
Phase 1 Evaluation Report	Myuma's November 2021 annual report for Phase 1 of the evaluation, available at this link .
Phase 2	The second phase of the CJG evaluation in 2022, focused on CJG Program outputs.
Phase 2 Evaluation Report	Myuma's November 2022 annual report for Phase 2 of the evaluation, available at this link .
Phase 3	The third phase of the CJG Evaluation in 2023, focused on CJG Program outcomes.
Phase 3 stakeholder survey	Survey of 171 non-CJG and non-judicial officer stakeholders, conducted in Phase 3 of the evaluation in 2023 (see Appendix 1)
Phase 3 CJG survey	Survey of 59 CJG respondents conducted in Phase 3 of the evaluation (see Appendix 1)
Phase 3 judicial officer survey	Survey of 20 judicial officer respondents conducted in Phase 3 of the evaluation (see Appendix 1)
Primary prevention	Prevention efforts targeting people who are not currently in contact with the justice system that intend to address the causes of offending to prevent it from happening in the first place, such as providing education and awareness to people to help them avoid offending. As distinguished from 'secondary prevention', which targets people at risk or in the early stages of contact with the justice system, and 'tertiary prevention', which targets people who have offended to assist them to avoid re-offending.

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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

In 41 Aboriginal and Torres Strait Islander communities across Queensland, dedicated staff, Elders and Respected Persons of Community Justice Groups (CJGs) are driving local, community-based responses to justice issues affecting Indigenous Queenslanders. With support from their communities, the Queensland Government, and many other government and non-government partners, these unique grassroots organisations make a vital contribution.

A three-year evaluation has sought to document how CJGs support and empower members of their communities, helping them to avoid contact with the criminal justice system, or where they are already in the system, to navigate justice processes and avoid future contact. The evaluation has found that the work of CJGs is very highly valued by stakeholders within the justice system, those who deliver services to Indigenous communities, and the members of those communities themselves. The evaluation has found that the grassroots strengths of CJGs, and their creative and empathetic ways of working with their communities, make them uniquely able to positively impact on the lives of individual clients while improving the functioning of the justice system, and the wider service system, for Indigenous people.

While enhanced Queensland Government funding in recent years is enabling CJGs to build their capability, expand their activities, and broaden their impact, the evaluation has highlighted the significant opportunity to further strengthen CJGs and support their aspirations to drive an even greater impact for their communities. Recent gains can be accelerated in the next three years by providing further targeted support recommended by the evaluation to assist CJGs to build their organisations, pursue greater self-determination and build capacity through a peak body, and implement their innovative ideas for community-driven justice responses. The breadth of CJG activities necessitates a whole-of-government response and commitment to support and partner with CJGs. Stronger CJGs will be a key partner in meeting the Queensland Government's strategic imperative to address the over-representation of Indigenous people in the justice system.

Background

This report is the final report of the three-year evaluation of the [Community Justice Group \(CJG\) Program](#), funded by the Department of Justice and Attorney-General (DJAG). The evaluation has been conducted by [Myuma](#), a social enterprise owned and managed by the Indjalandji-Dhidhanu people from the Camooweal region of north-west Queensland. From 2021 to 2023, Myuma's predominantly Aboriginal and Torres Strait Islander team of 12 evaluators has undertaken local evaluations with 25 CJGs:

- spending 99 days in remote, regional and rural communities across Queensland,
- conducting 235 interviews and focus groups with CJGs and stakeholders,
- analysing 185 hours of recorded audio, and
- surveying 453 clients and community members (with the help of local community researchers).

At the program level, the evaluation held interviews and focus group with 70 government and non-government stakeholders and analysed responses from 655 respondents to annual surveys of program stakeholders.

The evaluation comes at an important time in the evolution of the CJG Program. CJGs were first established in Queensland in the 1990s as a community response to the over-representation of Indigenous people in the criminal justice system, as highlighted by the Royal Commission into Aboriginal Deaths in Custody (RCIADIC). While the Program has expanded to 52 locations across the State, including 11 Torres Strait Islands, concerns were frequently raised by a variety of stakeholders during the evaluation about the sustainability of CJGs, with their broad range of activities, high expectations from the community and other agencies, reliance on volunteer members, and limited operational funding.

In recent years, the Queensland Government has invested significant additional funding for CJGs, to create a more viable funding base and support sustainable CJG activities across a wider range of activity domains. From 2016-17, in response to the *Not Now, Not Ever* report¹ (2015) (Recommendation 92), Domestic and Family Violence (DFV) Enhancement funding enabled 18 discrete Indigenous communities to develop DFV services. From 2019-20, additional funding was made available for all CJGs. DJAG's CJG Program funding has had a focus on the court support functions of CJGs, a recommendation of the 2010 evaluation of the Program. However, following the funding expansion and subsequent consultation with CJGs in 2019 about a blueprint for the future of the CJG Program, the government has reconceptualised the Program, as reflected in the document, *Framework for Stronger Community Justice Groups*. The refocused CJG service model highlights the role of CJGs across the justice spectrum, from prevention and early intervention through to transition of people returning from custody to community.

The evaluation has presented an opportunity to review, and improve, the implementation of the expanded CJG Program model, and to assess the outcomes CJGs are achieving in their communities and the potential to further enhance CJG impacts. With governments renewing their focus on reducing Indigenous over-representation in the criminal justice system, and emphasising community-driven responses, the evidence from the evaluation will contribute to these strategic priorities.

Evaluation of Program implementation

The evaluation has been conducted in three annual phases from 2021 to 2023, with an annual report at the end of each phase. The first two phases were focused on the implementation of the Program: *Phase 1* was focused on the Program's inputs and *Phase 2* on the Program's outputs. These phases provided a detailed analysis of what CJGs are delivering around the State and the adequacy of the resourcing, training, community involvement, agency support and other key inputs for CJGs. Consistent with the *Framework for Stronger CJGs*, this analysis confirmed that CJGs are involved in a very wide array of activities in their communities, both within and beyond the formal justice system. The evaluation highlighted seven activity domains for CJGs, as indicated in the diagram below.



¹ Queensland Government (2015) *Not Now, Not Ever: Putting an end to Family Violence in Queensland*: www.justice.qld.gov.au/initiatives/end-domestic-family-violence/about/not-now-not-ever-report

The evaluation team's activity mapping with CJGs confirmed that CJGs, to differing extents, are indeed involved across the entire justice spectrum.² The recent funding enhancements have enabled many CJGs to expand their funded activities. The activity mapping also found that two further CJG activity domains are very important in practice – community support & advocacy, and assistance to agencies.

The review of the adequacy of CJG inputs in Phase 1 revealed, however, that in the recent period of expanded funding and activities, CJGs have unmet capacity development needs.³ Priority areas for assistance and training include:

- internal organisational matters such as governance, business systems, financial management, performance management and reporting; and
- external service-related topics such as DFV, peacekeeping/mediation, court operations, mental health, trauma, and operations of partner agencies (e.g. corrections, child protection and youth justice).

The key recommendation arising from the implementation review in Phases 1 and 2 was for DJAG to develop a comprehensive, targeted Capacity Development Program for CJGs.⁴ The evaluation did not initially recommend a delivery model for this Capacity Development Program, but following further input from CJGs, now recommends that a new CJG peak body should be tasked with delivering this capacity development. This recommendation is consistent with one of the four priority reforms in the Queensland Government's *Closing the Gap Implementation Plan*: '2. Building the community-controlled sector'.

In Phases 1 and 2, the evaluation also reviewed the six-year roll-out from 2017 of the DFV Enhancement program for CJGs in 18 discrete Indigenous communities.⁵ The evaluation noted that the literature on DFV in Indigenous communities identifies a range of possible responses, from:

- primary prevention (such as education, awareness and community-based programs to tackle a culture of violence), to
- early intervention (such as diversionary interventions to prevent deepening of contact with police and courts), to
- justice system responses (such as DFV orders, prosecution of breaches of orders and DFV-related offences, and working with victims and perpetrators of DFV).

The Queensland Government's *DFV Prevention Strategy 2016-2026*⁶ positioned the enhanced funding to CJGs under the DFVE as a predominantly *justice system* response to DFV in Indigenous communities. Consequently, the focus of the new CJG DFV services has been to enhance the level of support provided to community members involved in the DFV justice system. This is an identified high area of need in Indigenous communities, where the number of applications for DFV orders and the number of DFV-related offences is high. In reviewing the DFVE, the evaluation expressed the opinion that CJGs are well placed to implement primary prevention and early intervention responses to DFV in their communities and that there is scope for the DFVE Program to strengthen support for CJGs in these areas. The evaluation noted that in practice, while the focus of DFVE is on justice system responses, DJAG's flexible co-design process has enabled several communities to incorporate innovative prevention-focused elements in their service models. In line with the literature emphasising the potential effectiveness of responses that seek to address DFV *before* the

² See [Part 4.2](#).

³ See Part 5 of the [Phase 1 Evaluation Report](#) and [Part 3.4](#) of this report.

⁴ Recommendation 1 of the [Phase 1 Evaluation Report](#).

⁵ See Part 2 of the [Phase 2 Evaluation Report](#).

⁶ Queensland Government (2016) *Domestic and Family Violence Prevention Strategy 2016-2026*.

<https://www.publications.qld.gov.au/dataset/not-now-not-ever/resource/008db60d-06e9-4702-bb87-48be367edf93>

involvement of the justice system, and noting CJG aspirations for initiatives like men's 'cooling off places', the evaluation recommends that the DFVE Program continue to explore expanding the primary prevention and early intervention elements of CJGs' DFVE service models.⁷

Evaluation of CJG outcomes

Phase 3 of the evaluation in 2023 had a specific focus on assessing the *outcomes and impact* from CJGs' activities, although the evaluation has also sought to capture data and stories about CJG success throughout Phases 1 and 2 of the evaluation. It is not feasible to evaluate the CJG Program by reference to a uniform set of quantitative outcome measures, given the diversity of CJGs' activities and the complexity of the issues targeted, which are influenced by many other factors. The evaluation has, however, systematically collected and analysed several sources of quantitative and qualitative evidence about the short- and medium-term outcomes of CJGs in each of the seven CJG activity domains identified in Phases 1 and 2. Despite the considerable challenges for the people that CJGs work with and the limitations in the support available, the evaluation has found compelling evidence of the positive outcomes achieved by CJGs across the justice spectrum and beyond.



In the area of *prevention, awareness and education*,⁸ the evaluation heard consistent feedback from stakeholders about how CJG initiatives are positively impacting community members in ways that prevent them from offending. Culture- and country-based interventions are seen by CJGs and stakeholders as especially impactful in reducing stress, connecting people, promoting healing of trauma and providing pro-social alternatives to anti-social behaviour. CJGs aspire to expand their primary prevention activities to 'keep people from coming into contact with the criminal justice system in the first place'. Initiatives that prevent people from entering the DFV legal system were highlighted as an urgent priority.



In the area of *early intervention and diversion*,⁹ the evaluation heard that CJGs are delivering positive outcomes through mediation and conflict resolution, partnering with police to divert people from being charged, and assisting at-risk youth and adults to access support or take alternative pathways away from involvement in the justice system. Stakeholders believe these positive impacts are the result of CJGs' deep connections and relationships within the community, their ability to identify and respond to issues early, and the cultural authority, skills, knowledge and life experience of CJG staff and Elders. The success of CJGs' current early intervention and diversion activities underlines a case for additional support for the many CJGs who have said they want to expand their activities in this space.



Within the court process,¹⁰ where they currently dedicate the largest proportion of their time, CJGs are delivering a range of positive outcomes for judicial officers, court stakeholders, defendants, victims and members of the community. Strong-performing CJGs are having a profound impact on the way that many courts operate, not only through Murri Court but also in mainstream Magistrates Courts. Stakeholders perceive outcomes in courts being more culturally informed in their decision-making. Judicial officers highlighted the positive impacts of CJGs' input into court processes, and recounted personal stories of how CJGs had helped develop their cultural competency and understanding. In community surveys at 16 sites involving 453 people, 79% of respondents were 'very happy' or 'happy'

⁷ See Recommendation 8 and [Part 13.5](#).

⁸ See [Part 6](#).

⁹ See [Part 7](#).

¹⁰ See [Part 8](#).

with the support they received from the CJG in court and 76% felt they were treated more fairly by the court. Community members said the CJG helped them feel respected and heard in court, increasing their confidence in the justice system. It is widely acknowledged that CJGs help clients understand the process, make court a safer space, and empower them to make informed choices.

A very significant outcome evident from CJGs' work in the courts is how they impart the motivation, information and opportunity for people to address the underlying issues for their offending. Two-thirds of stakeholders said CJGs have a significant impact in helping defendants get access to services. The evaluation shows that CJGs are effective in creating the conditions for people to make positive changes in their lives, by helping them navigate the service system, by providing a hub for service providers, by enabling and empowering clients through trusting relationships, by taking a holistic approach and by supporting cultural identity. While quantitative evidence of behaviour change resulting from CJGs' work is difficult to measure, the evaluation has collected a compelling body of qualitative evidence about how CJGs contribute to positive changes in the lives of their clients, including reduced offending. This includes positive community and stakeholder feedback and 73 'stories of success' relayed by CJGs, stakeholders and clients themselves (see the evaluation's *CJG Stories of Success* compendium, published separately).



Many CJGs play a small, but important role in supporting community members who are *in custody or under community supervision*,¹¹ primarily through watchhouse visits, prison and detention centre visits, facilitating communication with people in custody, and supervising community service.



A few CJGs are delivering strong outcomes with people released from custody in their *transition to community*.¹² This is an emerging priority for many CJGs, who have innovative ideas for community initiatives to improve reintegration and break the cycle of offending (for example, through on-country diversionary healing centres and local teams of mentors to reintegrate offenders released from custody).



The work of CJGs in *community support and advocacy*¹³ renders practical assistance on a daily basis so community members feel valued and supported and can access services and life opportunities. While this function is core to the sociocultural legitimacy and effectiveness of CJGs, the volume of work puts CJG sustainability at risk. Demands on CJGs often arise from service system gaps or the lack of cultural competency of service providers. This requires attention at a whole-of-government service system level.



CJGs' *assistance to agencies and service providers*¹⁴ delivers significant outcomes for the service systems in Indigenous communities, by helping agency staff connect with community members and building their cultural competency. About three quarters (73%) of stakeholders surveyed said that the contribution of CJGs is 'essential' or 'very valuable' to them achieving good outcomes. This work is rarely remunerated or supported with resources or training, which underlines the need for agreements or MoUs between CJGs and agencies.

¹¹ See [Part 8](#).

¹² See [Part 9](#).

¹³ See [Part 10](#).

¹⁴ See [Part 11](#).

A long-term outcome sought by the CJG Program is to *contribute to the reduction of Indigenous people's contact with the justice system*. There are numerous examples where government and non-government stakeholders have reported that CJG activities directly reduce Indigenous people's further or deepened contact with the justice system.¹⁵ An example is assistance to Probation and Parole authorities to contact people who have failed to report or comply with parole, which prevents parole breaches leading to return to custody. Another example is Murri Courts, where many stakeholders have a strong belief in the long-term outcomes of the process in reducing participants' level of offending, and similar outcomes were reported where CJGs work in mainstream courts. The many stories of success told to the evaluation attest to these long-term outcomes.

Members of Indigenous communities believe that CJGs are having an impact in reducing their contact with the justice system. Surveys in 16 communities found that two-thirds of CJG clients who had been to court (or the family or friends of these clients) believe that the assistance from CJGs helped them to stay out of trouble with the law in the future. Two-thirds of community members also said that CJGs are helping to keep Aboriginal and Torres Strait Islander people out of the criminal justice system generally. Three quarters of community members surveyed said that CJGs are positively changing attitudes to DFV in their community.

Although measuring and attributing the precise impact of CJGs in reducing offending or contact with the justice system is difficult, the evidence of CJGs' work in addressing the underlying causes of offending, together with the qualitative stories of success, give high confidence that CJGs are contributing to this outcome. The evaluation has also documented several ways in which CJGs are assisting community members to avoid custody, such as assisting people to obtain bail and turn up for court, making sentencing submissions that may provide cultural information or alternative community-based options that lead to a person receiving a non-custodial sentence, or assisting clients to avoid offending or re-offending or breaching court orders, which might otherwise lead to custodial time.

Considering the costs of contact with the justice system, these contributions to keeping people out of custody make CJGs a very cost-effective initiative. For example, the evaluation estimates that if a CJG was successful in preventing three months of custody for just 12 of its court clients each year (5% of an average CJG's annual clients), the custodial cost savings alone would offset its total annual core funding (currently \$280,000 per year). CJGs are even more cost-effective where they can successfully keep young people out of the justice system. It costs \$2232 per day to keep a youth in detention, so a CJG could offset its entire annual core funding by assisting just one young person to stay out of custody for 4.1 months.

CJGs emphasised that their long-term impacts for people were not only about the justice system, but also helping people achieve *happier and more empowered lives* and fostering *safer and more cohesive communities*. While these outcomes are also difficult to measure quantitatively, some of the most significant reported qualitative impacts that CJGs have for their clients are increased empowerment, self-esteem, cultural pride and life opportunities. At the community level, stakeholders told the evaluation that CJGs provide cultural leadership, bring families together and contribute to community-wide empowerment and a sense of community efficacy.

Reducing over-representation

Despite the success that is evident from the work of CJGs at an individual level, the over-representation of Aboriginal and Torres Strait Islander people coming into contact with the court system continues to increase across Queensland, including in the locations where CJGs are located. Analysis of court data showed that in the four years to 30 June 2023, 34,720 different Indigenous people appeared before a court in the 52 locations where CJGs operate.¹⁶ The evaluation estimates that in these locations, CJGs are able to support

¹⁵ See [Part 12.2](#).

¹⁶ See [Part 3.2.1](#).

only around a quarter of the Aboriginal and Torres Strait Islander people attending court.¹⁷ About 40% of Queensland's Indigenous population live in areas outside the areas serviced by courts where CJGs operate.¹⁸ So CJGs are only able to assist a minority of Indigenous Queenslanders who attend court.

The evaluation's analysis of courts data shows that Indigenous over-representation with courts has risen in recent years. Comparing the past two financial years (2021-2023) with the previous two financial years (2019-2021), the number of charges for Indigenous people at the court locations where CJGs operate has increased considerably (up 11%) at the same time that it has fallen for non-Indigenous people (down 10%).¹⁹ At these courts, 31% of all charges related to Indigenous persons, and for five of the 16 offence categories, over 40% of the charges were for Indigenous persons. Over a quarter of the charges were for Offences Against Justice Procedures, Government Security and Government Operations and the majority of these relate to breaches of bail or breaches of DV orders. These types of offences increased by 16% for Indigenous people at these courts in the past two years, while they increased by only 1% for non-Indigenous people.²⁰

DFV features prominently in increased Indigenous contact with courts. In 2021-23, there were 38% more DFV-flagged offences at the CJG locations compared to 2019-21, and about two-thirds of these were Offences Against Justice Procedures, Government Security and Government Operations.²¹ At the same time, the number of DV Orders has plateaued.²² Further analysis and monitoring of the disaggregated data is essential to ensure that policies and practices are tailored to specific needs. Each community needs access to their own data to enable planning, and measuring the effectiveness, of responses.

Stakeholders saw CJGs as having a significant role in helping to address some of the key underlying causes of Indigenous people's contact with the justice system, including alcohol and substance misuse, normalisation of crime and incarceration, accommodation issues, lack of understanding of the law, poor interactions with police and the justice system, lack of understanding of court orders, access to support services, family conflict, and loss of cultural identity and connection. Yet despite CJGs' assistance across these issues, CJG staff, members and other stakeholders perceive critical shortfalls in the support available, which is highlighted in their calls for more funding for prevention, early intervention and reintegration responses.

In order to achieve sustained success in reducing over-representation, a major shift needs to occur towards investment in community-led, culturally suitable programs and services that respond to the underlying causes of Indigenous people's contact with the justice system, with a particular focus on young people and their families. The evaluation has documented numerous examples of excellent programs and initiatives of CJGs that are tailored to local needs and circumstances, have strong cultural foundations, and are effective in engaging community members. Many of these are summarised in the [Community Report](#) produced as a companion to the Phase 2 Evaluation Report.²³ A few communities have reported that contact with the

¹⁷ See Part 4.7.3 in the [Phase 1 Evaluation Report](#).

¹⁸ Note that court boundaries do not align with ABS areas, so population counts attached to court population are approximate.

¹⁹ See [Part 3.2.2](#).

²⁰ See [Part 3.2.2](#).

²¹ See [Part 3.2.3](#).

²² See [Part 3.2.5](#).

²³ See *Evaluation of Community Justice Groups: Community Report, 2022*.

https://www.courts.qld.gov.au/_data/assets/pdf_file/0006/778650/community-report-2022.pdf

justice system has noticeably fallen²⁴ and while there is no one solution, these examples provide a lesson in what can be achieved by investing in local responses led by the CJG staff, Elders and Respected Persons.

CJGs and stakeholders are also concerned about systemic issues that are driving continued Indigenous over-representation in the criminal justice system.²⁵ The key area of concern is a perception that recent changes in the way the justice system responds to DFV has disproportionately affected Indigenous people, and not in a way that is effectively dealing with the problem.²⁶ For example, concerns were raised about the impact of legislation for longer DV Orders and increased use of conditions ousting DFV accused from homes. CJGs and stakeholders (including judicial officers) also expressed a view that problematic policing practices are exacerbating Indigenous people's contact with the justice system.²⁷ These systemic issues require further investigation by the Queensland Government, a process in which CJGs should be fully involved, given their first-hand knowledge of the issues.

Opportunities for enhancing CJG outcomes

Investment in CJG capacity development remains the highest priority to enhance both outputs and outcomes from the CJG Program. The evaluation recommends that a new CJG peak body is the optimal vehicle for supporting CJG development, as well as providing advocacy around community justice interests.

The strong CJG outcomes reported in the court process could be enhanced by further building CJGs' organisational capability, considering expansion of CJG court support to more youth, investigating the adequacy of resourcing for those CJGs who are servicing the busiest court locations, and ensuring CJGs have the capacity to undertake more proactive case management of their clients' engagement with referral services.²⁸

Outside the courts, there are considerable opportunities to enhance CJGs' impact by expanding support for CJGs in primary prevention, early intervention and post-custody transition back to community. Many CJGs have already applied their additional funding to successful activities in these non-court domains, and others have flagged priorities and ideas for new initiatives, such as DFV primary prevention (e.g. education and awareness), men's shelters/hubs, on-country camps, mediation services, police diversion partnerships, youth early intervention programs, and prisoner reintegration projects.²⁹ The evaluation recommends that DJAG seek additional funding to make available a grant pool for CJGs to apply for and deliver innovative community-driven projects for primary prevention, early intervention or reintegration.

The evaluation has confirmed the central value of CJGs as a cost-effective, place-based, community-driven response to the justice challenges in Indigenous communities. Recent funding enhancements have created a more sustainable foundation for CJGs' services. With targeted investment in their capacity development and further support for their innovative local ideas, there are strong prospects for CJGs to convert enhanced government support into even greater impact in the years to come.

²⁴ See [Part 12.2.3](#).

²⁵ See [Part 14.6](#).

²⁶ See [Part 14.6.1](#).

²⁷ See [Part 14.6.2](#).

²⁸ See [Part 7.3](#).

²⁹ See [Part 5.3](#) and [Part 6.4](#).

EVALUATION HIGHLIGHTS: IN THEIR OWN WORDS

This section provides a snapshot of the value of Community Justice Groups, in the words of people who have contributed to the evaluation.

Helping the justice system to be culturally responsive

Every time you go [to a court with a CJG], you learn something. And I think it's also about trust building, because you start to understand how important that is and how you can't just blunder your way in and expect people to listen to you and do as you tell them to do... You have to go slowly and you've got to sort of just let it happen at their pace... (Judicial officer)

I have definitely benefited personally and professionally from my relationship with [the CJG] and from especially the knowledge and the support of some of their Elders... I was always very, very grateful for the generosity of the Elders of the Justice Group to sit with me and explain what was going on and what the dynamics were of [my clients'] relationships and their cultural stuff, so that I could do my job. (Defence lawyer)

I found the interaction with the CJG to be of extraordinary value. The impact of their work on the wider community is significant and valuable. The outcomes of court processes appear to be more meaningful in many cases after progressing a matter through the Murri Court with the assistance of a CJG. The CJG I was working with had realistic expectations of outcomes and were highly dedicated and professional in their roles. (Judicial officer)

Engendering trust and cultural safety

[The CJG] has been supporting me since going through this case....[they] have been there for me. I am very happy that they help me. It helps your self-esteem. It makes me feel I can be successful with them. (Murri Court participant)

[The Elders] are invaluable for us because they help us to help [the detainee] understand what we just said... At least they know that we were transparent and we explained it. So they're more calm and a bit more relaxed at the time. And yeah, it just flows a bit better. (Police Officer in Charge)

You walk into [Murri] Court. Everybody's really positive. No shame. No fear. The total opposite. Just like really uplifting. And I feel like that's truly why people are coming, the service users [participants]... This service user, she had just had a baby... so she didn't have to come to court...But she came into court with her baby. And the only reason I can see is that that's her supportive place. Which doesn't make sense, because it's a court, you would think you would try to get out of it if you could. But she wanted to come there and I feel like that's just Murri Court. (Stakeholder)

Upholding community values and accountability

If you were to go just to [mainstream] court, the process isn't explained to you, so you don't understand the consequences, don't understand the damage, the impact, that you've had on someone. But all that is spoken about [in Murri Court], to be able to comprehend the full scale [of your actions]. Not just, 'you messed up, we need to fix you.' What about the person you stole from? What are we gonna do about that? So all that is definitely a lot more valuable than just going to the Magistrates Court. (CJG member)

I think to do a good job, your first job, you must make the offender totally 100% responsible for their actions... 'Look yourself in the mirror, you're blaming everyone else. Don't blame this or blame that' ... Because if we're going to guide them, they've got to realise what they've done to the community, and to their victims... (Murri Court Elder)

Keeping people out of custody

[Without the Elders], it would be far more difficult to get these young people to court... I think the young people, knowing that they've got Indigenous representation in that room makes it a safer place for them to enter. There would be more warrants going out for not attending. (Youth worker)

They [the CJG] helped myself and a lot of boys from doing time in the big house [prison]. (NPA community member)

[T]he assistance provided [by the CJG], it's significant. It has stopped people being returned to custody. It has stopped people from no doubt re-offending... (Probation and Parole staff member)

I just hate our mob going to prison for little things or stupid things. Like, half of it is, you know, they got this charge here, but they didn't rock up to court on this day, and now they are in trouble. That's rubbish, I hate that sort of stuff. (CJG staff)

Facilitating on country healing

[G]oing on country, I think it's a great thing. We did that in [community X]. [A CJG Elder's] grandson was working there, and so I was getting him to take the guys - the people on DV - fishing. Like to go have a yarn with them. And we've seen with that kind of intervention we were able to start changing their behaviours. So we had a year of like, you know, the guys that were always in jail, stay out of jail for the year for the first time in a long time. (Police officer, remote community)

Thursday is on-country healing ... We're getting people out of the situation they're in, could be overcrowded house, or a lot of problems. We're taking them to a peaceful place that's the father's or mother's land, and you see how they forget about all that stuff that can bring us down. They're having a chance to breathe again ... (CJG staff)

Guiding people to get help

The Community Justice Group is a fantastic initiative that puts people in touch with people that can help... So people don't feel like they don't know where to turn... The CJG people are familiar with the various [opportunities] and they can move and navigate on their behalf and just give them some guidance. And I think it's absolutely magnificent. (Murri Court Police Prosecutor)

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)

Providing wisdom and mentorship

I just appreciate them being still here. Where would us younger generation be? The knowledge, the cultural knowledge, the guidance, the stories, they hold so much information. I just appreciate them being present. (Indigenous worker at NGO)

We know what it's like. We've all dealt with those things within our own families. So, we know how to be tough, but we also know how to be kind and loving. (Murri Court Elder)

I wanted to grow up being like these fellas. They made me realise don't be shame of who you are, you're unique, you're an individual, you got something special that not many other people have. (CJG member)

I think the success out of this Community Justice Group is that community draws on the knowledge of it, and the wisdom of our Elders. (NGO stakeholder)

Supporting the service system

I think [the CJG's] a good organisation, it's very well-run and, yeah, we'd be lost without them... There's a lot of other organisations that rely on their service. (Agency representative)

[The CJG] have absolutely been totally about increasing cultural capability as opposed to, you know, pointing out someone's cultural incapability or something like that. So it's always very supportive. I've experienced significant development in my cultural capability. (QCS officer)

[The Regional Office] basically said that in our current work, without the CJG, we just couldn't get out [in the community], we just couldn't operate. (Agency representative)

I feel like we're constantly joining dots for [service providers]. We hear that a lot. (CJG manager)

I have gained so much, personally and as a service worker through my interactions with my local CJG and this has allowed me to work in a more positive and supportive way with the community. (Service provider)

Empowering people to change their lives

I'm a smoker and I go out on the street and have a smoke. I've actually had Murri Court clients come up and hug me and say 'thank you for helping me change my life'. And I'm like 'Dude, you did that, you put in the hard yards, I was just here to point you in the right direction.' But yeah, it's always good when someone comes up and says that to you. (CJG coordinator)

We know our families and if we can support anybody, you know, to help change their lives, then that's what I'm about. I want to see change and sometimes you know, it's that ripple out effect. That if you make one change, then other people see it, then other people will want to make that [change too]. (CJG Elder)

I certainly do believe that we are keeping many people out of custody throughout the period during which they're engaging with Murri Court because they're motivated to stay out of custody. They seem to be, or many of them seem to be, engaging, going to the appointments, going to the counselling, and because by the time we deal with them [at sentencing] they've been out of trouble – some of them – for 12 months. (Judicial officer, Murri Court)

Oh, ... clients ... it's amazing, because when they first come into the Murri Court process, they don't look well, you know, they don't smile, they don't brush their hair, or whatever. When they get to the end of the Murri Court process, they're wearing beautiful clothes, their hair's brushed, they're smiling. They actually make eye contact with the Elders, Respected Person and the judge. So, you can see the difference that that process is making to them, you know what I mean? It's just amazing, the turnaround. A lot of them are working, a lot of them get off the drugs and alcohol and you know, they got their health under control now because part of their bail with us is a 715 health check. (CJG Elder)

I was in court the day she came to court. I didn't know her, she looked so lovely, clean. And she said 'Aunty, I don't live in the park no more, I've got a roof over my head.' She was so happy... And she couldn't stop thanking us enough. (CJG Elder)

I love seeing people complete Murri Court, [and face] whatever punishment they get. But they have rehabilitated themselves and the look on their face, when they open their eyes, is that they are really very proud of themselves... (ATSILS support worker)

Turning up for the community

We saw some of the CJG up in Thursday Island, you know, and people just coming out of their homes to turn up to do that, to do the right thing by the people. And if it wasn't working well, if people didn't see any hope in it, they wouldn't come. But these people are coming in. You know, it should be recognised that the work that they're doing is just so important and so vital. Because they see a value and they want to help. (Government stakeholder)

RECOMMENDATIONS

CJG capacity development

Recommendation 1. That DJAG resource a CJG Capacity Development Program to meet the ongoing training and capacity-building needs of CJGs, including for the current growth phase of the CJG Program and beyond. Considerations in developing this Program are:

- (a) training needs related to governance, program management, court services and DFV; and
- (b) broader training needs in the CJG Training Needs Surveys and the feedback to the evaluation (e.g. mediation/peacemaking, conflict resolution, mental health, trauma, Indigenous healing and self-care)

Recommendation 2. That DJAG, in consultation with CJGs, support the establishment and funding of a peak body for CJGs, developed by CJGs, which may include functions such as:

- (a) leading the Capacity Development Program for CJGs;
- (b) promoting and raising awareness of the broad work of CJGs;
- (c) reflecting the voice of CJGs in providing insights to government on laws, policy and strategy;
- (d) facilitating consultations within the CJG sector in relation to government initiatives; and
- (e) developing and sharing good practice frameworks for service delivery and governance.

The need for further capacity development support for CJGs was a consistent theme throughout the three-year evaluation. This remains the most pressing priority for the CJG Program, as it will help maximise the impact of the recent funding enhancements to CJGs. The scope of CJGs' needs and aspirations to develop their capability was outlined in detail in the Phases 1 and 2 Evaluation Reports. In Phase 1, the evaluation recommended that DJAG consult with CJGs about the form of a Capacity Development Program, including the option of a peak body. Since that time, CJGs have indicated their preference for a peak body and groundwork is under way. To ensure greater CJG involvement in the governance of the CJG Program can occur while a peak body is being established, DJAG may need to implement an interim CJG advisory mechanism.

See [Part 14.1](#) of this report.

Program administration

Recommendation 3. That DJAG revise and update the current CJG Program Guidelines and template service agreement to better reflect the seven potential output areas for a CJG identified in the evaluation, comprising:

- (a) the five output areas in the refocused CJG model under the Framework for Stronger CJGs (primary prevention, early intervention, court support, support in custody and under supervision, and support on transition to community following custody); and
- (b) acknowledgment of the additional output areas relating to community support and advocacy, and assistance to government agencies and service providers.

This recommendation reflects the findings of Phases 1 and 2 of the evaluation that CJGs in practice may play a significant role across a wide range of activities in their communities, both within the criminal justice system and in the broader social services sector. Phase 3 has confirmed that the Program delivers valuable, but under-recognised, outcomes in areas beyond the formal court process. The precise mix of activities differs for each CJG and is negotiated in service agreements, but CJGs consistently raised the concern that the Program Guidelines and their service agreements did not reflect what they do in practice. The current Program Guidelines and service agreement template reflects a narrower conception of the CJG Program that pre-dates the funding enhancements and the refocusing of the Program under the Framework for Stronger CJGs (2020). This creates uncertainty and concerns for CJGs and stakeholders about the legitimate scope of CJG activities, and does not reflect the Department's

actual practice of negotiating service agreements that are flexible, place-based, and seek to accommodate CJGs' choices and priorities to tackle local justice issues.

See **Part 5.3** of the [Phase 1 Evaluation Report](#).

Recommendation 4. *That DJAG consider:*

- (a) establishing IJO positions in regional centres closer to CJGs being serviced, and accordingly, consider an increase in the total number of IJO positions;*
- (b) reviewing the classification of IJO positions to ensure it adequately reflects the complexity and skill requirements of the role; and*
- (c) reviewing whether the current division of responsibilities, level of specialisation and classification level of IJP teams, team leaders and unit manager positions adequately meets the needs of the CJG Program's expanded scope and complexity.*

DJAG's Indigenous Justice Officers (IJOs) perform a crucial role in supporting the operations and development of CJGs, yet the evaluation has highlighted that the IJO network is stretched in its ability to meet the expanding needs of CJGs during the current growth phase and there is a need for additional IJO positions in locations closer to some CJGs.

See **Part 5.4** of the [Phase 1 Evaluation Report](#).

Program governance

Recommendation 5. *That DJAG include representatives of CJGs in the Program's governance arrangements, to give CJGs a voice in important decisions about the CJG Program.*

Involving community participants in program governance is best 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.

See **Part 14.5** of this report.

Information-sharing between CJGs

Recommendation 6. *That DJAG continue to support a communications platform for CJGs, led by CJGs or the proposed CJG peak body, to collaborate and share good practice.*

More opportunities for sharing good practice across the CJG network will contribute greatly to the ongoing development of CJGs' knowledge and capability. This was recommended by CJGs in the consultations in 2019 and has been a recurring theme throughout the evaluation.

See **Part 14.2** of this report.

CJG coverage across Queensland courts

Recommendation 7. *That DJAG consider, in consultation with CJGs or the proposed CJG peak body, whether Murri Courts and other models can be extended to more locations across Queensland, to ensure that Aboriginal and Torres Strait Islander people have access to cultural support during court processes.*

Not all Indigenous people who appear in court are able to access the support of a CJG. In some locations there is no CJG and in locations where there is a CJG, it may not be resourced to support people in specific courts, such as Childrens Court. The 2019 Murri Court evaluation recommended consideration of additional Murri Courts or alternatively, applying Murri Court principles to mainstream courts in smaller court locations (Recommendation 4).

See **Parts 7.2.5** and **14.3** of this report.

DFV responses

Recommendation 8. That DJAG work with CJGs to:

- (a) strengthen, in response to CJG proposals, community-led primary prevention, early intervention or post-release reintegration responses to DFV, while maintaining the capacity of CJGs to support court-based work; and
- (b) refresh service models funded under the DFVE Program (currently for discrete community CJGs) where changes in the service environment may affect the efficacy of the DFV response.

Recommendation 9. That DJAG provide DFV funding to non-discrete CJGs and establish a dedicated DFV function with appropriate staffing within IJP to assess the demand for DFV initiatives, support increased CJG capacity re DFV, and facilitate the roll-out of DFV initiatives.

Feedback from CJGs and stakeholders indicate that DFV is the most significant driver of high contact of Indigenous people with the justice system. This is supported by the evaluation's analysis of courts data. Under the DFVE, CJGs in discrete communities are supporting people to navigate the DFV court process, but literature suggests even greater impacts on DFV may be achieved through primary prevention, early intervention and work to break the cycle of DFV at the reintegration stage. Many CJGs flagged innovative ideas for community-driven responses in these domains, which are worthy of support under the CJG Program.

CJGs beyond the 18 discrete communities eligible for DFVE funding expressed a desire to do more to respond to DFV in their communities. The evaluation recommends that the DFV-specific funding should be rolled out to these locations, where DFV is also driving increased contact with the justice system.

See [Part 13.5](#) of this report.

Recommendation 10. That the Queensland Government amend its Domestic and Family Violence Prevention Strategy 2016-2026 to recognise the role of CJGs in the supporting outcomes areas beyond strengthening the justice system response, especially 'Supporting Outcome 2. Respectful relationships and non-violent behaviour are embedded in our community.'

The evaluation has shown that CJGs are responding effectively to DFV in their communities through initiatives that are not part of the formal justice system response, such as through primary prevention and early intervention space activities. Their important role in community-based responses to DFV, such as changing attitudes to DFV, needs to be recognised in the government's Strategy and supported with further resources.

See [Part 13.5](#) of this report.

Recommendation 11. That QPS, DJAG, QCS and QGSO collaborate on improving data recording and reporting systems to identify significant issues across court jurisdictions that impact on outcomes for Aboriginal and Torres Strait Islander people.

The evaluation has noted several issues within the justice system that are impacting on the continued over-representation of Indigenous people. It is important for agencies to be able to track these trends, to formulate appropriate policy responses and measure the impact of interventions such as enhanced support for CJGs. For example, it is not currently possible to measure whether compliance with DFV orders is improving, which is an important goal of many CJGs' DFVE services working with DFV parties.

See [Part 13.3.1](#) of this report.

Recommendation 12. That the Queensland Government conduct a review, in consultation with CJGs and Indigenous communities, into the impact of changes to DFV legislation since 2015 on Indigenous people, focusing on:

- (a) *whether the legislative changes, and the way they are being implemented, adequately take account of the unique needs and circumstances of Indigenous families and communities; and*
- (b) *any unintended consequences for Indigenous people, including unnecessarily increasing contact with the justice system.*

The evaluation has repeatedly heard concerns from CJGs and stakeholders that recent changes in the way the justice system responds to DFV has disproportionately affected Indigenous people, and not in a way that is effectively dealing with the problem.

See [Part 14.6.1](#) of this report.

Innovative, community-driven responses in primary prevention, early intervention, and reintegration

Recommendation 13. *That DJAG seek additional funding to make available a grant pool for CJGs to implement innovative ideas for community-driven primary prevention, early intervention or reintegration initiatives.*

The unique characteristics of CJGs that make them effective in the court process – such as their holistic and person-centred approach, their creativity in working across service boundaries, and the cultural knowledge, respect and influence of Elders – make them well placed to succeed in the primary prevention, early intervention and reintegration domains. The evidence of success of CJGs' current activities in these areas, and their aspirations and ideas for enhancing these activities, underpin a strong case for additional funding to support CJGs that have the interest and capability to implement new projects. Given the high costs of the justice system, additional funding for 'justice reinvestment' type initiatives such as these are likely to be very cost-effective.

See [Part 14.2](#) of this report.

Ensuring sustainability of CJGs' assistance to other agencies

Recommendation 14. *That the Queensland Government work with CJGs, ideally through the proposed peak body, to develop:*

- (a) *a protocol for government departments requesting CJGs' engagement in delivery of services that are their responsibility, which ensures that CJGs are appropriately compensated and supported, including with capacity development;*
- (b) *remuneration mechanisms (e.g. agreements, grants, standard service agreements, standing offer arrangements) that CJGs and agencies could use to negotiate CJG assistance to agencies.*

The activity mapping the evaluation has undertaken with CJGs has highlighted the extensive assistance that many CJGs provide to government agencies and service providers, both within the justice system and in other areas of community services. CJGs have called for the negotiation of agreements or suitable arrangements with those agencies to ensure this support does not affect sustainability of CJGs, or lead to 'burnout' of staff.

See [Part 11.3](#) of this report.

CJGs filling gaps in service provision

Recommendation 15. *That each Queensland Government agency delivering services to Aboriginal and Torres Strait Islander people conduct an independent review and report results to the CJGs and DJAG about the extent to which CJGs are delivering services that are the responsibility of the agency, and consider strategies and measures to manage this load on CJGs (for example, improving service access at CJG locations or specifically resourcing CJGs as agents or referral points for certain services).*

The evaluation has highlighted that some CJGs help community members to access services and support in circumstances where this should be the responsibility of a service provider agency. This affects CJGs' sustainability and their ability to deliver their focal services. See [Part 10.3](#) of the report.

Whole-of-government positioning of the CJG Program

Recommendation 16. That DJAG consider opportunities to:

- (a) position the CJG Program within relevant whole-of-government strategies, such as the Justice Strategy to reduce over-representation of Aboriginal and Torres Strait Islander people, in line with the broader role of CJGs under the Framework for Stronger CJGs; and*
- (b) ensure CJGs, a peak body and DJAG are appropriately resourced to support whole-of-government strategies and initiatives.*

Making progress towards the CJG Program's goal of reducing Indigenous people's contact with the justice system will require more focus on whole-of-government strategy and partnerships with other agencies with a role in primary prevention, early intervention and reintegration. With its expanded funding and focus, the CJG Program is transitioning from a predominantly 'justice system' response (as reflected in its location within the Magistrates Court Service) to a broader whole-of-government initiative supporting community-driven responses to a wide array of justice-related issues. The managers of the Program within DJAG will need to build their mandate for working with CJGs to influence policy and practice across the wider justice and social services system. For example, the Program will need to negotiate across government for more sustainable arrangements for CJGs, and address whole-of-government issues such as CJGs filling gaps left by other agencies and CJGs providing unremunerated assistance for other agencies to operate in Indigenous communities. Positioning the CJG Program within whole-of-government strategies such as the Justice Strategy to reduce over-representation of Aboriginal and Torres Strait Islander people will facilitate this. Whether the Magistrates Court Services is the most appropriate location to enable the CJG Program to have a whole-of-government impact should also be considered.

See [Part 14.2](#) of this report.

Empowering CJGs with data

Recommendation 17. That DJAG provide CJGs with data that will assist them in planning and evaluating their activities, including annually presenting QWIC data about Indigenous involvement in courts at CJG locations, and annually sharing QWIC data with each CJG about their court location, compared with averages for other similar locations.

There are untapped opportunities for CJGs to make better use of available data to improve their planning and evaluation of local responses to justice issues.

See [Part 14.4](#) of this report.

1 INTRODUCTION

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

The evaluation comes at a critical junction in the history of CJGs, which were first established in Queensland in the 1990s. Governments around Australia are renewing their efforts to find solutions to the chronic over-representation of Indigenous people in the country's courts, prisons and youth detention centres. Continuing incidences of deaths in custody and disappointing results from reporting against 'Closing the Gap' targets have brought into focus the lack of progress in efforts over decades to reduce Indigenous contact with the justice system. Reviews have increasingly pointed to the importance of community-led, place-based responses, delivered in partnership with Indigenous communities. CJGs, which for two decades operated at a grassroots level with minimal funding and a reliance on Elders and community members volunteering their time, are increasingly seen as having a key role in these responses. Hence, the Queensland Government has invested significant additional funding in the CJG Program since 2017.

The evaluation has been conducted at a time when CJGs are still phasing in the new resources and building their capability to deliver enhanced activities. The evaluation has therefore focused on both how the CJG Program is being implemented (and how this can be enhanced), as well as the impact of CJGs (and potential for further impact). Given the CJG Program is still in an expansion phase, a review of implementation is useful to make adaptations to improve the process. A key feature of the evaluation process has been the collection and rapid dissemination of utilisable data and findings on an ongoing basis, to enable continuous improvement of the program. This has occurred through a staged approach over three years.

This report is the third of three annual reports delivered for each phase of the evaluation. It should be read in conjunction with the [Phase 1 Evaluation Report](#) covering 2021 and the [Phase 2 Evaluation Report](#) covering 2022:

- Phase 1, covering 2021, focused on the implementation of the CJG Program – in particular, the *inputs* that underpin the Program, such as funding, Departmental support, training, capacity-building, volunteers and agency partnerships. 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. This review enabled an assessment of the input gaps or areas requiring attention for successful delivery of the intended outputs. The [Phase 1 Evaluation Report](#) identified that the main 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, covering 2022, focused on the *outputs* being delivered by CJGs around the State. The [Phase 2 Evaluation Report](#) built 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. With the benefit of data from an additional eight Local Evaluations in 2022, the Phase 2 report provided a detailed picture of the extensive range of activities delivered by CJGs around the State. The findings highlighted that CJGs tend to perform a role far beyond the common perception that they are mainly concerned with assisting people who go to court. Phase 2 also documented the ways in which CJGs are driving local place-based innovation to respond to Indigenous justice issues, and how they are pursuing creative solutions in areas such as primary prevention, early intervention and addressing underlying causes of offending.

This final report builds on the first two phases and explores the focal question for Phase 3 of the evaluation, which is: what is the impact of CJGs in reducing their communities' contact with the criminal justice system,

and realising their broader vision for increasing individual empowerment, community safety and community cohesion? In other words, what *outcomes* are flowing from CJGs' outputs?

The review of CJG outcomes enables all stakeholders to better understand the positive impacts of CJGs' work in the justice system, but also in a range of other domains where their work is not so widely recognised. Documenting evidence about CJGs' impact will provide long-overdue recognition for the efforts of those working within CJGs. It will also enable the Queensland Government to understand the value achieved from its additional investments in CJGs since 2017, and the opportunities to build on these outcomes through further work with CJGs.

2 BACKGROUND

2.1 Background about CJGs and the CJG Program

The [Phase 1 Evaluation Report](#) provided a detailed history and overview of CJGs and the Queensland Government's CJG funding program.³⁰ 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 locations³¹ and a small grant is provided to CJGs in 11 outer islands of the Torres Strait to provide support to circuit courts.

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 (over four years) committed from 2016-17 under the DFV Enhancement (DFVE) to implement 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 to enhance the capacity of CJGs to deliver local justice responses.

With these four-year investments now ongoing, in 2023-24 statewide funding for the CJG Program totals \$14.9 million per year, which includes a specific funding allocation for DFVE in each of the 18 discrete communities. The standard funding model for a CJG is between \$280,000 and \$340,000 annually, although service agreements differ depending on the configuration of activities at each location and actual funding received is subject to contract management considerations.³² CJGs delivering DFVE receive an additional \$150,000 per year. In some locations, CJGs receive additional amounts for Murri Court brokerage and fees (15 CJGs), supporting Specialist Domestic and Family Violence Courts (5 CJGs), supporting a Youth Court³³ (1 CJG), and delivering a restorative justice/mediation project (1 CJG).

2.2 Strategic context

There are four major changes in the strategic landscape in recent years that impact on CJGs. These are discussed in turn below.

³⁰ Parts 1.2 and 1.3 of the [Phase 1 Evaluation Report](#).

³¹ Pine Rivers was granted CJG funding in 2023, but has not been included in the analysis for the evaluation. Hence, 41 CJGs are referred to elsewhere in this report.

³² For example, receipt of quarterly funding is contingent on provision of financial and performance reports.

³³ Previously known as a 'High Risk Youth Court.'

2.2.1 Domestic and Family Violence reforms

Since the landmark report of the Special Taskforce on Domestic and Family Violence in Queensland in 2015³⁴, the Queensland Government has had a strong priority on reforming the laws, programs and policies to respond to DFV in Queensland. The resulting DFV Prevention Strategy³⁵ initiated enhanced funding for CJGs to strengthen the justice system response to DFV in Indigenous communities, as discussed in [Part 13](#). The Strategy led to a range of other changes to DFV laws and programs, which impact on the work of CJGs. These are discussed further in [Part 14.6.2](#).

In March 2021, the Queensland Women's Safety and Justice Taskforce³⁶ was established to examine coercive control and other issues relevant to women and girls as accused, defendants, and victims of DFV and sexual assault. A series of reports by the Taskforce have made a wide range of recommendations relating to policing, justice reinvestment and DFV, resulting in significant recent and proposed changes to DFV laws, programs and practices.

2.2.2 Closing the Gap

The National Agreement on Closing the Gap was finalised between Australian governments and the Coalition of Aboriginal and Torres Strait Islander Peak Organisations on 30 July 2020.³⁷ In the Indigenous justice space, significant new national targets include:

- Target 10: By 2031, reduce the rate of Aboriginal and Torres Strait Islander adults held in incarceration by at least 15 per cent.
- Target 11: By 2031, reduce the rate of Aboriginal and Torres Strait Islander young people (10-17 years) in detention by at least 30 per cent

To implement this, the Justice Policy Partnership brings together representatives from the Coalition of Peaks, Aboriginal and Torres Strait Islander experts, and Australian, state and territory governments to take a joined-up approach to Aboriginal and Torres Strait Islander justice policy. In Queensland, the First Nations Justice Office (FNJO) was created within DJAG to contribute to the Justice Policy Partnership, while also responding to Queensland Government strategic directions arising from the Women's Safety and Justice Taskforce.

The FNJO has been consulting communities in 2023 about a new whole of government strategy to address over-representation of Aboriginal and Torres Strait Islander peoples in the criminal justice system, and contributing to a justice reinvestment framework.

2.2.3 Path to Treaty and Local Thriving Communities

In 2019, the Queensland Government signed a *"Statement of Commitment to reframe the relationship between Aboriginal and Torres Strait Islander peoples and the Queensland Government"* as the foundation stone for its Path to Treaty process.³⁸ The government committed to a new way of working together underpinned by principles such as self-determination, respect for culture, locally-led decision-making, empowerment, consent and a strengths-based approach to working with Aboriginal and Torres Strait Islander peoples to support thriving communities. The reframed relationship prioritises co-design with Indigenous

³⁴ Queensland Government, 2015. *Not Now, Not Ever: Putting an end to Family Violence in Queensland*. www.justice.qld.gov.au/initiatives/end-domestic-family-violence/about/not-now-not-ever-report

³⁵ See footnote 6.

³⁶ See: www.womenstaskforce.qld.gov.au/

³⁷ *National Agreement on Closing the Gap*. See: www.closingthegap.gov.au/national-agreement/national-agreement-closing-the-gap

³⁸ See: www.dsdsatsip.qld.gov.au/resources/dsdsatsip/work/atsip/reform-tracks-treaty/path-treaty/treaty-statement-commitment-july-2019.pdf

peoples of key programs and strategies to respond to community issues. The Local Thriving Communities initiative is working in many locations to embed this new partnership approach. CJGs are a key partner in the government's responses to justice issues in Indigenous communities.

2.2.4 Youth justice reforms

In recent years, there have been rapid reforms to youth justice laws and programs in Queensland including:

- reinstating court-ordered restorative justice conferencing;
- transferring 17 year old offenders to the youth justice system;
- the *Working Together Changing the Story: Youth Justice Strategy 2019-2023*;
- additional funding from 2019-20 for youth justice initiatives;
- trial of On Country Programs for Indigenous youth;
- the Youth Crime Taskforce to help reduce recidivist youth offending (2021);
- amendments to the *Youth Justice Act 1992* in 2023 to address watchhouse detention, bail issues, electronic monitoring, and other youth crime issues.

Youth justice system reforms have significant impacts on Indigenous children, because they comprise a large proportion of children in the youth justice system. While the CJG program has previously focused mostly on adults, many CJGs are now actively involved with young people who are at-risk or already in contact with the youth justice system.

2.3 Evaluation objectives and scope

The Evaluation Framework for CJGs, developed by DJAG in 2020 poses the following Overall Evaluation Question:

How is the CJG Program working? What difference is it making?

Specifically, the three phases of the evaluation are intended to explore:

1. implementation of the CJG Program (inputs)
2. the services being delivered by CJGs (outputs)
3. the changes for individuals, families and communities (outcomes/impacts).

The scope of the evaluation, encompasses both:

- the operation of the broader CJG program (operating under a 'refocused model' following the funding increases from 2019) in 41 locations, and
- the Domestic and Family Violence Enhancement (DFVE) program operating in 18 locations.

The DFVE commenced in 2017 under a separate funding allocation for 18 CJGs in discrete Indigenous communities and could be considered a 'program within a program'. However, the activities funded under DFVE are an enhancement of activities that many CJGs were already undertaking (and which many non-DFVE CJGs also undertake), so the Department has decided it would not be feasible to evaluate the DFVE separately from the overall CJG Program evaluation.

In 15 locations, CJGs also provide support to Murri Courts. The Murri Court initiative was evaluated in 2019.³⁹ While the work of CJGs supporting Murri Courts is within the scope of the CJG evaluation, this evaluation has not replicated the detailed analysis of Murri Court processes and outcomes set out in the Murri Court evaluation report.

³⁹ Ipsos Aboriginal and Torres Strait Islander Research Unit, 2019. *Summary Report: Evaluation of Murri Court*. www.courts.qld.gov.au/_data/assets/pdf_file/0010/674686/Murri-court-evaluation-summary-report.pdf

2.4 Evaluation process

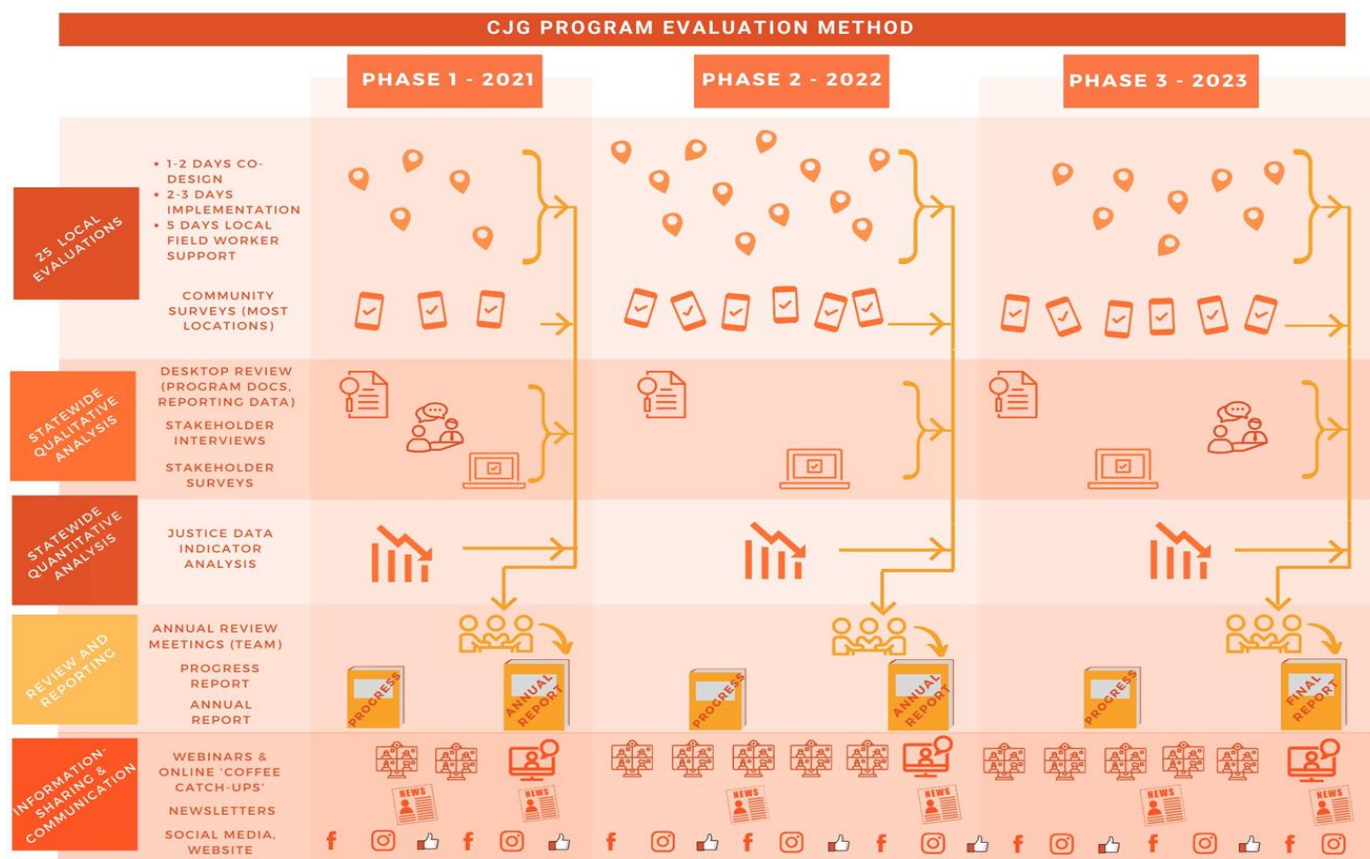
2.4.1 Evaluation team

Myuma Pty Ltd was engaged by DJAG in January 2021 to conduct the 3-year evaluation. 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 for evaluations of programs delivered in Indigenous communities to be more inclusive of local community participation, informed by Aboriginal and Torres Strait Islander cultural perspectives and lived experience, and led by skilled Indigenous evaluators and 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 based in locations across Queensland, supported by two non-Indigenous evaluators, a data analyst, five Indigenous research assistants and an Indigenous communications officer.⁴⁰ Research assistants were drawn from Indigenous students in law, criminology and social science, and were providing mentoring and opportunities to gain experience in evaluation data collection and analysis. The team had regular workshops and online meetings to facilitate sharing of the various team members' knowledge, expertise and diverse cultural perspectives and insights from their experience working with and in Indigenous communities.

2.4.2 Evaluation plan

The evaluation was guided by an Evaluation Plan and ethics protocols agreed with DJAG's Evaluation Management Team in June 2021. Figure 1 illustrates the evaluation method. It shows the several parallel streams of activity undertaken for the evaluation, at both the statewide/Program-wide and local level.

Figure 1. CJG Evaluation method



⁴⁰ For more information about the evaluation team, visit www.ourcommunityjustice.org.

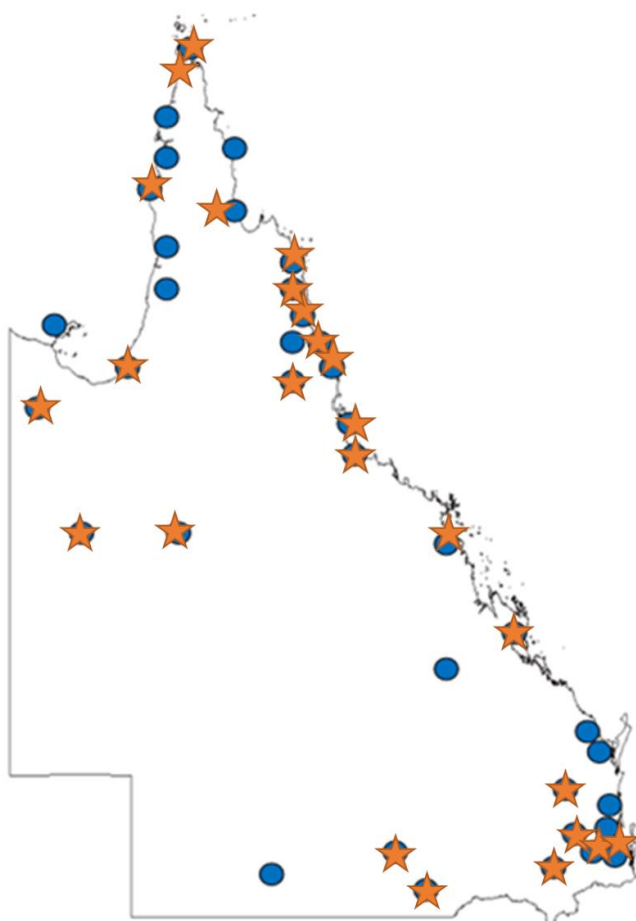
2.4.3 Local Evaluations with CJGs

Local Evaluations were conducted in partnership with CJGs in 25 locations: five in 2021, 11 in 2022 and nine in 2023. These are listed in Figure 2.

Figure 2. Local Evaluation sites 2021 to 2023

CJG location	Timeframe
Goondiwindi	August 2021
Rockhampton	August 2021
Doomadgee*	October 2021
Normanton	September 2021
Mackay	September 2021
Thursday Is*	May 2022
Mossman*	May-June 2022
Mount Isa	March 2022
Coen*	June 2022
Tablelands	November 2021-January 2022
Wujal Wujal*	August 2021-October 2023
Bayside	February-October 2022
Hope Vale*	October 2022
Cherbourg*	June 2022
Palm Island*	October 2022
NPA*	November 2022
Cloncurry	December 2022
Townsville	February 2023
Aurukun*	June 2023
Richlands	June-July 2023
Ipswich	June-August 2023
Toowoomba	May 2023
St George	June 2023
Cairns	August 2023
Yarrabah*	January-October 2023

* DFV Enhancement site



Given the focus of Phase 1 on implementation, the sites that were chosen in Phase 1 were mature CJGs with strong records of program delivery and implementation, to maximise the opportunities to identify implementation success factors that could be broadened across the Program. In Phases 2 and 3, there was a focus on ensuring a fair representation of different types of CJGs, from urban Murri Courts to regional towns to rural towns to remote communities. The connections of the Myuma team members within specific communities was also a factor in site selection, because these existing connections enabled the evaluators to more quickly gain the trust and rapport of the CJG, which was critical to facilitate the intended collaborative approach for the Local Evaluations.

Selection of sites was also contingent on the CJG's willingness to host a Local Evaluation, as the CJG's interest and capacity to be involved was critical for the participatory nature of the data collection. Obtaining informed consent of CJGs to be involved in Local Evaluations was a foundational principle, consistent with ethical protocols for research in Aboriginal and Torres Strait Islander communities. The ability of CJGs to participate

in a local evaluation was impacted in some cases by health issues, turnover of key staff and other sources of organisational instability. In two locations, steps to conduct a Local Evaluation were discontinued due to the CJG not being ready, able or interested to participate at that time.

Data collection at the 25 Local Evaluation sites involved:

- 99 days in the field for 12 Myuma team members;
- 235 interviews and focus groups with CJG staff, members, agencies, service providers and community members; and
- 185 hours of interviews and focus groups recorded, transcribed, and analysed using Nvivo qualitative data analysis.

Approach to Local Evaluations

The Local Evaluations were *collaborative, participatory* and *strengths-based*. The *collaborative* philosophy was underpinned by Myuma's commitment 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 were encouraged to *participate* not only in the design but also the data collection work, including the workshops, stakeholder interviews and community surveys. The co-design of each Local Evaluation involved planning and finalising an agreement with the CJG that covered objectives, scope, partnership principles, methods, timeframe, CJG involvement, ethics, data-sharing, and the process for feedback to the CJG.

The *strengths-based* philosophy for the evaluation was actioned through following the 'appreciative inquiry' method in the team's data collection, seeking to capture stories of CJG successes and good practice that reveal how the Program delivers impact in practice.

Although two of the data collection activities were standardised to allow comparison across the sites (activity mapping tool and community surveys), other aspects of the data collection were co-designed with each CJG. For example, at some sites, evaluation team members were invited by CJGs to participate in women's business, Murri Court sittings and on-country camps.

In respect for the principle of Indigenous data sovereignty, Myuma committed to sharing the findings of each Local Evaluation with the CJGs themselves, in the form of a data summary summarising the activity mapping, interview feedback and community survey feedback, as applicable. This aspect of the process has proven challenging, due to the need to navigate departmental approval processes for the sharing of evaluation data.

While not all CJGs were interested or able to participate in full Local Evaluations, and resources did not permit a visit to all 41 CJG sites, the evaluation team offered various avenues to ensure all CJGs had an opportunity to participate. For instance, staff and members of CJGs were invited to join monthly online 'coffee catchups' during the three years of the evaluation, to hear about the evaluation and share information and make connections with other CJGs. Webinars showcasing the outcomes of the Local Evaluations enabled other CJGs to hear and discuss the findings. Online surveys were circulated to all CJGs across the State.

Some key learnings from the process of the Local Evaluations were:

- *Participatory processes build trust.* The message about co-design and CJG participation was well-received by CJGs and 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 took many weeks or sometimes months, with several preparatory phone calls, online sessions and face to face meetings prior to data collection starting. Data collection also took several days in each location, with considerable time spent involving the CJG staff in the process. Field visits ranged from three to five days, conducted either as one visit (for example, to remote communities) or multiple visits (to more accessible sites). At most sites, the team ended up extending the planned number of days allocated for the Local Evaluation work.
- *CJGs were 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 was 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 had 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 seemed 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 one site, the mapping prompted the CJG to determine that they wished to focus much more on post-release reintegration of prisoners. This CJG subsequently developed a local reintegration process and has been implementing it in conjunction with the Parole Board of Queensland.
- 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.

The Local Evaluations afforded opportunities for local community members to be employed as community researchers to assist with workshops, interviews and surveys. The budget for each site included the option of four days (32 hours) of casual wages to enable engagement of a community researcher. This enabled 18 local community members to gain experience in data collection.

Community surveys

Community surveys were conducted in 16 Local Evaluation sites. The target audience for these surveys were members of the Indigenous community served by the CJG, especially clients and their families. The surveys sought community feedback about the CJGs' functioning, status, outputs and outcomes.

Selection of sites for the surveys was contingent on the availability of local community researchers to undertake the survey work. Surveys were conducted in the following sites: Bayside (Cleveland), Tablelands, Normanton, Mt Isa, Mossman, Goondiwindi, Doomadgee, Coen, Cherbourg, Wujal Wujal, Mackay, Northern Peninsula Area (NPA),⁴¹ St George, Cloncurry, Townsville, Aurukun. This represents a good sample of remote communities (5), regional towns (4), and predominantly urban Murri Court locations (5). Across these sites a total of 453 surveys were collected, ranging from seven in the smallest sample to 65 in the largest sample. Although community surveys were conducted in urban areas, regional towns and remote communities, only one survey was conducted in the Brisbane region and this survey had a small sample. The evaluation found it was more difficult to administer a community survey in an urban community, where the Indigenous community is more dispersed across the mainstream population. The survey results are more reflective of regional towns, regional centres and remote communities.

A formal sampling frame was not used, but collectors were directed to obtain a cross-section of the age groups, gender and family affiliations in the target community. Nevertheless, the surveys should not be assumed to be representative of the views of a community, especially where the sample was small, leading to a high margin of error. Further details about the survey sample are contained in [Appendix 2](#), which also summarises the survey findings.

The community surveys were collected either in paper form or using tablets/phones with SurveyMonkey. All completed surveys were entered into SurveyMonkey for collation and analysis.

A limitation of the survey process was that many of the community researchers who collected the surveys had not been involved in evaluation work before and there was only opportunity for the team to provide a small amount of preparatory training. Use of local workers was a design choice to increase local participation, employment opportunities and research capacity-building. It also enabled ready access to local networks for

⁴¹ Northern Peninsula Area includes Bamaga, Seisia, Umagico, Injinoo, New Mapoon.

data collection purposes, but it is possible this may have skewed some of the community survey samples to the field worker's personal networks.

Activity mapping

The evaluation undertook activity mapping with CJGs in 12 Local Evaluation sites during Phases 1 and 2, to ascertain their actual time allocated to different output areas. While this is less than a third of the 41 funded CJGs, the results accord with the observations of the team in the other 13 Local Evaluations, and the other available data such as IJP's service mapping (2019) and administrative reports and data.

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 with miscellaneous requests and assisting agencies). A standard tool was used to conduct 'activity mapping' with staff of 12 CJGs in Phases 1 and 2, and also with CJG members at four 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, an average was calculated. The estimates for CJG members were arrived at through a workshop discussion. Activity mapping captured all activities that CJG staff are involved in, whether they are part of the DJAG service agreement or not. As such, some activities captured are funded by other agencies (although this is a rarity) and some are delivered voluntarily by CJG staff outside of standard hours. The estimates relate to the preceding four weeks, so occasional activities like a prison visit or training will be under-counted if that did not occur during that period.

2.4.4 Statewide qualitative analysis

The qualitative data collection and analysis at the statewide (Program-wide) level comprised three elements:

1. Desktop review of DJAG documentation (Phases 1, 2 and 3):

- Program documentation: 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;
- Indigenous Justice Officer (IJO) reports: Review of IJOs' reports on Issues and Successes from their day to day engagement with CJGs;
- Performance reporting by CJGs: Review of CJG Quarterly Performance Reports for past 2 years (selected sites); data about court support activity and other contract KPIs submitted by CJGs (all sites)

2. CJG Program statewide Stakeholder Surveys (Phases 1, 2 and 3):

- These were online surveys (SurveyMonkey) designed by DJAG with Myuma input and circulated by email through DJAG networks;
- While the surveys contained some quantitative measures, such as questions asking respondents to answer on a rating scale, they contained a large number of open-ended questions to elicit qualitative data;
- The surveys also asked questions about stakeholders' views of the conduct of the evaluation to date, which provided valuable feedback to the Department and Myuma about whether the evaluation process was satisfying stakeholder expectations;
- The target audience for these surveys was all Program stakeholders, including CJG staff and members, judicial officers, police, corrections, youth justice, DJAG staff, legal services, DFV services, NGO service providers and members of Indigenous communities;

- The Phase 1 survey (closed August 2021) focused on stakeholders' perception of CJGs' services, how stakeholders are supporting and working with CJGs, and where CJGs were perceived to need more support;
- The Phase 2 survey (closed August 2022) focused on stakeholders' perceptions of CJGs' outputs across the justice spectrum from prevention to post-release, and the availability, accessibility and suitability of services in CJG communities;
- The Phase 3 survey (closed August 2023) focused on stakeholders' perceptions of outcomes being delivered by CJGs;
- In Phases 2 and 3, the surveys were administered as three separate survey instruments targeting CJG representatives, judicial officers, and other stakeholders. The questions were similar but adapted to the target audience;
- Over the three phases, there were a total of 655 survey respondents:
 - 2021: 132 respondents (14 CJGs and 118 other stakeholders)
 - 2022: 273 respondents (42 CJGs and 231 other stakeholders)
 - 2023: 250 respondents (59 CJGs, 20 judicial officers and 171 others)
- Limitations to take into account in interpreting the surveys include:
 - There were large samples for CJGs and other stakeholders, but smaller samples for judicial officers, especially in Phases 1 and 2;
 - The surveys were voluntary, so there is some self-selection bias in the samples. Respondents are more likely to be those interested in CJGs. For example, the judicial officer survey was mostly responded to by magistrates who have worked in Murri Courts or had extensive experience with CJGs, rather than those who might have only occasional contact with a CJG.
- [Appendix 1](#) contains further details and a summary of the Phase 3 surveys.

3. Stakeholder interviews (Phases 1 and 3 only):

- Myuma interviewed key Program-level stakeholders during Phases 1 and 3;
- Phase 1 interviews focused on CJG Program implementation issues and Phase 3 interviews focused on outcomes and impact;
- Phase 1 interviews and focus groups in mid-2021 were held with DJAG, magistrates, Aboriginal and Torres Strait Islander Partnerships, Queensland Corrective Services, Queensland Police Service, Youth Justice, Child Safety, Family Responsibilities Commission, and Education Queensland, Department of Premier and Cabinet, Queensland Sentencing Advisory Council, Aboriginal and Torres Strait Islander Legal Services and Legal Aid Queensland;
- Phase 3 interviews and focus groups in mid-2023 were held with DJAG, Aboriginal and Torres Strait Islander Partnerships, Parole Board of Queensland, Queensland Police Service, Aboriginal and Torres Strait Islander Legal Services, Legal Aid Queensland, and Queensland Indigenous Family Violence Legal Services;
- Interviews with DJAG in Phases 1 and 3 included the Department's Indigenous Justice Officers, who work closely with CJGs on a weekly basis;
- Interviews were transcribed and analysed using Nvivo qualitative data analysis software.

2.4.5 Statewide quantitative analysis

During each Phase, the evaluation team collaborated with DJAG to review quantitative data about Indigenous people's contact with the criminal justice system. Available sources included:

- Queensland Wide Inter-linked Courts (QWIC) data for Aboriginal and Torres Strait Islander persons' contact with courts at locations where CJGs operate across the State;
- StatShot profiles of discrete Aboriginal and Torres Strait Islander communities, collated by Queensland Treasury;

- Queensland Police Service data about reported offences in police districts, publicly available online;
- other publicly available data about various aspects of over-representation of Aboriginal and Torres Strait Islander people in the criminal justice system.

The analysis of QWIC data for Phase 3 is summarised in [Part 3.2](#).

2.4.6 Review and reporting

The evaluation team submitted an annual report for [Phase 1](#) in November 2021 and for [Phase 2](#) in November 2022.

Prior to submitting the annual reports the evaluation team members came together either online or in a face to face workshop to review the data collected from the Local Evaluations and discuss key themes to be included in the report. In Phase 3, this workshop (held in October 2023) also included some staff and Elders from CJGs who had participated in the Local Evaluations. This enabled the evaluation team to validate their interpretation of the findings with CJG representatives, and refine the messaging for this final evaluation report.

In finalising the reports and recommendations, the evaluation benefited from the input, contributions and feedback of experienced Aboriginal and Torres Strait Islander researchers and practitioners within the evaluation team (Colin Saltmere, Cheryl Buchanan, Charles Passi, Joann Schmider, Jenny Pryor, Heron Loban, Melinda Mann, Helena Wright). In addition, the team sought feedback on the draft reports and recommendations from Indigenous academic and CJG Elder, Aunty Boni Robertson.

Presentations about the progress of the evaluation were delivered to the Department's Evaluation Advisory Committee, which comprises staff of DJAG and other Queensland Government agencies, NGO representatives (e.g. ATSILS), and CJG representatives. These sessions enabled discussion about proposed methods and directions for the evaluation, providing valuable feedback to Myuma and the Department.

2.4.7 Information-sharing and communication

Much of what CJGs do involves grassroots action that has little visibility outside (and even within) the CJG's own community. Myuma has seen 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 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 also to increase the public visibility of what CJGs do.⁴² The platform comprises a website, social media pages and electronic newsletters. Annual webinars were also held with CJGs to profile some of the good practice emerging from the Local Evaluations. A [Community Report](#)⁴³ for the evaluation was developed for distribution, containing a good practice guide to provide case examples of how CJGs are succeeding in tackling difficult issues. Publication of the evaluation's *CJG Stories of Success* compendium will be another way to highlight the impact of CJGs across the State. 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.

2.4.8 Ethics

The evaluation developed a set of ethics protocols governing the data collection and analysis for the evaluation, in line with best practice guidelines for research involving Aboriginal and Torres Strait Islander peoples. DJAG did not require that the ethics protocols receive a formal approval from a Human Research

⁴² See www.ourcommunityjustice.org

⁴³ DJAG, 2023. *Evaluation of Community Justice Groups: Community Report 2022*, prepared by Myuma. www.courts.qld.gov.au/_data/assets/pdf_file/0006/778650/community-report-2022.pdf

Ethics Committee (HREC) as the evaluation focus was on the efficacy of the CJG program and not on individual participants. Instead, the Evaluation Management Team reviewed and approved the ethics protocol in June 2021. Key features of the ethics protocol include negotiating written agreement with each CJG about the data collection to be undertaken for the Local Evaluation at that site, as part of a co-design process; an information sheet and consent form to be signed by participants for all data collection activities; and a data management plan.

2.4.9 Limitations

Several limitations affecting the evaluation process should be taken into account when considering the findings.

For time and resourcing reasons, Local Evaluations were not conducted in every CJG location. Local Evaluations were concluded in 25 of the 41 funded CJG locations. In two other locations, Local Evaluation work commenced but did not conclude due to various local factors, including readiness of the CJG and availability of a suitable evaluation team member.

As discussed in [Part 2.4.3](#), the location of the sites where Local Evaluations were conducted was affected by CJGs' interest and readiness to participate. For this reason, the sample includes a greater number of CJGs with capacity and capability. The evaluation team recognised that it is not possible to conduct a collaborative, strengths-based Local Evaluation with a CJG experiencing significant internal conflict or where a CJG service is in a hiatus due to loss of key staff. To capture some of these site-level implementation challenges, in Phases 1 and 3 the evaluation undertook a detailed analysis of IJO field reports and quarterly performance assessments with CJGs.

While most of the Local Evaluations involved at least four to five days of fieldwork, they could not be considered to be comprehensive assessments of the relevant CJG's delivery and performance. The focus of data collection was the CJG itself, followed by key external stakeholders (in the justice system and NGO sector) and clients and community members. At most sites, time did not permit interviews with all relevant stakeholders identified in the co-design plan with the CJG.

In many sites, CJG staff and members were actively involved in the data collection, attending some interviews with the evaluation team member, and sometimes conducting the community surveys. This was less independent but was consistent with the goal of exposing CJGs to evaluation work and enabling them to hear feedback directly from stakeholders.

Caveats regarding the community surveys, the activity mapping and the statewide stakeholder surveys were discussed in [Parts 2.4.3](#) and [2.4.4](#) and should be taken into account in interpreting the results.

The DFVE was still being rolled out to some of the 18 eligible discrete community CJGs during the time that the evaluation was undertaken. The [Phase 2 Evaluation Report](#) provides a detailed account of the implementation of the DFVE, with recommendations for enhancing the initiative. The findings in this report about the outcomes from the DFVE should take into account the fact that some projects were only recently established at the time of Local Evaluations.

3 THE COMMUNITY JUSTICE GROUP PROGRAM

3.1 CJG Program rationale

Community Justice Groups in Queensland evolved as a response to the Royal Commission into Aboriginal Deaths in Custody (RCIADIC). Several of the recommendations of the RCIADIC final report, handed down in 1991, called for more community-based responses to justice issues. The Royal Commission emphasised that local solutions driven by the members of Indigenous communities themselves were the key to addressing the underlying causes of offending behaviour. In 1992, Queensland Government funding enabled piloting of

Community Justice Groups at Palm Island, Kowanyama and Pormpuraaw, which was later expanded across all regions through the establishment of the Local Justice Initiatives Program. A summary timeline and a short history of the evolution of Community Justice Groups was set out in the [Phase 1 Evaluation Report](#) (see Parts 1.2 to 1.3). The RCIADIC's central call to action for government, to reduce the overrepresentation of Aboriginal and/or Torres Strait Islander people in the criminal justice system, remains the underpinning goal of the CJG Program as set out in the CJG Program Guidelines.

The element that sets CJGs apart from other programs or services is the way they harness the cultural knowledge, skills and wisdom of Elders and Respected Persons in Indigenous communities. As a community-driven response, the membership of the groups is central. Funding for staff and operational costs of a CJG is fundamentally a mechanism to empower and enable Elders and Respected Persons to work collectively to drive tailored, community-based responses to justice issues in Indigenous communities. The intent is that the work of Elders and Respected Persons with their community members can reinforce Aboriginal and Torres Strait Islander *lore* alongside non-Indigenous *law*, strengthening cultural leadership and upholding social norms of behaviour.

While the underlying rationale for the CJG Program is to empower community-driven and cultural responses to reduce the over-representation of Indigenous people in the criminal justice system, the actual role and functions of CJGs have evolved and changed geographically and temporally over the past three decades, influenced by both community priorities and government policy imperatives. For example, in 2002, the Queensland Government gave CJGs in discrete communities a statutory basis to enable them to deliver a legislated function to advise the government about Alcohol Management Plans. In urban and regional centres, CJGs do not have this statutory basis. In 2002, following lobbying by CJGs and some members of the judiciary, sentencing and bail laws were amended to guarantee the right to CJGs to be heard in these court proceedings. In the mid-2000s this led to several non-remote CJGs participating in a new form of Indigenous sentencing court, which became known as Murri Court. This has expanded over time to 15 sites. All the while, CJGs in all locations have continued to play a broader role in local justice and service delivery issues in their communities, usually extending beyond the role outlined in their Queensland Government funding agreements.

3.2 Indigenous people's contact with the justice system

The objective of the program is to contribute to reducing the over-representation of Indigenous people in the criminal justice system. Hence, the scope and nature of Indigenous people's current contact with the justice system is important context for the work of CJGs.⁴⁴ The [Phase 1 Evaluation Report](#) noted the long-term upwards trend in the rate of imprisonment of adult Indigenous people in Queensland, which in 2021 was more than double the rate of 1988.⁴⁵ The report also noted the increase in the number of Indigenous young people in detention. This section reports on an analysis of four years of court data to try to understand the dimensions and recent changes in Indigenous people's contact with the system in the court locations where CJGs currently operate.

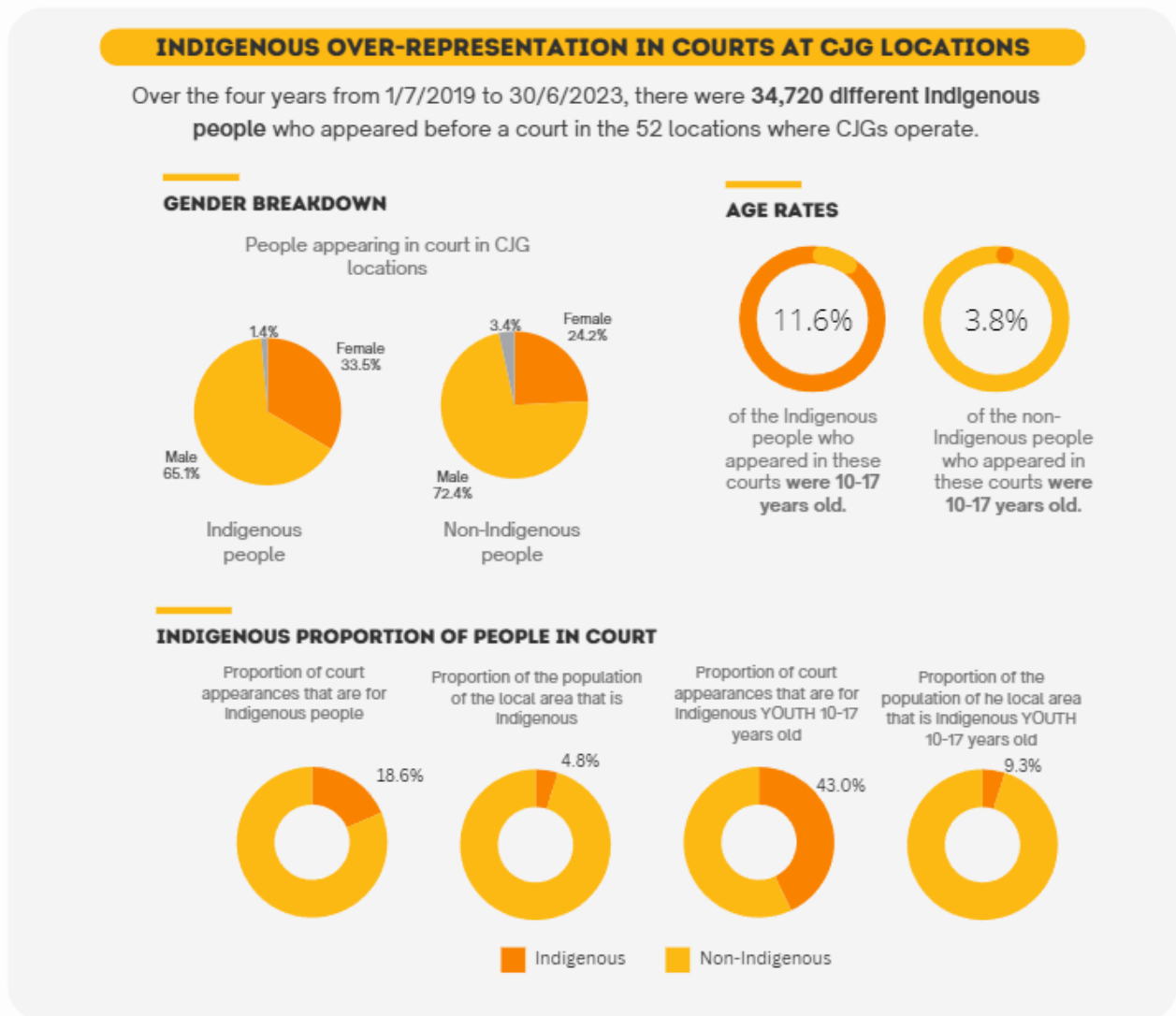
The analysis was conducted by the evaluation team in collaboration with DJAG. The data tables and charts referred to in summary form in this section are available in [Appendix 4](#). The source of the data is the Queensland-Wide Interlinked Courts (QWIC) Criminal Lodgement dataset for the period 1/7/2019 to 30/6/2023. Data were accessed for 52 court locations where CJGs operate, including 11 Torres Strait Islands which support Court Circuit visits.

⁴⁴ For more analysis of relevant quantitative data about Indigenous people's contact with courts, see Part 1.5 and Appendix 1 of the [Phase 1 Evaluation Report](#), and Part 8.4 and Appendix 1 of the [Phase 2 Evaluation Report](#).

⁴⁵ See Part 1.5.1 of the [Phase 1 Evaluation Report](#).

3.2.1 Profile of Indigenous people's contact with courts

Over the four years from 1/7/2019 to 30/6/2023, Indigenous people were significantly over-represented in the courts at CJG locations, with young people especially over-represented.⁴⁶



Over the four years from 1/7/2019 to 30/6/2023, there were 391,892 criminal charges lodged against the 34,720 Indigenous people appearing in courts at the 52 locations where CJGs operate.⁴⁷ Notable features of this contact were:

- the charges against Indigenous people accounted for 29% of all charges in these locations;
- a large majority of the charges against Indigenous people were in larger centres with high populations of Aboriginal and Torres Strait Islander people:⁴⁸

⁴⁶ In this period, there were 145,485 non-Indigenous people and 6,269 with Indigenous status unknown. Re the gender breakdown, 1.4% of the Indigenous people and 3.4% of the non-Indigenous people had gender unknown. Other gender identifiers are not captured in the dataset.

⁴⁷ Some of these Indigenous people may have appeared in court multiple times during this four-year period.

⁴⁸ See Figure 109 in [Appendix 4](#).

- 77% were in 10 locations (in descending order, Brisbane, Beenleigh, Townsville, Cairns, Ipswich, Toowoomba, Rockhampton, Maroochydore, Caboolture and Mackay);
- 12% were in 18 discrete Indigenous communities;⁴⁹
- 12% were in the remaining 13 CJG locations;⁵⁰
- the majority of charges were non-violent offences:
 - more than a quarter (27%) of all charges were for *Offences Against Justice Procedures, Government Security and Government Operations* – this category includes common offences such as Breach of Bail, Breach of Community-Based Order, Breach of Non-violence Order, Breach of Parole and Resist or Hinder Police Officer;⁵¹
 - other common charges were for offences that are often categorised as ‘crimes of poverty’⁵²: *Unlawful Entry with Intent* (19%), *Illicit Drug Offences* (11%), *Theft and Related Offences* (11%);
- discrete Indigenous communities have a markedly different profile of offences than the other urban and rural court locations.⁵³
 - much higher proportion of charges for *Offences against Justice Procedures* (more than a third - 34% compared to 25%), *Public Order Offences*⁵⁴ (19% compared to 8%) and *Acts Intended to Cause Injury* (16% compared to 9%)
 - much lower proportion of charges for *Unlawful Entry* (5% compared to 19%), *Illicit Drug Offences* (6% compared to 11%) and *Theft* (6% compared to 11%)

The high proportion of charges that are for *Offences against Justice Procedures* deserves further consideration to understand the precise types of offences that account for this:

- most (93%) of these charges are for four offence types: *breaches of bail* including failure to appear (37%), *breaches of DV orders* (33%), *matters with police conditions and directions* (15%) and *breaches of community-based orders* (14%);
- for Indigenous people, *breaches of bail offences* comprised 52% breach of bail condition, 44% failure to appear in accordance with undertaking and 4% failure to comply with reporting.

3.2.2 Changes in offences over time

Comparing the past two financial years (2021-2023) with the previous two financial years (2019-2021),⁵⁵ the number of charges for Indigenous people at these court locations has increased considerably (up 11%) at the

⁴⁹ Aurukun, Palm Island, Murgon (covers Cherbourg), Mornington Island, Cooktown (covers Hope Vale and Wujal Wujal), Doomadgee, Yarrabah, Woorabinda, Mossman, Weipa (covers Napranum and Mapoon), Kowanyama, Bamaga (includes Seisia, New Mapoon, Umagico), Pormpuraaw, Thursday Island, Lockhart River, Coen.

⁵⁰ Mareeba, Caboolture, Maroochydore, Hervey Bay, Cleveland, Normanton, Wynnum, Atherton, Maryborough, St George, Goondiwindi, Cunnamulla, Cloncurry.

⁵¹ See Figure 110 in [Appendix 4](#).

⁵² See the discussion of the ‘social determinants of incarceration’ on pages 61 to 63 of Australian Law Reform Commission, 2017. *Pathways to Justice—An Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples*.

⁵³ See Figure 110 in [Appendix 4](#).

⁵⁴ These include liquor offences related to Alcohol Management Plans, which only apply to discrete communities.

⁵⁵ Comparing these two-year blocks is preferred to comparing the first and fourth years of the data to mitigate impacts of the COVID-19 pandemic. Court closures and lockdowns in early 2020 led to lower activity in the courts in 2019-20, whereas 2020-21 saw higher activity in the courts, as some matters held over from early 2020 were dealt with in the second half of 2020. Combining 2019-20 and 2020-21 smooths this situation. It is possible, however, that during the (footnote continued)

same time that it has fallen for non-Indigenous people (down 10%).⁵⁶ Changes have occurred at different rates for different offence types.⁵⁷ There has been an increase in charges for unlawful entry, acts intended to cause injury, theft, sexual assault, robbery and offences against justice procedures. There has been a reduction in charges for public order, property damage, traffic offences, and drug offences. Given that *Offences against Justice Procedures* comprise more than a quarter of all charges for Indigenous people, it follows that the increase of 16% over the past two years is a major driver of Indigenous people's contact with the courts. By comparison, for non-Indigenous people, the change in charges for *Offences against Justice Procedures* was only 1%.⁵⁸ The reasons for the large increase in Indigenous people's contact with courts for *Offences against Justice Procedures* requires further investigation.

A possible driver for increased contact of Indigenous people with courts is *breaches of bail*. The number of bail offences increased by 5% for Indigenous people in the last two financial years compared with the previous two years, whereas it fell by 6% for non-Indigenous people.⁵⁹ The proportion of charges for bail offences for Indigenous people increased from 34% to 36%. The majority (52%) of these charges against Indigenous people related to breach of bail conditions, followed by 44% relating to failure to appear.

lockdowns there was a reduction in the incidence of some underlying offences, causing the 2019-2021 totals to be lower than would otherwise have been the case.

⁵⁶ See Table 4 in [Appendix 4](#).

⁵⁷ See Table 45 in [Appendix 4](#).

⁵⁸ See

Offence category	% Change in total no. of charges for the two years 2021-22 and 2022-23 compared with the two years 2019-20 and 2020-21	
	Indigenous	Non-Indigenous
Unlawful entry	+43%	+5%
Acts intended to cause injury	+34%	+18%
Theft	+29%	-7%
Sexual assault (and related)	+27%	+9%
Robbery	+25%	-10%
Offences against justice procedures	+16%	+1%
Drug offences	-21%	-23%
Public order offences	-16%	-18%
Property damage	-4%	-6%
Traffic offences	-7%	-20%
Total	+11%	-10%

Notes:

1. Offences are classified by QASOC Divisions
2. % change is measured as the difference in offences from 2019-21 to 2021-23 for the Indigenous cohort and non-Indigenous cohort separately.

Figure 111 (column 2) in [Appendix 4](#).

⁵⁹ See Table 6, Table 7, Figure 112 in [Appendix 4](#).

Indigenous people had 28,268 charges for *Public Order offences* over the past four years at the CJG court locations. This was 7% of the charges against Indigenous people. There are numerous types of offences in this category, but the most common are public nuisance offences (47% of the Public Order charges against Indigenous people), trespass offences (29%) and breach of alcohol limits in restricted areas (12%).⁶⁰ Public order offence charges for Indigenous people have fallen 14% in the past two years (10,975) compared with the previous two years (12,755).⁶¹ For Indigenous children, the number of charges for public order offences fell by 20%, which was slightly more than the fall for non-Indigenous children (17%).

3.2.3 Changes in DFV offences over time

DFV offences are a key driver for Indigenous people's contact with the courts at the CJG locations. Courts data include a flag where an offence is related to DFV. This has increased considerably in recent years. In the past two years (2021-2023), there were 50% more charges against Indigenous people for *DFV-flagged offences* in the 52 court locations than in the previous two years.⁶² Charges for DFV-flagged offences also increased for non-Indigenous people, but only by 30% in this time period.

Offences against Justice Procedures (which includes breach of DV orders and breach of bail) account for almost two-thirds (65%) of all DFV-flagged offences, and have increased by 42% in the past two years.⁶³ Further investigation is required to ascertain why there has been such a significant increase in charges for *DFV-flagged Offences against Justice Procedures* for Indigenous people.

The courts data indicate significant over-representation of Indigenous children for DFV-flagged offences in the Children's Court (Magistrates). Despite Indigenous people comprising only 4.6% of the population, Indigenous children account for 71% of all DFV-flagged lodgements in the Children's Court (Magistrates), with Indigenous males comprising 68% of the lodgements.⁶⁴ *Offences against Justice Procedures* are the primary lodgements for all demographics in this data set. Lodgements against Indigenous people for these offences comprise 64% of all lodgements for females and 48% for males. For non-Indigenous people, these offences comprise 51% of all lodgements for females and 52% for males. The reasons why Indigenous children are more likely to be charged with *DFV-flagged Offences against Justice Procedures* require further investigation.

During the past four years, Indigenous people in the 52 courts where CJGs operate were charged with 32,088 *breaches of DV Orders* (comprising Breach of DV Orders, Breach of DV Order (aggravated), and Breach of Police Protection Notices).⁶⁵

- most (86%) of these were against males;⁶⁶
- for Indigenous people, more than two thirds of the breaches (68%) were aggravated, which was much higher than for non-Indigenous people, where less than half (49%) were aggravated. It should be noted that a circumstance of aggravation occurs "if within 5 years before the commission of an offence the respondent has been previously convicted of an offence under this part" (*DFV*

⁶⁰ See Table 8 in [Appendix 4](#). Similar charge types have been aggregated into these broader categories.

⁶¹ See Figure 113 in [Appendix 4](#).

⁶² See Table 9. Increase in DFV-flagged offences at courts in CJG locations, 2019-20 & 2020-21 vs 2021-22 & 2022-23, by indigeneity in [Appendix 4](#). This figure relates to the 4 most common charge types of DFV-flagged offences, which account of 95% of all DFV-flagged offences.

⁶³ See Table 9. Increase in DFV-flagged offences at courts in CJG locations, 2019-20 & 2020-21 vs 2021-22 & 2022-23, by indigeneity in [Appendix 4](#).

⁶⁴ See Figure 116 in [Appendix 4](#).

⁶⁵ It is possible that the incidence of breaches for DV Orders has been impacted by legislative changes in 2017 increasing the standard length of orders from two years to five years. See discussion in [Part 14.6.1](#).

⁶⁶ See Figure 116 in [Appendix 4](#).

Protection Act 2012, s177(2)(a)). This includes a previous breach of a DV Order, which means that prior breaches of DV Orders will have the effect of aggravating later breaches of DV Orders;⁶⁷

- there has been a considerable increase in charges against Indigenous people for contraventions of DFV orders in the past two years compared with the previous two years:
 - breaches of DV Orders increased 20%;
 - breaches of DV Orders (Aggravated) increased 60%; and
 - breaches of Police Protection Notices increased 74%.⁶⁸

3.2.4 Sentence outcomes for Indigenous offenders

In adult courts at the 52 locations, there were 198,741 finalised sentencing orders for Indigenous people from 2019-20 to 2022-23. Compared to non-Indigenous people, Indigenous people were:

- much more likely to receive an imprisonment/custody order (21% of Indigenous outcomes v 14% of non-Indigenous outcomes);
- about as likely to receive a community-based order (5% v 4%);
- less likely to receive a monetary order (58% v 64%).⁶⁹

The higher likelihood of receiving custodial orders might seem at odds with the earlier observation that Indigenous people are more likely to be charged with *Offences against Justice Procedures* and *Public Order* offences. A likely explanation is that sentence outcomes may meet higher thresholds due to the extent of offending history (number of previous charges, which may be impacted by number of bail breaches) and previous custodial time.

The number of finalised sentence orders for Indigenous offenders was 14.5% lower in the past two years (2021-22 and 2022-23) than the previous two years (2019-20 and 2020-21).⁷⁰ The number of finalised orders for non-Indigenous offenders fell even more (by 22.1%) during this time. The reasons for this difference require further investigation. Possible factors are that Indigenous people on average have a higher number of charges per lodgement and a more extensive prior history.

3.2.5 Domestic Violence matters in the civil courts

The evaluation analysed eight years of QWIC data in relation to DV order applications made in civil courts where CJGs are operating. In courts at the 41 CJG locations (excluding the 11 outer Torres Strait Islands), 41,487 lodgements were made applying for DV orders for Indigenous aggrieved parties from 2015-16 to 2018-19. At these courts, there was a significant change in the number of DV applications for the four years from 2015-16 to 2018-19 compared with the more recent four years from 2019-20 to 2022-23:

- DV applications for non-Indigenous aggrieved increased by 21%;
- DV applications for Indigenous people reduced by 13%.⁷¹

Further research is needed to ascertain why the number of applications for DVOs fell for Indigenous people at a time when they increased markedly for non-Indigenous people. While the 2022-23 numbers are below 2015-16, it should be noted that since 2019-20 DV applications for Indigenous people have started to rise slightly (up 9.8% for the last two years compared to the previous two years).

⁶⁷ See Figure 117 in [Appendix 4](#).

⁶⁸ See Figure 1188, Figure 119 in [Appendix 4](#).

⁶⁹ See Table 10 in [Appendix 4](#).

⁷⁰ See Table 11 in [Appendix 4](#).

⁷¹ See Table 12 in [Appendix 4](#).

The subject relationship of a DV application is most likely to be an Intimate Personal Relationship. However, for Indigenous relationships (i.e. Indigenous aggrieved and respondent), the data show that Family Relationships are the subject of a higher proportion of DV applications than for non-Indigenous relationships (i.e. non-Indigenous aggrieved and respondent):

- while Intimate Personal relationships are still the most common (59%) of DV applications by Indigenous aggrieved against Indigenous respondents, Family relationships are the subject of 41% of these applications;
- by contrast, Intimate Personal relationships comprise 75% of DV applications by non-Indigenous aggrieved against non-Indigenous respondents, and Family relationships are the subject of 25% of these applications.⁷²

This illustrates that the assumptions that a significant majority of DFV incidents involves intimate partner violence does not hold true for Indigenous people, where a much larger proportion of DFV involves Family Relationships (such as siblings, parent and child, or other family relationships).

Data were also analysed in relation to applications to civil courts for variations of DV Orders. The number of applications by Indigenous aggrieved to vary DV orders increased by 89% from 2015-16 to 2022-23 (1046 to 1977), although this was much lower than the increase for non-Indigenous aggrieved (up 180%).

3.2.6 Key trends from the data

In summary, some of the key trends evident from the data about Indigenous contact with the justice system are:

- Indigenous people comprise 18.6% of the individuals who appeared in courts at CJG locations over the past four years, but accounted for 29% of all the charges in this period;
- 10 larger court locations account for more than three-quarters of all the charges against Indigenous people in the 51 court locations;
- the prevalence of offence types differs across regions - for example, offences against justice procedures (such as breaches of bail and other orders) are higher in discrete Indigenous communities;
- a significant proportion of Indigenous people's charges are related to breach of various orders or failure to appear in court;
- the number of charges against Indigenous people has increased markedly over the past four years in the courts where CJGs operate, at the same time that charges against non-Indigenous people have fallen;
- a significant driver for the increase in charges against Indigenous people is DFV-flagged offences and two-thirds of these are offences against justice procedures, which are mostly breaches of bail (including failure to appear) and breaches of DV orders;
- breaches of DV orders have increased considerably for Indigenous people, and these breaches are more likely to be aggravated than for non-Indigenous people, which increased the likelihood of a higher penalty;
- public order offences (including nuisance and trespass) have fallen for Indigenous adults and children in recent years;
- the number of finalised sentence orders fell for both Indigenous and non-Indigenous offenders
- Indigenous offenders are more likely to receive an imprisonment/custody order than non-Indigenous offenders although they are less likely to be charged with serious and violent offences;
- over the last eight years, DV applications in civil courts have risen considerably for non-Indigenous people while they have fallen for Indigenous people

⁷² The other category, Informal Care relationships, accounts for less than 1%.

- DFV applications for Indigenous people comprise a higher proportion of Family Relationship situations (rather than Intimate Personal relationships) compared to non-Indigenous people.

3.3 CJG Program design and delivery

The Program design is underpinned by the inputs set out in Table 1. These were comprehensively described in Part 3 of the [Phase 1 Evaluation Report](#).

Table 1. Summary of CJG Program inputs

Program input	Summary description
Funding to CJGs	<ul style="list-style-type: none"> • DJAG provides full funding to 41 CJGs around Queensland and partial funding to 11 CJGs on outer Torres Strait Islands • Total funding pool was \$14.9 million in 2022-23 • Each CJG receives a baseline amount of between \$280,000 and \$340,000 per year, covering core funding and any 'community-specific activity' • 18 CJGs in discrete communities can receive an additional \$150,000 per year for a DFV Enhancement service • Some CJGs receive extra funding for specialist courts or projects
Indigenous Justice Officers	<ul style="list-style-type: none"> • DJAG employs 10 Indigenous Justice Officers and 2 managers within IJP, based mostly in Cairns and Brisbane with 1 in Mt Isa, 1 in Townsville and 1 in Thursday Island • IJOs are responsible for managing the contracts with CJGs, including reporting requirements, but also play a much broader role in capacity-building and support for CJGs
Training and development for CJGs	<ul style="list-style-type: none"> • DJAG provides training and capacity development for all CJG staff and members in relation to their work in courts, plus some limited training in governance and administration • CJGs have funding within their current budgets to access other training and development opportunities.
Other government agencies' support and partnerships	<ul style="list-style-type: none"> • In minor ways, other government agencies may provide in-kind support (e.g. travel or equipment), capacity-building (e.g. training) or advocacy to CJGs, especially in relation to activities where they partner with CJGs
NGOs' support and partnerships	<ul style="list-style-type: none"> • Indigenous and non-Indigenous NGOs may also support CJGs in various ways, including training and resources • NGOs that auspice CJG funding agreements often play a significant support role
Volunteering by community members	<ul style="list-style-type: none"> • The knowledge, skills and effort of Elders and Respected Persons who become members of CJGs are a crucial Program input • Although funding is now available to remunerate CJG members, voluntary efforts remain substantial. CJGs decide what costs they put aside for volunteer remuneration and how they distribute the volunteer remuneration (gift cards, direct payment). This is not limited by the funding and it is the CJG's decision.
Knowledge of what works	<ul style="list-style-type: none"> • Knowledge about best practice strategies for addressing justice issues is an input for CJGs in planning and delivering activities and for DJAG in considering funding applications and how to support CJGs • Current inputs include information shared across the CJG network and face to face forums hosted by DJAG to support CJGs to share good practice
Legislative framework	<ul style="list-style-type: none"> • CJGs are recognised in State bail and sentencing laws as a source of information to courts in their decision-making

- | | |
|--|--|
| | <ul style="list-style-type: none"> • In discrete Indigenous communities, CJGs are established under legislation <i>Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984</i> and have some specific powers around alcohol management |
|--|--|

The fulcrum of the Program’s operation is the Service Agreements negotiated between DJAG and each CJG organisation. An important change in the program was the shift in 2019-20 from annual agreements to triennial agreements, providing greater certainty of funding to CJGs. In 2023-24, the Program has entered its second tranche of triennial agreements. The agreements are tailored to the aspirations, needs and circumstances of each CJG. All agreements contain deliverables around court support, which differ by location. They might involve support for people in mainstream Magistrates Courts, Murri Courts, DV courts (civil), Specialist DFV Courts, Youth Courts, or some combination of these. These reflect local differences, such as the type of courts sitting in a location and the number of days that the court sits each week or month. In DFVE sites, separate deliverables are stipulated for the \$150,000 DFVE funding. The agreements also have a section for Community Specific Activities, which reflect local priorities and circumstances. These activities may be in any domain, including prevention, early intervention, reintegration or community support.

Service Agreements may be with a separately incorporated CJG organisation, or with an auspicing body that manages the grant for the CJG. Auspicing bodies range from Indigenous health services, Indigenous local government councils, Indigenous NGOs and non-Indigenous NGOs. [Part 4.3.2](#) describes these models further.

CJGs are established at the instigation of Indigenous communities, who may then apply for funding from DJAG through the CJG Program. Many CJGs have been in operation for more than 25 years, since a CJG Program was first established in the 1990s, although the funded organisation may have changed during this time. Some CJGs are more recently established. For example, the Pine Rivers CJG was established in recent years and successfully applied for CJG funding in 2022. In a few locations, previously funded CJG organisations folded. Usually, another organisation has then taken on the CJG grant, but in rare cases the CJG has discontinued in a community (for example, Innisfail and Charters Towers).

As CJGs are conceived as agents for a community-driven response to local justice issues, there is an expectation that the membership of a CJG will be generally representative of, and have cultural legitimacy from, the Indigenous community that it serves. The various models for CJGs, including the differences regarding the “statutory CJGs” in remote communities, are discussed in [Part 4.3](#).

3.4 Review of implementation of the CJG Program

The review of the implementation of the CJG Program in Phases 1 and 2 was focused on the significant changes to the Program since substantial additional funding was made available to CJGs from 2019-20. This injection of funds led to a process of consultation with CJGs to develop a blueprint for the expanded program model, culminating in DJAG releasing a high-level policy framework for the Program in 2020, entitled the *Framework for Stronger Community Justice Groups*. The Framework noted that while CJGs’ core funded activities have focused on court support, they “also play a much broader and holistic role in their communities and deliver a broad range of valuable services.” The additional funding was seen as an opportunity to ensure CJGs: are funded in a way that is viable, can continue to deliver core court-related activities, and are recognised for the work they do outside of the courts which is a part of the broader criminal justice system response.

The Phases 1 and 2 evaluation reports contained a comprehensive assessment of the implementation of the CJG Program, involving a review of the level of Program inputs and the scope and quality of the outputs being delivered with these inputs. The evaluation’s objective was to identify whether the inputs are adequate and appropriate to enable CJGs to deliver the outputs that are intended to make a difference for Indigenous communities.

The evaluation found that CJGs differ greatly in their level of organisational maturity in areas such as governance, financial management, human resource management, data collection and staff training and development. The Local Evaluations showed that well-run and empowerment-focused auspicing organisations can assist CJGs greatly in this regard, although some independently incorporated CJGs also demonstrate strong capability, so there is no single model that is best in all situations. Areas where many CJGs are struggling include governance (especially meetings, planning and decision-making), recruiting and retaining staff with appropriate skillsets (which have changed with the growth of many CJG operations), and promoting awareness of CJG services.

The evaluation found that the additional funding was enabling CJGs to expand their activities and develop their organisational capability through additional positions. However, in the short-term, the net effect of the changes has been a period of ‘growing pains’, characterised by difficulties adjusting to the complexity and management challenges of a larger workforce, budget and scope of activity. Some CJGs have not yet adjusted to fully expending their budgets, leading to surpluses. While the Department has provided additional training and hands-on assistance through Indigenous Justice Officers (IJO), stakeholders generally perceived the need for a more comprehensive program of capacity development for CJGs.

The evaluation suggested both enhancing the Department’s direct support for CJGs, as well as funding a comprehensive, broader CJG Capacity Development Program. Regarding the Department, the evaluation saw value in expanding the IJO network to ensure positions are closer to the location of CJGs, reducing the number of CJGs supported by each IJO, and reclassifying the positions to reflect the diverse skill set required beyond simple compliance and grant management.

Recommendation 4. That DJAG consider:

- (a) establishing IJO positions in regional centres closer to CJGs being serviced, and accordingly, consider an increase in the total number of IJO positions;**
- (b) reviewing the classification of IJO positions to ensure it adequately reflects the complexity and skill requirements of the role; and**
- (c) reviewing whether the current division of responsibilities, level of specialisation and classification level of IJP teams, team leaders and unit manager positions adequately meets the needs of the CJG Program’s expanded scope and complexity.**

Regarding the broader Capacity Development Program, the evaluation highlighted priority training needs including DFV, governance, mediation and mental health, plus capability gaps around performance reporting, financial reporting and business systems and management. Consideration of a new peak body for CJGs, a secretariat or resource body, or a dedicated training funding pool, was recommended in consultation with CJGs.

The implementation review further suggested a need to support CJGs with membership succession and recruitment strategies (especially to engage more men and younger members), support for CJGs to share knowledge of what works, and providing more data to CJGs to help their planning and delivery of local justice responses.

During the course of the three-year evaluation, the Department has been able to respond to some of the implementation issues raised earlier in Phases 1 and 2 of the evaluation. Actions since 2021 that help to address the evaluation recommendations include:

- Convening 3-day face-to-face annual development programs with CJGs in Cairns and Brisbane in September 2022 and October 2023, to enable information-sharing between CJGs, to consult CJGs about important Program delivery issues, and to provide training on priority issues;

- Administering a training needs survey for CJGs in late 2021, leading to an enhanced training plan for 2022 and 2023. Training has been delivered in some priority areas identified by CJGs, including trauma-informed practice, peacemaking/mediation and Justice of the Peace training;
- Appointing an additional principal training and projects officer in Cairns to assist with training CJGs for participation in Specialist DFV Courts;
- Updating the IJP Manual in 2022 to provide uniform guidance to IJOs about how to support CJGs;
- Convening a session with CJGs at the 2023 workshops to discuss the options for forming a CJG peak body;
- Developing, and commissioning in late 2023, a new Grants Management System, which will benefit CJGs through streamlined reporting requirements;
- Updating the Magistrates Handbook in 2022 to incorporate further information about working with CJGs;
- Developing an Elders and Respected Persons Manual in 2022.

3.5 Summary of the CJGs at Local Evaluation sites

This Part provides a short summary of each of the CJGs with whom the Myuma team conducted a Local Evaluation. The Local Evaluations are discussed in the order in which they were conducted over the three years of the evaluation.

3.5.1 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 completed in September 2021 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.

3.5.2 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 in October 2021 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.

3.5.3 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 completed in September 2021 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.

3.5.4 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 completed in August 2021 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.⁷³

3.5.5 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 in August 2021, 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

⁷³ 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%.

protocols with other services and recruiting more Elders to the CJG, especially men and representatives from a broader range of local Indigenous families.

3.5.6 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.

The Local Evaluation was completed in May 2022. 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.

3.5.7 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.⁷⁴ 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.

The Local Evaluation completed in mid-2022 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.

3.5.8 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

⁷⁴ Kuranda and Mareeba at the northern end of the Tablelands are serviced by the Kuranda CJG.

assistance to people returning from custody. The Murri Court Elders are auspiced by North West Queensland Indigenous Catholic Social Services.

The Local Evaluation completed in March 2022 heard that 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.

3.5.9 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 Local Evaluation was completed in October 2022. 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.

3.5.10 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 Local Evaluation was completed in May 2022. 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.

3.5.11 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 Local Evaluation in mid-2022 found that the hub initiative was 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.

3.5.12 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.

The Local Evaluation was conducted in mid-2022. 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.

3.5.13 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 in June 2022 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.

3.5.14 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 7,600.⁷⁵ 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.

The Local Evaluation in 2022 heard 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.

3.5.15 Wujal Wujal Justice Group

Wujal Wujal is an Aboriginal community with a population of about 280 people (about 93% Aboriginal and/or Torres Strait Islander people). 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 Group also manages funding for other justice-related services from philanthropic and Commonwealth Government sources.

The Local Evaluation with the CJG from 2021 to 2023 found that the CJG plays an integral role in the life of the community. Accessing multiple funding sources has enabled the CJG to deliver a holistic suite of programs and activities covering primary prevention, early intervention and support to people attending court or completing court orders. The CJG Elders are well respected and often sought out by the community for assistance in dealing with conflict. The CJG delivers its services through an effective blend of qualified counsellors, external NGO partners and local Aboriginal employees with cultural and community skills and expertise. An important part of the CJG response to justice issues are the men's and women's groups and their weekly schedule of on-country activities. Staff and participants attested to the positive impacts of on-country and group activities, especially in terms of healing and strengthening social inclusion.

3.5.16 Northern Peninsula Area (NPA Community Justice Group)

The Northern Peninsula Area (NPA) comprises five Indigenous communities at the tip of Cape York – Injinoo, Umagico, Bamaga, New Mapoon, and Seisia. These communities are home to approximately 2,300 Aboriginal and Torres Strait Islander people. The NPA Community Justice Group is independently incorporated and is based at the justice centre in Bamaga, providing support to all five NPA communities. The CJG is comprised of Elders and Respected Persons representing each of the communities. The CJG is funded to provide support

⁷⁵ Redland Shire and Wynnum-Manly areas.

to people appearing in the Bamaga Magistrates Court. It employs a DFV Court and Family Support Officer under the DFVE funding.

The Local Evaluation in November 2022 found the CJG to be in a phase of rebuilding its operational capability, following a high turnover of CJG staff in the preceding years. Vacancies in staff had affected the delivery of programs in the community, but the board was developing plans to re commence these activities. Other organisational priorities were building governance and community awareness about the CJG's role. The CJG Elders have been actively providing advice and input into the court sittings for many years. The CJG instigated and has been a key delivery partner in the innovative NPA Licensing Muster, which aims to address the high rate of traffic offences in the NPA by helping residents with identification and driver licensing and training. The community survey indicated that most people felt that the CJG is well-respected in the community, and those people who had been supported to go to court were generally positive about the support provided by the CJG. The CJG is keen to provide more support for men transitioning back from custody and to deliver more men's programs, with a focus on employment and spending time on country.

3.5.17 Cloncurry Justice Association

Cloncurry is a North West Queensland town with a population of about 3,600 people, including about 870 Aboriginal and Torres Strait Islander people. The CJG is independently incorporated as the Cloncurry Justice Association. The CJG is funded to provide support to people appearing in the Cloncurry Magistrates Court, as well delivering a range of prevention and intervention programs including a night patrol, men's and women's groups focused on DFV and parenting skills, and mentoring programs for clients with drug and alcohol issues.

The Local Evaluation in December 2022 found that the CJG is well regarded in the community for the range of supports it provides around justice issues. In a survey of 30 community members, 78% had been assisted (or had a friend or relative who had been assisted) by the CJG to go to court, and 92% were happy with this assistance. A total of 70% said the CJG was helping to keep Aboriginal and Torres Strait Islander people out of the criminal justice system. Stakeholders interviewed about the CJG were very positive about the support the CJG provides in court but also out in the community through its night patrol, men's and women's group activities and prevention programs such as the First 5 Forever program for young parents and their children. The CJG has positive partnerships with community organisations, although struggles with the lack of services available for clients in Cloncurry. Another challenge for the CJG is the relentless daily demand from community members for miscellaneous assistance with paperwork and practical day to day needs. The CJG's main concerns are the level of DFV in the community and the negative impact of the justice system's response on Indigenous families. DFV leads to high levels of court attendance and imprisonment, but the CJG's view is that this response does not address the underlying causes. The CJG is pursuing its own prevention and early intervention response in the form of a new men's shed/healing centre, to deliver accommodation and support and services to men who are at risk of perpetrating DFV. The CJG believes its night patrol has, in partnership with other agencies, contributed to reducing DFV and youth crime in the community.

3.5.18 Townsville First Nations Court Support

Townsville is a major regional centre of about 180,000 people, including about 15,700 Aboriginal and Torres Strait Islander people. The organisation funded under the CJG Program at Townsville re-branded in 2023 from "Townsville Community Justice Group" to "First Nations Court Support". This reflects that the organisation is funded primarily to provide support to Indigenous people in the Townsville Murri Court, Youth Court, and Specialist DFV Court.

The Local Evaluation in early 2023 found that the CJG organisation has experienced rapid growth in recent years, which has led to engagement of additional staff and Elders and delivery of an expanded range of court-related support services. The CJG organisation has also been partnering with police to deliver an intervention to formally caution young people using Elders, Respected Persons and youth role models. Key challenges for the CJG, confirmed by a community survey, include the lack of understanding in the Indigenous community

about what the CJG is funded for, and the community expectations that the CJG will deliver more activities in the community outside the court space. Limited resources and the high court numbers have hindered the CJG from running a regular women's group and undertaking more intensive case management assistance for court clients to engage with services. The evaluation heard positive stories of the impact of the work of Elders in the courts and assistance provided to men following release from custody.

3.5.19 Ipswich Community Justice Group

Ipswich is an urban centre with a population of about 5,500 Aboriginal and Torres Strait Islander people. The Ipswich CJG operates under the auspicing organisation, Five Bridges. The CJG is active in the community and has strong ties to the local Elders and families in their region. The CJG provides support to a Murri Court that has had the highest caseload in the State.

A Local Evaluation was conducted with the Ipswich CJG in mid-2023. Stakeholder organisations who work with the CJG were positive about the impacts of the Murri Court process and the contributions of the Elders. A challenge for the CJG has been to service the large number of participants referred to the Murri Court. The CJG has expressed a desire to see more staff upskilling to help address the flexibility needed to respond to their workload. However, the strength of the CJG's relationship building allows it to access a range of support options for clients' journeys, including referrals to Aboriginal and Torres Strait Islander health services and NDIS support. A key focus is on health and housing support plans for clients.

3.5.20 Richlands (South West Aboriginal and Torres Strait Islander Community Justice Group)

The CJG at Richlands in south-west Brisbane is auspiced by the Inala Wangarra community organisation. The CJG convenes a Murri Court at Richlands Magistrates Court. There are about 7,900 Aboriginal and Torres Strait Islander people living in the region from Inala to Redbank.

The Local Evaluation in mid-2023 found the CJG undergoing a restructuring of staff; however, a stable group of Elders and strong organisational relationships with external parties and service providers has enabled continuity in facilitating client journeys in the community. Currently, they have plans to expand their office space to accommodate the needs of the local youth and create a 'third space' in community for younger audiences. Other priorities include recruiting more Elders, generating community awareness about the CJG's role in community and increasing training for staff. A highlight for this region is the CJG's strong relationship with stakeholder agency Synapse, a national brain injury organization who supply information on mental injury, provide referral services, NDIS support coordination, advocacy, assessments, training, and other support services. Working together with Synapse, the Richlands CJG has been able to advocate for the adoption of the Guddi Way Screen as a way to provide individual assessments for Murri Court clients to inform more appropriate court dealings with the defendant during the bail and sentencing processes.

3.5.21 St George Community Justice Group

St George is a rural community of about 2,500 people, including about 650 Aboriginal and Torres Strait Islander people. The CJG provides court support in both the mainstream Magistrates Court and the Murri Court, as well as delivering men's and women's group and cultural programs.

A Local Evaluation was conducted at St George in mid-2023. In a survey of the local Indigenous population, people who knew of the CJG were generally very positive about its work, and most had received assistance in going to court or with paperwork or other issues. Stakeholders emphasised the respect, influence and positive impact of the CJG Elders and the coordinator working with people who attend court. The Community Justice Group is recognised for the impact of its client advocacy and the crucial role it plays in directing individuals towards essential services and providing them with the necessary support to actively participate, particularly in cases where individuals may not initially seek out these services themselves. The CJG is seen as tailoring support to the unique needs of each individual. It has built partnerships that enable other service providers to assist CJG clients at the CJG office. Challenges for the CJG include lack of awareness of its role

amongst both community members and other stakeholders, possibly as a result of previously high turnover in CJG staff.

3.5.22 Toowoomba Community Justice Group

Toowoomba is a major regional centre with a population of about 162,000, including about 7,700 Indigenous people. The Toowoomba CJG is auspiced by local NGO, Catholic Care Social Services. The CJG is funded to support a monthly Murri Court, conduct a weekly 'Deadly Sistas' women's group and deliver the Whaddup youth cultural program.

The Local Evaluation in mid-2023 found that government and NGO stakeholders were very positive about the impact of the CJG's work in court and its programs and partnerships to support people involved in the criminal justice system. The CJG has built an excellent network of services to provide wraparound support to participants in the Murri Court, including health checks, Drug and Alcohol support, counselling, men's and women's groups and DFV support. A key to the CJG's success is its ability to help people to navigate the service system to get the help they need. A strength of the CJG is that the membership includes Elders and Respected Persons who have significant experience in the community services sector. Consequently, the Murri Court is credited with having significant impacts in helping people to address the underlying causes of their offending through accessing culturally safe programs. The CJG also plays a role educating non-Indigenous service providers about cultural competence. Priorities for the CJG include becoming independently incorporated and extending court support to youth.

3.5.23 Aurukun Community Justice Group

Aurukun is a discrete Indigenous community of about 1,100 residents. The independently incorporated Aurukun CJG is funded to provide support to people in the Magistrates Court and to deliver the restorative justice / mediation program known as Thaa' Pant Services.

The Aurukun CJG has a proud history spanning more than two decades. The Local Evaluation was conducted in June 2023. A challenge for the CJG in recent years is the loss of important Elders and a decline in participation by Aurukun families in the group. The CJG is reliant on a small number of active members, especially the widely admired chairperson. The survey revealed there is strong awareness about the CJG in the community, and a generally high level of respect for the Group. Clients expressed a high level of satisfaction with the support they receive from the CJG when attending court, and many community members access help at the CJG office with paperwork and other forms of assistance. The CJG members are actively involved in the successful mediation project in the community and provide extensive cultural advice to agencies that visit Aurukun. A priority for the CJG is to break the cycle of high recidivism for people returning from custody, by boosting post-release support and exploring on-country diversion options.

3.5.24 Cairns (Amaroo Aboriginal and Torres Strait Islander Elders Justice Group)

The Amaroo Elders Justice Group provides support to a Murri Court in Cairns, a large regional centre with a population of about 14,800 Aboriginal and Torres Strait Islander people. The Amaroo organisation was funded to convene the CJG in 2013. In addition to funding for the CJG, the Amaroo Elders are funded by Queensland Corrective Services to visit Lotus Glen prison. In 2023, the CJG started providing support to people attending DFV court.

A local evaluation was conducted with the CJG in mid-2023. The CJG has well established relationships with a local counselling service to assist people who participate in Murri Court. Elders are actively involved in mentoring and supporting Murri Court participants. Stakeholders commented on the strong level of pastoral care provided by the CJG for Murri Court participants, and the practical assistance people are provided with transport, food vouchers and other issues. The CJG provides a culturally safe space for clients. A key area identified by stakeholders for improving the CJG's service delivery was strengthening partnerships with other referral agencies in Cairns, to offer clients a wider suite of interventions to address issues related to their

offending. The CJG is also working to develop pathways to support Indigenous people leaving prison, to improve reintegration into the community and reduce recidivism.

3.5.25 Yarrabah Community Justice Group

Yarrabah is a large discrete Aboriginal and Torres Strait Islander community of about 2,400 residents. The Yarrabah CJG works under an auspice organisation (Gindaja), and is funded to support people through the Magistrates Court.

The Yarrabah CJG Local Evaluation began in 2022 and commenced in 2023. The CJG has built strategic stakeholder relationships within their community, aimed at holistically addressing the link between quality-of-life opportunities and recidivism. By having established connections within health and education, the CJG is able to practise a whole-of-community approach to addressing justice issues persisting within Yarrabah. Upcoming operational goals for the CJG include more support for DFV initiatives, upskilling staff in governance and mental health training, exploring prison alternatives, and challenging the approachability levels of language used in court for the benefit of Indigenous and ESL clients, as well as examining how to empower the local community so that offenders are de-incentivised to see custodial institutions as a “safe space”

4 WHAT COMMUNITY JUSTICE GROUPS DELIVER

Key Findings

- While there is significant variation in CJG activities from place to place, CJGs are involved in a very wide array of activities and services, both within the formal justice system and at the grassroots level in their communities. This breadth of activity is both a strength and a challenge – it enables them to provide wraparound support to clients and positively influence many aspects of the service system, but it also creates sustainability risks. Enhanced funding is intended to manage these sustainability issues and there is evidence that in recent years CJGs have been able to expand services and better manage some previously unfunded activities. CJGs are in a challenging phase of adjustment and there are high expectations from the community and other stakeholders. Additional capacity-building support for CJGs will assist to address these sustainability issues in the long term.
- In Phases 1 and 2, the evaluation built a detailed picture of the range of activities and services (outputs) delivered by CJGs, drawing on the Local Evaluations (including activity mapping) with 25 CJGs plus extensive surveys, interviews and reports. The evaluation has mapped all the activities delivered by CJGs, not just ones that are recognised deliverables in Service Agreements with DJAG under the CJG Program. Some CJGs receive funding from other sources for activities, and some activities are delivered outside standard work hours.
- Activity mapping looked at both internal-facing organisational business (e.g., program administration and finances, training, capacity building, governance and CJG meetings) and external-facing activities and services.
- While each CJG differs according to its Service Agreement and local circumstances, the evaluation identified seven key activity domains for CJGs' external-facing outputs:
 - The first five domains relate to outputs across the criminal justice spectrum, ranging from prevention to helping people transition back to community after custody. For most CJGs, the main output is providing support within the court process.
 - The other two domains relate to an under-recognised level of services CJGs provide in two areas beyond the criminal justice spectrum: providing everyday support and advocacy for community members to access services and life opportunities (e.g., assisting with paperwork, and advocating community interests); and assisting agencies and service providers to deliver their services to Indigenous communities (e.g. helping them find and talk to clients, and building their workers' cultural capability). An important finding is that, on average, these two activity domains may account for almost a quarter (23%) of CJGs' staff time.
- There are variations in the models for CJGs across the State, which affect the array of outputs that each CJG delivers. For example, CJGs in discrete communities have statutory functions, there are differences between incorporated and auspiced CJGs, and the type of support to courts depends on whether there is a Murri Court or specialist court at the CJG's location. In remote communities, membership of CJGs may be more based on traditional structures whereas in urban or regional locations, membership might comprise Elders or respected persons with historical affiliations with the community or with skills and experience from working in community organisations. In practice, these differences mean that CJGs can play very different roles in their communities. In a remote community, a CJG may be seen as an Elders' 'council' with custodianship of traditional lore, while an urban CJG might be considered more as a court support service provider that engages local Elders and respected persons to contribute to service delivery.
- The outputs of different CJGs are affected by factors such as the operation of local courts (e.g., whether court sits daily, weekly or monthly), the number of people appearing in local courts, the range of other local services, local challenges for service delivery (e.g., availability of skilled staff or facilities and costs of remoteness), and the availability of local Elders and respected persons.
- Due to all these factors, the evaluation found significant variability across different locations in the scope of CJG outputs and the consistency of delivery and service quality. Many CJGs are adjusting to additional funding, staff and services. Capacity-building support is a key priority identified by the evaluation to ensure more consistent scope and quality of CJG outputs.

4.1 Introduction

Before evaluating the outcomes being achieved by CJGs in the following Parts of the report, it is important to review the context regarding the activities and outputs CJGs are delivering in their communities. To illustrate the importance of understanding the level of CJGs' output (and the contextual factors affecting output) before assessing CJGs' outcomes, consider the work of CJGs in supporting prisoners in custody. The evaluation found that many CJGs have in recent years found it difficult to regularly visit custodial centres, as a result of COVID-19, budget restrictions and the demands of other work. This context about output needs to be considered in assessing the outcomes achieved by CJGs in their support for people in custody.

The objectives of Part 4, therefore, are to:

- briefly re-cap the evidence from Phases 1 and 2 about the scope and quality of outputs being delivered by CJGs, and consider additional evidence about outputs collected in Phase 3 (Part 4.2);
- consider the contextual factors that influence CJGs' delivery of activities and services (Parts 4.3 and 4.4).

4.2 The range of activities and outputs of Community Justice Groups

Phases 1 and 2 of the Evaluation included a detailed analysis of the scope and quality of outputs delivered by CJGs across Queensland. This report will not repeat the detailed description of CJG outputs in the [Phase 2 Evaluation Report](#).⁷⁶ However, this section provides a brief re-cap of this work and updates from the Phase 3 data collection.

4.2.1 Activities of CJGs within and outside the criminal justice system

In the Local Evaluations conducted with 25 CJGs, the evaluation team documented the extensive range of activities that CJGs are involved in. Activity mapping with CJG staff and members in 12 locations formed a picture of how CJGs spend their time in practice, split across internal organisational activities and external-facing activities within the justice system and in other domains. For the external-facing activity domains, the analysis uses the five domains across the justice system spectrum that are identified in the refocused model for CJGs set out in the Queensland Government's *Framework for Stronger Community Justice Groups*. This model reflects the holistic role that CJGs play in the community and across the whole justice spectrum. It recognises that the role 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).

In the evaluation's activity mapping, added to the five domains within the 'justice spectrum' are two domains of CJG activity that are not directly linked to the criminal justice system⁷⁷:

- *Support and advocacy for community members who are not involved in the criminal justice system to access services and life opportunities.* While CJGs often provide this support to clients who are in court, or provide preventative services to address risk factors for offending (e.g. help with drivers licensing), this activity domain captures the day to day CJG work that is driven by requests for help from community members 'coming in off the street'. It also captures the wider advocacy role of CJGs in the service system.
- *Assistance to government agencies and service providers.* This activity domain captures the various forms of support that CJGs provide to a range of service providers unrelated to the criminal justice

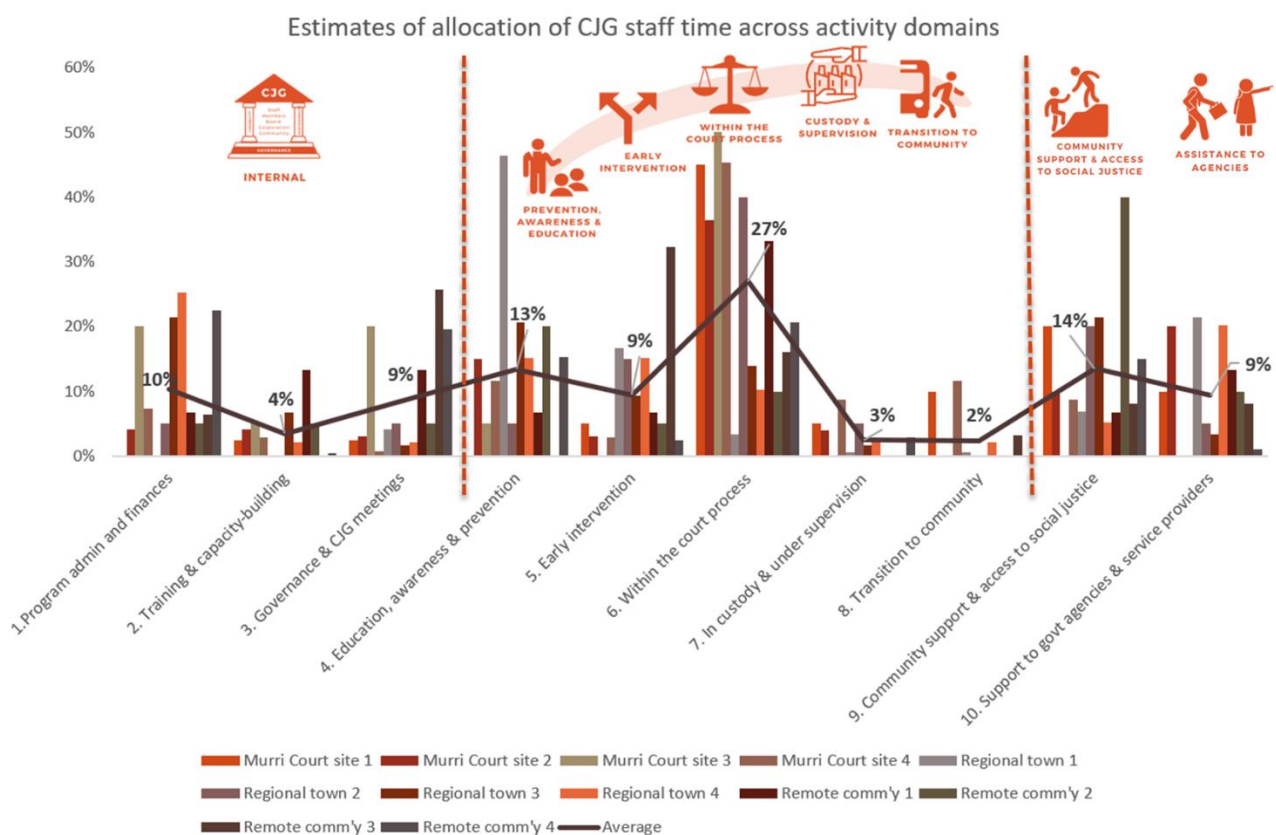
⁷⁶ See Parts 4 to 12, which discuss each output domain in detail.

⁷⁷ See Table 4 in Part 4.2 of the [Phase 2 Evaluation Report](#) for a description of the domain areas.

system, which includes logistical support, community engagement assistance, and cultural capacity-building for agency staff.

The chart in Figure 3 illustrates the results of the activity mapping exercise. It shows that work within the court process is at the heart of the CJG service model in most locations, but CJGs also spend considerable time on prevention and early intervention activities, as well as the two activity domains described above that are not directly related to the criminal justice system. It should be noted that the activity mapping asked CJG staff to map all the activities they spend their time on, which may include activities funded by agencies separately to the DJAG CJG Program's Service Agreement, or activities that CJG staff deliver outside of standard hours.⁷⁸ Hence, the picture formed is the scope of CJG activities, and not the scope of activities funded by the CJG Program.

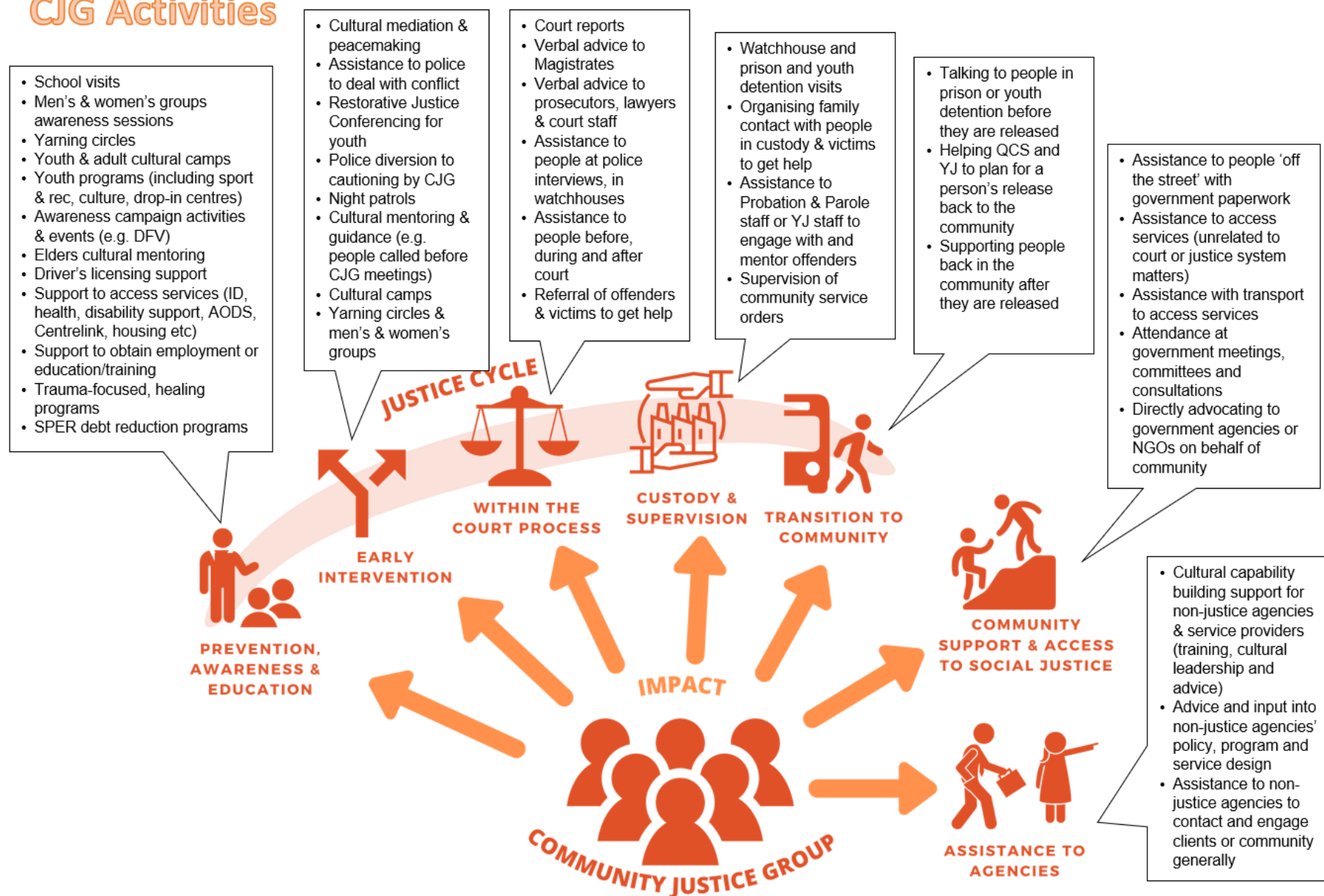
Figure 3. Activity mapping for CJG staff at 12 locations, 2021 and 2022



⁷⁸ It should also be noted that Figure 3 shows only the breakdown of time spent by paid staff of CJGs, and not the work by Elders and respected persons. Mapping of CJG members' time was only possible in four locations (see Figure 8 of the [Phase 2 Evaluation Report](#)). While the results were on average similar to the activity mapping for CJG staff, there was wide variation, and the sample is too small to draw conclusions across the whole program.

Figure 4. Activities of CJGs

CJG Activities



The [Phase 2 Evaluation Report](#) drew on a wide range of sources of administrative data, surveys and qualitative interviews⁷⁹ to provide a detailed description of the activities delivered by CJGs across the domains in the activity mapping chart in Figure 3. This confirmed the findings of earlier evaluations of CJGs that have noted the significant diversity of activities that CJGs deliver in practice.⁸⁰ Figure 4 provides a snapshot of the types of activities that CJGs are delivering across the seven external-facing activity domains.

The precise mix of activities differs for each CJG and is negotiated in service agreements, but CJGs consistently raised the concern that the Program Guidelines and their service agreements did not reflect what they do in practice. The current Program Guidelines and service agreement template reflects a narrower conception of the CJG Program that pre-dates the funding enhancements and the refocusing of the Program under the Framework for Stronger CJGs (2020). This creates uncertainty and concerns for CJGs and stakeholders about the legitimate scope of CJG activities, and does not reflect the Department's actual practice of negotiating service agreements that are flexible, place-based, and seek to accommodate CJGs' choices and priorities to tackle local justice issues.

Recommendation 3. That DJAG revise and update the current CJG Program Guidelines and template service agreement to better reflect the seven potential output areas for a CJG identified in the evaluation, comprising:

(a) the five output areas in the refocused CJG model under the Framework for Stronger CJGs (primary prevention, early intervention, court support, support in custody and under supervision, and support on transition to community following custody); and

(b) acknowledgment of the additional output areas relating to community support and advocacy, and assistance to government agencies and service providers.

For each of the seven activity domains identified for CJGs, the following sections summarise the Phases 1 and 2 findings about CJG outputs, and includes additional information from the data collection for Phase 3.

⁷⁹ These sources included: CJGs' activity reporting to the funding body, DJAG, collated from quarterly performance reports, which provide quantitative counts of CJG work in the courts plus some qualitative description of CJG activities (e.g. 'Good News Stories'); internal reports by DJAG staff about the activities of CJGs; service mapping conducted by DJAG; interviews with CJG staff, members and stakeholders in 16 Local Evaluation sites, which explored the range of activities CJGs are involved in; statewide surveys with stakeholders, which asked stakeholders from government and non-government organisations and judicial officers about their perceptions of CJG service delivery; Surveys with Indigenous communities served by CJGs, which asked about community members' experiences of CJG services and activities.

⁸⁰ KPMG, 2010. *Evaluation of Community Justice Groups: Final Report*, Part 4.1.4.

4.2.1 Summary of findings about CJGs' outputs



Description: Internal, organisational business of CJGs, such as administration, financial management, governance, meetings of the CJG and training and other capacity-building activities.

Findings Summary:⁸¹

- Accounts for an average of 23% of CJG staff time, based on the activity mapping with 12 CJGs, involving 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.
- Many government and non-government stakeholders surveyed in 2022 perceived positive changes in CJGs in the past year, especially in their confidence and capacity, their activities in the community and their engagement. In local surveys, almost half (48%) the community members rated their CJG as *well organised* (48%), just over a quarter (27%) rated their CJG as *average*, while 13% said their CJG was *poorly run*.
- 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. 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.
- 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.
- Notwithstanding DJAG's substantial and ongoing efforts to assist CJGs, there is a very high level of unmet need for training (e.g. in governance, administration, and service delivery issues) and other forms of capacity-building support (e.g. development of policies/procedures/systems, and coaching and mentoring of staff). Phase 1 recommended a program-wide CJG Capacity Development Program to provide dedicated separate resourcing and a structured, targeted process to support CJG development. Consideration of funding a peak body or resource agency for CJGs was also recommended. A number of leaders from CJGs are currently progressing the concept of a peak body, and advocating across the CJG network and to the Queensland Government.

⁸¹ See Part 5 of the [Phase 2 Evaluation Report](#) for the detailed evidence upon which this summary is based.



Description: Activities targeted at community members who are not currently in the criminal justice system, with the intention of providing alternative pathways and educating them and raising awareness about issues in order to prevent them coming into contact with the justice system. Such activities are often referred to as 'primary prevention'.

Findings Summary:⁸²

- Accounts for an average of 13% of CJG staff time, based on the activity mapping with 11 CJGs, with a range of 0% (at a Murri Court site and in a remote community) to 46% (in a regional town).
- In recent years, many CJGs have used their enhanced core funding and 'Community Specific Activities' funding allocations to develop their existing crime prevention programs or initiate new prevention programs (e.g. cultural events, awareness-raising events, Elders' visits to schools, cultural camps, pro-social youth activities).
- The Local Evaluations found that many CJGs aspire to do more in this space, especially drop-in centres to prevent young people entering the justice system and 'healing centres' and on-country programs. The 2022 stakeholder survey indicated that external stakeholders also see these types of activities as the highest priority for CJGs in the prevention space.
- DFV Enhancement projects run by some CJGs include awareness-raising and education around DFV. Some men's and women's groups established by CJGs with DFVE funding have a primary prevention focus, supporting participants who are not in the court system.
- There are opportunities for CJGs to develop more primary prevention responses through their DFV Enhancement projects. There is a strong basis in research literature for increased focus on this.



Description: 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. Often referred to as 'secondary prevention.'

Findings Summary:⁸³

- Accounts for an average of 9% of CJG staff time, with a range of 0% at a Murri Court site to 32% in a remote community.
- The most frequent 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 persuaded 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, such as quick response to DFV callouts or diversion to cultural mediation to avoid risk of DFV escalation. CJG staff at several of the Local Evaluation sites across the three years raised the concept of a men's shelter as a much needed facility where men at risk of DFV (as either possible

⁸² See Part 6 of the [Phase 2 Evaluation Report](#) for the detailed evidence upon which this summary is based.

⁸³ See Part 7 of the [Phase 2 Evaluation Report](#) for the detailed evidence upon which this summary is based.

perpetrators or victims) could be diverted to cool off and access support.⁸⁴ This would also provide a supported bail alternative to remand or a bail condition that requires leaving the community. The CJGs at Coen and Cloncurry are in the process of establishing such centres. Cherbourg CJG's Muran Djan Centre was funded under the DFVE Program to fulfil a similar purpose.

- Stakeholder and CJG surveys in Phase 2 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 place high value on early intervention activities as a way of reducing the number of people coming into the justice system. However, it was common for CJG staff interviewed for the Local Evaluations to express frustration at 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. Some CJGs said they are exploring how to expand early intervention services, including through funding from other sources.



WITHIN THE
COURT PROCESS

Description: 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 (Specialist DFV Courts, Youth Court), or higher courts.

Findings Summary:⁸⁵

- Accounts for an average of 27% of CJG staff time, with a range of 3% in a regional town to 50% at a Murri Court site.
- This has been the core funded output of the CJG program and makes up the bulk of CJG deliverables and reporting in their Service Agreements with DJAG.
- 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.
- In 2022-23, across the CJG Program:
 - CJGs attended *mainstream court* on 1,479 occasions, assisting 6,911 people, making 991 cultural reports and making 7,081 referrals;
 - CJGs attended *Murri Court* on 275 occasions, assisting 2,504 people, providing 1,919 Murri Court reports and making 3,072 referrals;
 - CJGs with DFVE projects (18) attended *DFV court* on 80 occasions, assisted 179 participants and made 168 referrals.
- Cultural reports made by CJGs in relation to bail or sentencing are valued by court stakeholders and Indigenous participants. Across 16 sites where community surveys were conducted, Indigenous community members expressed a high degree of satisfaction with the support they receive from CJGs when going to court.
- Murri Courts are greatly valued by almost all stakeholders who participated in the evaluation as a vehicle for working collaboratively to assist an offender to take action to address the causes of their

⁸⁴ For example, see the comment at the end of Part 7.4 of the [Phase 2 Evaluation Report](#).

⁸⁵ See Part 8 of the [Phase 2 Evaluation Report](#) for the detailed evidence upon which this summary is based.

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 discrete communities with DFV Enhancement services, CJGs explain DV orders and the court process to participants, provide advice to the courts, help parties with variations to orders and refer people to programs or support. Some CJGs have men's or women's groups or yarning circles to support DFV victims and perpetrators. 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.
- The success of CJGs' assistance to people in court is contingent on adequate support services being available for referral, and seamless referral pathways being in place. This is variable across locations. The main gaps raised by CJGs and stakeholders are DFV perpetrator programs, men's shelters, healing programs/centres, and drug and alcohol counselling and rehabilitation facilities.
- The most common referral by CJGs is to their own programs and activities (such as men's and women's groups, yarning circles, on-country activities), which is increasingly possible due to the expansion of CJG funding for their own programs and referral options for community members. In 2022-23, CJGs made 3,458 to their own CJG programs or activities, which is about a third (34%) of all referrals made by CJGs.
- 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.



**CUSTODY &
SUPERVISION**

Description: Activities to provide support to community members in custody or under supervision by either youth justice authorities or adult corrective services

Findings Summary:⁸⁶

- Accounts for an average of 3% of CJG staff time, with a range of 0% in some remote communities to 9% in a Murri Court site in a regional centre.
- 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 (to convey information to people in custody, including about sorry business), and organising assessments for parole applications.

⁸⁶ See Part 9 of the [Phase 2 Evaluation Report](#) for the detailed evidence upon which this summary is based.

- 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.



Description: Activities to provide support to community members returning from custody to reintegrate into the community and avoid re-offending

Findings Summary:⁸⁷

- Accounts for an average of 2% of CJG staff time with a range of 0% in several sites to 12% in a Murri Court site in a regional centre.
- 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. The CJG in Cairns is developing this aspect of its services.
- Several CJGs are participating in the Parole Board'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. 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. Another proposal often mentioned is on-country programs to support transitions from custody back to community.



Description: 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

Findings Summary:⁸⁸

- Accounts for an average of 14% of CJG staff time, based on the activity mapping with 11 CJGs, with a range of 0% in a Murri Court site, to 40% in a regional town.
- 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.
- 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

⁸⁷ See Part 10 of the [Phase 2 Evaluation Report](#) for the detailed evidence upon which this summary is based.

⁸⁸ See Part 11 of the [Phase 2 Evaluation Report](#) for the detailed evidence upon which this summary is based.

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.

- Surveys and feedback show that community members place a high value on the miscellaneous support that they can access at CJG offices.
- 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.



Description: 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.

Findings Summary:⁸⁹

- Accounts for an average of 9% of CJG staff time, with a range of 0% in a two Murri Court sites, to 21% in a regional town.
- 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.
- Many agencies said they would have difficulty delivering their services without the assistance of CJGs, who facilitate their community outreach and often provide important logistical support. 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. Hence, enhanced CJG funding has had ancillary benefits for the broader service system in many Indigenous communities.
- CJGs often play a very important, but sometimes unrecognised, role in local service system 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 or the broader service system. In Murri Court locations, this is occurring through the Murri Court stakeholder networks hosted by CJGs. In other

⁸⁹ See Part 12 of the [Phase 2 Evaluation Report](#) for the detailed evidence upon which this summary is based.

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 service parameters that limit other agencies, 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:
 - better negotiate and communicate the scope of the relationship and the assistance expected of CJGs (for example, through a memorandum of understanding); and
 - 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).

4.3 Variations in Community Justice Group models

In evaluating CJGs' outputs and the resulting outcomes, it is important to recognise the different CJG models across Queensland. An operating principle for the CJG Program has been that there is no standard CJG model, and the model in any location should fit local preferences and capabilities and respond to local needs and the service system context. Some of the key variations are set out in this Part.

4.3.1 Statutory basis

In 19 discrete community locations, CJGs are formally established as statutory groups by the *Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984* (the Aboriginal and Torres Strait Islander JLOM Act). This arrangement was introduced in 2002 specifically to provide CJGs with the function of making recommendations to the Minister about Alcohol Management Plans, and the authority to declare dry places within these communities. To underpin their statutory status, these CJGs must have a formal list of gazetted members to constitute the group. CJGs in rural towns, regional centres and urban locations do not have this statutory basis, although they are, like all CJGs, recognised in bail and sentencing laws as having a right to make representations during court proceedings.

The statutory basis for remote community CJGs under the JLOM Act has proven to be difficult to implement in practice, with most gazetted membership lists out of date. The Act is being reviewed by the Department, in consultation with affected CJGs.

4.3.2 Incorporated vs auspiced

CJGs may be either incorporated in their own right, or auspiced by another organisation. The [Phase 2 Evaluation Report](#) noted that there are currently 16 CJGs that are independently incorporated (40% of the total), 16 groups auspiced by an Indigenous organisation (40%), and eight groups auspiced by a non-Indigenous organisation (20%).⁹⁰ Several CJGs involved in Local Evaluations were seeking independent incorporation.

The funding of 20% of CJGs through non-Indigenous NGO auspicing bodies should be revisited. The second priority reform in the Queensland Government's Closing the Gap Implementation Plan goal to build the Aboriginal and Torres Strait Islander community-controlled sector.⁹¹ The Plan's 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." DJAG should assist CJGs to work

⁹⁰ Eleven 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 five are under the *Associations Incorporation Act 1991* (regulated by the Department of Justice and Attorney General).

⁹¹ Queensland Government, 2021. *Queensland's 2021 Closing the Gap Implementation Plan*, p.12.

towards operating under Indigenous community-controlled organisations. This could be a role for the proposed peak body to assist CJGs.

4.3.3 Courts serviced

Court support is the key deliverable defined in CJGs' service agreements with DJAG. The model for CJGs' work in courts varies considerably from place to place, depending on factors such as:

- whether the CJG is specifically funded to support a specialist court such as a Murri Court, Domestic and Family Violence Specialist Court or Youth Court, and how often the court sits;
- for CJGs that support people attending mainstream courts (e.g. Magistrates Court, Childrens Court, District Court), how often courts sit in the CJG's location (for example, Magistrates Courts sit daily in some urban locations, weekly in some regional locations and on monthly circuits in most remote locations);
- whether the CJG has a DFV Enhancement Project and is expected to support community members in the DFV court as part of its DFVE service model.

Due to these differences, the evaluation found that the amount of time CJG staff spent on court-related activities ranged from 10% in some remote Indigenous communities to 50% in busier urban court locations.⁹²

4.3.4 Membership composition

In line with their cultural leadership role, CJGs are expected to have membership that generally reflects the cultural make-up of their communities and to comprise people who are Elders or have the respect of the community. The representative structure of CJGs is formalised in the 19 communities under the Aboriginal and Torres Strait Islander JLOM Act, whose members "must, to the greatest practicable extent, include at least 1 representative of each of the main indigenous social groupings in the area".⁹³ For example, some statutory CJGs are comprised of members representing each traditional landowner group in the community, while others have representatives from a mix of families with historical association and traditional association. The members of remote community CJGs tend to be older people, holding recognised cultural status.

The non-statutory CJGs have a representative basis that is less formal, but there is still an expectation that the CJG members are drawn from a diverse range of families, rather than dominated by a single or small number of families. In urban sites, the evaluation observed that CJGs often had members whose historical or cultural affiliations were from elsewhere, but they were generally highly respected and accepted in the community where they were serving on the CJG. In some urban or regional centres, some of the members were employees of local Indigenous community organisations, which gave them relevant skills and knowledge for the role, rather than necessarily being seen as having 'traditional authority' in that community. It was also common for members to be retired from senior roles in community organisations. Urban and regional centre CJGs visited in the Local Evaluations were more likely to have younger members.

4.4 Factors that affect Community Justice Group service delivery

The factors affecting CJG service delivery differ across location type. These should be considered when assessing the level of output of a CJG or evaluating the outcomes it is achieving. In this report, CJGs are often referred to as a generic concept, and attributes may be ascribed to 'CJGs', but it is important to keep in mind that a general observation may not hold true for all CJGs.

⁹² See Figure 3 in [Part 4.2.1](#).

⁹³ See Section 20. "Indigenous social grouping" means a group of indigenous persons sharing a common basis of social affiliation, including family relationship, language, traditional land ownership and historical association.

4.4.1 Contextual factors for specific communities

Differences in the local service system within which CJGs work will affect their outputs:

- **Differences in justice system operation.** The way the justice system operates in a location will affect the role of the CJG and its opportunities to impact on different areas. For example, in larger population centres, courts may sit every day or every week, creating a high demand for a CJG to support large numbers of people through the court. In a rural or remote location, court may visit only once a month or every two months. This creates a burst of intensive work around 'court week', but more opportunity for the CJG to focus on other activities the rest of the time. In communities with visiting courts, agencies that are potentially key CJG partners may only visit briefly, such as ATSILS, LAQ, DFV legal services and QCS. This affects CJGs' ability to collaborate on local initiatives.
- **Differences in service system environment.** The role played by CJGs may be affected by the prevailing service system environment for the location where they work. For example, in remote and rural locations, many services are provided by visiting agency staff rather than resident services. As one of the only resident service organisations, this may increase pressure on CJGs to assist with a wide range of agency services. There are also likely to be fewer local services for the CJG to refer people to. In urban and regional centres, the service system may be much more complex with a larger number of providers, and community members are less likely to know about the CJG, which may therefore need to market its role and services more than a remote CJG would.

4.4.2 Differences in availability of Program inputs

The [Phase 1 Evaluation Report](#)⁹⁴ analysed the CJG Program's inputs in detail, noting areas where inputs (such as funding, staff, volunteers or NGO support) may be inadequate and highlighting possible enhancements to inputs that could improve CJG outputs (such as capacity-building). Differences in availability of inputs that affect CJG delivery include:

- **Funding inputs.** Although circumstances differ widely across locations, the CJG Program maintains a mostly uniform funding envelope for each CJG. So a CJG serving a remote Indigenous community of under 1,000 people will generally receive similar funding as a CJG serving a regional centre with 20,000 Indigenous residents. The demand for court support may therefore be much higher in a regional centre, but the CJG will have the same number of staff – generally two full-time positions. On the other hand, the costs of delivering CJG services will be much higher for a remote community CJG.
- **Training and capacity development.** The [Phase 1 Evaluation Report](#) highlighted significant unmet needs in the training and capacity development required by CJGs.
- **Availability of staff.** Many CJGs face difficulties recruiting qualified staff, especially in remote communities that lack accommodation and lifestyle opportunities. Long periods of staff vacancies or higher turnover are particularly detrimental to CJG operations. It is a common observation of CJGs that their level of performance is often episodic, with a period of high performance followed by a period of low performance, and vice versa.
- **Office facilities.** The services of some CJGs are constrained by lack of available office and activity space, and broadband and phone network deficiencies.
- **Availability and age of members.** Elders and Respected Persons are pivotal to the strength of CJGs. They provide the guidance and inspiration for CJGs and are often the 'engine room' through their voluntary efforts. Many people have commented during the evaluation that Elders who were central to establishing and sustaining CJGs are ageing or have passed in recent years. At one Local Evaluation

⁹⁴ See Parts 3 and 5 of the [Phase 1 Evaluation Report](#).

site, the loss of an important Elder was widely cited as the reason why the CJG's performance had declined considerably. Illness has had considerable effects on the CJGs during and since COVID-19 and has limited delivery of services by other providers in the community, putting more demands on CJGs. As the [Phase 1 Evaluation Report](#) noted, recruiting new members was a priority raised by most CJGs. There are also considerable other community demands on Elders and Respected Persons, affecting their ability to contribute to the CJG.⁹⁵

4.5 Consistency of service delivery under the Program

Some stakeholders were concerned that there needed to be greater accountability around organisations with CJG funding that are not meeting the community's and the government's expectations around the level of service provided to community members. It was suggested that the service provided by CJGs is too important to allow under-performance for protracted periods of time. The evaluation hopes that implementation of the Phases 1 and 2 core recommendation for boosting capacity-building support for CJGs will address critical issues around governance, staff recruitment, organisational performance and service quality. If a peak body is established for CJGs, as recommended by the evaluation, a potential function would be to develop service benchmarks to guide CJGs. Stakeholders have also suggested that a peak body could employ a 'flying squad' of experienced staff – for example, ex-CJG coordinators could be deployed for a period to help struggling CJGs to improve their performance.

Even with enhanced capacity-building support, DJAG will need to maintain strong oversight of the performance of funded organisations. A judicial officer made the following comment in the Phase 3 survey:

The value of a CJG and its ability to achieve even basic outcomes is dependent on the group itself ensuring the employed staff are performing well. They might be assisted by the central collection of data about the performance of CLG targets in real time e.g. provision of reports on time, appointments being made, office being open and the CJG being contactable. (Judicial officer)

The streamlining of CJG reporting through the new Grants Management System may assist in early identification of problems. The evaluation understands that DJAG is introducing a contract management framework to support the GMS, which will more closely monitor contractual performance and ensure earlier remedial support. In cases of perennial under-performance by a funded organisation, it is important that DJAG has processes in place to proactively manage issues, including through early, targeted remedial support, followed by a show cause process where an organisation is not meeting the services expectations of the community or the funding body.

⁹⁵ Several stakeholders observed that when the Family Responsibilities Commission was created in 2008, many CJG members were recruited to positions as commissioners, with a significant impact on the operation of CJGs such as at Aurukun.

5 CJG OUTCOMES IN PREVENTION, AWARENESS AND EDUCATION

Key Findings

- Overall, the evaluation has found that the work of CJGs in their communities – educating people, providing cultural leadership, taking practical measures to address causes of offending – is delivering important outcomes in preventing community members from coming into contact with the criminal justice system in the first place.
- CJGs perceive ‘primary prevention’ activities, which aim to keep people from coming into contact with the criminal justice system, as an important goal for their work.
- Although the time available for CJGs to be involved in prevention activities can be limited, a majority of CJG representatives are of the opinion they are having ‘quite a lot’ of impact in preventing offending and reducing the likelihood of people going to court.
- Quantitative measurement of primary prevention outcomes is difficult, but the evaluation heard consistent feedback from stakeholders that CJG initiatives are positively impacting community members in ways that prevent them from offending. For example:
 - practical solutions initiated by CJGs, such as a ‘licensing muster’, help people avoid unlicensed driving offences;
 - men’s and women’s groups run by CJGs provide education and awareness about risk factors for offending, such as substance abuse and DFV;
 - through targeted and holistic outreach support for families, some CJGs troubleshoot issues that would be likely to result in contact with the justice system.
- ‘On country’ camps and activities run by CJGs with children and adults are cited by CJGs and participants as especially impactful in reducing stress, connecting people, promoting healing of trauma and providing pro-social alternatives to anti-social behaviour. CJG staff report that such programs improve participants’ engagement with counselling and open pathways for genuine behaviour change.
- CJG Program funding enhancements have enabled some CJGs to fund previously unfunded prevention programs, while other CJGs have initiated new prevention programs.
- A consistent theme in consultations with CJGs was the need for more primary prevention activities to improve outcomes in keeping community members from coming into contact with the criminal justice system in the first place. Initiatives that prevent people from entering the DFV legal system were highlighted as an urgent priority. The DFV Enhancement funding presents an opportunity for discrete community CJGs to broaden their DFV prevention focus, should they wish to do so, in co-design with DJAG.
- An expanded role of CJGs in primary prevention is contingent on their preferences, their capability, the service environment, community expectations, and funding. Some CJGs told the evaluation they aspire to deliver more primary prevention activities themselves, while others simply want to see more government funding for such programs. The current preventative programs delivered by several CJGs illustrate their unique advantages in this space, such as their understanding of local causes of offending, creativity in designing solutions, trusted local staff and Elders, and their ability to engage and motivate community members.
- For some CJGs, an optimal role may be as a connector and navigator, helping people access necessary supports through CJG partners, and connecting partner agencies with CJG clients through referrals or physical ‘hubs’ where third party programs can be delivered.

5.1 Introduction

As Part 4 outlined, as well as working within the justice system, many CJGs are delivering activities that aim to prevent members of their communities from coming into contact with the justice system in the first place.

Although funding and time constraints affect CJGs' ability to pursue primary prevention activities,⁹⁶ interviews and survey feedback suggest that many CJGs place a high priority on primary prevention.⁹⁷ In the Phase 3 CJG survey, preventing offending was one of the most common answers to the question 'What do you think CJGs are trying to achieve in the community?' Many of the responses referred to primary and secondary⁹⁸ prevention work to keep people out of the justice system, as well as tertiary prevention work to help offenders avoid re-offending.⁹⁹

Reflecting the place-based, community-driven nature of CJGs, primary prevention activities vary widely across CJG locations. Some are deliverables specifically listed in CJGs' Service Agreements with DJAG, while others are delivered by CJG staff or members in their own time (for example, Elders visiting schools or organising weekend sports), or with funding from other sources (for example, some of the camps run by CJGs). Some activities that CJGs are funded to deliver for people within the justice system (for example, women's groups that courts refer offenders to) have an ancillary primary prevention effect because they may also be attended by community members not in the justice system, who are assisted by the groups to stay out of the system. In practice, it can be difficult to determine which primary prevention activities of CJGs are specifically funded by the CJG Program (either partly or entirely). This section discusses the outcomes of all the primary prevention work undertaken by CJGs.

Across a sample of 11 CJGs, *staff* estimated they spent an average of 13% of their time on prevention, awareness and education activities.¹⁰⁰ The same proportion of CJG *members'* time was spent on these activities at the four CJG sites where activity mapping was also conducted with members. Additional funding for CJGs in recent years has enabled some CJGs to expand their activities in this area, including by enhancing their previously unfunded initiatives¹⁰¹ or by establishing new initiatives.¹⁰² Funding to CJGs under the DFV Enhancement has enabled employment of additional staff who have been involved in DFV education and awareness activities in some locations.

5.2 Evidence of outcomes from CJG primary prevention activities

The outcomes from primary prevention activities are particularly difficult to measure because success is defined by the absence of something happening (for example, offending). Therefore, the evaluation has looked for evidence of outcomes in the direct impacts on the people involved in the activities, in terms of changes to their mindset, knowledge and motivations to avoid offending, and whether that has translated into changes in their behaviour (for example, less offending).

⁹⁶ See Part 6.6 (Risks and inhibiting factors for expanding prevention outputs) of the [Phase 2 Evaluation Report](#).

⁹⁷ See Parts 6.7 (Priority CJG prevention activities for the future) and 6.9 (Future focus on prevention outputs) of the [Phase 2 Evaluation Report](#).

⁹⁸ 'Secondary prevention' refers to early intervention work with people at risk, or in the early stages, of contact with the justice system. See Part 6.

⁹⁹ For example: "Prevention and deterrence of criminal activity. Reduce recidivism"; "Help assist community to stop offending and re-offending..."; "Reduce contact and incarceration in justice system, community education, develop programs that make a difference"; "More people are able to move away from negative activities and be willing to engage in positive activities to build them up, and to keep away from the criminal justice system"; "reduce offending from Aboriginal and Torres Strait Islanders and help them stay away from the Justice System"; "To sort out conflicts before they get out of hand"; "Prevention / Education around the justice systems, DV etc. Keeping mob out of custody."

¹⁰⁰ See [Figure 3](#), Activity Mapping.

¹⁰¹ See Part 6.4 of the [Phase 2 Evaluation Report](#). Examples include Thursday Island Justice Group's Zenadth Kes Boxing Club and Wujal Wujal Justice Group's on-country camps.

¹⁰² See Part 6.5 of the [Phase 2 Evaluation Report](#), with Table 5 setting out examples.

CJGs believe that they have substantial impact in this area. In the Phase 3 survey of CJGs, a majority (56%) felt that they have ‘quite a lot’ of impact in preventing offending or reducing the likelihood of someone going to court (see Figure 5).¹⁰³ Reasons given by respondents revolved around the moral authority and cultural guidance offered by Elders and the practical support provided to people to address their problems.¹⁰⁴

The Phase 3 surveys of CJGs and stakeholders also asked what outcomes respondents had seen as a result of CJGs’ prevention and early intervention activities. As Figure 6 shows, a solid majority of CJG representatives perceive positive outcomes across a range of areas that keep people out of the criminal justice system. While other stakeholders see this evidence to a lesser extent, a majority see evidence of outcomes in most of these areas.

Figure 5. Survey of CJGs (n=34)

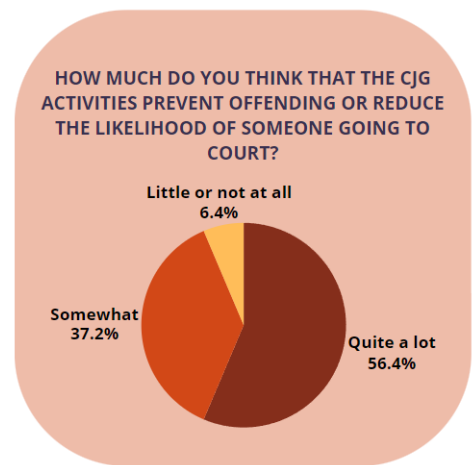
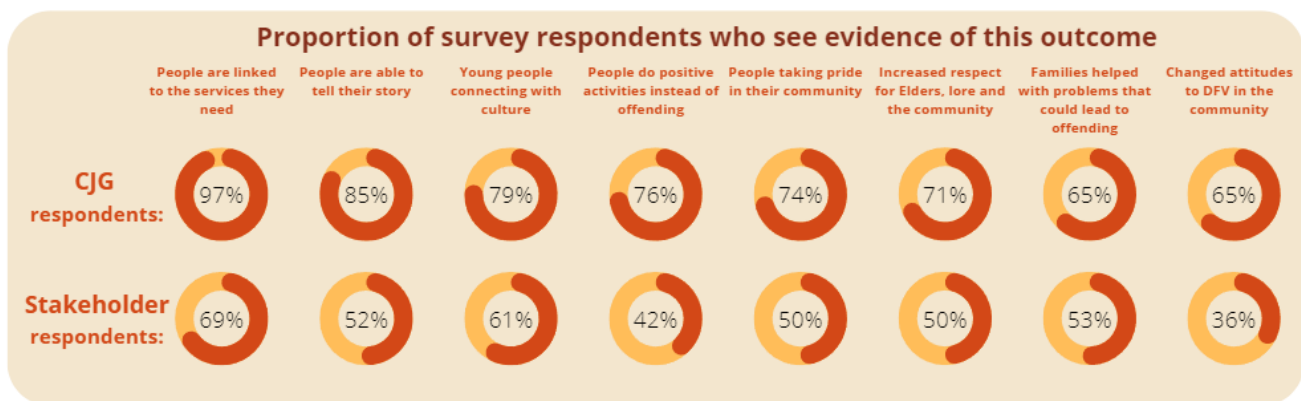


Figure 6. Survey of CJGs and stakeholders, 2023, (n=144)¹⁰⁵



The grassroots and cultural-based nature of CJGs makes them uniquely placed to understand the issues that contribute to offending in their communities and to design and deliver targeted and culturally appropriate primary prevention responses. Over three years, the evaluation team has heard many examples of how innovative local initiatives by CJGs have impacted positively on Indigenous community members. These initiatives broadly fall into four categories:

- Education and awareness-raising
- Practical interventions to addressing risk factors for offending
- Cultural responses to heal trauma, address grief and loss, and strengthen cultural identity and connection
- Pro-social activities to provide opportunities and alternatives to offending and build self-esteem

¹⁰³ For detailed graph, see Figure 44 in Appendix 1. Excludes those who answered ‘Don’t know enough about this’.

¹⁰⁴ For example: “CJG Elders use power & influence to condemn offending & bad behaviour”; “The help from their own people is strong enough to deter them from offending”; “Yes, without our support, our mob, sometimes feel lost and feel that they are not being validated”; “Through existing programs within the CJG, clients are encouraged to make “better choices”. Involving respected local community members and Elders ensures young people are reluctant to offend (for fear of backlash from Elders)”.

¹⁰⁵ For detailed graph, see Figure 42 in Appendix 1.

CJGs' preventative work educating community members and raising awareness about issues occurs in a variety of ways, including visits to schools, men's and women's groups, yarning circles, community events, and informal mentoring by Elders and Respected Persons.

Box 1. NPA's Licensing Muster

The NPA 'Licensing Muster' was initiated in 2019 as a partnership between ATSILS, the NPA Justice Group, QPS and a range of participating agencies. The goal was to reduce unnecessary contact with the criminal justice system, specifically for driving and vehicle-related offences. The Muster coordinated visits and support for community members by a range of organisations (Department of Transport and Main Roads, Department of Justice and Attorney-General, Registry of Births, Deaths and Marriages, NPA State College, NPA Family and Community Services and Queensland Corrective Services). The partners assisted people with identity documents (e.g. birth registrations and certificates), obtaining learners licences, practical driver training, brokerage for ID and licensing, and resolving SPER (State Penalties Enforcement Registry) debts to lift licence suspensions. In 2019 and 2020, the Muster assisted over 200 people to apply to Register of Births, Deaths and Marriages, 38 people were assisted to obtain a learners licence and 12 participants sat their driving test.

A CJG staff member told the evaluation:

"I remember the police saying to me once there was a young fella was about 18, 19, got caught for an unlicensed driving, and instead of booking him, they gave him a warning and they said, 'you need to go to the licencing muster,' which he did. So the police were working in partnership rather than, you know, charging this poor young fella." (CJG staff member)

CJGs have shown creativity in pursuing practical solutions to respond to risk factors for offending. The Northern Peninsula Area Licensing Muster, profiled in Box 1, is a good example. According to a stakeholder involved with the initiative, *"it came about because of conversations we had with Elders of the Justice Group who were very concerned with the number of people, especially young people from this community, ultimately ending up in prison for driving related offences and the significant impact that has not just for that person but for their family and for the broader community, who all suffer when somebody is sent to prison."* This initiative also illustrates the value of CJGs in facilitating whole-of-government and whole-of-community partnerships to tackle local issues, by coordinating and hosting services and supports from multiple agencies to meet service gaps.

One of the hallmarks of CJGs is that they tend to take a holistic view of the issues affecting community members they are assisting. This enables them to tailor their approaches to troubleshoot specific risk factors without being constrained by the boundaries that other service providers work within. The example in Box 2 demonstrates how a CJG can simultaneously address a complex set of risk factors to support specific community members to stay out of the justice system. The CJG were integral in supporting a family experiencing housing difficulties following a period of sorry business. The CJG provided support ranging from applying to keep their housing to referrals to counselling, as well as helping them set up to receive payments, and the CJG are now also trying to get them engaged with skills training. In this example, the CJG did not wait until the individuals in question offended and became clients through the court process – instead, they identified the risks and proactively worked to mitigate them.

Box 2. An example of holistic prevention work with community members

The CJG provided wraparound support for a family that had lost both parents in tragic circumstances, leaving them vulnerable and at risk of coming into contact with the justice system.

“We got them to maintain that house, number one, to keep a roof over their heads so they weren't jumping from family to family. We put in a housing application and did a transfer. We've got all their payments for what they're entitled to, which was a boost to them, financial boost, you know, for them to get (items) that weren't there then, and food. Then we've had them go to ATODs and we've had them go to counselling. We were getting them professional counselling and we were trying to get them engaged with [a training centre] and get them into a course over there.” (CJG coordinator)

Many CJGs emphasised to the evaluation team that trauma is an under-recognised and poorly treated underlying cause of offending behaviour for many Indigenous people. They felt that approaches that focused on healing and cultural strengthening were critically needed, not only to break the cycle of offending for people within the court system, but also to prevent people from offending in the first place.

The Wujal Wujal Justice Group's men's and women's groups and 'healing on country' program exemplify a primary prevention approach that is focused on healing and culture. While some participants are offenders whose attendance is court-ordered, many of the participants are not offenders and the CJG's youth camps are for all children. Court-ordered male participants attend yarning circles on Tuesday mornings but the men's group meetings on Wednesday nights are open to all men, so they can engage in pro-social activities, discuss common issues and plan their on-country visit for the next day. The men's group sometimes has guest speakers, or visits from organisations such as defence force recruiters. The men's group is seen as especially important to positively influence young men towards positive lifestyles.

So them boys come down here. With their band and that, we're trying to get all these young boys interested in playing guitar... you know, take their mind off domestic violence and whatever. They come down here and talk with the boys. They sort of listen and follow their little footsteps, to say, 'we can play in a band, we can start a band up...' And get them interested in somethin', you know, get their mind away from home, domestic problem with the ladies. (CJG member)

One of the CJG staff spoke about the importance of the mentorship of younger men by one of the leaders of the men's group.

[He's] just an amazing man, that fellow. He's a big role model with the youth of Wujal Wujal. Huge non-drinker, non-smoker. Strong, great hunter. He's our superstar. A lot of the young boys follow him around, which is great. (CJG staff)

On Thursdays, the men take a trip on country.

Thursday is on country healing, which is where we go within 40 kilometres of our area – freshwater, saltwater. And that healing, I know myself how I feel when I get home from being in the country, in nature... We're getting people out of the situation they're in, could be overcrowded house, or a lot of problems. We're taking them to a peaceful place that's the father's or mother's land, and you see how they forget about all that stuff that can bring us down. They're having a chance to breathe again, or think about what they want to do on the weekend that's not going to be stuck at home drinking, [maybe] they want to go back on country... (CJG staff)

At Wujal Wujal, the women have their women's group meeting on Tuesday nights and then their on-country trip on Wednesdays. Children do not come on the day trips. The CJG staff have noticed that this has led to parents working together, with fathers looking after children while mothers go on country on Wednesday

and vice versa on Thursdays. In addition to the weekly day trips on country, the CJG organises about three longer camps every year for the women and men respectively, plus a family weekend camp.

As part of the Local Evaluation with the Wujal Wujal CJG, participants in the men's and women's groups had discussion sessions and filled out a questionnaire on the impact of the on-country visits. The benefits identified were reduced stress, no humbug or phones, spiritual uplift and inner peace, connection to and care for the environment, support from other men and women, greater connectedness with others, and teaching younger people culture. A counsellor who works with the women's group noted that her clients are different when they are on country: *"I see them happy, talkative, helpful when cooking and cleaning up and 'relaxed'. Being 'out on country' for them is safety. To feel safe, they know they are protected whilst on country – in the company of other women – they can be and act themselves."* She noted that her clients (some of whom are involved in DFV) are much less likely to engage when yarns are held in community, but they will feel *"safe and secure to express themselves"* when away from the community. Box 3 contains the perspectives of participants about the on-country trips.

Box 3. Participants' feedback on Wujal Wujal's healing on country program

"[Going on country] heals us emotionally, physically, spiritually – heals your state of mind. Getting out of the house, leave the TV, connecting with the sounds, the fresh breeze. Teaching our young kids to hunt, get food, and there is storytelling around it. As a bunch of women... listening to others tell stories. Older people [tell stories] about the land. No men. Teaching young mothers how to cook and clean the house, and about hygiene... It brings peace to your heart. Takes bad energy away." (Women's group collective feedback)

.....

"Going on country to me is having a break and clearing my head from everyday life and responsibility. Not to say you are running away, but to have a day or two on homeland with the birds and good company to re-evaluate your situation."

Going on country for me helps me think about how I want my life to go for myself and children. It's something about being on country that just helps you really think about how you can make positive changes."

It is very important to be in a group because others may help you understand things you are going through, that they themselves have already went through. Elders can help with life perspective. [But] sometimes you [also] need people your age to relate to an issue."

It helps bring healing because I feel I am able to let go of negative thoughts and return home with more of a happy and healthy mindset. Being on country is a very positive activity for people, but it is also a very difficult experience to explain because it just moves you in such a positive way." (Men's group participant)

.....

"I always feel a spiritual connection to the land. I take off my shoes and allow the energy of the land to run through my body, which makes me feel connected to country. Brings me closer to my ancestors – feels like they are there with me and guiding me. We go on country most Thursdays in men's group where we all connect and share knowledge. We are all teachers and learners in sharing our knowledge about country." (Men's group participant)

An example of a primary prevention program that is targeted towards pro-social activities and cultural strengthening is Toowoomba CJG's 'Whaddup' Program. This program was originally established in 2005 by staff and Elders from the CJG as a youth diversionary program. On a weekly basis, the program engaged Indigenous youth after school in pro-social activities, to divert them from anti-social behaviour on the streets. For many years the program was run voluntarily until it received Australian Government funding. With enhanced CJG funding, the program is now part of the CJG's Service Agreement with DJAG. In recent times,

the CJG has adapted the program to focus on strengthening cultural identity to build pride and resilience that can keep young people out of the justice system.

The question was asked, do you think Whaddup is doing what the community wants it to? And we just had a discussion about how we find this a lot through our interviews with our adults in the Murri Court, that they don't know who their mob are, they don't know their practices or their traditions or what their totems or anything are. And I thought, well, if adults are saying that, what about these kids? We don't want them to lose it. So we've got two young men from the community [and] we're doing cultural workshops with the children now. We've got a 20 week program where they're going to be teaching them dance, language, storylines, talking about Dreamtimes. And the Elders are involved. They come along and they love it, doing some storytelling with the kids and that. (CJG staff)

At Cloncurry, the CJG has chosen to work with even younger children, by attracting State Library of Queensland funding for the First 5 Forever program. The program targets children 0-5 (and their parents and caregivers) to build foundations for literacy and development.¹⁰⁶ According to the staff member who coordinates the program along with the CJG's women's group, the program is important not only to set the children up for success, but also to support the young mothers with parenting skills and social support, especially single mothers struggling with several children.

5.3 Opportunities for enhanced outcomes in primary prevention

It is clear that additional funding for CJGs in recent years has expanded their activities and outcomes in the primary prevention space. The examples above illustrate the way CJG activities can contribute to building community awareness about justice issues, reducing risk factors such as lack of a driver's licence, addressing trauma and promoting healing, strengthening cultural identity, and providing pro-social activities as alternatives to offending. The evaluation has heard many CJGs and stakeholders talk about the need for more primary prevention activities to improve outcomes in keeping Indigenous people out of the justice system. Many CJGs and stakeholders called for more resources for primary prevention – in some cases, CJGs were calling for more resources for themselves to run more primary prevention programs, while in other cases it was a generic call for more attention to this, without specifying who should deliver it.

We used to make sandwiches and things like that if people come in off the street, that were hungry... I mean, that's basic stuff, that's all we could afford to do. We didn't have any extra money, which I find very frustrating. Because just doing the Justice stuff, going to court for people, that's just not enough. There needs to be more to be done... We need to be supporting everybody, not just the person who's going through court but their family, their children, everybody. (Murri Court Elder)

We spend a lot of time pulling people out of the river. Why aren't we looking to see why they're falling in to start with? That's what this sort of work should be all about. Unfortunately, we've just gotten used to pulling people out of the river. And there's a lot of resources wasted along the way. An ounce of prevention would go a long way to [address] having to spend money in the long term anyway. So it's like a false economy. (CJG stakeholder)

¹⁰⁶ The efficacy of early childhood interventions for crime prevention (and other social outcomes) was demonstrated decades ago by the landmark Perry Preschool Project. A longitudinal study involving 123 disadvantaged African/American children tracked the long-term outcomes of a group who were provided high quality early childhood education for 2.5 hours daily for two years, compared to a cohort who did not receive this support. The study cohort had significantly lower rates of contact with the justice system than the control group throughout their teenage and adult years (to age 40), and had higher scholastic and socioeconomic success. See US Department of Justice (2000), *The High/Scope Perry Preschool Project*, at www.ojp.gov/pdffiles1/ojdp/181725.pdf

Primary prevention has been raised as a particular priority for responding to DFV. As the evaluation has previously reported,¹⁰⁷ some CJGs who have received DFV Enhancement funding have elements of primary prevention as part of their DFVE service models. Generally, however, the DFVE service models are more focused on community members who are already within the DFV system. The [Phase 2 Evaluation Report](#) recommended that DJAG explore how the DFVE funding can support the aspirations of CJGs in the discrete communities to enhance primary prevention approaches, which are strongly supported by the literature on effective responses to DFV in Indigenous communities. In developing the CJGs' second triennium contracts in 2022-23, DJAG advises that many CJGs showed more confidence in reflecting on their community needs across the justice system continuum and putting forward new community activities to actively address them.

In the non-discrete communities, which do not currently have DFVE funding, CJGs were equally concerned about how DFV is increasing Indigenous people's contact with the justice system. Many CJGs and stakeholders argued for more focus on primary prevention strategies to tackle DFV.¹⁰⁸ Several people suggested that responses should tackle the culture and norms around relationships and use of violence in communities.

How can we educate families, how can we remove the place DFV has taken up in our culture? (CJG Coordinator)

I think the learnt behaviour is so huge. Physical violence is all [the men] have known, and women are using emotional and psychological tactics... So learning another way, learning to resolve conflict [is needed]. I believe in community, you've got that continuum where you've got right down this end, your power and control [dynamic], and there's a few men like that, that are very manipulative and know exactly what they're doing. Down here, at this other end, you've got just a lack of conflict resolution skills. So that's all they know. But most of it, to me, could be easily fixed if we could change the culture of that. We had a really great domestic violence march just before COVID. And we did lots of more talking about domestic violence and... the more we talk about it, the easier it will be to talk about it. (CJG DFV worker)

The two big legal issues here that we see are driving related offences and also domestic violence... I think it's an issue all over Australia, not just here. But the root causes of domestic violence are very complicated. And I do think that having strong male workers would make a big difference, especially for the young ones, you know, because it's that thing of early intervention and prevention is always more effective. You capture the young person who does the wrong thing for the first time. You know, I'd often see young men coming in, maybe they were 18, 19, 20. They were in their first relationships. It was dysfunctional. Something happens. They do the wrong thing. They end up in court. And I always thought if you could just intervene at this point, you know, before they go into the watch house, before they go to prison for the first time, and they're hardened, because you see them when they come out and they're different. And there's that stigma for them and for their families. And, you know, it very rarely stops the domestic and family violence. If anything I think it probably makes it

¹⁰⁷ See Part 6.8 (DFV Enhancement projects targeting DFV primary prevention) of the [Phase 2 Evaluation Report](#) for full details.

¹⁰⁸ For example: "I think the community needs more education around domestic violence in general and how to cope better and how to react better so that you don't bring yourself before [police]. I don't know whether that's an information part that the Justice Group could expand into bigger?" (CJG stakeholder); "The men here, we don't have any preventative programs at the moment. So you know a lot of our male personnel are not getting that support in our communities" (CJG coordinator); "I go into schools too and the young men's groups, we have those yarns and we want to talk about DV too, and what it is to be a First Nations man in today's society, that sort of stuff. That's where it can stop, in the schools and respecting women and telling them that DV is not just physical violence, it's lots of things. That's where we got to target it. That's the prevention" (CJG referral agency representative).

worse. And I'm not saying 'Don't send them to jail'. I'm not saying condone domestic violence. But if there were interventions at that point of really working with these men to understand what healthy relationships look like and working with those couples, you know, maybe we wouldn't see them five, ten years later, where women and children are really being hurt. And I would hope that the Community Justice Group would have a part in that work. (Defence lawyer)

While there is agreement about the need for more primary prevention, especially for DFV, what is the appropriate role of CJGs in this space? Some stakeholders felt that other organisations should be focused on primary prevention, because CJGs are either stretched too thin with their work in the justice system, or do not have the skills or resources to implement primary prevention, especially in difficult issues like DFV. On the other hand, some people (including some CJG representatives themselves) argued that CJGs are uniquely placed to deliver primary prevention in their communities. As the examples of their current primary prevention activities underline, CJGs are well placed to pinpoint local issues contributing to DFV and, with the consent of community members, to develop creative place-based solutions. They are highly motivated, take a holistic approach to families and are not constrained by jurisdictional service boundaries. Most significantly, through Elders, Respected Persons and local CJG staff, they bring to bear the cultural authority, cultural knowledge, trust and relationships to engage community members in activities. As one stakeholder highlighted as a benefit in CJGs' work in DFV, Elders are trusted:

When you have Elders that have lived the life that they have, there's a certain level of knowledge that comes to the table, of lived experience and being able to respond to that in a way that provides guidance and safety? You know, if you feel unsafe and you don't know where to go next and you're looking for that safe space, most of us will go to our Elders, whether it be your mum, your dad, auntie, or uncle. (CJG staff)

The evidence from the evaluation shows that CJGs can play a greater role in primary prevention and this holds significant potential for improved outcomes in keeping Indigenous people out of the justice system. The evaluation recommends that targeted funding be made available for CJGs who wish to expand their prevention (and early intervention) programs and activities – this is discussed further in [Part 14.2](#).

The scope of CJGs' evolving role in primary prevention is a decision of CJGs and Indigenous communities that needs support from all government agencies. Some CJGs are already expanding into primary prevention, and seeking sources of funding outside of the CJG Program to enable this. The men's sheds at Coen and Cloncurry are examples of this. An increased CJG focus on primary prevention will also be contingent on CJGs building their organisational and service delivery capacity to expand their activities without affecting their existing services. CJGs may choose to prioritise work in the courts, or even in post-custody reintegration (see [Part 9](#)). CJGs will no doubt be guided by community expectations in determining their focus. The evaluation has found that in some Murri Court locations, there is community pressure for the CJG to be more involved in the community space. CJGs will also be guided by local circumstances, such as whether there are other organisations able to meet the needs for better primary prevention.

In short, the scope for CJGs to be involved in primary prevention will differ from community to community, depending on local needs, preferences and circumstances. In some locations, CJGs may have the desire and capacity to deliver their own programs in this area. In some locations, the role of the CJG may be to advocate for primary prevention responses to be delivered through other organisations. CJGs are already involved in such conversations through Local Thriving Communities, interagency committees and other community governance processes such as alcohol management, harm minimisation and community safety plans, particularly in discrete communities.

For some CJGs, an optimal role in primary prevention may be the same role that they often play most effectively in the justice system, which is as connector and navigator.¹⁰⁹ For example, the Local Evaluations have found that highly effective CJGs do not try to deliver all the necessary interventions and supports for a client themselves, but rather connect the client to other organisations and opportunities, helping them navigate the system and motivating them to make the changes in their lives. At the same time, they support the other organisation to connect with the client in a culturally safe way. The Department's IJOs provide support and guidance for CJGs to position themselves so that they make the most of their own strengths and capacity and build on the strengths in the community.

The way that some highly effective CJGs operate as a 'hub' illustrates the value of this connector approach. The Mossman CJG is highly valued by other agencies because its justice hub provides a facility for agencies to engage with clients and deliver programs, while the CJG encourages and motivates clients to engage. A number of CJGs have implemented similar models. The Cloncurry CJG's concept for a new men's healing place shows how this could work as a primary prevention approach for DFV. The CJG plans the space to be available for men to work on small engines and engage in other peer activities, but then to invite other organisations to deliver preventative activities such as DFV education, substance abuse awareness, and prevocational training. The role of the CJG will be to provide the facility, attract the services and encourage community members to attend. A feature of successful CJG hub models is that government agencies and NGO service providers have been willing to partner with the CJG to provide wraparound support to CJG clients. Not all organisations have been willing to engage with CJGs in this way, so there is an opportunity for government to encourage this level of collaboration by their own staff and by funded service providers, to maximise the outcomes from CJGs' and service providers' work.

Garnering further funding and support for CJGs' primary prevention activities will be assisted by robust evaluation data about the impact of specific programs. This will require CJGs to improve data collection about program delivery and outcomes for participants. The evaluation suggests that training and support to build CJGs' internal monitoring and evaluation capability should be a priority for the CJG Program. Funding a targeted evaluation of a specific CJG primary prevention program would also be a worthwhile investment to demonstrate the impact of such initiatives.

¹⁰⁹ See [Part 7.2.5](#) for further discussion of the navigator role of CJGs.

6 CJG OUTCOMES IN EARLY INTERVENTION AND DIVERSION

Key Findings

- Stakeholders believe positive impacts of CJGs' work in early intervention are the result of CJGs' deep connections and relationships within the community, their ability to identify and respond to issues early, and the cultural authority, skills, knowledge and life experience of CJG staff and Elders.
- An area of highly effective early intervention documented by the evaluation is CJGs' work in mediating and resolving conflict in Indigenous communities before it escalates to justice system involvement. Many CJGs, especially in discrete Indigenous communities, conduct informal and cultural forms of mediation, peacekeeping and dispute resolution. In some sites, there are strong partnerships between CJGs and police that enable community issues to be diverted to CJGs so they can be resolved without the need for formal justice responses. While measuring the outcomes is difficult, stakeholders (especially police) attest to CJGs' positive impact in helping people resolve conflict and make peace.
- The evaluation shows that CJGs are also assisting at-risk people to access support or take alternative pathways away from involvement in the justice system. Successful interventions include cultural mentoring and support to at risk young people and assisting men and women to address behaviours and relationship difficulties that might lead to DFV.
- CJGs' early intervention work is reported to be highly effective where it enables CJG Elders and respected persons to provide guidance and cultural mentoring to at risk people so they understand the community's expectations and respect both mainstream law and cultural lore. For example, this is occurring in some locations through police diverting youth to cautioning by CJGs or through CJGs conducting night patrols to engage with vulnerable people in the community.
- CJGs and other stakeholders, especially judicial officers, see a need for expanding early intervention responses to divert people from the justice system. Although CJGs have limited time and resources for this work, especially in locations where court numbers are high, some CJGs have directed their enhanced funding towards early intervention (for example, youth camps) and others have sought third party funding (for example, men's healing centres).
- The evidence from the evaluation underlines a case for additional support for CJGs that wish to deliver early intervention programs and activities. The evaluation recommends making targeted funding available for CJGs' innovative ideas to intervene early to divert people from the criminal justice system (see Part 14.2).

6.1 Introduction

CJGs' early intervention activities target 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. These 'secondary prevention' activities aim to intervene to address problem issues early and divert people onto more positive pathways.

6.2 Evidence of outcomes from CJG activities in early intervention and diversion

Early intervention activities were estimated by CJG staff to account for 9% of their time, less than primary prevention (13%) and court support (27%), but more than support for people in custody/supervision (3%) and returning to community (2%). The evaluation has heard that CJGs' early intervention activities are highly impactful. Stakeholders agreed that the key value that CJGs bring to early intervention is the cultural authority, skills and knowledge of Elders, so some of the most effective interventions are where Elders can provide guidance to at-risk youth and adults – for example, on-country camps, culture-based activities, mentoring by Elders, and mediating conflict through peacemaking.

In the Phase 3 surveys with CJGs and stakeholders, when asked “which CJG activities are the most effective in keeping people out of the justice system?” the most common responses by both CJGs and stakeholders related to men’s and women’s groups, on-country and cultural programs, intervening early to refer people to help, and mentoring by Elders (see Figure 43 in [Appendix 1](#)).¹¹⁰

As in the case of primary prevention, it is difficult to measure the outcomes of early intervention activities in keeping people out of the justice system. Therefore, the evaluation looks for evidence of the direct impacts of the CJG’s work on the individuals who are targeted by these activities. In the interviews at the Local Evaluation sites, the feedback and the examples provided by CJGs and stakeholders indicated that CJGs’ main impacts on people in the early intervention and diversion space are:

- helping people resolve conflict and make peace before escalation into the justice system;
- assisting people to access support or take alternative pathways away from involvement in the justice system; and
- providing guidance and cultural mentoring to people so they understand the community’s expectations and respect lore and law.

These are discussed in turn below.

CJGs help people resolve conflict and make peace

The review of CJG activities shows that many CJGs are actively involved in mediation and peacekeeping activities, either formally or informally. This ranges from culturally-modified structured mediation programs such as the Mornington Island and Aurukun CJGs’ mediation services, to long-established practices of CJG ‘cultural mediation’ at the NPA and Torres Strait, to informal, grassroots efforts by CJG Elders to proactively assist families to resolve and de-escalate conflict (often referred to as peacekeeping or peacemaking). CJGs have consistently asked for more training to build their capability in mediation and peacekeeping. DJAG has responded in 2023 with multiple training sessions and plans to continue to support CJGs’ training needs wherever possible.

An independent evaluation of the Aurukun program in 2017 showed that mediation was highly valued and utilised by the community and is seen as a very effective early intervention to stop conflict escalating.¹¹¹ The report illustrated that a mediation project in an Indigenous community is likely to pay for itself each year in cost savings to the justice system alone, without taking into account the other costs to the community that are saved if disputes are resolved before erupting into violence.¹¹²

The evaluation has heard numerous examples of CJGs and local police working together to mediate local family conflicts in Indigenous communities. Story 20 in the *CJG Stories of Success* compendium is an excellent example of how police see the process as resolving conflict without the need for taking people to court. A State Government representative noted that in recent consultations they had heard “multiple comments

¹¹⁰ For example, comments about effective CJG activities included: “As they are Community persons, they have the ability to give advice and help with decisions that individuals are not necessary fully understanding of”; “Any healing on country, any programs that are helping to holistically care for families. Needs to start earlier”; “Mens group, talking to Elders”; “being there to support them and help them find/ connect with their cultural identity”; “Every program CJG facilitate is in support of community and self-determination thereof. Self and community pride and support for one another is paramount to averting the justice system”; “Providing Elder mentoring and also camps and mentoring youth”; “Yarning with Elders + re/building connections to community. promoting positive activities and behaviours to young people”; “Cultural mediation and counselling, dv awareness - the better funded and supported the CJG is the better the outcomes are for preventing people entering the justice system.”

¹¹¹ Limerick & Associates, 2017, *Evaluation of the Aurukun Restorative Justice Project: Review of Outcomes*, accessible at this [link](#).

¹¹² See Part 6.4.1 of the [Evaluation of the Aurukun Restorative Justice Project: Review of Outcomes](#).

from [police] officers at different communities that Community Justice Groups do have a big impact regarding cultural mediation and peacemaking... assisting police to deal with any conflict.” This is illustrated by the example given by a police officer from a remote community in Box 4.

The 2016 evaluation of the Aurukun mediation project noted that where police refer a matter to the CJG as an alternative to charging someone with an offence, the savings in terms of police and court time alone would amount to \$4773 for youths and \$3382 for adults.¹¹³

Box 4. A police officer's story about how police and CJGs can intervene early

“So the other process at the moment is through justice group. At the moment we try to empower the Elders. That [they]’ve got a position of power...

You know, we have seen some amazing results, for us, [and] personally for me [as police officer in charge]. Like there was one incident where we had fights related to a [past] murder. [A family was upset with a woman who had breached cultural protocols]. The sisters found out and they beat her up. And we got there to save [the woman].

So then we did the mediation and I just said, ‘Look, this is going to be pretty bad so how do we mediate when everyone is going to be so amped up?’ So I just brought the Elders from both sides to sit down to talk, no kids. And we started like,

‘Okay, well, what’s the problem here?’

‘She’s broken L-O-R-E.’

‘Okay, But this side has broken L-A-W. I can punish you in L-A-W [but] what is the L-O-R-E punishment that you guys can come up with? Beating goes out of the window, we don’t allow beatings.’

‘Oh, we don’t want her to come to this service. We don’t want her to come to this street.’

‘That’s cool. Are you guys happy with it?’

We brought that in and everybody did that. And I said ‘We could have done this without you all going to court. You had issues, you come and tell the Elders, come and tell the justice group, we would’ve convened this mediation and have this sorted out instead of going to court. So you guys would have missed the big part.

So it’s educating people that you can go and have your say, but you can do it in a different forum before it becomes somebody swearing a dead person and all this fighting. Instead of being a three week long fight and then you’ve got about a hundred people in the watchhouse. That could have been avoided at the beginning.”
(Police officer)

The impact of CJGs’ work in dispute resolution extends beyond preventing offences or court appearances. The following example illustrates the impact on a community member’s housing stability and the State’s public housing services.

We have arranged with the Elders to have a family group discussion mediation because of ongoing complaints and certain family members in the property are causing trouble for the tenant and the Elders. The Justice Group kindly arranged to facilitate the meetings and sit down with the families and myself to come up with solutions to help the family sustain their tenancies. So it did happen and they are still currently in their tenancy. So yeah, definitely a bonus. (State Government representative)

¹¹³ See Part 6.4.1 of the *Evaluation of the Aurukun Restorative Justice Project: Review of Outcomes*.

CJGs can have an impact in this space that a mainstream mediation service would not be able to achieve because of their knowledge of the social and cultural issues involved and the respect and standing of Elders in the community. A CJG staff member spoke about the CJG mediating a dispute that had led to physical conflict between two families as a result of a 'wrong-way' relationship between two young people. Working through the sensitive cultural issues, the CJG brokered an agreement between the families to move forward cooperatively and peacefully, which meant that an assault charge did not proceed to court.

In addition to these larger dispute resolution exercises, it is evident that many CJGs are active in helping people sort out conflicts in myriad small ways, on a day to day basis. For example, the longstanding Elders at the Wujal Wujal CJG spoke about how they spend every Monday morning assisting people with issues that arose on the weekend.

If problem, they come for help. Like on Mondays, it's busy Mondays, [they] come down from school for help, to talk to us Elders, like myself, [and the other two ladies]. They come to our office, they'd like help to mediate it... 'We have to get peace'. (CJG Elder)

I come every day... People come in with a problem. Especially Monday morning. They need help from the Justice. We sit down and talk. You know, give them people help, and all of that... (CJG Elder)

CJGs can assist at-risk people to access support or take alternative pathways away from involvement in the justice system

While most of CJGs' current work to assist community members to access support and help for their issues occurs after people have entered the justice system, some CJG activities afford the opportunity to do this before a person comes to court. As mentioned earlier, some men's and women's groups run by CJGs are open to the general community and not just court-ordered offenders. In addition, some CJGs are running programs and activities targeting youth who are at-risk. There has been an expansion of CJGs running camps and activities on country for young people, which include not only youth offenders but young people at risk of offending. These camps and activities build cultural resilience and create alternative pathways and pro-social engagement for at risk young people. Where funding is available, some CJGs employ youth support workers to assist at-risk young people to forge pathways that do not involve offending. A youth support worker employed by a CJG gave the example of assisting a young person to organise their ID, open a bank account, and complete an online tenancy certificate to enable them to apply for rental applications.

[I]t was a whole day of doing that stuff. But it was a successful day. We got everything done and that sort of picked his spirits up, to open a bank account. [He said] 'I'm going to go get a job, ma'am'. (CJG youth support worker)

During the evaluation, many stakeholders have highlighted the opportunity for more early intervention in DFV matters. This is borne out of a concern that once behaviour has escalated to the point where police involvement is required and a DV order is made, the likelihood of a breach and appearing in court escalates significantly. Early intervention in matters that might lead to DFV may involve work with both men and women, whether they are at risk of becoming perpetrators or at risk of becoming victims. CJGs might require training and safety protocols before expanding their involvement in such matters. Cultural mediation, as discussed earlier, is seen by some CJGs as an effective early intervention for people with relationship issues that are at risk of escalating into DFV. In appropriate circumstances where both parties' rights can be safeguarded, CJGs see cultural mediation as an option for dealing with some DFV-related behaviours, although risks of re-victimising parties need to be managed. Support and education for people attending men's and women's groups is another early intervention that some CJGs deliver for people potentially affected by DFV.

In addition, the evaluation has heard examples of CJGs working in the community space to prevent potential DFV matters escalating into the court space. Some of the matters brought to the CJG Elders at Wujal Wujal on Monday mornings are family disputes from the weekend that have potential to lead to DFV. The Elders

told the evaluation about how they saw their role as talking to young people about respectful relationships and not tolerating violence in the household:

We need to talk to young ones these days, you know. They [are] growing up now and look what they just running around wild, nobody seems to talk to them. (CJG Elder)

CJGs provide guidance and cultural mentoring to at-risk people so they understand the community's expectations and respect lore and law

In many remote communities and regional towns (and to a lesser extent in Murri Court sites), CJGs and police have formed effective working relationships that harness CJGs' cultural authority and influence to intervene early with individuals to prevent their further contact with the justice system. For example, the [Phase 2 Evaluation Report](#) gave the example of the CJG and police in a regional town working together to divert people to the CJG.¹¹⁴ Section 17 of the *Youth Justice Act 1992* enables police to involve a respected person from the Aboriginal and Torres Strait Islander community in formal cautioning of a young person as an alternative to charging them with an offence. As Box 5 describes, the Townsville CJG and local police have been collaborating on a project since 2022 to involve CJG members in formally cautioning youth. This is currently being evaluated by QPS. If the results are positive, as the CJG believes they are, this initiative should be expanded to other CJGs. CJG involvement will need to be properly resourced by the State Government.

The opportunity for CJGs to work with community members at the early intervention point is often

Box 5. Townsville CJG's partnership with police to caution young people

"So [if] a child comes into the system and the police think, 'look, they are not serious enough to go to Children's Court yet'... they call us in and we do the caution with the police... There's three old [CJG members] and three younger [persons working with the CJG], because the kids aren't listening to the Elders at the moment. By the time they get there they've been chatted at by the principal, by counsellors, by all of that. So what we use is the young ones... I'll take them through the booking and everything... because that's what they're expecting and we give them what they expect. And then the young one [person working with the CJG] comes in and says, 'Hey, don't worry, I was where you were a few years ago'. Because they're only around 18, 19. And the kids really respond to them, like especially the boys. [Name withheld] has got a photo of motorbikes. [He says] 'I've got a couple of motorbikes that I bought with my own money because I, I stopped messing around at school. I re-engaged in school. I've now got a job, I'm buying my own stuff and I'm at uni now. And you don't have to go to uni, I've got mates who are doing apprenticeships because they did the right thing.' And he engages them and that's when the kids go. 'oh really.'

So this has been working. It's a program that we sat down and worked out with the police, and they really like it... Because what it is, is we're saying LORE and LAW come together in this space, to say, 'you've got to stop what you're doing and we want you to be in the best place, and this is how we're going to help you move through it. And we have a follow up meeting with them about a week or two later. Yeah, police come with us. And so they get to see that the police aren't there to do the wrong thing [by them]. Everyone is here to help you move forward. Yeah, and we use the young ones and it seems to be bearing fruit.' (CJG member)

contingent on good working relationships with police, and their willingness to divert people to CJGs. The evaluation has heard positive examples of CJGs and police entering Memoranda of Understanding about working together locally. The example in Box 5 above illustrates a partnership between police and a CJG to deal with matters early by invoking community expectations around respect for lore.

In the majority of sites visited by the evaluation team, CJGs and police have good relationships. However, in three of the locations there were challenges in this relationship. Generally, this came about either because

¹¹⁴ See Box 8 in Part 7.3 of the [Phase 2 Evaluation Report](#).

the relationship had been affected by vocal criticisms of police practice by the CJG, or because police felt the CJG's efforts to support defendants was unduly affecting police efforts to enhance community safety by making offenders accountable. In some of these latter cases, interviews with local police indicated that police may not have fully understood the role of the CJGs and the work they do to inform the court about relevant cultural issues, make offenders accountable and encourage and enable changes in offenders' behaviour. For example, a CJG stakeholder commented that some police officers express their disregard for Murri Court because they consider it as a way for offenders to escape punishment for offences that police have charged them with. A police officer from another community told the evaluation he felt the CJG was only focused on assisting perpetrators and was not sufficiently supporting the victims of DFV. It is clear that in some locations more work is needed to bring police and CJGs together to ensure better mutual understanding and more collaborative relationships.

In addition to diversion by police, a proactive form of early intervention deployed by some CJGs is night patrols or street patrols to provide direct support and intervention to individuals at risk of contact with the justice system. Given the amount of effort involved in this activity (requiring work after hours, sometimes dealing with very difficult situations), the CJGs who undertake it clearly see this as an impactful strategy. As the Cloncurry night patrol case study in Box 6 illustrates, CJGs see night patrols as not only reducing offending such as property crime, but more important, as an opportunity to provide cultural mentoring and guidance to disengaged young people. The evaluation is not aware of any formal evaluations of the impact of CJG night patrols, although a former member of the Thursday Island CJG recalled that the night patrol run there several years ago was *"an awesome program"* that resulted in less break-ins, fewer children on the street, and positive 'community work' with children.

Box 6. Cloncurry CJG's night patrol helping at-risk youth

"We had five to ten local boys all in trouble for this, that and the other. Drugs, vandalism. DV in 14 or 15 year olds were doing that against their partners... And then there was feuding within the community, between families. A lot of violence against each other. So then we got the night patrol going around sorting out people and checking on people when they were walking on the streets at night: how are they, where did they come from, where are they going to? Can we give you any help?"

We were having a lot of children out on the street doing a lot of damage to a lot of property. Because in summer, it's so hot they wait until really early hours of the morning to walk around the street. And then that's when all the damage was done to the shop fronts and so on. So we used to go out at midnight and then come back in at 5:00. Then we've changed those hours now to 10:00 till 3:00.

So the patrol is, you know, pulling up and just letting them know [they are there to help] and offering them a bottle of water and a sandwich... Because the night patrol men get out of the car and they sit and yarn with them or drive them over to a park and just yarn with them, talk silly talk or good talk, ask if there's any fears that they got, why are they out in the street, if everyone at home's partying where else can we take you to, to an aunt and uncle or some other family member?... Some of them say 'I'm just goin' down to my auntie's place' and then they're offered a lift and they're taken straight there and there's no distractions and no meandering.

You know, these kids are really good kids, but I just think they can spiral into that bad behaviour if they're left unattended... And when you're out there in the night patrol with them, they're happy to stop and have a yarn with you and, you know, that just helps them stay straight within themselves. Yeah, they're lovely kids." (CJG staff member)

6.3 Why CJGs are uniquely placed for effective early intervention

There are three factors that stakeholders mentioned as making CJGs uniquely placed for effective early intervention.

First, CJG staff and Elders' deep connections and relationships within the community makes them more trusted and better able to engage people.

I know [two Elders] were doing home visits... A lot of the service providers don't necessarily have that Indigenous connection. And, you know, people might feel more comfortable, I think, dealing with the Elders and I'm hopeful that the kids would show more respect to the Elders than they would to, say, service providers... I think that could be a real area to focus on that prevention rather than cure, you know, doing that work with families in the community. (Judicial officer)

A service provider noted that attendance at a men's counselling group that he convened was significantly higher whenever an Elder attended. This illustrates the advantage that Elders have in engaging with community members.

Second, CJGs' connections and knowledge of communities enable them to identify issues for community members early and to initiate appropriate intervention.

The connectedness to the community justice group Elders is probably the most valuable part [for early intervention]. So someone who went through the Murri Court a couple of years ago, through his connections he had an interaction with one of the Elders, and he was having a bit of a tough time. So the Elder rang me up and asked if I could see this bloke fairly quickly? So [the Elder] was actually able to facilitate that [counselling] intervention on an as needed basis, even though [the client] wasn't currently going through the Murri Court. And just in terms of prevention, that's an action that will probably result in that person not coming to the attention of the police and the court system as a result. (Counsellor)

A third advantage mentioned by several stakeholders is that, while CJG staff and members may not have specialist training or qualifications, they often have lived experience that is useful in relating to community members. They are able to connect not only from a cultural perspective but also their lived experience of making positive behavioural change in their own lives.

I can explain to them how I was, going through life. I used to be a bad druggie, an alcoholic. And we used to just be roaming the streets, you know? But then after I had my first girl, I just chucked everything away. (CJG staff member)

6.4 Opportunities for enhanced outcomes in early intervention

In the activity mapping, staff of CJGs estimated that early intervention activities accounted for on average 9% of their time, although it was as high as 32% at a CJG in a remote community.¹¹⁵ The evaluation has previously reported on the consistent view of CJGs and stakeholders that early intervention (especially culturally appropriate programs) is a significant gap in Indigenous communities, and most people identified this as an area where CJGs can be very impactful.¹¹⁶ In Phase 3, the evaluation has continued to hear feedback urging greater resourcing and focus on early intervention, particularly in relation to youth behaviour and DFV. Many of the same ideas raised in Phases 1 and 2 have been reiterated by CJGs in Phase

¹¹⁵ In this remote community, the Elders and respected persons estimated that they spent 60% of their time on early intervention – a large part of this was sorting out conflicts between families, including working with police to conduct mediations. At Murri Court sites, CJG staff and Elders are more focused on supporting participants already in the court system, but even in these communities, they may be called upon to help resolve community issues at risk of escalation.

¹¹⁶ See Part 7 of the [Phase 2 Evaluation Report](#).

3, such as healing centres, men's hubs/cooling off places, on-country and cultural strengthening programs for youth and adults, youth drop-in centres, mediation services, and increased CJG outreach into the community to provide mentoring, guidance and assistance to people to avoid contact with the justice system. As in Phases 1 and 2, judicial officers who have seen the impact that CJGs can have on offenders going through court have been some of the most strident advocates for CJGs to play this role with people before their first contact with court.

I think they [the CJG] could take it beyond engagement at court. I think it's probably important to do that early work. To get involved before they actually hit court. That process of getting kids off the street or giving them other opportunities, through a youth group or cultural mentoring, or just taking them on activities to be that positive role model that most of these kids don't have in their home lives... I think if the Justice Group was doing that work before they got to court. That's where it could make a big impact. (Judicial officer)

CJGs are seen as having advantages and potentially greater impact than other service providers in this early intervention space, for the reasons discussed in [Part 5.3](#) (connectedness, trust, local and cultural knowledge and lived experience).

As in the case of primary prevention, CJGs' work in the early intervention space is constrained by time, resources and capacity. This is especially the case for CJGs in busy Murri Court locations, where high caseloads of people requiring support in court are a priority for CJGs, but this also affects CJGs in remote communities with monthly court circuits.

The appetite of CJGs themselves to expand into early intervention varies. Some CJGs are prioritising this work and have negotiated funding for Community Specific Activities under the CJG Program. Others have sought funding from elsewhere, such as the two CJGs accessing funding for men's healing centres/hubs. One CJG was specifically repositioning itself to reduce any expectation that it would provide any services in the prevention or early intervention space. The CJG was in the process of re-branding itself from a 'Community Justice Group' to a 'First Nations Court Support' service.

One of the challenges for some CJGs is the community expectation that it will be more active in justice issues in the community outside of the court process. A theme in the community feedback at two regional locations with high court numbers was the view that the CJG was only active in the court and needed to spend more time in the community dealing with justice issues (such as youth behaviour and DFV). At one of these sites, some of the staff and members emphasised to the evaluation that they were funded primarily to support people within courts, and were not funded for other activities in the community. They also highlighted that if they were to get involved in broader activities in the Indigenous community, they worried that they would face pushback from other Indigenous organisations, especially Traditional Owner organisations. They were planning a communication and awareness campaign to advise the community about their organisation's court-focused role. On the other hand, some staff within this CJG were frustrated by this direction and felt they needed to have more scope for community outreach, including for court clients.

These examples illustrate that there is no optimum model for the balance of CJG services and activities across the 'refocused CJG model' in the Framework for Stronger CJGs. Rather, the challenge for each CJG is to find a sustainable balance, taking account of community expectations, strengths and capability of the CJG staff and members, gaps in the local service system, and the available funding and resources.¹¹⁷ This will inevitably look different in each community, which is appropriate for a program that is intended to be place-based and community-driven.

¹¹⁷ See Part 13.3 of the [Phase 2 Evaluation Report](#) (The way forward: Addressing constraints for CJGs seeking to expand outputs).

The evaluation finds there is a strong case for the Queensland Government to support CJGs that wish to expand their early intervention activities, in light of the following:

- the evidence of positive outcomes achieved by CJGs in keeping people out of the justice system through their (limited) current early intervention and prevention activities;
- the innovative ideas that some CJGs have developed to keep at-risk community members out of the justice system;
- the relative strengths and advantages that CJGs have over other service providers in pursuing early intervention;
- the willingness expressed by stakeholders, especially police, to work with CJGs to prevent at-risk community members' contact with the justice system; and
- the feedback from CJG stakeholders and judicial officers that they see merit in CJGs expanding their role in early intervention.

As [Part 14.2](#) will discuss further, there is a strong case for making additional targeted funding available for CJGs to enhance their prevention and early intervention activities. As the evaluation noted in relation to primary prevention,¹¹⁸ it is important that CJGs improve their data collection, monitoring and evaluation in respect of early intervention initiatives, so that the outcomes that are widely ascribed to these activities can be verified by robust evidence.

¹¹⁸ See Part 5.3.

7 CJG OUTCOMES WITHIN THE COURT PROCESS

Key Findings

- Working within the court process is the main area of activity for CJGs, especially where they are funded to support a Murri Court. CJGs' work in courts has a range of positive impacts for judicial officers, court stakeholders, defendants, victims and members of the community.
- There is strong evidence that CJGs are having a profound impact on the way many courts operate in Queensland, not only through Murri Court processes, but in mainstream Magistrates Courts.
- CJGs are having a positive impact in helping courts to be more culturally informed in their decision-making. Judicial officers surveyed and interviewed highlighted the vital outcomes of CJGs' input into court processes. For example, a majority said the information that CJGs provide courts (such as through cultural reports) significantly helps the court understand defendants' cultural circumstances, make more informed decisions. Many judicial officers recounted personal stories about how CJGs had helped develop their cultural competency and understanding of Indigenous people. This happens informally outside courtrooms as well as through formal court processes for CJG input. There is also widespread evidence of CJGs positively impacting on the cultural knowledge and sensitivity of other court stakeholders such as defence lawyers and police prosecutors.
- Community members and stakeholders strongly believe that CJGs' input helps the justice system support the cultural safety, rights and interest of Aboriginal and Torres Strait Islander people going through courts. In community surveys at 16 sites involving 450 people, 79% of respondents were very happy or happy with the support they received from the CJG in court and 76% felt they were treated 'a lot' or 'a fair bit' more fairly by the court. Stakeholders said CJGs help make courts a more culturally safe space for Indigenous people. Community members said the CJG ensures they feel respected and heard in court, which increases confidence in the justice system.
- The evaluation confirmed that CJGs are helping people in courts, watchhouses and custody to know what is happening and what to do. In the community surveys, 75% of community members said the CJG helped them 'a lot' or 'a fair bit' to understand the court process and 79% were very happy or happy with the CJG's assistance. CJGs actively help people attend court, which reduces the incidence of arrests on warrants for non-appearance. Most importantly, stakeholders believe CJGs help people understand and comply with court orders. Feedback suggests that CJGs help reduce stress for people in court, and facilitate more effective legal representation. The evidence suggests that people are more empowered and have more agency due to the CJG's assistance.
- Most people feel that CJGs not only support people in court but also help them to understand the consequences of their actions and the community's view of their behaviour. Contrary to the perception of some stakeholders that CJGs help offenders to avoid repercussions for their actions, CJGs emphasised their role in making people accountable. Stakeholders felt that for cultural reasons, Elders and respected persons of CJGs can be more impactful than courts in making people face up to their actions.
- A very significant outcome evident from CJGs' work in the courts is how they impart the motivation, the information and the opportunity for people to address the underlying issues for their offending. Two-thirds of stakeholders said CJGs have a significant impact in helping defendants get access to services. The evaluation shows that CJGs are effective in creating the conditions for people, by helping people navigate the service system, by providing a hub for service providers, by enabling and empowering clients through trusting relationships, by taking a holistic approach and by building clients' cultural identity.
- While quantitative evidence of behaviour change resulting from CJGs' work is difficult to measure, the evaluation has collected a compelling body of qualitative evidence about how CJGs contribute to positive changes in the lives of their clients, including reduced offending. This includes positive community and stakeholder feedback and 73 'stories of success' relayed by CJGs, stakeholders and clients themselves.
- Stakeholders see room for improvement in the court support provided by a small number of CJGs, which could be facilitated through the CJG Capacity Development Strategy recommended by the evaluation.
- Other opportunities for enhancing CJG outcomes in courts include considering additional resourcing for CJGs at courts with very high client numbers, expanding CJG support to youth courts, and strengthening the Program's performance and accountability frameworks to support more consistent CJG performance.

7.1 Introduction

Supporting Indigenous defendants and victims during the court process and contributing to the functioning of courts are the focal activities for CJGs under their Service Agreements.¹¹⁹ As such, CJG staff estimate that on average they spend 27% of their time on this work, and at some Murri Court locations it accounts for around half of their time.

CJGs' work in the court system has a range of intended direct (short-term) outcomes for different people, such as:

- making *judicial officers* more culturally informed,
- ensuring *court stakeholders* have the knowledge, skills and confidence to work in more culturally responsive ways,
- helping *community members (including offenders, victims and families)* who are in court to understand what is happening and know what to do,
- ensuring *offenders* understand the consequences of their behaviour and are accountable to the community, and
- ensuring *offenders* have the knowledge and motivation to access help for the underlying issues that contributed to their offending.

These direct outcomes are intended to translate into medium term outcomes¹²⁰ 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
- enabling communities to 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.

This part will review the evidence of outcomes achieved by CJGs in their important work within the court process.

7.2 Evidence of outcomes from CJGs' activities within the court process

7.2.1 CJGs help courts to be more culturally informed in their decision-making and help court stakeholders to work in more culturally responsive ways

CJGs are having a profound impact on the way many courts operate in Queensland. In Murri Court locations, these outcomes are enabled by the structured processes of this unique therapeutic court model. In mainstream Magistrates Courts, CJGs' contribution to the justice process is forged through their advocacy and partnerships with court stakeholders and other service providers, taking advantage of their legislated right to be heard in sentencing and bail processes for Indigenous people.

Impact on judicial officers

CJGs provide cultural and contextual information for courts through a number of avenues. The main avenue is submitting 'court reports' during bail or sentencing hearings for Indigenous people. In Murri Courts, these are formalised through entry reports at the beginning of the process, progress reports throughout the client's time in court, and reports made for input into sentencing the client. In mainstream courts, CJG input is through submissions to the court delivered either in writing or verbally during the court proceeding, often

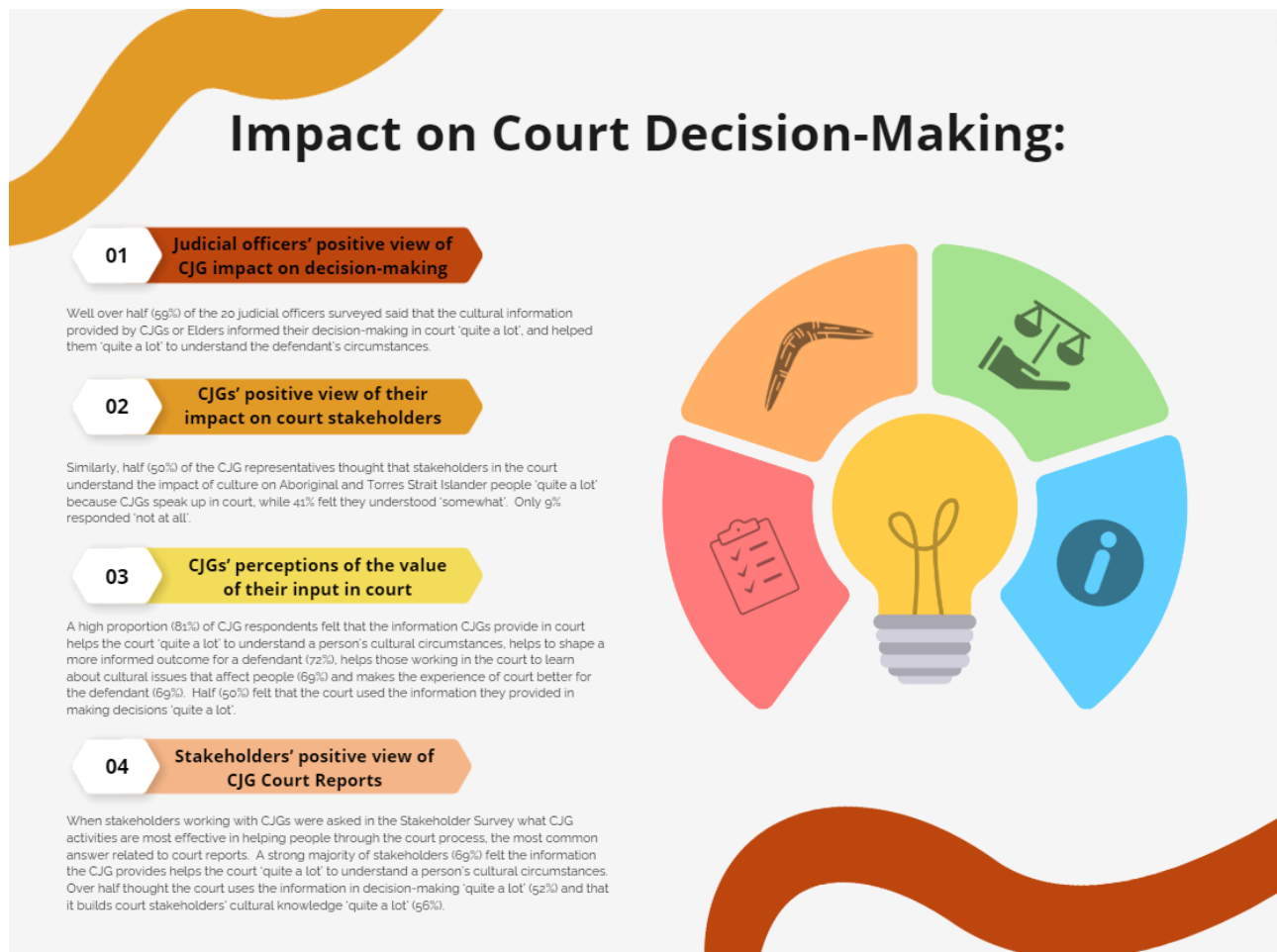
¹¹⁹ See Part 8.0 of the Program Guidelines.

¹²⁰ See the CJG Program Logic, in the CJG Evaluation Framework.

known as ‘cultural submissions.’ Less formally, CJGs also have an opportunity to provide general cultural advice and information through meetings with magistrates and judges held outside of court, and even through informal conversations and interactions.

It is clear from the survey feedback over the course of the evaluation that judicial officers, other stakeholders, CJGs, and Indigenous communities all see CJGs’ input into courts as having a valuable positive impact on court decision-making (see Figure 7).

Figure 7. Survey feedback about CJGs' impact on courts¹²¹



Judicial officers’ comments to the evaluation illustrate the benefits they see in CJGs’ court reports and other forms of input for court decision-making.¹²² For example, a judicial officer spoke about the value of receiving contextual information about *“a person’s relationship with extended family and/or their community, which is information that is otherwise difficult to obtain”*, as well as *“very personal information, such as sorry business, past trauma etc., which otherwise may not have been disclosed.”* Some judicial officers noted that this is often information that the defence lawyers are not able to provide, because they may not have the trusting relationship with the client that a CJG has. One magistrate said simply *“the more information you get, the better the decision.”* Some judicial officers noted the importance of ascertaining the relationship

¹²¹ For detailed graphs of the data presented in this graphic, see Figure 47, Figure 48, Figure 53 and Figure 54 in Appendix 1.

¹²² For more feedback from judicial officers about the value of court reports, see Box 6 in Part 4.7.5 of the [Phase 1 Evaluation Report](#).

between the CJG representative and the person in court, to assess whether the information is impartial or might be affected by the CJG representative's personal bias.¹²³ However, in general, judicial officers involved in the evaluation have been very positive about the outcomes of CJG input for improving the court's decision-making.

Importantly, a strong majority of Indigenous community members felt that the input by CJGs improved the court's cultural understanding.¹²⁴



The responses to this question were positive in Murri Court sites, regional towns and remote communities, indicating that people feel that the CJG is conveying this cultural information not only through the more structured process in Murri Courts but also in everyday mainstream courts attended by CJGs. The Phase 1 and 2 Evaluation Reports provided examples from CJGs and judicial officers where cultural information provided by the CJG had significantly changed the outcome in a matter, leading to a more just result.¹²⁵

The outcome of CJGs' input in the courts is not only from the information they provide, but also from the cultural education that they impart to the judicial officers. The impact of this was highly rated by judicial officers responding to the Phase 3 survey and was confirmed by their comments in interviews, as reflected in Box 7 below.



Some CJGs and stakeholders observed that having magistrates attend Murri Court was improving their capability and level of comfort in dealing with Indigenous people.

I think some magistrates are still a bit puzzled with the cultural question. Some take it on board and some are overexuberant, I think, in expressing their affinity for cultural acknowledgement. So I think it's a little bit hard for some people to know what to do... But just as an observation, as time goes on, the longer a magistrate spends doing Murri Court, the more competent they become. And maybe the more comfortable they become. I don't think it's a knowledge thing. I think it's a comfort thing... Magistrates, initially, it's very difficult for them to get the impact of all the social disadvantages and so on of being Indigenous... So by the time they've done a few sessions of Murri Court, I know that they do get it. (Stakeholder)

¹²³ This issue has also been raised by other stakeholders during the evaluation, and it has been suggested that CJGs need further training about conflicts of interest, and there should be a requirement to disclose such conflicts.

¹²⁴ See Figure 90 in [Appendix 2](#).

¹²⁵ See Parts 4.7.4 and 4.7.5 of the [Phase 1 Evaluation Report](#), and Parts 8.5 and 8.7 of the [Phase 2 Evaluation Report](#).

Box 7. How CJGs help to build judicial officers' cultural knowledge

"In Cape York & Torres Strait I have met some very inspiring CJG members who have shared their experiences which really helped me understand some of the cultural and social matters affecting their communities. They have some great ideas/initiatives but seems to be difficult to get others to help them make it happen." (Judicial officer)

"Over the last 20 years or more I have learned so much from CJG members, Elders and indigenous community organisations on many issues..." (Judicial officer)

"In terms of how the Justice Group might have assisted me in having a deeper understanding of culture, probably the strongest area is understanding the Indigenous concept of family, that it's not as straight up and down as it might be in mainstream. And I've learnt not to focus too much on the biological aspect of who's a grandmother or grandfather, because that's from mainstream culture. It might be someone who's a great aunt but considered to be a kinship grandmother. So that's been useful to learn about. Also the importance of sorry business, and I've given quite a bit of latitude, if there are issues about sorry business, particularly in terms of the kids being exposed to it and being able to engage in it. So there has been that input, just to broaden my knowledge as well." (Judicial officer)

"I've just learnt a lot about their culture, a great deal, because I need to do that. And their stories and just the effects of things such as colonisation, government policies, down through the ages, and the result of trauma... It's very humbling because [the Elders] have all got their own stories and their stories are really quite sad, and they've shown extraordinary resilience in working through their own issues and being willing to help in any way they can." (Judicial officer)

"Every time you go [to a court with a CJG], you learn something. And I think it's also about trust building, because you start to understand how important that is and how you can't just blunder your way in and expect people to listen to you and do as you tell them to do... You have to go slowly and you've got to sort of just let it happen at their pace. And then you do see that people start coming to court. They're not just staying away because they can't be bothered. They're not so scared any more if they think they'll be listened to. So that's something I've learnt, is how to slow down the pace and let people have a talk. Even defendants, I don't mind if they have a bit of a talk, particularly if you are making protection orders and people need to feel that they've been listened to. So I've learnt that from the Elders. You learn about culture in bits and pieces. It's sort of, I don't know that they could ever sit down and give you a one hour lecture and you take it all in. You just kind of pick up bits and pieces. What's a good thing to do? What's a bad thing to do?" (Judicial officer)

"The guidance from the Elders has been invaluable in expanding the judicial staff's understanding of Aboriginal Torres Strait Islander culture, intergenerational trauma and issues facing young people and their families such as DFV and mental health issues that influence young people's behaviour." (Stakeholder)

In some locations, different magistrates convene Murri Court on three or six month rotations. Some stakeholders saw this as advantageous to expose more magistrates to Murri Court, while others thought the lack of consistency was a disadvantage. The example in Box 8 shows the profound impact that an acting appointment in a Murri Court had on a magistrate.

Box 8. How Murri Court can impact on a magistrate

"A magistrate who's been with us in that Murri Court for quite a few times... said to us that he is now leaving and going back to his [mainstream] court and to his family, but he would never forget how we conducted ourselves in that Murri Court. And he said that he felt as if it was really our court and he felt as a privileged guest to be allowed to come and to preside over it with the bench Elder and the seven Elders spread around the court and all of the defendants, 20 of them, plus your prosecution and your defence lawyer and your probation people in your town, the clerk and everybody else like that... And he said, 'if every court in Australia operated like your court, the crime rate would come down dramatically'... Because the way that we conducted ourselves towards him and towards our defendants who became part of our family was unique because he's coming from an area in a Magistrate's Court where time is of the essence and everybody's got to be moved through like a cattle yard... We were standing around him and wishing him goodbye and the emotion of it was so great." (CJG staff)

Many Elders highlighted the importance of the interactions they had with judicial officers outside of the courtroom. Elders gave examples of magistrates and District Court judges meeting with them or informally approaching them out of court to ask their advice. In the Phase 3 survey, a judicial officer who convenes a circuit to remote communities also emphasised this:

I always hold a morning tea with CJG's every circuit. I always take a drive or tour of a community with the CJG when I start working in a community, and get them to tell me all about the community, its strengths and problems and show me places of general interest, as well as facilities (i.e. women's shelter, old people's shelter, availability of groceries, pub, men's shelter CJG offices etc) places of specific interest to court proceedings. (Judicial officer)

In the Local Evaluations, the majority of CJGs had very positive views about the judicial officers that they worked with, both in Murri Court and mainstream.¹²⁶ When talking about what they considered to be a good judicial officer, they highlighted attributes such as cultural sensitivity, respect for Elders and Indigenous culture and lore, informality, friendliness, flexibility of process, willingness to listen to and consider CJGs' advice, willingness to listen to the clients, and the level of care and compassion for clients and their families.

I remember one client... he was 25, he'd been in the juvenile justice, in and out of Juvie and that. And after sentencing, he just said to me, 'Aunty, that's the first time a magistrate ever smiled at me.' (Murri Court Elder)

We actually got an inmate who did paintings for us while he was in prison. And some of [the participants] just sit there [in the court] and stare at the paintings. And the magistrate says, 'Oh, I notice that you're looking at that painting. Do you like to paint?' So I find that our magistrate, she's very engaging. She'll sit there and she'll talk to them, she'll ask them questions. She even says to them 'Oh, look at you! When I first met you, you looked like you were down in the dumps. But now look at you. You've got a smile on your face.' Yeah, she's all right... I've been really lucky with magistrates. (Murri Court coordinator)

¹²⁶ For example, comments included "The new magistrate is really good", "We've had a really wonderful magistrate", "We've had three magistrates since 2019, and they've been brilliant", "Our magistrate's really good. He respects our community".

However, the evaluation also heard examples of CJGs having difficulty with judicial officers who the CJG felt lacked cultural competence or understanding.¹²⁷ A CJG respondent to the Phase 3 survey said that *“Some magistrates will not let the CJG speak in mainstream criminal court (not Murri Court), because they are not a party.”* This would be contrary to the legislative provisions in sentencing and bail legislation. A Murri Court Elder emphasised *“You have to have a magistrate 100 percent committed to the [Murri Court] process... but not all magistrates believe in that process.”* The Elder noted that some magistrates did not take the time that Murri Court requires: *“Some of them it's bang, bang, bang. They might as well be in mainstream [court].”* The following example illustrates the need for broader understanding of the purpose of Murri Court:

So I would like to know if the magistrates have a cultural awareness training before they actually go in, but not just for the Murri Court, for mainstream as well. Because we've got a magistrate out at [location name withheld] who is in mainstream. And some of our Murri and Islander participants go through mainstream [court]... And perhaps if the participant may want to go through Murri Court, this magistrate will say 'that's not a cultural offence that they've committed... No, I want to see you go through mainstream, because you need to be in jail' and stuff like that. Now what is a 'cultural offence'? We've even had [our co-ordinator] go in the mainstream [court] and sit there and just say, 'Excuse me, Your Honour, that's an Aboriginal participant. I think that participant should go to Murri Court' and [the magistrate] will say no. You [just] bang your head against a brick wall when you got magistrates like that. And numbers are decreasing... because of this magistrate not wanting to send them into Murri Court. Why are we there if he's not allowing it? (Murri Court Elder)

Some CJGs and stakeholders were keen to see more cultural awareness training for magistrates.¹²⁸ At one Murri Court, an Elder observed that the only preparation for the new magistrate was to attend one Murri Court session elsewhere, but they felt *“that does not cut it”*, and they need more *“hands on training”* because every Murri Court is different. CJGs have consistently spoken about the importance of meetings with judicial officers to discuss the CJG's expectations and the court's expectations about how to work together.¹²⁹

When they said we're getting a new judge, I said 'Before he puts his butt on the seat, can we really have a cultural meeting with him? So he understands us. So he knows where we're coming from. You know, what the people he's dealing with'... That has never happened. (Murri Court Elder)¹³⁰

The evaluation notes that the Magistrates Court Induction Manual, which is a commitment under the Magistrates Court Reconciliation Action Plan, stipulates that magistrates will meet with the CJG and undertake local cultural awareness training within 30 days of starting at a location. The comment above indicates a need to review implementation of this part of the induction manual.

¹²⁷ For example, *“We've had some hiccups. Depends on the type of magistrate coming in. They have no experience of Murri Court. Or very little experience of Murri's. They've been flown out from down south somewhere”* (CJG coordinator); *“There is still quite a long way to go for the Court to truly be culturally sound”* (Stakeholder); *“There are magistrates who do not understand kinship arrangements or sorry business. They will only have the client's appearance excused for sorry business if they are immediate family”* (Stakeholder).

¹²⁸ Several respondents to the stakeholder survey suggested the need for more cultural awareness training for the judiciary.

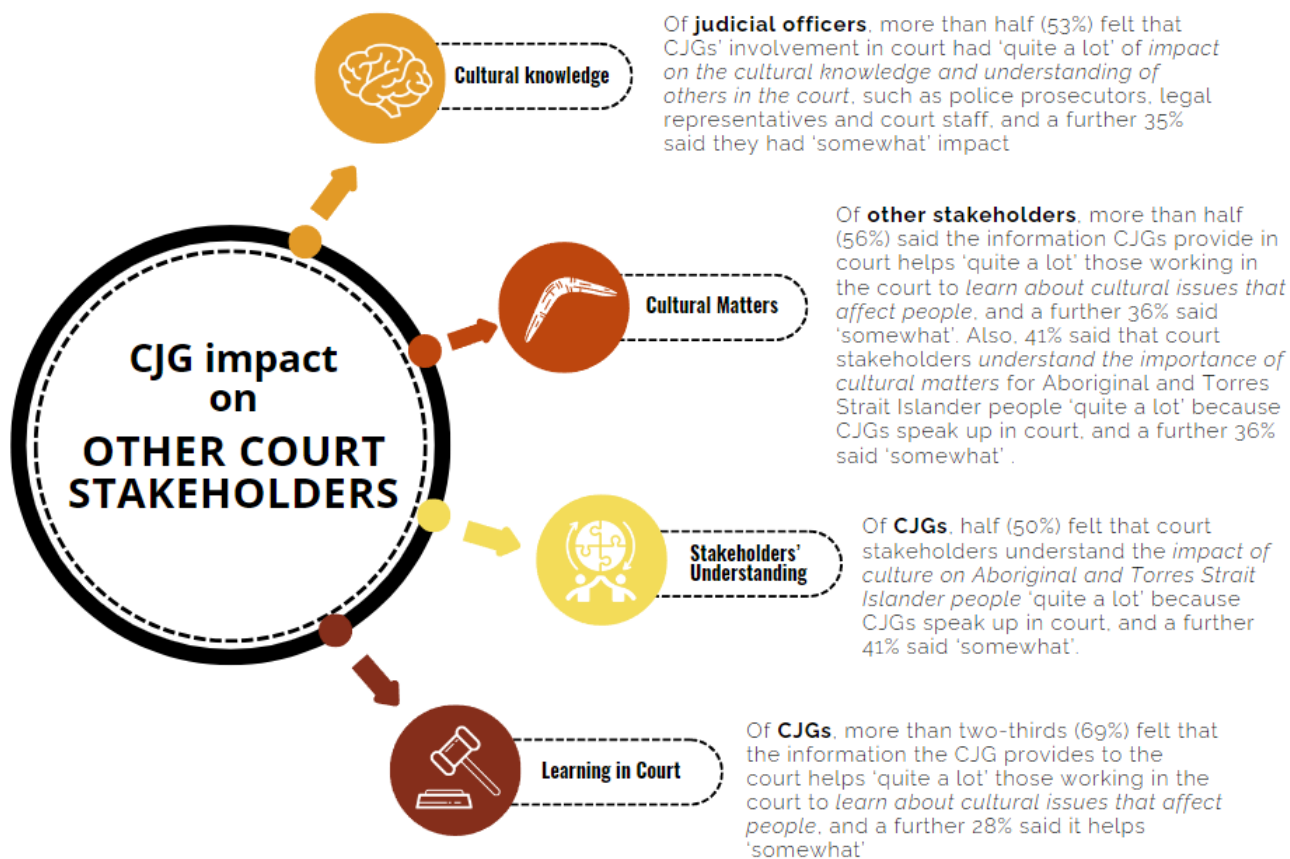
¹²⁹ See Part 4.7.4 of the [Phase 1 Evaluation Report](#).

¹³⁰ The Elder was concerned that this judicial officer was not respecting cultural protocols (*“You know you never stare at a blackfella”*).

Impact on other court stakeholders

CJGs are also positively impacting on the other stakeholders in courts, notably the prosecutors and defence lawyers. This was confirmed by the Phase 3 survey feedback from judicial officers, CJGs and other stakeholders, as indicated in Figure 8.

Figure 8. Survey feedback about CJG impact on court stakeholders¹³¹



During the Local Evaluations, many defence lawyers from ATSILS and LAQ have attested to the assistance they have received from CJGs to better understand the cultural issues involved in matters for their clients.¹³² For example:

I am at heart a really big supporter of the Community Justice Group as a program. I think they're essential. And I have definitely benefited personally and professionally from my relationship with them and from especially the knowledge and the support and some of their Elders. I mean, when I was working as the criminal lawyer, I was working with a lot of [clients], especially young men, who have very complicated family histories and cultural obligations. And it can be very difficult to understand how to represent them effectively, if you don't understand that context and the issues. And I was also always very, very grateful for the generosity of the Elders of the Justice Group to sit with me and explain what was going on and what the dynamics were of their relationships and their cultural stuff, so that I could do my job. And I definitely couldn't have done my job, especially early on when I was very green and I didn't know the context like I do now. And I'm still absolutely learning.

¹³¹ For detailed graphs of the data presented in this graphic, see Figure 50, Figure 54, Figure 48 and Figure 51 in Appendix 1.

¹³² See Part 4.7.5 of the [Phase 1 Evaluation Report](#).

I would never say that I know everything at all, but I found that to be incredibly valuable. (Defence lawyer)

In relation to prosecutors, CJGs and other stakeholders had mixed views about whether the CJGs' input in court had impacted on prosecutors' knowledge of cultural issues and their level of cultural sensitivity and responsiveness. Some stakeholders expressed the view that police prosecutors were more oriented to punishment than rehabilitation, and did not respect the role of CJGs or exhibit cultural sensitivity.¹³³ In several Murri Courts, however, CJGs spoke very positively of the cultural sensitivity of police prosecutors. It was noted that many had changed their attitude as they had continued to work in Murri Court.¹³⁴ CJG staff mentioned how prosecutors who started with a punitive attitude had begun to understand the therapeutic intent of the Murri Court process. A CJG Elder recalled how some of the police prosecutors who first came into Murri Court would object to the recommendations of the Elders, but *"once they're there for a while and they see the positive outcomes, then that changes their mindset."* This has a positive flow-on effect within QPS: *"I've seen the changes with the police prosecution being happy, and that's a real effect as well as they'll go back to their bosses and they'll say, 'you know what, the Murri Court process has worked.'"* The personal reflections of a Murri Court police prosecutor in Box 9 underline how Murri Court can change a court stakeholders' mindset. As in the case of judicial officers, some CJGs and stakeholders saw a need for more cultural awareness training of court stakeholders:

[Court] Stakeholders need to do their own cultural awareness and cultural immersion to understand what the CJG is trying to do. The CJG's can present reports; talk in court to the circumstances of the offence and the background of the offender but if the key stakeholders have no cultural knowledge

Box 9. Perspectives of a police prosecutor about Murri Court

"Well, I find myself in a position, obviously, where ... I'm there presenting the case against individuals that are transitioning through the Murri Court process. That would otherwise be a position... that attracts some negative comments and some negative feelings – I'm another whitefella trying to prosecute them. But look, I've come to this with an open mind and recognise that what they're trying to achieve is a changing of people's lives, people's perceptions. And what that requires of me is to change my own [mindset] so that I'm not any longer... involved in a process that is geared towards punishment. I've got a focus now in the Murri Court on rehabilitation and even to the extent of when they go through and successfully navigate through Murri Court, it's almost a position of reward as well. [To say,] 'You've done this, you've done really well, you've made significant changes. Now you do have to be held accountable for the things you did do. But the reward is that because you've made changes and those changes can be taken forward, then we can reward you.' And I will often times modify my submission on penalties on that basis. [S]ometimes you've got people that have horrendous history and the difference might be, you know, a period of probation rather than a suspended jail sentence. Or you might have people that don't have a tremendous history and so the difference might be a fine or community service as opposed to something a bit more stringent.

So that's been the situation where I've been able to temper my involvement... And something that has instigated, certainly inspired, my position is... how the CJG are working towards rehabilitating people. I thought it counterproductive if I was to be part of a process where individuals were being taken through and given all these rehabilitating programs only to come to the end for me to then whack 'em with a big stick... So it had to be an alteration of my own standpoint, my own perceptions. And that's how I aligned myself with the values of the Murri Court and the values of the CJG." (Police prosecutor)

¹³³ For example, a CJG staff member thought that prosecutors *"have a long way to come with understanding for our mob"*, while another felt that the CJG was *"treated with disdain or disbelief by the prosecution and some magistrates"*.

¹³⁴ *"Police prosecutors, especially when I first went there (to Murri Court), they were just [saying] 'Send them to jail, send them to jail.' Now you see them. They got hit by the Elders and the magistrate... Definitely dealing with them a lot more appropriately now... They are now more guided by the court and Elders."* (Stakeholder)

outside of what the CJG brings then they are banging their heads against brick walls. I would like to see this review highlight the level of training and cultural work done by police, magistrates and judges. (Stakeholder)

7.2.2 CJGs help the justice system to support the cultural safety, rights and interests of Aboriginal and Torres Strait Islander people

The CJG program intends that by contributing better cultural information and increasing cultural sensitivity and responsiveness of judicial officers and court stakeholders, this will translate into better protection of the cultural safety, rights and interests of Indigenous people in the justice system. There is strong evidence from the evaluation that CJGs are contributing to this outcome through their work in courts.

As Figure 9 shows, the Phase 3 surveys of CJGs, stakeholders and judicial officers showed a strong belief that CJGs improve the experience for community members when going to court. Perhaps the best measure of whether people’s cultural safety, rights and interests are supported is the feedback from CJG clients themselves. As Figure 10 shows, the feedback from the community has been highly positive about CJGs’ court support.

Figure 9. Surveys of CJGs and stakeholders¹³⁵

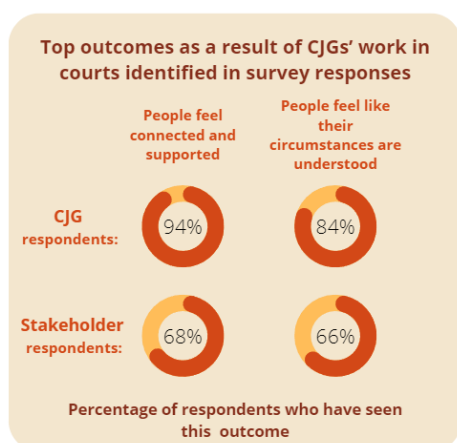
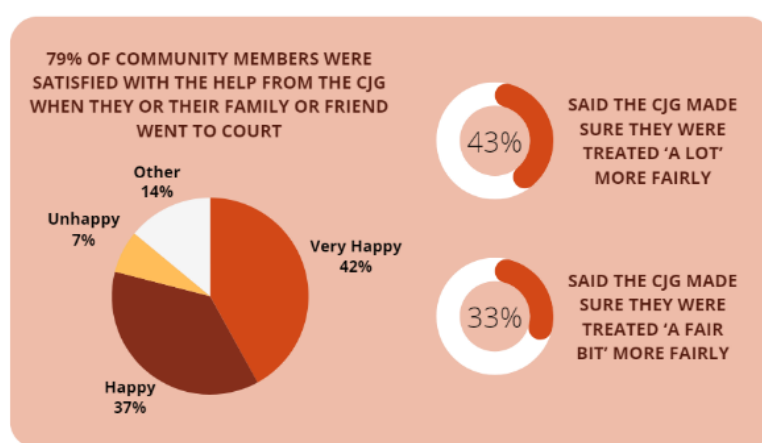


Figure 10. Surveys of community members (16 sites)¹³⁶



Reasons for positive responses given by CJG clients included “I felt supported by them”, “They have always helped and listened to me”, “I feel respected and safe”, “knowing I had someone on my side”, “treated me like a person”, “Support and caring and understanding”, and “[Coordinator] is always there for us”.

The evaluation has found that CJGs contribute to courts supporting the cultural safety, rights and interests of Indigenous people in the following ways.

The CJG helps make courts a more culturally safe space for people

Many community members and stakeholders commented on how CJGs support cultural safety in courts. This is especially prevalent in Murri Court, where the Elders and the magistrate typically take steps to make the court space and the court process more friendly. For example, CJGs and stakeholders commented on how some magistrates will come down from the bench and sit with the Elders and other parties, how people dress less formally and police do not wear uniforms, how there may be cultural artwork in the court, and how the language and process is less formal. A stakeholder highlighted that Murri Court was a “welcoming space that makes people feel more comfortable in going”, which also meant that participants “can be themselves” and “don’t have to try and dress up when they are not used to doing that.” An Elder spoke about how “the judge

¹³⁵ For detailed graphs of the data presented in this graphic, see Figure 46 in [Appendix 1](#).

¹³⁶ For detailed graphs of the data presented in this graphic, see Figure 89 and Figure 92 in [Appendix 2](#).

actually speaks to them really plain and simple, and really they are all connecting – it's a yarn." The Elder said the effect on the participants is that "they look up to the judge, straight up, and smile". The following reflection from a Murri Court participant illustrates how the court is culturally safe.

You go to court every second week. I've been there a couple of times. It's scary the first time because you don't know what to expect, and all the Elders and everyone there. But it's actually pretty welcoming... And I'm like, white-black, you know, and so... I [often] feel really uncomfortable, but no, they're very welcoming... I probably wouldn't have been heard, not like that, in a normal courtroom. (Murri Court participant)

A stakeholder who was new to Murri Court told a story that exemplifies how Murri Court can be a safe and supportive space for participants.

You walk into court. Everybody's really positive. No shame. No fear. The total opposite. Just like really uplifting. And I feel like that's truly why people are coming, the service users [participants]... This service user, she had just had a baby. It was like a week or two weeks old, so she didn't have to come to court... But she came into court with her baby. And the only reason I can see is that that's her supportive place. Which doesn't make sense, because it's a court, you would think you would try to get out of it if you could. But she wanted to come there and I feel like that's just Murri Court. (Stakeholder)

The CJG makes sure people feel respected and heard in court, giving them confidence in the system

Another theme from the interviews is that the experience is different for people when the CJGs are in the court because they are more likely to be heard. In mainstream courts, this is often facilitated by the CJG making verbal submissions or assisting the defendant to communicate with the court. In Murri Courts, the process itself encourages the participant to have a voice and this is enabled by the additional time available.

Because a lot of the times, if they are going through court, they feel like they can't tell their side of the story. I think that's what is good about Murri Court. They get to tell their side of the story. And every fortnight we can reveal something new to the magistrate about them. You know, they're a person... Like people are being heard. It's not just, 'oh you done something wrong. You got to go.... through the prison.' (Murri Court staff)

Every week there is a good story. I sometimes go to Court and see how the magistrate is really listening to the Elders, giving the defendants a chance to speak up and seeing how empowered they get when they know that someone is listening. (CJG staff)

[We ask] 'Well, tell us about you, tell us your story. We've got the police record, but you tell us.' And that's when you can really start listening to what people are saying to you. And the discrepancies are really quite amazing sometimes between stories [and the police record]. Because I often find that when our mob do something wrong, they own up to it – 'Yeah, I did that.' [But it might be different to the police record.] (Murri Court Elder)

The CJG also helps family members to have a voice too. A judicial officer in a Childrens Court told of how he encouraged parents or guardians who had something to say to flag it with the CJG Elders to share with the court.

Judicial officers who sit in Murri Court suggested that ensuring people are heard is crucial to improving their confidence in the justice system.

[In Murri Court,] they're given the time. You're not just a number and another sausage just pushed out the door. We all sit down, we talk about it... I think they feel listened to. (Judicial officer)

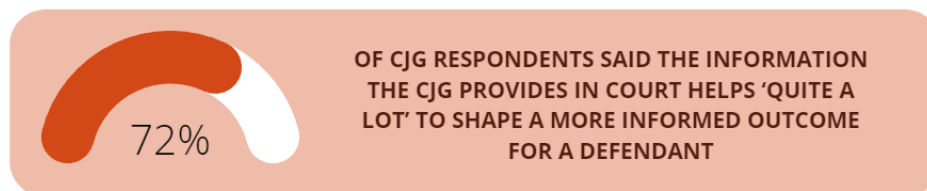
In the Murri court, they have a greater trust in the system as a result of the Elders communicating that, [and there's] so much more time that we spend with these participants than we do in the mainstream court. (Judicial officer)

The CJG keeps court stakeholders accountable for treating people fairly

Quite apart from information they provide, the mere presence of the CJG in court ensures greater cultural sensitivity and fair treatment by the court stakeholders. A stakeholder felt that courts show more cultural sensitivity when CJGs are present “because they know there is eyes watching”. He felt the Elders were “educating our stakeholders, like police prosecutors [and], community corrections. You know, just their presence alone, I think... makes [those stakeholder] stop and think.”

The CJG helps the court makes better informed, more effective decisions

Ultimately, the rights and interests of Indigenous people in courts are safeguarded when CJGs provide cultural and contextual information that ensures the court makes a better informed and more effective decision for that individual's particular needs and circumstances. All stakeholders indicated that CJGs' input in the courts contributes to better decisions. CJGs perceive a strong impact on court decisions.¹³⁷



A CJG representative highlighted that the cultural information “is not an excuse, but a fact of their life that they struggle with”, so the real benefit is to use this “to know what can be done to help them” as this “can make a world of difference to their future.”

The evaluation has heard many stories of how the CJG's involvement has led to better outcomes for the defendant and for the wider community, in terms of a more appropriate and effective sentence that takes into account the individual's circumstances¹³⁸ and is more likely to succeed in rehabilitating them.¹³⁹ The *CJG Stories of Success* compendium contains strong anecdotal evidence of the outcomes being achieved by CJGs in the courts.

The outcomes from CJGs in improving court decisions are outlined in the following comments from judicial officers:

A principle sentencing factor involves "rehabilitation" and utilizing our sentencing powers to "empower those" to address a wide range of issues that continue to over represent First Nations people in the criminal justice system. It also acknowledges the capacity to hear from respected Elders certain aspects of an offender in that Community. By engaging and listening I have a more focused insight in how best to address the offending behaviour whilst reintegrating that person into their Community. (Judicial officer)

¹³⁷ For detailed graph of the data, see Figure 53 in [Appendix 1](#).

¹³⁸ Examples provided in the survey were: a woman charged with high risk driving offences who received a more appropriate sentence after the CJG brought to light information that she was in fact suicidal and seeking the attention of police following a domestic assault; a person charged with unlicensed driving who was following a cultural obligation to drive an elderly relative.

¹³⁹ For example, see the evidence in Part 8.5 of the [Phase 1 Evaluation Report](#).

I found the interaction with the CJG to be of extraordinary value. The impact of their work on the wider community is significant and valuable. The outcomes of court processes appear to be more meaningful in many cases after progressing a matter through the Murri Court with the assistance of a CJG. The CJG I was working with had realistic expectations of outcomes and were highly dedicated and professional in their roles. (Judicial officer)

7.2.3 CJGs help people in contact with the justice system to know what is happening and know what to do

The evaluation has heard that a substantial part of the work that CJGs do in courts is supporting Indigenous people to understand the court process and what they are required to do. This work is done in both Murri Courts and mainstream Magistrates Courts, and sometimes in the District and Supreme Courts. In recent years, several CJGs have been specifically funded for additional positions to provide support around DFV court matters, especially in discrete Indigenous communities and in the Specialists DFV Courts established in regional centres of Mt Isa, Townsville and Cairns.¹⁴⁰

Data reported by CJGs to the Department indicated that in 2022-23, CJGs across the State had collectively:

- attended mainstream Magistrates Court on 1,479 occasions, providing support to 6,911 clients
- attended Murri Court on 275 occasions, providing support to 2,540 clients
- at DFV enhancement sites – attended DFV court on 128 occasions, providing support to 576 clients (including both defendants/respondents and victims/aggrieved).

It is widely recognised that many Indigenous people require support in understanding and navigating court processes. In Phase 3 survey responses, about a quarter (24%) of judicial officers expressed the view that people attending court know ‘little or nothing at all’ about what is happening in the courtroom and a third (35%) know ‘little or nothing at all’ about what is happening to their matter throughout the court process (see Figure 64 in [Appendix 1](#)).

CJGs and other stakeholders believe that CJGs are having a positive impact in helping community members understand the court process. This came through strongly in the Phase 3 surveys, as represented in Figure 11.

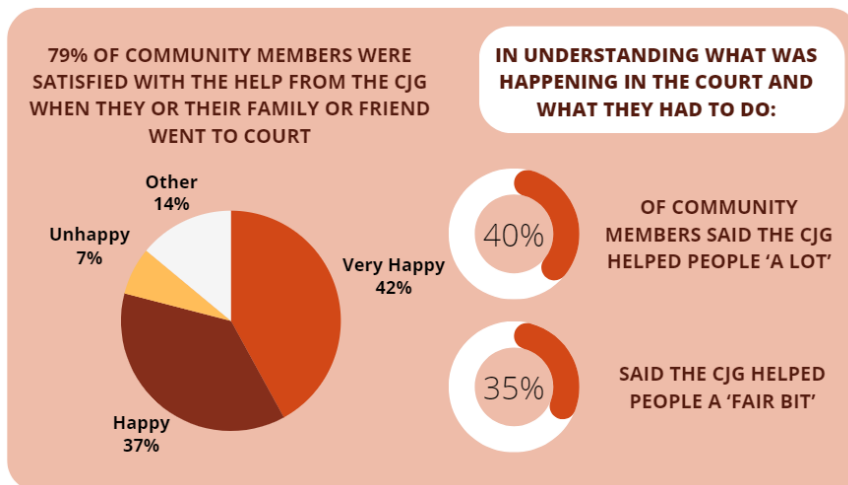
An important indication of whether the CJG is delivering outcomes in supporting people to understand the court process is the feedback from CJG clients and their families. The community surveys collected 453 responses from 16 CJG communities. The results indicated that community members who had been to court or had families or friends go to court generally rated the assistance of CJGs very highly (see Figure 12).

¹⁴⁰ The main functions of CJGs’ court support for DFV is to transport people to court, help them in their interviews with lawyers, explain the court process and any orders made (especially DV orders and their conditions), and refer them to DFV support services or CJG initiatives such as men’s and women’s groups.

Figure 11. CJG and stakeholder survey responses, 2023¹⁴¹



Figure 12. Responses to community surveys (16 sites)¹⁴²



Comments by community members included 'Family and me have felt safe, [CJG staff] tells us court dates and helps with information', 'well organised for court', 'always there to help, before and after court', 'supportive especially with the young kids, some of the kids don't understand white man ways', 'friendly, helpful, walked me through the process', 'manager gave my son a lot of support that day', 'Support in court and a safe place to talk to and help me with my issues', 'They broke it down to my understanding', 'My friend was in a real moral predicament with their case & got a really positive result from their court appearance thanks to the CJG help', 'knowing I had someone on my side'.

¹⁴¹ For detailed graphs of the data presented in this graphic, see Figure 46, Figure 57 and Figure 58 in [Appendix 1](#).

¹⁴² For detailed graphs of the data presented in this graphic, see Figure 93 and Figure 89 in [Appendix 2](#).

A CJG client interviewed by the evaluation team explained the CJG's help as follows:

I need to know more details about the system. Most of the things I went through, I don't understand. Just like, the process. It makes us think and we get stressed out really and we... need the right [information]. They explain all the charges... Especially with all the big words and stuff, I always ask them to drop it down and explain it to me. (CJG client)

CJGs primarily support defendants (or respondents in DFV cases) when attending court, but they also provide support to families of people appearing (see Figure 13)¹⁴³. In some cases, CJGs also provide support to victims, especially where the CJG employs DFV court support workers or men's or women's support workers. Some stakeholder respondents to the Phase 3 survey were critical in expressing the view that CJGs do not provide enough support to victims and are too focused on defendants. There can be a conflict of interest if the same staff member or Elder seeks to support both the defendant and the victim in a matter. In the CJG's DFV court support work, this can sometimes be managed by a different worker supporting each party.

Figure 13. Survey responses



The data reported by CJGs in 2022-23 confirms that CJGs' activity in supporting victims is a small part of their work in mainstream courts, and a slightly larger activity in DFV courts:

- In mainstream Magistrates Courts dealing with offences, CJGs supported 12 victims in non-DFV related offences and 29 victims in DFV-related offences (these account for 0.6% of the 6,911 people supported);
- In mainstream Magistrates Court dealing with DFV proceedings, CJGs supported 413 aggrieved parties (6% of total people supported);
- In DFV Enhancement sites, CJGs supported 49 aggrieved in DFV proceedings (10% of total people supported).

In the interviews with CJGs and stakeholders over three years, people highlighted the following important outcomes that flow from CJGs' work in helping community members to understand the court process.

The CJG helps people to attend court and to avoid warrants for non-appearance

Many stakeholders attested to the importance of the CJGs providing assistance to defendants to attend court (see Figure 14).¹⁴⁴ This was highlighted in Part 8.6 of the [Phase 2 Evaluation Report](#), where it was noted that judicial officers in particular appreciate this function of CJGs.

As the following stakeholders' comments underline, this function is crucial to avoid people being arrested by police for non-appearance:

¹⁴³ For detailed graphs, see [Figure 49](#) and [Figure 56](#) in [Appendix 1](#). Note that 13% of stakeholders answered 'don't know.'

¹⁴⁴ For detailed graphs, see [Figure 49](#) and [Figure 56](#) in [Appendix 1](#).

They assist their clients in understanding their bail conditions by confirming with them their understanding, they ensure their clients understand when their next court appearances are so to avoid warrants being issued. (Stakeholder)

In remote communities where there is a circuit court, I am aware of CJGs travelling around town the morning of court and picking up people who need to go, to avoid warrants being issued (Stakeholder).

A CJG staff member felt this was an important role CJGs play in reducing unnecessary contact with the justice system:

I just hate our mob going to prison for little things or stupid things. Like, half of it is, you know, they got this charge here, but they didn't rock up to court on this day, and now they are in trouble. That's rubbish, I hate that sort of stuff. (CJG staff)

CJGs assist people to attend court not only by transporting people, but by making court a safer space (as discussed in the previous section) and by providing encouragement to participants. For example, a youth worker at a Youth Murri Court observed:

[Without the Elders], it would be far more difficult to get these young people to court. In the first instance. I think the young people, knowing that they've got Indigenous representation in that room makes it a safer place for them to enter. There would be more warrants going out for not attending. Once they know one warrant is out, they avoid the police, then they think 'stuff it' and go and commit crimes, because 'the coppers already want me'. So I think having the Indigenous representation in court for these kids is really important. (Youth worker)

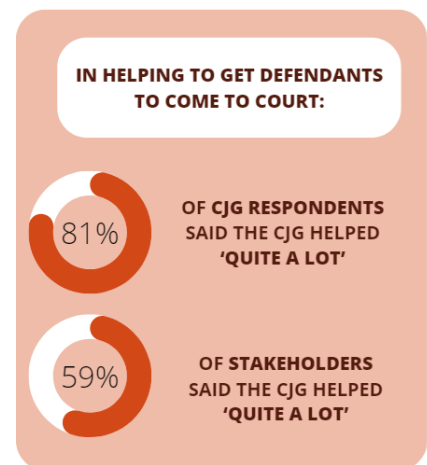
In DFV matters, CJGs and stakeholders felt it was important to encourage both aggrieved and respondents to attend civil court, even though it is not compulsory. There is a concern that if parties are not present to put their story forward, orders will be made that do not take account of their circumstances or include unreasonable conditions. Some CJG and non-CJG stakeholders felt that some police were actively *not* encouraging respondents to attend DFV court proceedings, because they wanted to pursue a punitive approach.¹⁴⁵ Whatever the reason why respondents do not attend, there was broad consensus that a major problem is respondents' lack of understanding about the DFV process and the conditions of the DFV orders made by the court.

The CJG helps people to understand court orders and therefore avoid breaches

Many people have told the evaluation that a significant number of breaches of court orders (especially DFV orders) by Indigenous people are due simply to a lack of understanding of the conditions of the orders, by both the recipient of the order and their family.

Unfortunately, and very generalising, a lot of people are getting incarcerated for breaching an existing order, possibly because they don't fully understand the consequences of probation, or parole

Figure 14. Survey responses



¹⁴⁵ A CJG staff member said: "There's a lot of issues with the police and this has been raised in a lot of stakeholder meetings: the police go to their address, charged the male or the female with the offence. Then they ask the police, 'Do we need to go to court?' The police tell them 'no, they don't have to turn up for the court. They're going to make an order anyway...' Majority of males, 80% don't know about the order that's been placed on them in the court of no contact with their wife or girlfriend... or the kids and they end up breaching and they end up going back to court, getting locked up and being sentenced to go to prison."

or bail. And family, community don't understand the consequences of their behaviour against somebody else that's got an order on them. (NGO stakeholder, remote community)

A gap around the court process of DV is because people don't understand the orders. The orders have the wrong, inappropriate conditions on them – like 'no contact' conditions which aren't workable. The men don't understand the orders and breach them. (CJG Coordinator)

The 'no contact' condition in many DFV orders is seen as a particular problem. If a respondent does not attend court and have the conditions explained to them, a police officer serves the order later, but the respondent may not understand the requirement to stay a distance away from an aggrieved or their residence and not to contact them, including through third parties. Further, where aggrieved parties are not aware of a no contact condition, they may contribute to the respondent's breach by encouraging them to come to the residence (for example, to see or look after children).

In the Phase 3 stakeholder survey, some respondents were concerned that explaining court processes and orders is the role of solicitors, and CJGs should not be giving legal advice.¹⁴⁶ This misunderstands how CJGs see their role, which is not to provide legal advice but to ensure that clients have understood what the court and lawyers have said to them, and to help them understand the overall court process. CJG staff saw their role as checking that people understand, and translating legal jargon into everyday language for people.

The CJG helps to reduce stress and to calm people attending court

A number of people felt that the most important outcome of CJGs' support for people in courts is simply reducing the stress and anxiety associated with attending court. A stakeholder observed: *"I witness our local CJG shepherding people through the court process each week - interacting, calming - when necessary - directing and advising people attending on different weeks."* In the Youth Court (previously High Risk Youth Court) in Townsville, several stakeholders commented on the role that the Elders played in settling down the youth and their families during the court proceedings. A CJG staff member noted that there were instances where matters could have escalated, with negative consequences for the young person, but the Elders had calmed matters down.¹⁴⁷ A court stakeholder confirmed that the youth had been much better behaved and showed more respect since the Elders started attending the court: *"I found the Elders have become a calming influence. And that's been really useful"*. The stakeholder noted that the Elders' attendance has also been *"a comfort to the parents to come into court."*

At another court in a regional town, a stakeholder observed the benefit of the CJG involvement:

Everyone speaks highly of this Justice Group, everyone says how proactive they are, and we can see that in a face to face as well. When it's a court day here and the Justice Group come, everything is seamless. Everything is run very smoothly. People, all their documents, everything is ready for the court and the magistrate and they go forward. And so there's no delay for any of their clients. (Government officer)

In DFV courts, the CJGs' court support workers are assisting all parties and their families. CJG staff mentioned that many people did not understand that DFV court is a civil court – *"a lot of our mob think they're going to jail for DV, when it's only civil [court]"* – so it *"puts them at ease"* when the process is explained. A CJG worker recalled assisting an anxious young girl who was the aggrieved to attend DFV court – *"She kept looking back to see if I was in the gallery"*.

¹⁴⁶ For example: *"I am not aware of what legal training the CJG staff receive, but it should be the lawyer's role to explain what a defendant has to do in court, if the lawyer is not doing that, that should be addressed through better training of the lawyers"*.

¹⁴⁷ Another good example is in Box 4 of the [Phase 1 Evaluation Report](#).

The CJG helps to ensure people are effectively legally represented

One of the outcomes of CJGs' work is assisting people to see their lawyer and to understand what lawyers have said. A CJG coordinator said part of her role was *"I go down to court and I tick everybody off and I make sure that everyone sees a solicitor and knows how to engage with that solicitor."* CJG staff also assist during consultations with lawyers, especially duty lawyers who may not have strong cultural sensitivity: *"I break down the jargon, the terminology that the lawyers use"* (CJG staff). The following story illustrates the value of this role:

So when we sit in with the lawyers, I think that's the most important part. I've had one client come up there and when she was talking to me she was so lovely... But when she went in to talk with the lawyer, she got really agitated and angry because she couldn't understand it. And she just started going off and she didn't want to talk to that lawyer because she was really confused. She didn't know what that lawyer was talking about. And she was just misinterpreting what the lawyer was saying... But when I went and sat in with her, she was right then because when the lawyer would talk, I would just talk to her. And then she was like 'Oh yeah, yeah, I understand now.' And I'm just reassuring her. So that was just something that showed that it's really needed. (CJG DFV worker)

The CJG empowers people attending court to have agency

A further outcome of CJGs' support in courts is empowering people with knowledge about the process and the capacity to make choices. People felt that Indigenous clients were often passive parties in the justice process, and the CJG needed to give them the information and the encouragement to stand up for their own interests. Several stakeholders saw a major problem in the tendency of Indigenous people to exhibit 'gratuitous concurrence'.¹⁴⁸ Diana Eades has described this as "the pattern of saying yes in answer to a question (or *no* to a negative question) regardless of actual agreement or even understanding the question."¹⁴⁹ It has been observed as a common issue for Aboriginal people in the legal system, and Eades suggests it may have cultural reasons whereby Aboriginal people prefer to withhold from contradiction in a conversation, and deal with areas of disagreement over time, indirectly if possible. The following comment illustrates this:

One young fella, he'd been charged with aggravated assault... and [he's] gone in with ATSILS and they read out, 'Right, this is the charges. They're pretty significant. Do you understand them?' 'Yeah, I do.' 'Do you know why you done it?' 'I don't know, I was drunk and angry.' So the charges was enough for him to do from three to six months. You know, I waited to the end of it and I said [to him] 'Tell me what that means.' He said, 'I don't know'. I said, 'Well, bloody hell, why are you saying you understand? You don't understand. You need to say 'I don't know''. I said, 'You're 18. So this is for keeps now. Now, look, you've got a criminal record. There's a hurdle for jobs. You got possibly [prison] time coming ahead of ya, which you don't want to do. You got a young family at home... You need to have the courage to say to the solicitor, 'I don't know', like 'can you explain to me in terms that I understand?' (CJG member)

Several people raised concerns that the tendency to agree to whatever is being put to them led to some defendants pleading guilty to offences that they did not commit. In addition, some stakeholders felt that people pleaded guilty because defence lawyers advised that for minor matters that would not lead to custodial sentences, pleading guilty meant the matter would be dealt with quickly, whereas 'not guilty' pleas

¹⁴⁸ For example: *"We have to try and help our mob out as much as we can at court. Make sure they know the options, and just so they can make informed decisions. A lot of them opt to say yes because they think that the person, what they're saying is right."* (CJG staff)

¹⁴⁹ Eades, Diana, 2015 'Taking evidence from Aboriginal witnesses speaking English: Some sociolinguistic considerations,' *Precedent*, Issue 125, January/February 2015, pp.44-48 at p.47.

would require coming back to court. CJGs can play an important role in avoiding this outcome by liaising with client, defence lawyers and police ahead of the court day, to ensure an agreed set of charges that the client will plead guilty to.

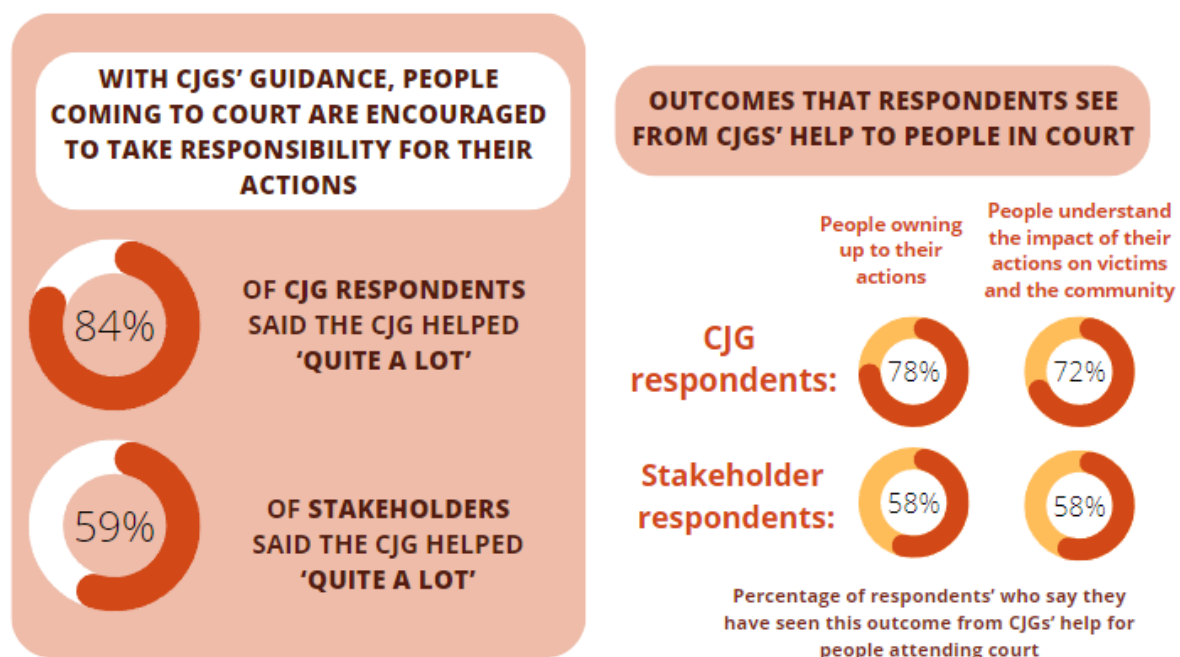
So CJG staff see their role as empowering community members, to “make sure they know the options, just so they can make informed decisions”. An Elder emphasised that “They need to be able to go there to court and speak freely and find out information and get the information that they need so they can go there strong headed instead of shit scared, ‘What do I do? What do I do? I’ll just... plead guilty in there.’”

7.2.4 CJGs help people understand the consequences of their actions and the community’s view of their behaviour

An important intended outcome of CJGs’ and Elders’ work in courts is to ensure that people are accountable for offending behaviour. This is a difficult balance for CJGs, because on the one hand, their role is to provide court reports that provide context for a person’s behaviour, often with the goal of reducing the punishment received by the offender. In Murri Court, CJGs and many court stakeholders felt that a central goal of the process was to avoid a prison sanction for someone who might otherwise receive this sentence. However, the rationale is that the participant has to take other action towards rehabilitation and perhaps restitution to achieve this outcome.

The Phase 3 surveys provide some indication of whether CJGs, stakeholders and judicial officers believe that CJGs are succeeding in making people accountable for their actions. As Figure 15 shows, CJGs strongly believe that this is the case, and a majority of stakeholders also held this view.

Figure 15. CJG and stakeholder survey responses, 2023¹⁵⁰



In the Local Evaluations, CJG representatives consistently highlighted the importance of their role in keeping offenders accountable for their actions. They conveyed a strong belief that this is an outcome of their work supporting people in the court process. The comments of CJG Elders in Box 10 show the strength of this conviction.

¹⁵⁰ For detailed graphs, see Figure 46, Figure 57 and Figure 58 in [Appendix 1](#).

Box 10. Elders' views on making offenders accountable

"If every community could have a Murri Court or Koori Court or Noongar Court, that would be amazing. You know, you hear criticism about it, 'oh, it's an easy way of getting out of jail.' Well, no, it's not, because we hold them accountable and if they don't do what they need to do, they go back to mainstream court and dealt with through them courts." (Murri Court Elder)

"Elders have to know how to show tough love, but also know how to give soft marshmallows." (Murri Court Elder)

"When I first started, I said you know, this is not for them to come in and you know, just come in and listen and [then] go do what they always do. You don't come for the free ride. I just tell them straight out... If they need a smack on the wrist, they get it, so it's not all hugs and kisses and you know, 'you poor bugger' and all this. So when we need to be firm, we are." (Murri Court Elder)

"We know what it's like. We've all dealt with those things within our own families. So, we know how to be tough, but we also know how to be kind and loving." (Murri Court Elder)

"Half the time you may know the participants, you know, their family and, if I don't know them, another uncle or aunty will know that person. So you kind of talk to the participant like they're family. And if they've done wrong, we can grab them before we go into a court space in our private little room. We can, you know, like a parent would chastise a child ... that's like family, that works really well. And most of them have respect enough to listen to what we say." (Murri Court Elder)

"Like if you going through court and you're telling a lie, those Elders know they've got a duty of care to [call that out]... It's keeping everybody accountable." (Murri Court Elder)

"We live in a smaller community, we know most of the families' background and a couple of times I caught them telling deliberate lies and then they see me looking at them and they go, 'No, no, I didn't mean it like that' or they say something else." (Murri Court Elder)

"I think to do a good job, your first job, you must make the offender totally 100% responsible for their actions. You need to make them feel that way. Look yourself in the mirror, you're blaming everyone else. Don't blame this or blame that. You put this up here... Anybody re-offends and come back here, then my recommendation to the magistrate is send them back to the mainstream. Because for too long, its 'Oh, poor bubba, let them back in.' That's not me. Because if we're going to guide them, they've got to realise what they've done to the community, and to their victims... You know, we're not trying to shame on someone. But ask them 'what are you doing driving that car and running into a car load of kids?' No good feeling sorry for [the client]. We all know they are there because they have had a troubled childhood, most of them... Grandparents never worked in their lives, never mind the father and mother and aunties and uncles. [But]that's what I try to make the client feel. Look at yourself in the mirror and see it for yourself." (Murri Court Elder)

"We would give them full support, but it doesn't stop us from having a word with them in court and outside as well to make sure that they try not to do those things again." (CJG Elder, remote community)

CJG representatives were aware that Murri Court is perceived as a 'soft option' by some people, and they acknowledge that some clients come to Murri Court simply because they want to avoid jail. However, CJGs see Murri Court as a much more effective way of making offenders accountable for their actions than mainstream courts.

If you were to go just to [mainstream] court, the process isn't explained to you, so you don't understand the consequences, don't understand the damage, the impact, that you've had on someone. But all that is spoken about [in Murri Court], to be able to comprehend the full scale [of your actions]. Not just, 'you messed up, we need to fix you.' What about the person you stole from?

What are we gonna do about that? So all that is definitely a lot more valuable than just going to the Magistrates Court. (CJG member)

A judicial officer and another stakeholder responding to the Phase 3 survey agreed that Elders could be more impactful than magistrates in holding people to account.

The Elders' contribution in Murri Court is great. The Elders say things to defendants that are important for the defendants to hear, but which I cannot in my role, say. (Judicial officer)

Being "told off" by a judicial officer who does not speak language rarely has any impact on a First Nations person before the court - being held accountable by a member of the CJG in language is very powerful and impactful. (Stakeholder)

A CJG representative observed that a message delivered by Elders is more impactful for cultural reasons.

A magistrate will tell them 'you got to stop drinking.' [shrugs] When an Elder says 'You're drinking all the time. Look, we know you,' that sense of shame is different. They don't care what the magistrate says, unless they're going to jail, but when it comes from an Elder or someone you respect, yeah, it hurts. Yeah, it makes you look at yourself. (CJG member)

In the interviews for the Local Evaluations, most stakeholders external to the CJGs agreed that CJGs were successful in keeping offenders accountable for their actions. Two counsellors reported that their Indigenous clients referred from the CJG told them about the Elders' impact on making them feel remorseful for their behaviour.¹⁵¹

On the other hand, some stakeholders expressed the view that Murri Courts needed to be tougher on participants. One concern was that participants who did not complete Murri Court or who re-offended later were being allowed to return through the process. This view perhaps discounts the fact that Murri Courts deal with recidivist offenders and it is unrealistic to expect immediate success in every case. Another stakeholder felt that the local Murri Court was too sympathetic towards offenders and not focusing enough on the impact on the community of the offenders' behaviour.¹⁵² A police officer in a remote community expressed the view that the CJG was too focused on supporting perpetrators of DFV, and not enough on the rights of victims and families. One issue raised by an Elder is that they do not always have access to the details about their clients' offending. This Elder was shocked to discover the severity of the offending behaviour only at the end of the Murri Court process, when it was discussed during sentencing. The evaluation understands that details relating to the charges against the offender are shared with CJGs in some locations but not others. The evaluation suggests that DJAG take this issue up with QPS to ensure a consistent approach that provides sufficient information to CJGs to be able to understand the impact of the offending on the community.

Ensuring perpetrators are held to account for their actions is a central goal of the Queensland Government's DFV strategy.¹⁵³ The DFV Enhancement provided to CJGs in 18 discrete communities is expected to

¹⁵¹ "I think back to some of the men's yarning groups and picking up on what the guys say... [Murri Court] definitely helps people to understand the impact on other people. And I think that's where the Elders come in... because they're actually able to speak to that based on their experience and, you know, connections to the community" (NGO stakeholder); "It's interesting talking to them about their relationship with the Elders, because they'll come back and give me the most honest answer, that I feel shame because that Elder is my Elder, my aunt or my blood and I am doing this. So I will say, 'righto that's where we start and how do we change this?'" (NGO stakeholder)

¹⁵² "[T]hey see the good side of people and I keep reminding them: 'Remember, they've committed crime. That's why they're before court. So it's great that you love them. But remember, they have got to make up for what they've done to the community.'... It's that balancing aspect is missing... They've got to take a tougher stance." (Stakeholder)

¹⁵³ See: www.justice.qld.gov.au/initiatives/end-domestic-family-violence/dfvp-strategy.

contribute to this and other aspects of the justice system. Apart from the consistent feedback from CJGs across the State that they believe they are succeeding in making sure people own up to their actions and recognise their impacts on the community, the evaluation has not been able to assess this measure specifically in DFVE sites. In the Phase 3 survey of judicial officers, very few could comment on changes at DFVE sites (see Figure 75 in [Appendix 1](#)). Two of the judicial officers who have sat in courts in the DFVE sites said they have seen changes in perpetrators taking responsibility for their actions since the DFVE services started.

In summary, this evaluation has found that CJGs and most other stakeholders believe that CJGs are succeeding in making sure people understand the consequences of their actions and the community's view of their behaviour. The feedback suggests that the level of respect and community connections of Elders makes CJGs a valuable adjunct to courts in holding offenders to account.

7.2.5 CJGs impart the motivation, the information and the opportunity that enables people to address their underlying issues

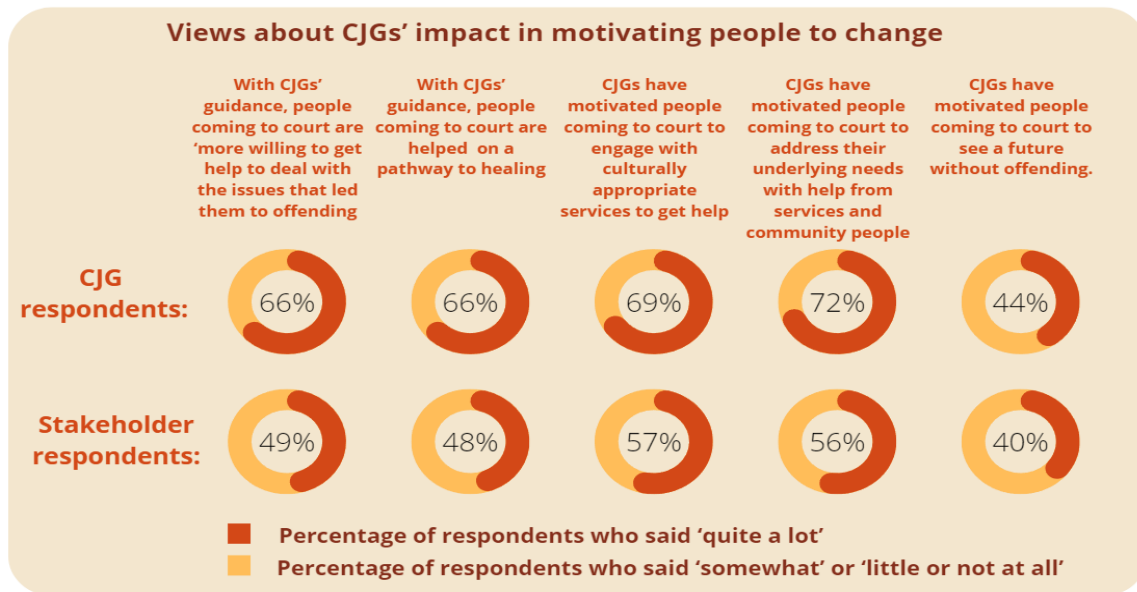
A central aim of CJGs' support for people within courts is to help them to address underlying issues that might have contributed to their offending, and therefore to change their behaviour to avoid further offending – in other words, the goal is rehabilitation. The success of CJGs' work in this regard is obviously contingent on the person's willingness to take up the support and make the changes. Many CJGs emphasised that CJGs can provide encouragement and support, but it is up to individuals to make the changes. Hence, the direct (short-term) outcome that CJGs are seeking is to impart the motivation, the information and the opportunity – in other words, the conditions – for people to make changes. As one CJG coordinator said, *"We don't have the magic wand to make them change, so we focus on encouragement, reminding them they are important, they are loved and have that validated by community."* In the medium-term, the outcome that will flow from CJGs' work creating the conditions for people to change, is the actual changes in people's behaviour.

The evaluation has sought both evidence of the short-term outcomes that CJGs deliver in creating the conditions for change, as well as evidence of the desired behaviour changes.

How CJGs create the conditions for people to change

The evaluation's Phase 3 surveys indicate that CJGs and external stakeholders all recognise that CJGs are having a positive impact in creating the conditions for people coming into courts to make positive changes in their lives (see Figure 16).

Figure 16. CJG and stakeholder survey responses, 2023¹⁵⁴



Stakeholders indicated that CJGs' work in motivating people to get help and linking them to help was resulting in both defendants and victims accessing more services (see Figure 17).

Figure 17. Stakeholder responses to surveys, 2023¹⁵⁵



The evaluation has identified a number of factors that underpin the success of effective CJGs in creating the conditions for people to change.

The 'navigator' role of CJGs

Indigenous people who come in contact with the justice system typically have a complex set of underlying issues that contribute to their offending. While there are services available, the major challenge of the service system is connecting people to those services. A key theme in the Local Evaluations of CJGs is the pivotal role that CJGs play in helping their clients navigate the service system to get the help they need. CJGs take a 'person-centred' rather than a 'service-centred' approach, which means they can create bridges across the often disjointed service system, where services often operate in silos. From the fieldwork in 25 sites over three years, the evaluation has observed that the CJGs that stakeholders perceive as having the best outcomes in supporting clients to address their underlying needs are the ones that have developed their 'navigator' role. The following comments underline this:

¹⁵⁴ For detailed graphs, see Figure 57, Figure 58, Figure 61, Figure 62 in [Appendix 1](#).

¹⁵⁵ For detailed graphs, see Figure 49 in [Appendix 1](#).

There are numerous instances where we've been able to just put [clients] in contact with people and that seems to me to be the greatest attribute that the CJG affords – is that it's not necessarily them doing, it's about them getting people connected to people who can afford them assistance. People find themselves in situations where it all becomes overwhelming. Throw their hands in the air. The Community Justice Group is a fantastic initiative that puts people in touch with people that can help... So people don't feel like they don't know where to turn. They can be presented with a whole bunch of different options... But you've got CJG people that are familiar with the various [opportunities] and they can move and navigate on their behalf and just give them some guidance. And I think it's absolutely magnificent. (Murri Court Police Prosecutor)

Without this justice group I believe we would see a different interaction with their clients, people may not be as forthcoming in seeking assistance or may not fully understand what is happening to them in the court process or even where or how to obtain the right help in linking them to organisations or may not bother as it is too difficult for themselves to facilitate this. (Stakeholder)

CJGs play this navigator and supporter role for clients in all communities where they operate. In Murri Court locations, it is formalised through the court process. Where CJGs are funded for DFV Enhancement, referral of DFV parties to support services is typically part of the service model. As the [Phase 2 Evaluation Report](#) outlined,¹⁵⁶ linking people to support through referrals and assistance is a significant output for all CJGs, although there are gaps in the available services in many locations.

Some CJGs reported that enhanced funding to CJGs from recent years has been valuable in supporting clients to access services they are referred to. For example, some CJGs have been able to assist clients with transport, food vouchers, mobile phones and brokerage funding.

Some CJGs are auspiced by larger community services organisations, which can have the advantage of making it easier to make internal referrals to services within the organisation. In other cases, the CJG itself has expanded its services through additional grant funding (for example, Wujal Wujal CJG). These models enhance the CJG's ability to provide support to participants, but the complexity of people's needs mean that referrals to other organisations will always be necessary. Well-regarded CJGs were seen as those that recognised that they could not provide all the services for clients themselves, and recognised that external specialist support is necessary. One stakeholder commented of the local CJG, *"They acknowledge that they're not doctors and that they're not counsellors... I think that's really their strength, is recognising that they don't have to do it alone, that it is a community response"* (ATSILS stakeholder). Effective referral networks were repeatedly raised as a key to success of CJGs.

[The CJG's biggest impact] is connecting people going through the Murri Court with community organisations that can help address some of the issues that led to the reason for them being in court to start with. I think it's impossible to be like a perfect service. You know, they're never going to address needs 100%. But I see it as like a case management role in connecting with people on a level that gets them to the services that can help the most. (NGO stakeholder)

In Phases 1 and 2, the evaluation noted that CJGs are often providing a de facto case management role for clients, and that some stakeholders identified this as a sustainability risk because CJGs are not necessarily resourced sufficiently to perform this role for their large client caseloads. However, the Phase 3 Local Evaluations confirmed that high performing CJGs are doing case management work. This involves not only making referrals for participants, but actively assisting people to take up those referrals and tracking their progress. This is time-consuming work. Some CJG staff reported struggling with the workload. It is especially difficult where staff are part-time. In one location, the CJG management has indicated to staff that they are

¹⁵⁶ See Parts 8.9 (CJG outputs in linking people to support (non DFVE staff)), 8.10 (DFVE outputs in linking people to support) and 8.11 (Gaps in support for court participants (both DFV and non-DFV)).

not resourced to do case management. Some staff expressed frustration about this, as they saw this work as critical for participants to succeed. The evaluation has heard from many CJGs and stakeholders that simply referring people to a service is not adequate.¹⁵⁷

One of the hallmarks of the most highly regarded CJGs is that they provide choice to their clients to access a range of services. Several stakeholders, including two judicial officers, emphasised that some Indigenous offenders may be reluctant to visit Indigenous organisations where they are concerned that confidentiality may not be respected or where staff may be “from an opposing family group”. This sometimes applies to the CJG’s own programs. Hence, the ability to offer clients a range of referral pathways is an important foundation to be able to motivate clients to access help for underlying needs. A judicial officer responded to the survey as follows:

The issue here is the linking. Defendants are like anyone else, they respond better to agencies or workers who they click with. Often this will be Indigenous service providers but often defendants want to avoid Indigenous agencies and ATSILS as they don't want their information "on the Murri grapevine" or member[s] of their community to be aware of their issues. The focus needs to be getting defendants to engage with agencies that they will respond to. Referrals are critical in this process. Identification of available agencies and services is also critical. Understanding the issues underlying the defendant's offending and them being disclosed in the first place so the appropriate referral can be made is, however, the most important issue. Trauma background in relation to State run institutions also plays a part in which agencies might not be accessed by defendants. CJGs working in conjunction with Probation and Parole or Courtlink etc can assist with this identification of issues and barriers and probably also services available in the community. (Judicial officer respondent to Phase 3 survey)

Referral networks also enable CJGs to refer clients to specialist services for assistance that the CJG may not be able to provide. Some stakeholders raised concern that CJGs do not have training or expertise in dealing with challenging issues such as DFV behavioural change. Successful CJGs work with specialist service providers to ensure their client can access specialist help that is culturally safe and culturally appropriate.

The ‘hub’ role of CJGs

The evaluation has observed that effective CJGs not only help clients to navigate the service system, but ‘bring the services to them’ by providing a central access point for third party services. In this sense, CJGs play the role of a ‘hub’ for clients to access a range of services to address their underlying needs. For example, many CJGs have a set day each week when counsellors and service providers from other services base themselves at the CJG office to work with CJG clients. Several visiting service providers in different CJG locations told the evaluation that this was critical to them being able to engage with clients.¹⁵⁸ As well as being able to use the CJG’s physical space, the services benefit from the CJG’s community connections and ability to get clients to engage. Service providers highlighted that CJG premises tended to be places where community members were comfortable visiting.

Men’s and women’s groups and yarning circles run by CJGs also provide an avenue for services to be offered to CJG clients. These groups regularly host guest speakers from services to promote services or directly deliver relevant programs or brief interventions such as AODS or DFV education.

¹⁵⁷ For example, a Murri Court Elder said there were too many barriers for people to access services they are referred to, and that you need “to actually go with them... or ring up the [service] myself and tell them about the situation. But we can’t do that here. We just give them [the client] the information.”

¹⁵⁸ For example: “And with the [CJG] here, I think ‘thank God they’re here’, because I have no idea where we would have to go as workers, because we don’t have that capacity ... or time... to jump in cars and go and hopefully find clients to meet” (NGO counsellor)

The additional funding for CJGs in discrete communities under the DFVE program has enhanced CJGs' ability to provide a hub function for other services. For example, in Mossman, it enabled the CJG to obtain more suitable premises that are now frequently used by other services partnering with the CJG. It also funded regular men's and women's groups. In Wujal Wujal, DFVE enabled expansion of the CJG's on country healing program and men's and women's groups and yarning circles. These are used by visiting DFV program providers.

As the evaluation has previously noted, many CJGs play an important role in inter-agency coordination, including through Murri Court Stakeholder groups convened by CJGs themselves. One CJG noted that their group was a good entry point for many new organisations that are keen to work with Indigenous people but do not know how to go about it.

CJGs as enablers for clients to engage services

For the service system to assist people going through court to address underlying issues, the most difficult hurdle is getting them to engage with available services and supports in the first place. One of the most significant outcomes of CJGs' court support work is their ability to motivate and enable their Indigenous clients to access help. The evaluation has heard numerous stories about CJGs' success in this regard, both for mainstream court clients and through the Murri Court process. For example, a worker who undertook a study placement at a Murri Court site had the following observation:

The main thing that surprised me actually was just how engaged the service users [Murri Court participants] are. So, I honestly thought it would feel more punitive, or I thought it would feel more forced, like 'I'm just going to come here and say that I've come here and I won't really do much.' Just tick the box. And it's not like that at all. So I was just really surprised with how much everybody does open up in the counselling and things. (Placement worker)

Stakeholders offered a number of reasons why they believe that CJGs achieve good outcomes in motivating people to access services. The cultural and community roots of CJGs are seen as critical. Some people noted that it is a sense of shame and fear of being judged that prevents many Indigenous people in the court system from attending services, especially non-Indigenous services. CJGs are seen as removing those barriers:

They're getting supported from mob, they're getting supported from the Elders and you can see they feel comfortable with coming in... Because they feel shame... I think it's great that they're comfortable to come through because they know, whether it be a male offender or female victim, they're not going to be judged. (CJG staff)

I have seen people experience less [of the] shame which leads to disengaging and therefore get through supervision and the court process successfully when previously they would end up on remand due to bail breaches and not attending court as one of the biggest changes. I have seen more people get access to services such as NDIS that they had felt were too hard to navigate before which has improved their situation. (Phase 3 stakeholder survey respondent)

A CJG worker noted that many clients were also distrustful of services, even in urban communities, for a range of complicated reasons to do with history and colonialism. Whereas a CJG organisation where family members work is less intimidating.¹⁵⁹ An Indigenous stakeholder noted that their local CJG had been successful in encouraging previously reticent youth to attend services at the CJG:

So a lot of these kids are really hard to engage in the beginning because they've been let down so much. But now we've been able to build a bit of trust in the kids, they are coming back to seek more

¹⁵⁹ On the other hand, in some locations, stakeholders observed that having local Indigenous workers can also be a deterrent to some court users attending an Indigenous organisation, because they may be concerned about confidentiality or see the organisation as the domain of a rival family.

support when they need it, which is really positive. And they're accepting of 'maybe I do need to do a program', 'Yes, I would like to get my licence', 'how do I become financially independent?' And we've got kids that have been too scared to even go to the post office because, they go 'oh, shame, nah I'm not going in there!' and now they can confidently walk into somewhere so that's a huge shift. (Indigenous stakeholder)

Elders and staff of CJGs are also seen as a critical enabler of client engagement: *"It changes the game when you have Elders at the table compared to just sending a normal worker in"* (CJG staff). Elders' cultural authority and level of respect can be an important motivator for CJG clients to follow through on appointments to see referral agencies. A CJG staff member noted that there is *"accountability"* because if they run into an Elder at the shop or at the court *"they're gonna get a question why they didn't turn up"* and *"Aunty that sits on Murri Court is going to rip into them when they're at court."* He suggested that *"now they have to answer to old people, which is how most of us were raised – you turn up or you're going to cop it."*

Many people commented on how the relationships between Elders and CJG clients were instrumental in motivating the clients to access the referrals. A CJG worker highlighted that Elders are able to *"connect the dot on ancestry and that's played a significant role in that belonging and self-identity."* From there, the client *"knows that they can trust the Elders' word [about] referral to the other service providers, all our organisational programs to do things like get their license or to get a job or to go and get a mental health assessment."* A service provider commented on how *"it adds to our credibility, the fact that we've got Elders recommending that people come to see us for our services and you know, the numbers at this clinic have actually risen dramatically since I started working with [the CJG]."*

A relationship with Elders is an important motivator because clients feel they have someone they can rely on.

So really being there for the clients and not prejudging, I think that's the biggest thing. A lot of the people that I referred across [to Murri Court] wanted somebody to take them seriously but really did not have any optimism that anyone would. And you could see, even after just a very small amount of time on the program, that – it wasn't that they were reliant upon the CJG – but they knew they could rely on them... So many of them... felt like they had hadn't had someone in their corner for a long time. (Lawyer)

The *CJG Stories of Success* compendium contains a number of stories that illustrate how the relationship between Elders and clients has been pivotal in motivating the client to change. For example, in Story 21 a young woman told an Elder she had managed to overcome a substance abuse problem because *"All you guys believe in me."*

Two CJG clients interviewed at a Murri Court site highlighted that the support from the Murri Court Elders made them feel like they could be successful:

[The CJG] has been supporting me since going through this case.... [they] have been there for me. I am very happy that they help me. It helps your self-esteem. It makes me feel I can be successful with them. (Murri Court participant)

The difference is Magistrate Court not helping me a lot, but Murri Court is helping me a lot. Found that is very helpful. I found happiness in there... I found willpower on this. (Murri Court participant)

As the first participant indicated, increased self-esteem is a key factor in motivating participants to take action to address their issues. In explaining their work with CJGs, Elders spoke frequently about how they sought to build clients' self-esteem, through encouraging and nurturing them to take positive steps, such as completing their Murri Court program of activities. Elders often used the word *"proud"* when they told stories about clients who had made progress.

Even when we can meet and talk to a client, and we ask if you've done this, done that. And if they say, 'yeah', I said, 'I'm proud of you.' And you see the change in their face... Some of them have never been praised in their lives, you know, always been downtrodden by their own mob, and [think] they have never been any good. (Murri Court Elder)

The holistic approach of CJGs

Another factor raised by stakeholders regarding CJGs' success in creating the conditions for clients to change is the importance of a holistic approach. Where a service provider may be focused on a single issue such as substance abuse or mental health, CJGs look at the breadth of underlying issues that might contribute to a person's offending, which might include issues such as housing, health, unemployment or other life circumstances.

I think the good part about us is we look at, yes, they are in trouble and their behaviours and whatever they did wrong there, but let's look at the holistic approach and actually see what else they need, or can contribute to those decisions that are making them get themselves in trouble, you know. A lot of chronic diseases play a big part in that. So if we're just addressing behaviours around criminal stuff we are not doing them any favours, to be honest. (Murri Court Elder)

Many people flagged that the justice system and sometimes the service system may focus on the individual and not the family. A hallmark of CJGs' more holistic approach is that they seek to address the family's needs as well as the client's.

[The CJG] don't just worry about the defendant, they worry about the family. Making sure that they're right. The kids are right. Everything's right. (NGO stakeholder)

Many spouses are grateful that [their partner] can go through that [Murri Court] process... Knowing that it can offer not just the client in Murri Court, but also the extended family, the support they need. (CJG member)

Treating the individual and then working with the family can play a big part in keeping community safe. (CJG coordinator)

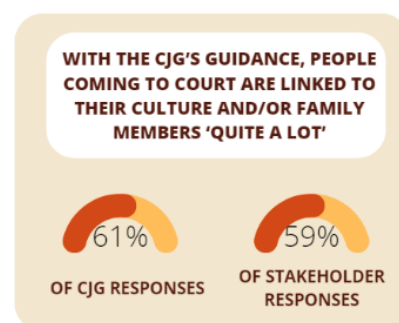
How CJGs strengthen cultural identity

A point of difference between CJGs and many other service providers that are trying to assist Indigenous offenders is their cultural connections and their focus on supporting cultural identity for their clients (see Figure 18).¹⁶⁰

CJGs and stakeholders emphasised stronger cultural identity as a vital foundation stone for their clients to make positive changes in their lives. An Elder reflected that *"They've got to move forward, [but] how can they when they don't know where they've come from."* A CJG member reflected on how important it had been for him as a young person to have the cultural influence of Elders to build his self-esteem and keep him out of trouble.

And even when I was a kid, you know, the reason I started playing didgeridoo was because Uncle [name withheld] used to come around to the schools and do the cultural teaching. And, you know, I used to look up to them. I wanted to grow up being like these fellas. They made me realise don't be shame of who you are, you're unique, you're an individual, you got something special that not many other people have. (CJG member)

Figure 18. CJG and stakeholder surveys



¹⁶⁰ For detailed graphs, see Figure 57 and Figure 58, [Appendix 1](#).

Elders are considered to be the key ingredient in CJGs' ability to build people's cultural identity and pride in themselves.

I think the power of Murri Court too is that when you've got the Elders there, the Elders bring to [the participant's] attention of who they really are and where they come from. (Community member)

We do everything culturally. And I think the success out of this Community Justice Group is that community draws on the knowledge of it, and the wisdom of our Elders. (NGO stakeholder)

For people in the court process, CJGs' work in strengthening cultural identity occurs through one-on-one mentoring with clients, through men's and women's groups and yarning circles, and through cultural activities such as on-country visits and camps. CJGs and other stakeholders see particular merit in on-country activities to strengthen participants' pride and cultural identity and provide an opportunity for peacefulness and healing that can put people on a better path. The participant feedback in Box 3 from the Wujal Wujal on-country healing program illustrates the impact. The following examples illustrate how CJGs and stakeholders see on-country activities as a foundation for people to make positive changes:

So we've had trips on country that included [Richard – name changed], a legend fella, just keeps going around and around in jail. In the morning – I hadn't met him before – he barely would say a word to me. By the afternoon, he's sharing all these stories about on-country, his grandparents, grandparents' lineage, things about the [place] – I didn't realise [Richard] was a genius in the bush. And for him to go from the morning, where he had all that bit of anger still in there or something, to the afternoon, where you just see that's coming out of him, you know, like, it brings that pride to him, or something great about him. I don't know, there's something I love about it when you see that transition, and you're all laughing together on the way home, you know, like sharing together. (CJG staff)

[G]oing on country, I think it's a great thing. We did that in [community X]. [A CJG Elder's] grandson, he was working there, and so I was getting him to take the guys, the people on DV, fishing. Like to go have a yarn with them. And we've seen with that kind of intervention we were able to start changing their behaviours. So we, we had a year of like, you know the guys that were always in jail, stay out of jail for the year for the first time in a long time. (Police officer, remote community)

A research project by James Cook University in Doomadgee and Mornington Island in 2017 sought community feedback about justice reinvestment.¹⁶¹ The project found that "the most prominent and encapsulating solution from a community perspective was the introduction of a back on country bush camp for offenders." The importance of on-country programs, both as a pre-court prevention activity (see [Part 5.2](#)) and as an intervention to assist offenders, has also been a strong theme of the interviews with CJGs and Indigenous community members for this evaluation.

How the Murri Court process enables people to change

Through all the Local Evaluations over three years, the evaluation has, with few exceptions, heard overwhelmingly positive commentary about the Murri Court model, from judicial officers, CJGs, stakeholders and community members. This echoes the findings of the Murri Court Evaluation in 2019.¹⁶² The [Phase 1 Evaluation Report](#) summarised the strong feedback from stakeholders about how the therapeutic model inherent in the Murri Court process enables participants to address underlying issues for their offending.¹⁶³

¹⁶¹ Dawes, G, Davidson, A, Walden, E and Isaacs, S, 2017. 'Keeping on Country: Understanding and Responding to Crime and Recidivism in Remote Indigenous Communities', *Australian Psychologist*, Vol. 52, pp.306-315.

¹⁶² Ipsos, 2019. *Evaluation of Murri Court*. www.courts.qld.gov.au/data/assets/pdf_file/0009/674685/Murri-court-evaluation-report.pdf

¹⁶³ See Part 4.7.6 and Boxes 9 and 10.

Murri Court is effective for all the reasons above: because it enables CJGs to help people navigate the service system, because it acts as a hub for service providers to help clients, because it brings to bear the cultural authority, trust and compassion of Elders, and because it enables a holistic approach to clients' needs.

Additionally, stakeholders spoke about how Murri Court enables people to change by establishing a structured process that is manageable for participants.

And if people want help, then Murri Court is good, it gives them a little bit of... like a process to follow, because that's probably the hardest thing, making a little commitment. Like when they especially if they complete it, that's like, you know, they completed something. (CJG staff)

Yeah, I am happy you and this lady [Murri Court Elders] are here, because sometimes we just don't know where we are going. No, there's no direction. There's support. But no direction. (Murri Court participant)

Some Elders spoke about the importance of the extended timeframe possible through Murri Court, to enable the time needed for people to change. It was emphasised that the steps needed to be achievable, so that people are not set up to fail, and make progress slowly at their own pace.¹⁶⁴

Evidence that people supported by CJGs are changing their behaviour

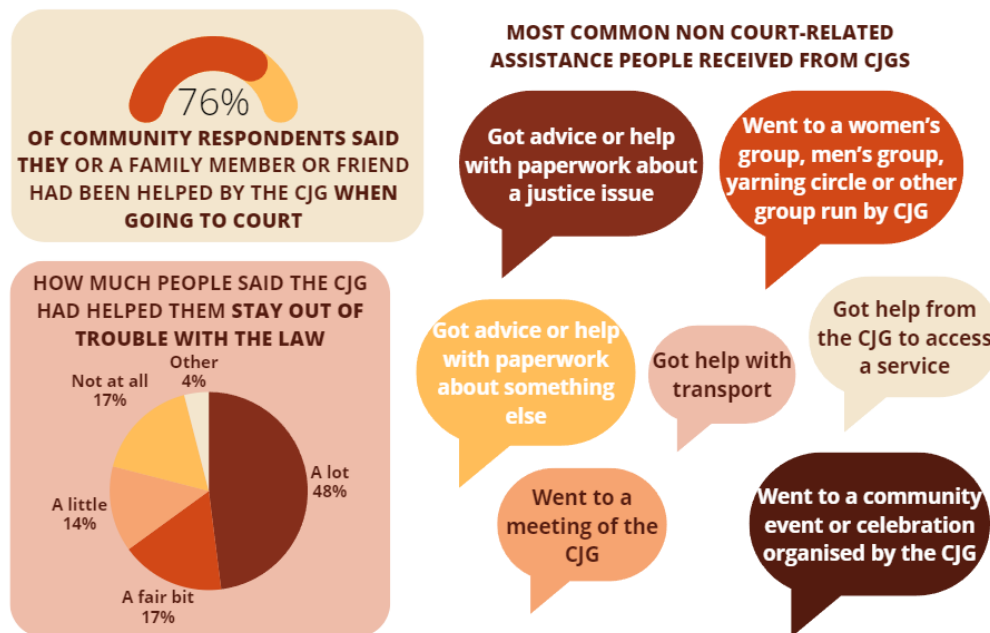
If there is consensus that CJGs' work in courts is succeeding in the immediate outcome of creating the conditions for people to change – through increasing their motivation, knowledge and opportunity to address underlying issues – then what is the evidence that CJG clients are in fact changing their behaviour in the medium term? While quantitative evidence is difficult to collect for this purpose, the evaluation has accumulated a large body of qualitative evidence about changes in people's lives that are linked to the support provided by CJGs. These data comprise:

- Community survey feedback from CJG clients and their families in 16 communities;
- Survey feedback from CJGs, judicial officers and other stakeholders
- Interviews with CJGs, judicial officers and other stakeholders from the Local Evaluations with 25 CJGs
- Multiple case studies of individuals who have made progress away from the justice system with the assistance of the CJG, collected during the Local Evaluations (see the evaluation's separate *CJG Stories of Success* compendium).

One of the most important indicators of the outcomes of CJGs' support is the feedback from clients and their families. As Figure 19 illustrates, the community surveys involving 453 people in 16 CJG locations revealed that people are receiving a high level of support from the CJG and a strong majority believe that the CJG's support is helping them to stay out of trouble in the future.

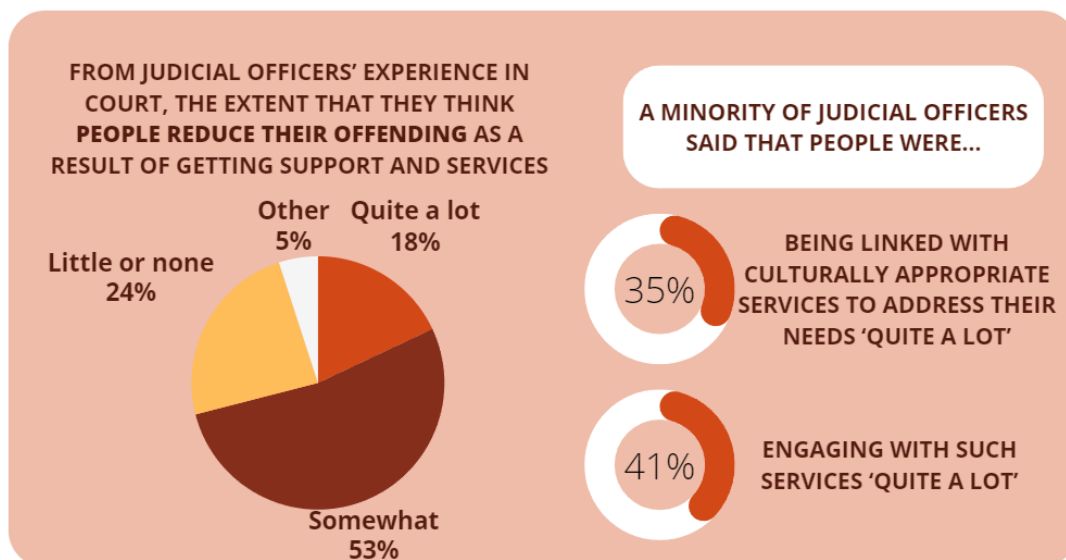
¹⁶⁴ For example: "And the Elders making sure when they look at a program they are not setting up the young person to fail. Start off slow, a couple of programs such as men's or women's group, and if alcohol or drugs is part of the problem, then do that program, but don't give them too much to do" (Elder); "We had a couple of programs we could have offered him, but we said the counselling and that's all that you need to do. You know, we don't want to set you up to fail, all we want to make sure is that you get something out of this as well." (Elder)

Figure 19. Community survey feedback from 16 sites¹⁶⁵



In the Phase 3 surveys, judicial officers were asked about outcomes relating to whether people they saw in court were engaging with services, addressing their underlying needs and reducing their offending. These questions did not specifically relate to the support provided by CJGs, although many of the judicial officers convene Murri Courts supported by CJGs. As Figure 20 shows, a minority of judicial officers (35-41%) perceive that people are engaging with services and addressing underlying issues to a significant extent. Judicial officers perceive only a moderate effect in people reducing offending as a result of accessing services.

Figure 20. Survey of judicial officers, 2023¹⁶⁶



¹⁶⁵ For detailed graphs, see Figure 88, Figure 92 and Figure 94 in [Appendix 2](#).

¹⁶⁶ For detailed graph, see Figure 63 in [Appendix 1](#).

The responses indicate that judicial officers acknowledge that people are being linked to services and some are accessing services and addressing their needs, but they are only aware that some are reducing their offending as a result of this support.

In the evaluation interviews about the work of CJGs, judicial officers were somewhat more positive about the changes they had seen in people supported by CJGs, especially in the Murri Court.

When [Murri Court participants] really acknowledge what the issues are and they open up, I think it really is great. Everybody in that court system, we all just feel so good to see it working, you know, [to address] ingrained problems that have been going on for quite some time... This kind of like epiphany. (Judicial officer)

Certainly I've seen a significant improvement in participants when they're regularly attending yarning circles. Yarning circles seem to be the things that make the biggest difference. And one on one contact with the Elders either at those yarning circles or in between. (Judicial officer)

The most convincing evidence of the impact of CJGs' support to people in the courts is the stories that stakeholders told about individuals making progress in their lives (see the evaluation's *CJG Stories of Success*

Box 11. Changes in successful clients supported by CJGs through the court

Across the case studies of success for individuals supported by CJGs through the court process (including Murri Courts and mainstream courts), the following types of changes were highlighted for different clients:

- ✓ Reduced or stopped drinking alcohol
 - ✓ Reduced or stopped taking drugs
 - ✓ Stopped Domestic and Family Violence (DFV)
 - ✓ Reduced or stopped gambling
 - ✓ Did not re-offend, reduced severity of re-offending or experienced a much longer period before re-offending
 - ✓ Healthier appearance
 - ✓ Happier demeanour
 - ✓ More self-confidence and self-esteem
 - ✓ Reconnected with culture, visited country and/or strengthened cultural identity
 - ✓ Addressing health conditions not previously identified
 - ✓ Mental health conditions identified and being treated
 - ✓ Re-engaged with school
 - ✓ Commenced or completed training or further education or university
 - ✓ Obtained identification and driver's licence
 - ✓ Obtained stable housing
 - ✓ Found a new job or returned to a job
 - ✓ Bought a car
 - ✓ Formed a new relationship or restored a relationship
 - ✓ Became a parent
 - ✓ Found a new job or returned to a job
 - ✓ Recovered custody of children from the State
-

compendium). The types of changes in behaviour and circumstances that stakeholders highlighted across the case studies of successful CJG clients are set out in Box 11.

While anecdotal, many of these case studies are verifiable by the fact that multiple stakeholders shared the same story – for example, the same success story might be told by the judicial officer, Elders and lawyers who were involved in the individual's journey through Murri Court. The evaluation has collated these stories not to suggest that this level of success is achieved in every case, but to illustrate the impact when the process does work. As a judicial officer presiding in a Murri Court said:

I think it's like any rehabilitation court. You get some really good stories and some really bad stories, but if you can get a good outcome, then it's worth it. (Judicial officer, Murri Court)

In Murri Courts, Elders and CJG staff work with participants in a structured process to address their needs over a period of several months, or sometimes over a year, until the participant is sentenced. In urban or regional centres, it can be difficult for CJGs to know the outcome of their work down the track as there is no formalised contact after the process finishes. However, many CJG staff and Elders spoke about their joy in hearing about clients' progress during chance encounters in the street or when former clients returned to thank them for their assistance.

And he came up and said to me 'I'm now working thanks to you and I've got a job and a steady relationship'. And I said, 'It's really not up to me, it's you as well. You know, you listened to what the Elders have to say to you about your life... And it's only you that can change your life.' And I'm so proud of him now. He's got a job and he owns a car, he's got a relationship and he's got a couple of children – Child Safety took them off them but now they're returned to him and his partner. (CJG Elder)

I'm a smoker and I go out on the street and have a smoke. I've actually had Murri Court clients come up and hug me and say 'thank you for helping me change my life'. And I'm like 'Dude, you did that, you put in the hard yards, I was just here to point you in the right direction.' But yeah, it's always good when someone comes up and says that to you. (CJG coordinator)

I was in court the day she came to court. I didn't know her, she looked so lovely, clean. And she said 'Aunty, I don't live in the park no more, I've got a roof over my head.' She was so happy... And she couldn't stop thanking us enough. (CJG Elder)

This young boy is very traumatised, hasn't had a lot of family connection around him... And it's thank you to the Murri Elders that he's actually been connected... Because our Elders are here, he just seems different. I see him all the time, I see him every week just about, and I've noticed a change in him. It's just... I don't know... he's just connected. (Murri Court service provider)

Every now and then... we're not in close contact, but she'll call out of the blue, [and say] 'It's only, I just wanted to hear your voice. Thank you very much.' [I say] 'No, thank you. You did most of the job. I didn't. I was the one just giving you the tools.' (CJG Elder)

CJGs suggested that another indicator of the success of their work is that many clients stayed engaged in their activities, such as men's and women's groups and yarning circles, even after they were no longer required to.

A lot of our clients, even once they finish the [Murri Court] program, stay on. Like they have the men's group and the women's group and they just keep going. Because they like it so much. (ATSILS lawyer)

A lot of them want to stay on and keep going because they've scratched the surface. And they realise that actually there's an issue there, and they just want to do it for themselves. (CJG Elder)

While the precise extent of the changes brought about by CJGs working with people in the courts could never be quantified, the evaluation is persuaded by the many stories of success, told by all stakeholders in the process, that CJGs are significantly contributing to positive changes in the behaviour and life circumstances of many of the people they assist.

7.3 Opportunities for enhanced outcomes within the court process

The strong evidence in this Part regarding CJGs' positive impacts in courts across Queensland should not obscure that there remains room for improvement in some locations. Feedback from judicial officers, stakeholders and Indigenous community members indicated that a few CJGs have at various times struggled to deliver a consistent level of service within the courts. This was not a widespread problem at the sites where Local Evaluations were conducted, with only 7% of community members expressing dissatisfaction with the support that they or their family or friends received from the CJG when they went to court (only 19 out of 254 respondents). Some CJGs struggle with staffing continuity and community expectations may be mismatched with resources or capability. Community conflict may also affect satisfaction with the CJG on the part of some community members.

The [Phase 1](#) and [Phase 2](#) Evaluation Reports documented areas for improvement in CJGs' delivery of court support and made several recommendations related to capacity-building. The Local Evaluations conducted in Phase 3 have reinforced these findings, and suggest the need to pay particular attention to the following issues:

- support for CJGs to recruit more Elders and Respected Persons, with broader representation across family groups and better gender balance;
- support for CJGs to more actively engage Elders and Respected Persons in court processes, especially in non-Murri Court locations where court work is done primarily by CJG staff;
- ensuring CJG staff and Elders manage conflicts of interest and understand and practise obligations for impartiality;
- support for CJGs running Murri Courts to achieve an optimal number of participants, to avoid some courts having too few participants and some courts having too many participants¹⁶⁷;
- improving data collection and reporting by CJGs;
- provision of QWIC courts data to CJGs in a user-friendly format showing trends and issues in their court locations, for use in their own planning and monitoring and evaluation of their activities;
- adequate resourcing of CJG court support staff to undertake not only the administrative work but also to undertake more active case management to assist clients to access help for underlying issues.

The last point is especially important. Given the evidence of the importance of case management to good outcomes, the evaluation suggests that CJGs be supported to build their capacity in this area. This is consistent with the findings and recommendations of the 2019 Murri Court evaluation.¹⁶⁸ That evaluation highlighted the importance of case management for successful outcomes for Murri Court participants, and recommended development of a "more rigorous and culturally appropriate case management framework for use in Murri Court," which could occur through additional funding for CJG staff or integration with Court Link (Recommendation 8). Providing more case management training for CJG staff was supported by several non-CJG respondents to the Phase 3 survey. There are significant gains for the service system where CJGs play a greater role in case managing their clients' engagement with services.

DJAG's Court Link service is an existing mechanism for case management of defendants and co-exists with Murri Court in some sites. The evaluation heard feedback about the successful coordination of Court Link

¹⁶⁷ A stakeholder at Ipswich noted that outcomes for participants had improved considerably since the numbers in the court had been reduced last year, as there was more time and attention for each client.

¹⁶⁸ Ipsos, *Evaluation of Murri Court*, June 2019, p.114.

with Murri Court in Mt Isa. This may be an option to enhance case management for Murri Court clients in other locations, but options to enhance CJGs' case management capabilities across all sites should be the priority. This might require additional staff, training, software and systems.

In Murri Courts, a challenge that was again raised in the Phase 3 Local Evaluations was ensuring an optimal number of participants. At Ipswich, the number of participants expanded in 2022 to an unsustainable number, leading to strategies to reduce the numbers. A stakeholder told the evaluation they had seen a marked improvement in outcomes for clients since the numbers were reduced and more time was available for working with the clients.

A related question for the CJG program is whether there should be additional resourcing for CJGs at busier courts to enable additional places on Murri Court. The evaluation notes that the funding for a CJG to support Murri Court may be the same in a small rural court with less than a dozen referrals per year as a large court with over a hundred referrals per year. While the evaluation does not suggest that funding should be reduced in a small Murri Court location, as the CJG there may also be undertaking considerable activities outside the Murri Court, there is merit in considering additional resourcing at court locations with larger numbers of Indigenous defendants. Such resourcing should also take into account the feedback about the merits of enabling CJGs to undertake more active case management with their court clients. The 2019 Murri Court evaluation recommended either expanding Murri Court locations or incorporating Murri Court principles into mainstream court locations (Recommendation 4).

Another opportunity for enhancing CJG court support that was prominent during the Local Evaluations for Phase 3 is to expand CJGs' scope to support more young people in courts. While some have suggested a Youth Murri Court, stakeholders were cognisant that the model would need to be different for young people because of marked differences in sentencing principles and the need to finalise matters as soon as possible. Further, responsibility for case management of young people sits with Youth Justice and Child Safety. However, support for young people in Childrens Court proceedings, especially those with high needs, could be explored where CJGs have capacity and consider this a priority. In Toowoomba, there were calls from the CJG and some external stakeholders to explore a Murri Court-like model for youth. It was considered that this was a pressing need for the community and that the CJG had strong referral networks and capability in place to support youth through the court process. Some CJG Elders also raised the need for a Youth Murri Court in Richlands, Townsville and Cairns (where the evaluation understands this has been piloted before). These calls are in addition to suggestions at other sites documented earlier in the evaluation.

8 CJG OUTCOMES IN CUSTODY OR UNDER COMMUNITY SUPERVISION

Key Findings

- Some CJGs are making a valuable contribution in supporting community members who are in custody or under community supervision, through visiting watchhouses, prisons and youth detention centres, facilitating communication between families and their relatives in custody, and supervising community service.
- Not every CJG is actively involved in providing this support, due to resourcing and differing priorities, but it is highly valued work by community members and other stakeholders.
- Feedback shows that CJGs' assistance has a positive outcome in helping people in custody and their families to know what is happening and to feel less stressed. Visiting watchhouses is an under-acknowledged service provided by many CJGs. Stakeholders report that CJG visits to prisons reduce behavioural problems in the facility, lessen isolation and smooth the way for reintegration after release.
- As well as directly supervising community service, CJGs play a very important role in working with people on orders, and with community corrections staff, to reduce the incidence of breaches that result in a return to custody. QCS staff emphasised that CJGs were pivotal in helping to locate and connect with people and ensure they comply with reporting requirements, saving the State considerable incarceration expenses.

8.1 Introduction

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 accounts for an average of 3% of CJG staff time, with a range of 0% in some remote communities to 9% in a Murri Court site in a regional centre.¹⁶⁹ A challenge for CJGs to work in this area is that they are reliant on partnerships with police and corrections authorities, and their ability to visit prisons and detention centres is affected by availability of funding for travel, the facility's visitation policies,¹⁷⁰ and extraneous factors such as the COVID-19 pandemic. While only a small part of CJGs' overall work, many CJGs and stakeholders emphasised the importance of the contribution of CJGs to assist people in custody or under community supervision. This part will review the evidence about the outcomes of these activities.

8.2 Evidence of outcomes from CJGs' support for people in custody or under community supervision

CJGs help people in custody and their families to know what is happening and feel less stressed

As in the courts, a key objective of CJGs' support in custodial settings is to help offenders and their families understand what is happening. The evaluation's Phase 3 surveys provide an indication of the extent to which CJGs and stakeholders believe they are making a difference in this area. Figure 21¹⁷¹ shows that CJGs and stakeholders consider that CJGs are having a moderate impact in helping community members to know what is happening when in the watchhouse, police interviews or in prison or youth detention.

¹⁶⁹ As these estimates were provided for the past month, it is unlikely to capture all 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.

¹⁷⁰ For example, Elders from Townsville said they were limited in visiting Cleveland Youth Detention Centre because there were insufficient staff there to supervise their visits.

¹⁷¹ For detailed graphs, see [Figure 59](#) and [Figure 60](#) in Appendix 1.

Figure 21. CJG and stakeholder surveys, 2023



The Phase 3 survey results show that CJGs and stakeholders believe that CJGs have a greater impact in helping defendants and families to know what is going on *in the court process* rather than in watchhouses, police interviews and custodial settings. This reflects that CJGs spend more time working in the court process, especially at Murri Court sites, than in the police and corrections part of the justice process.

Many, although not all, CJGs visit community members in watchhouses. In locations such as Brisbane, Mackay and Palm Island, the Murri Watch organisation is funded to provide cell visitor services. In other places, however, CJGs may perform this role of visiting people in watchhouses. This is not a consistent practice and depends on local relationships. Some CJGs expressed frustration that police did not notify them when people were in the watchhouse, and in some cases, would not permit them to visit. On the other hand, in one remote community, the Officer in Charge was liaising with the CJG to put in place a protocol where people being held would be asked whether they wished to have a CJG member visit them. The officer noted the benefit of Elders visiting:

[The Elders] are invaluable for us because they help us to help [the detainee] understand what we just said... At least they know that we were transparent and we explained it. So they're more calm and a bit more relaxed at the time. And yeah, it just flows a bit better. (Police Officer in Charge)

CJG staff also talked about doing 'welfare checks', where they visited detainees who may be suffering distress or may be at risk of self-harm.

The CJG may even be able to facilitate release of a detainee.

The other day I walked in and [the CJG Coordinator] goes, 'We've got a child in the watch house. Can you go rescue?' And so, yeah, off I went to meet up with Grandpa and got him out. (CJG staff)

In the survey, 36% of stakeholders felt that the support CJGs provide for people in custody gives them strength 'quite a lot', and 25% said that it reduces serious mental health issues 'quite a lot' (see Figure 68 in [Appendix 1](#)).

As well as the outcome of calming and comforting the detainee, CJGs are also comforting family members and assisting them to understand the process.

Community don't know where their family members are being held most of the time, we often have distressed mothers looking for their children when they have gotten themselves into trouble. (CJG respondent to Phase 3 survey)

The assistance CJGs provide to people in the watchhouse and their families contributes to building confidence in the justice system. This is important given the history of distrust between Indigenous communities and police, which has sometimes flared up into civil unrest.¹⁷²

CJG visits to prisons and detention centres also helps to reduce stress for people and to help them understand what is happening. Elders spoke about how positively inmates responded to them when they visited them in custody. Many inmates are detained a long way from their home communities, so the visits “makes them feel connected and they're not isolated because some may not see family for a while” (CJG Elder). Elders from the CJG at Cairns said they had formed relationships with many inmates from Cape York communities during their fortnightly visits to Lotus Glen prison. Feedback from prison authorities indicates that the prison is calmer in the days and weeks following Elders’ visits.

I just think that they are very much underrated... You know, if you look at the Community Justice Groups that go into the [correctional] centres... I'm talking from a QCS perspective, in the lead up going into the centre – the Elder visits – the behaviour in the centre's good. Whilst they're there, the behaviour's really good. For a couple of weeks after they've been there, the behaviour's good. So surely from a QCS point of view you can say, you know what those Elders can actually control the behaviour and make it a safer environment for QCS staff and prisoners. So, you know, it's those unseen things that hold great value as well. (QCS officer)

When asked which CJG activities are the most effective to support people in custody or returning from custody, the most frequent survey response from CJGs was visiting custodial centres and maintaining communication with those in custody (see Figure 70 in [Appendix 1](#)). Many people also mentioned ‘providing support during custody’ and ‘Elder involvement and cultural support’.

As well as providing support and friendship, CJGs can assist prisoners to follow up with matters such as parole applications.

We've developed friendships with them, so we catch up with each other, but also with any issues that they have, we try to help them. Parole Board needs a reference from this person to put in for parole before he finishes and back him up and help him out. (CJG coordinator)

CJGs help people in custody feel connected to their community and supported and cared for

An important outcome of CJGs’ work is to help maintain connections between people in custody and their families and communities. On visits to prisons, CJGs carry messages and news from detainees’ families. In the Phase 3 survey, stakeholders saw this as an important outcome, with 43% saying that the support CJGs provide for people in custody gives them information from the family ‘quite a lot’ (see Figure 68 in [Appendix 1](#)).

Many CJGs liaise with prisons and youth detention centres to facilitate video links between families and adults and children in custody. In regional and remote communities, CJGs are involved in facilitating prisoners to be escorted back for funerals of close relatives.

As Figure 22 shows, CJG and stakeholder respondents to the Phase 3 surveys recognised that CJGs were making a difference in supporting people in custody and keeping them connected. Other outcomes that

¹⁷² For example, at Palm Island in 2004.

some stakeholders saw from CJGs' support for people in custody included: giving people information from their family, keeping people connected to their family and culture, giving them strength, reducing serious mental health issues, and helping them plan for the future (see Figure 68 in [Appendix 1](#)).

Figure 22. CJG and stakeholder surveys, 2023¹⁷³



CJGs help people under community corrections orders to comply with their orders

Many CJGs supervise community members to complete community service hours. In remote communities, CJGs are important in this regard, because there may not be other organisations able to supervise local activities. CJG-supervised activities give courts a local option for a community-based order as an alternative to fines or custody.¹⁷⁴

A very significant outcome of CJGs' work is helping people on orders to avoid breaches that may result in their return to custody. During the Local Evaluations, QCS staff interviewed at multiple sites in urban, regional and remote locations emphasised the importance of CJGs in reducing breaches of community orders. Regular reporting to Probation and Parole staff is a standard condition of community orders, and repeated failures to report can trigger return to custody. In many locations, Probation and Parole staff contact CJGs for assistance to locate people who have failed to report or to meet other conditions.

And you know, [Probation and Parole] come to us first, before they start doing any of their legal stuff... We get emails from them asking us if we've seen [a person on an order] in the community because they don't want to breach them. (CJG Elder)

When we are able to have assistance provided [by the CJG] it's significant. It has stopped people being returned to custody. It has stopped people from no doubt re-offending... If we're reaching out [to the CJG] because we've got worries, it's at the point where that person is at a significantly elevated risk of re-offending. So if we can put things in place at that acute period, and even when [the CJG] is potentially not funded to do so or when it's not really part of their current role, [they] have absolutely gone out of their way... They have literally kept people out of custody because there has been that cultural barrier for people wanting to come in [to report]. (Probation and Parole staff member)

¹⁷³ For detailed graphs, see [Figure 66](#) and [Figure 67](#) in [Appendix 1](#).

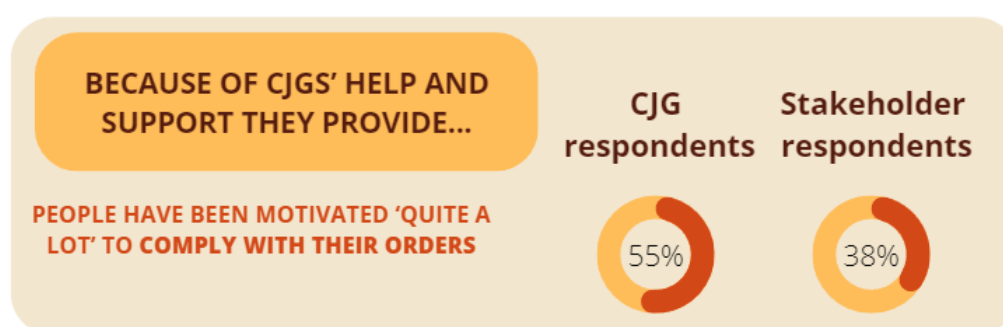
¹⁷⁴ Some CJGs and stakeholders expressed concern that CJGs are being heavily relied on for this function without any resourcing. For instance, in a remote community, Elders are spending many voluntary hours supervising activities, and they are providing materials such as fuel for lawnmowers out of their own pockets.

And in breach action, we've done a show cause, [and] we were bringing the Justice Group... We give them a growling and then the Elders will try and growl them on top, get them on the straight and narrow, because if we keep going [with the breach action], they're going to go back to jail."
(Probation and Parole staff member)

CJGs also encourage people to complete requirements of their orders, such as attending programs. An Elder in a remote community told a story about persuading a youth to comply with an order to attend an organisation, which the youth had been unwilling to go to because of 'shame'.

CJGs' contribution in ensuring people comply with orders was recognised by both CJGs and stakeholders in the Phase 3 surveys (see Figure 23).

Figure 23. CJG and stakeholder surveys, 2023¹⁷⁵



CJGs' contribution to reducing return to custody for people on community orders is difficult to quantify, but there was no doubt in the minds of Probation and Parole staff that the assistance of CJGs had reduced breaches of orders and returns to custody. This results in significant savings to the State, because for every day that an adult is held in custody it costs the State \$257.73.¹⁷⁶

8.3 Opportunities for enhanced outcomes with people in custody and under supervision

CJGs and stakeholders see CJGs playing an important role supporting people in custody and under supervision. Many CJGs spoke about doing more prison visits prior to COVID-19 and their desire to re-commence regular visits. Some CJGs had already done so. To enhance CJGs' outcomes in supporting people in custody, the following issues were raised:

- adequate funding needs to be available in CJG budgets – CJGs can negotiate this as part of their Service Agreements and in some cases, QCS funds CJGs to visit prisons;
- relationships need to be fostered with custodial facilities – some CJGs reported strong relationships with custodial staff (e.g. Cultural Liaison Officers), but in other locations building relationships had taken a long time;
- custodial facilities need to have adequate resources and suitable policies to prioritise and facilitate visits and communication with families – Elders from a CJG expressed disappointment that they were unable to regularly visit children in a detention centre because there were insufficient staff to supervise the visits;
- some CJGs and custodial facilities need better access to video-conferencing facilities to enable connection between CJGs and families and detainees.

¹⁷⁵ For detailed graphs, see Figure 66 and Figure 67 in [Appendix 1](#).

¹⁷⁶ See [Part 14.7](#).

9 CJG OUTCOMES IN TRANSITION BACK TO COMMUNITY

Key Findings

- Where this forms part of their activity mix, CJGs are achieving significant outcomes assisting people returning from custody to reintegrate into their communities. Not all CJGs play a role in this area, but it was raised as an emerging priority for several CJGs participating in the evaluation.
- For some CJGs, their role in providing advice and support for people to obtain parole in their home community has been formalised in recent years through the Parole Board's Culturally-Engaged Release of Indigenous Parolees (CERIP) project. CJGs and corrections stakeholders report positive results in supporting successful completion of parole through involving a CJG and its network of supports in the pre-release planning and post-release assistance phases of the parole process. Where the CJG helps a person to obtain parole and to complete a parole order, this generates considerable savings to the State in reduced custodial costs, while also enhancing family functioning and community harmony.
- Some CJGs are also improving reintegration outcomes for released prisoners by working with the offender, the offender's family and the victim to mediate or troubleshoot potential conflict that might arise during the re-entry to community.
- The evaluation found considerable interest from CJGs, and heard a number of innovative community-driven ideas, about how to improve reintegration and break the cycle of offending following release from custody. Commonly mentioned ideas included on-country diversionary healing programs/centres for returning offenders and CJG-led community reintegration teams comprising local mentors (including former prisoners) who can work with people returning from custody. The reported success of the several CJGs already working on reintegration initiatives underpins a strong case for further government investment in CJGs' work in this area.

9.1 Introduction

The evaluation has previously noted that CJGs and stakeholders see support for people returning from custody as a valuable role for CJGs,¹⁷⁷ but that most CJGs have not been in a position to dedicate significant time to this role. In the activity mapping with 14 CJGs, it accounted for an average of 2% of CJG staff time with a range of 0% in several sites to 12% in a Murri Court site in a regional centre. However, it was raised by many CJGs and stakeholders as an area where they were interested in doing more work (see Part 9.3 below).

9.2 Evidence of outcomes from CJGs' support to people transitioning from custody

CJGs help some people to obtain release earlier from custody

It is evident that for some Indigenous people in custody, the CJG's involvement has been important to facilitate their release earlier than would otherwise have been possible. For many years, some CJGs in remote communities have liaised with prisoners and community corrections authorities in relation to applications for parole. Since 2021, this interaction has been formalised to an extent by an initiative of the Parole Board of Queensland (PBQ) known as Culturally-Engaged Release of Indigenous Parolees (CERIP). Under this project, PBQ engages directly with a CJG in a community where a prisoner is seeking to return on parole, to obtain input from the CJG about how the individual can be supported to successfully reintegrate. This may include background information about the circumstances in the community (including the community's view

¹⁷⁷ See Part 4.11.1 of the [Phase 2 Evaluation Report](#).

about the parolee's return), the parolee's access to opportunities such as accommodation, services or employment, and the CJG's ability to engage and support the parolee. The process also enables the Elders and staff of the CJG to directly engage with the offender and PBQ and other parties by video link to discuss the potential parole before the decision is made.

Because the CERIP process enables the PBQ to obtain information directly from CJGs and to have conversations with the CJG and prisoner together, this has the outcome of streamlining the decision-making process. For example, without that direct engagement of the CJG, the PBQ may have to wait for further assessments to be conducted by community corrections, such as suitability assessments for the proposed accommodation for the parolee. In some cases, the ready availability of the CJG's input and information has resulted in prisoners obtaining an expedited parole decision where they would otherwise be kept in custody for some months for further information to be obtained. The information from a CJG about the community's view may sometimes be adverse to a decision about whether a prisoner can return to that community, but engagement with the CJG and the prisoner can facilitate finding alternative options, such as the prisoner being released to live with a relative in a different community.

The evaluation heard other examples of CJGs facilitating the re-entry of community members. A Murri Court representative gave the example of providing a letter in support of release of a community member where the CJG undertook to support the parolee with finding employment and joining the men's group.

CJGs help motivate people to follow through on plans for reintegrating successfully into the community

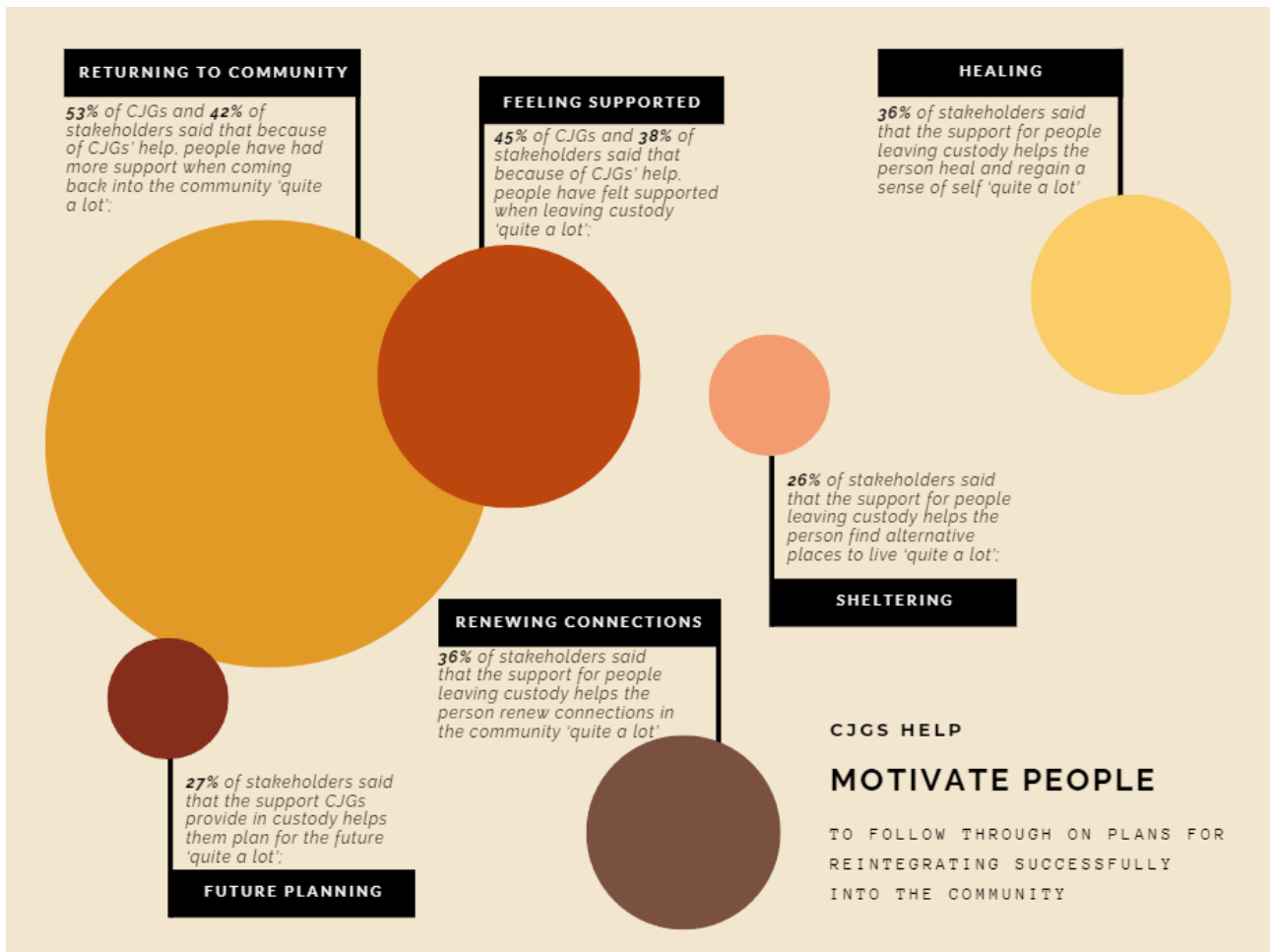
An important outcome that CJGs can have in supporting offenders returning from custody is to motivate the individual to make and follow through on a plan for re-entry. A stakeholder commented in the Phase 3 survey that *"I have been told by some female clients the visits from Elders in custody helped them to be more willing to engage with agencies for support as the Elders discussed the barriers the person felt they had before release."*

As Figure 24 illustrates, the Phase 3 survey results confirmed CJGs' were having some impact in this area, with about half of CJG respondents and a slightly smaller proportion of other stakeholders perceiving that people were feeling supported when leaving custody and when re-entering the community. Other stakeholders also reported CJGs were having some impact in assisting people leaving custody to renew their connections with family, find alternative places to live, and heal and regain a sense of self.

The CERIP initiative has facilitated CJGs to impact on many parolees because it affords CJG members the opportunity to directly engage with the person through the videoconference with the PBQ before their release. This engagement can have a powerful influence on the prisoner, because the CJG is able to provide direct feedback about the impact that their offending had on the community, while also setting out the community's expectations about their reintegration. A PBQ member recalled how a young man who had been disengaged during a videoconference with board members had suddenly "lit up" and engaged once an Aunty from the CJG started talking to him. The Elder led the conversation towards the young man talking about his responsibilities at home, and growing up to be a man. The result of the interaction is that he would be returning to the community knowing the expectations of the CJG and knowing there were supports in place, rather than just a parole letter wishing him luck.

With this process, at least it feels as if these parolees go into community much better motivated and much better supported than otherwise... A lot of the feedback we get from prisoners – and not just Indigenous prisoners – is, you know, 'I get out and I just feel lost... I don't have any support. I don't know what to do.' And then most of them, I think, really do have very good intentions coming out. But I think for these blokes who have had that conversation directly with the [CJG], leave [prison] having that structure and support, to the point of being collected at the airport by members of the justice group. So I think it allows them to hit the ground running with that support system in place, which, as we know from lots of research, is critical to success. (Corrections stakeholder)

Figure 24. CJG and stakeholder surveys, 2023¹⁷⁸



Probation and Parole staff also spoke about how they engaged CJGs to ensure people understood the community's expectations that they re-integrate into the community.

So... when clients come out [on parole]... we call upon the Justice Group for assistance. That's a big component of what we do with the Justice Group. [We have] referred our clients to the Justice Group for informal cultural counselling where they can go and have a yarn to the Elders, [who] remind them about cultural protocol, traditions, how maybe their offending behaviour [has] impacted their family [and] community, and then how they can make [good]... and rehabilitate enough go back into that [community]... And I think that's been successful... (QCS officer)

PBQ has not formally evaluated the outcomes of the CERIP process to date, but anecdotal evidence has emerged about the success of parolees who have been supported by the CJG under CERIP. A long-term recidivist offender on the program succeeded in completing his parole order for the first time ever with the support of a CJG. In another case the CJG assisted a parolee with employment.

In one of the Local Evaluations in early 2023, an interview was conducted with a parolee who had been assisted with reintegration by a CJG through the CERIP process. This example in Box 12 shows how a CJG can provide not only cultural guidance but also links into supports such as a men's group and employment. Feedback from PBQ is that since CERIP started in 2020, CJGs seem to have more programs (such as men's groups and women's groups) available to support returning offenders, and more staff such as DFV workers.

¹⁷⁸ For detailed graphs, see Figure 66, Figure 67, Figure 68, and Figure 69 in [Appendix 1](#).

CJGs have also been bringing more support people along to the videoconferences with prisoners and PBQ. This suggests that the funding enhancements to CJGs are increasing their capacity to achieve outcomes in the area of reintegration.

In the Local Evaluations, the evaluation team also heard examples of CJGs assisting former prisoners with practical matters such as transport, identification, housing and employment. CJGs now have more brokerage funding available to assist clients with emergency needs. In Ipswich, the CJG's auspicing body operates a half-way house that provides short-term accommodation and practical assistance to people returning from custody. In the Phase 3 survey, stakeholders were asked which activities are most effective to support people in custody or returning to the community from custody. After prison visits, the next most common answers related to post-release programs, activities and services arranged by the CJG, and support with housing and basic needs.

Box 12. How a CJG can assist with reintegration following custody

Parolee: *"[This Elder] was working with me before I got released, working with me in the prison, getting ready and making plans for changes on the outside. Look to a positive future and that for me. He was good support, checking on me, ringing me up and asking if I need any help..."*

[He's] helping me get my own house... I tend to use programs and that now... And he be helping me with everything. Like even transport to work, like I'm having trouble getting to work, so he took me out there. Doing stacking and stuff... out at the industrial district...

I want to thank [this Elder] and the [Justice Group] here for the support and everything they've done for me. They always have time for people, and for men's group. Whatever you need, whatever you want...

These men's groups are good. Going along to listen and pick up some life skills and things you need to hear. And things you need to know – education, something you can use in the future."

.....

Elder: *"Oh, I think he's making mature sort of choices... You know, it's not like a wheelbarrow where you got to pick him up and take him. He's doing it, he wants the change."*

We started seeing him for two or three months while he was in the [prison]. Now he got out about October. And he's been with us since then. About six months. And in that time he's had three or four jobs. Sometimes only two or three days [casual work], but that's something. Well he's got a car and he's paying that off...

He's still got his whole life ahead of him... And he wants to be a dad to his children."

CJGs help communities and families to peacefully reintegrate offenders returning from custody

In addition to reintegration support for the prisoner, an important outcome of the work of CJGs, especially in remote communities, is to assist affected families and the community to be ready for reintegration of an offender returning from custody. This is critical where there are unresolved issues that may risk further offences if the prisoner returns. For example, the offender's return might re-ignite conflict between families or cause distress to victims and their family.¹⁷⁹

¹⁷⁹ A respondent to the stakeholder survey highlighted the following outcome seen from CJGs' work: "Arranging for the community to receive people back, particularly if offences have been against other community members. Return to Country programs are important, as well as those first days out of custody, in supporting people from having a 'blow out' and ending up breaching parole conditions."

CJGs are uniquely placed to assist in preventing problems from arising. For example, in Aurukun, the CJG's mediation service has been working with police and corrections to proactively engage families affected by a prisoner's release to mitigate risks.

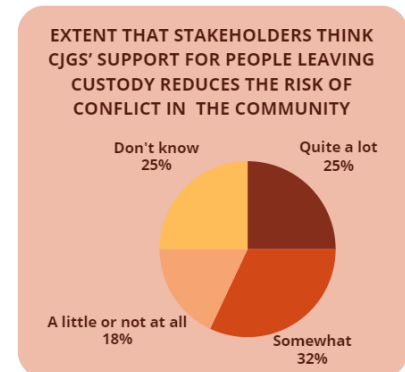
The mediation service goes out to the victim's family and talks to them and goes to the offender family and talks to them and ask questions like 'is this going to work for you? If he's [the offender's] going to come back? What are the things that you would be concerned about, that triggers [problems]?' That's the victim family. But even the offender's family doesn't want the violence, doesn't want their relatives [to inflame it]. They'll [suggest] conditions – interestingly, one of the conditions that's common is 'we'll take the lad to [an outstation] to just chill for a while. They are keen on that. They don't want the attendant chaos.

The process works really well. To the point where the local policeman reports that since that's been in place, there have been no attendant violence matters relating to reintegration. Zero. (CJG staff member)

In the Phase 3 survey, only a quarter of stakeholders thought that CJGs were reducing the risk of conflict 'quite a lot' when people were leaving custody (see Figure 25).¹⁸⁰ This reflects that not all CJGs are involved in reintegration at present. In urban locations, CJGs said they were rarely advised about offenders returning from custody.

Not all CJGs currently have the mediation capability of the Aurukun CJG, which has had a funded mediation program for several years. However, a number of CJGs have participated in mediation training in 2023. There is increasing opportunity for CJG mediation with families to be a more widely used tool in reintegration.

Figure 25. Stakeholder survey, 2023



9.3 Opportunities for enhanced outcomes for people returning from custody

Some CJGs and stakeholders have identified reintegration as an area where CJGs could have a more significant role and increased outcomes in keeping community members out of custody.¹⁸¹ The Doomadgee CJG identified this as a priority during the Local Evaluation in 2021. Since then, the CJG has embraced the opportunity through the CERIP process to implement a local reintegration process.

It's been quite heartwarming, inspiring to see the level of enthusiasm and kind of gratefulness [from CJGs] that finally there's some opportunity to be involved in this way. We've had a number of members of justice groups say to us, 'thanks for this, I'm happy to be involved.' And one great example is Doomadgee, [where] the Community Justice Group have come up with themselves what they're calling 'a pathway home'. So on the back of this [CERIP] project, they've kind of gone away and done some work and figured out, well, we'll meet him at the airport, you know, they'll go to men's group and then they'll do this and do that and the other things. So they've really embraced the project and come up with their own support systems, which has been great. (Corrections stakeholder)

¹⁸⁰ For detailed graph, see Figure 69 in [Appendix 1](#).

¹⁸¹ For example: "The other thing I really wanted us to work on was to, especially for those family members coming back from Lotus [prison], set up some program for them. Because at the moment we haven't got anything. So when they come back on their own... they're very lost. And they find it really hard to settle back in the community and even just to go and get a job because you have to have the blue card... So if we have somebody that is, you know, a project officer [who] will be doing programs for them and just get them [into] jobs, get them occupied, you know, straighten their mind into something to do every day" (CJG Chairperson).

An evaluation of the Aurukun Justice Reintegration Project reported on a proposal for the CJG to play a greater role in reintegration by establishing a 'Community Reintegration Support Team.' This would be comprised of a pool of Elders and interested community members on a casual basis to mentor and support people returning from custody, in partnership with QCS staff. Staff and Elders of several other CJGs have raised similar ideas during Local Evaluations.

We spoke about that a lot, trying to set up some kind of exit strategy for, like, getting families or males to have contact with that person [i.e. parolee]. Like if it's coming up to their release date, helping to set something up in community. So... that a person is appointed to [work] with that [parolee], whether it's appointed from the family or [someone] who that person feels safe with. This is the person that meets them and actually helps them in part of their return to community. (Former CJG coordinator)

Several CJG staff and Elders suggested that CJGs should employ rehabilitated ex-prisoners to work with offenders returning from custody. Some CJGs already use their men's groups as a platform to involve former prisoners to provide guidance to youth and men returning from custody. There was concern that Blue Cards could be a barrier to this strategy. However, the evaluation understands CJGs could employ people who do not qualify for Blue Cards, provided they are not working with children.

Another related concept raised by several CJGs as a reintegration strategy is establishing an outstation or on-country program for youth or adults returning from custody. A 2017 James Cook University research project that consulted members of Indigenous communities in the lower Gulf about community ideas to address recidivism found that this was the most commonly raised proposal.

[T]he most prominent and encapsulating solution from a community perspective was the introduction of a back on country bush camp for offenders. Community members suggested that such an initiative could provide offenders the opportunity to re-establish social, traditional, and cultural bonds through an environment and activities aimed at strengthening individual and collective pro-social identity. It was identified that such an initiative would also simultaneously enable offenders to be physically removed from the temptations of drug and alcohol, which were often the trigger for reoffending. It was proposed that individuals could be supported by a team of local people such as the Men's Group, Elders, and ex-offenders who could build skills and motivation supportive of an offence free life. It was suggested that offenders could then make a gradual transition back to the township environment, where support structures had been put in place in advance of their arrival.¹⁸²

During a Local Evaluation workshop with the Aurukun CJG, a very similar proposal was suggested as the most impactful activity the CJG could take to address the high rates of recidivism in Aurukun. The Wujal Wujal CJG, which already undertakes day trips and short camps with offenders as part of its 'healing on country' program, has also proposed setting up a more permanent healing camp on Aboriginal trust land 'on country'.

CJGs see on country camps and 'healing centres' as a solution to a problem that was causing great concern in many communities involved in the Local Evaluations. The concern is that many DFV offenders, particularly males, are being prohibited from returning to their communities due to the operation of the DFV laws. This can occur under a few different scenarios. First, where a male has been arrested following breach of a domestic violence order, a court may not grant him bail unless he moves to another community or town, due to an assessment of continuing risk to the aggrieved party if he stays at his home. In Cloncurry, for example, this leads to many men required to relocate to Mt Isa. CJG stakeholders in Cloncurry observed that this led to many men being absent from the community for long periods, increasing the burden on their partners and reducing the amount of supervision of children, who may end up on the streets causing further trouble. The

¹⁸² Dawes et al, 2017, op cit.

male who has relocated to Mt Isa may not have stable accommodation or living arrangements there, heightening his risk of further offending. A second scenario where men are excluded from their home communities is where they are released from custody but still have a DV order, with a period of years still to run, requiring no contact with aggrieved family members they were living with.

In Cloncurry, the CJG sees its proposed men's healing shed as a solution to this problem. Because there is a housing shortage, men returning from prison with a 'no contact' DVO preventing them from living in their previous home have nowhere to live. Partners who have sought variations have been refused by the court.

The magistrate said to her: 'He is not going to get ATODS in jail, he is not going to get one on one counselling, he's not going to get anger management. So when he comes out, before I give you a variation [to the DV order] where he can live in your home with you and your son, these wraparound services have to be done first, and we have to see that he's trying to change.' So that's where I think that men's healing shed and that reintegration accommodation for homeless men will come in really handy to the welfare of men. (CJG staff member)

The proposed facility will not only have accommodation, but will also be a hub for delivery of counselling services, behavioural change programs, peer support, prevocational training and other interventions to put offenders' lives back on track. Such a facility could also be used to grant bail for someone who might otherwise be remanded in custody. If the individual could undertake therapeutic interventions during the time leading up to their court appearance, this would be taken into account during sentencing, similar to the Murri Court process. The Coen CJG has a similar process to work with DFV defendants in the weeks leading up to their appearance at the monthly circuit court. Outstations have been used in the past to achieve bail for defendants, but the CJG was developing a men's shed facility at the time of the Local Evaluation in 2022, which presumably will offer programs aimed at diverting people from custody.

The evidence set out in this Part illustrates the positive outcomes that a small number of CJGs are able to achieve in reintegration of offenders, which directly leads to reduced recidivism and keeping people out of custody. Given the high cost of incarceration and the associated policing and court costs, there are considerable cost savings to the State when CJGs succeed in reintegrating offenders in their communities. As the examples in this section show, CJGs have developed creative, community-driven reintegration proposals. The evidence from the evaluation creates a strong case for the Queensland Government to actively support CJGs' efforts in this area. [Part 14.2](#) discusses this opportunity further.

10 CJG OUTCOMES IN COMMUNITY SUPPORT AND ADVOCACY

Key Findings

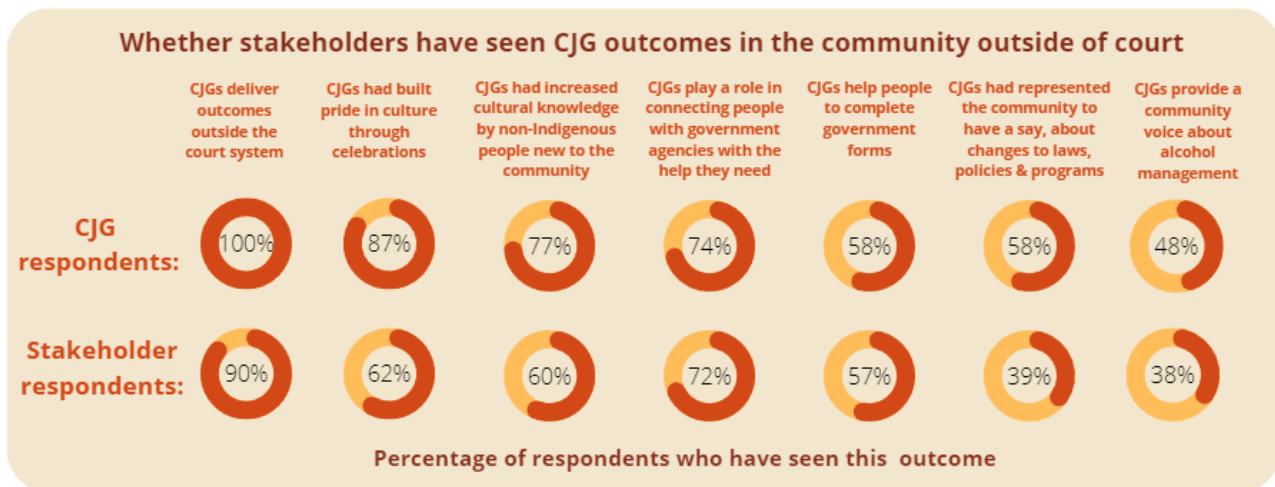
- CJGs deliver many highly valued outcomes for their communities beyond their work in the criminal justice system, including responding to a wide array of miscellaneous requests for support from community members who attend CJGs' offices, and advocating community interests to government on a range of issues.
- Feedback from CJGs and community members highlights that the miscellaneous support provided by CJGs on a daily basis helps people feel valued and supported so they can access services and life opportunities. This support is core to the sociocultural legitimacy and effectiveness of CJGs. By creating a relationship of trust and service, it enables CJGs to work with people when they do have contact with the justice system, and to motivate them to make changes away from offending behaviour.
- The large amount of demand-driven community support work of CJGs outside the justice system creates sustainability challenges for the groups, which the government needs to assist them to manage. Many activities fall to CJGs because of gaps in the service system or lack of cultural competency of existing services. The evaluation recommends that government agencies review the evidence about the extent to which CJGs are delivering services that are the responsibility of the agency, and consider strategies and measures to address these.
- CJGs' work in advocating community interests has outcomes in giving communities a voice in matters that affect them and ensuring government laws, policies, programs and services are more responsive to their needs.

10.1 Introduction

Activity mapping with 12 CJGs revealed that CJG staff spend a considerable portion of their time (an average of 14%, and up to 40% at one CJG) providing community support, advocacy and access to social justice, outside of the justice system. The exact extent is highly localised, with no discernible pattern according to location. This was supported by community surveys completed in 16 sites, which asked community members to identify the types of non-court related help, services or programs that they received from the CJG. Help with accessing government services was strongly indicated, including completing paperwork, referrals and making appointments. The range of government services accessed included housing, health, social security, child safety, and obtaining their driver's license and Blue card. Community members also attended a range of meetings run by CJGs, including men's and women's groups, sporting groups, and cultural events, camps and celebrations. They also indicated receiving help with transportation and with personal banking and finances (including stolen wages). Less tangibly, almost two thirds of community members (66%) indicated that CJGs strengthened respect (either 'a lot' or 'a fair bit') for Aboriginal Lore and Torres Strait Custom in their communities.

These findings were further reinforced during Phase 3, where the survey of CJGs and external stakeholders specifically explored the outcomes that CJGs were achieving outside of the court system. As Figure 26 shows, there is strong awareness by both CJG representatives and other stakeholders about the range of outcomes that CJGs are delivering in non-justice areas such as building pride in culture, educating people new to the community about culture, connecting people with government agencies, helping people complete government forms, representing the community about changes to laws/policies/programs, and providing a community voice about alcohol management.

Figure 26. CJG and stakeholder surveys, 2023¹⁸³



Although there was widespread agreement across these outcome areas, the response from stakeholders was consistently lower than from the CJGs themselves, suggesting some mismatch between internal and external understanding of these outcomes. This aligns with a widespread perception within CJGs that agencies do not understand the breadth of their work.

The interviews contained in the [Phase 1](#) and [Phase 2](#) Evaluation Reports document a wide range of types of support that community members are accessing from CJGs, which were corroborated by several interviews during Phase 3. For example, modern access to services requires a high level of financial literacy and computing skills, which the CJG can assist with.

People can't negotiate this paperwork [consumer class actions with Westpac], so we fix it for them and we do their superannuation. It's just endless because of the literacy skills and because of the lack of understanding around IT. I'm not that flash on IT myself, but what they see me do here [is] just type in a letter and you know, save and stuff like that, they think that's huge. (Cloncurry CJG Coordinator)

As also noted in the Phases 1 and 2 reports, CJGs expressed their frustration at doing the work of other agencies, including the police station, clinic and Centrelink.

I get really frustrated clients that come to our front door, you know, 'when's the police station open?'. I get visitors from everywhere thinking we run a subsidiary court. We do a lot of birth certificate applications we're not supposed to do. But that's something that the ... front counter at the police station should be doing. So we help out with that. (CJG Coordinator).

A lot of people come in and, you know, getting their birth certificates and all different other things that should be done through a clinic. ... A lot come through and do their money and things, even though we got Centrelink here [in this community], but they still come to the Justice, ... [for] things that [our staff] are not supposed to do, but we still have that. (CJG Elder)

¹⁸³ For detailed graphs, see Figure 71 in [Appendix 1](#).

10.2 Evidence of outcomes from CJG activities supporting and advocating for community members

CJGs help communities feel they have a voice about matters that affect them

The Phase 3 interviews confirmed findings from Phases 1 and 2 about how CJGs were active in advocating for their broader needs outside of the justice system, especially with housing and child safety issues.

While advocacy is often associated with political action, many CJG Elders adopted a form of soft diplomacy, by drawing on their established relationships with magistrates and police officers. This often required a degree of persistence, to get their message across.

...our new magistrate. We just were yarning, and I said the sad thing that I saw when I was in Brisbane, we were down there for some meeting ... there was a young boy being brought off the plane and he had two detectives with him and there must have been about four policemen waiting inside. He had chains around his ankles, and he was handcuffed. No parents were about, no other people. I cried; my heart cried. I thought 'how do we let this happen?' And they walk right through the mainstream areas [of the airport terminal], and I thought that's terrible. I was talking to my daughter and she said she's seen the same thing out here at our airport [here] ... I told this story [to the] magistrate when we were having our little getaway lunches and staff goodbye lunches [and first he] said he can't change the law [and he] can't do anything about it. But he's just told me about a month or two ago that that's not happening anymore. So, my guess is he must have went and had a little yarn, not the focus, but it got mentioned, because it wasn't a legal thing, it was something like a guideline, [which] the police could use it or they couldn't use it. So they now have decided not to use [it] because I said to him, 'you know, no matter how bad you are, that's your dignity and your pride' and even for us watching this happening you know, [it's] just disgusting. ... I think the magistrate must have stood up because I didn't, and I don't think anyone else did. (CJG Elder)

Some CJGs also took it upon themselves to ensure that other agencies were performing. This went beyond agencies directly involved with the justice system, such as QCS and Police. Consistent with the holistic nature of the role, some CJGs worked to improve the effectiveness of other agencies such as housing and youth development.

Especially when these organisations are there supposedly to support Indigenous communities and they get the funding for that. They just released a lot of money for youth programs and we got knocked back. So we went through the list of all the people that got Indigenous funding from this round. And we have been hitting them and saying, 'you got funding, what are you going to do with it?' and making them accountable. (CJG Member)

CJGs contribute to making laws, policies, programs and services more responsive to Indigenous communities

The [Phase 1 Evaluation Report](#) described how CJGs play an important role as advocates and representatives of their 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 Futures and service reforms to youth justice and child protection systems.

An example of the outcomes of the advocacy of CJGs over the years is the establishment of a permanent police presence in the communities of Hope Vale and Wujal Wujal, which was a result that CJGs had lobbied for.

CJGs help people feel valued and supported so they can access services and life opportunities

Common to many Indigenous organisations, CJGs sit at the interface between community life worlds and an external institutional environment, in a domain that extends beyond formal interactions with the justice system. In fulfilling their representative role to a constituency, CJGs perform a range of functions that do not neatly align with their mission statement or funding guidelines. In some of the sites included in the evaluation, a simple explanation is that there are no other alternatives. As the sole, or one of only a few Indigenous organisations in that locality, they can be the only culturally safe or responsive places for Aboriginal and Torres Strait Islander people to seek help. Even in remote Indigenous communities where there are many Indigenous organisations, people will preference some organisations over others, irrespective of their function, for sociocultural reasons including avoidance relationships and conflict.

The inability to access services and support, in a broad sense beyond the service delivery mandates and departmental portfolios, can have pervasive impact on people's wellbeing.

We've had people come in, like just rock up at the doorstep, not necessarily involved with Murri Court, but just because of word of mouth And you could just see the relief of people, they come in stressed, by the end of it, they walk back out feeling like, 'oh, someone's finally heard me.' (CJG staff member)

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)

This is not deviant activity, but rather core to the sociocultural legitimacy and effectiveness of CJGs. The ability to help all community people, rather than just those involved in the justice system, is an important outcome for CJGs because it creates the relationships – the social contract – that enables them to effectively work with people when they do have contact with the justice system. As [Part 7.2.5](#) highlighted, trust is the essential foundation for CJGs' ability to motivate people to engage with the help on offer and to make positive changes away from offending behaviour. [Appendix 2](#) contains thematic analyses of the hundreds of free-text responses from community members answering the community survey. A recurring theme in these lists is that CJGs are trusted because they are helpful when people are in need. This feedback shows that most CJGs are performing strongly in the outcome of making people feel valued and supported and able to access services and opportunities.

10.3 Opportunities for enhanced outcomes

Although the outcome areas discussed in previous Parts show that CJGs are proactive in providing assistance to people in need, the interviews also describe a more demand-driven, and at times reactive, space when it comes to providing community support. In addition to being recipients of the services that justice groups provide, Aboriginal and Torres Strait Islander people are actively seeking CJGs out, knocking on the front door, asking for all manner of assistance. As community-based organisations, who must maintain their local legitimacy to their community to be effective, CJGs have little choice but to respond. It is not an option for them to tell community members that it is not their mandate, or in their funding agreement, to help them.

Some agencies recognise that CJGs do go beyond their mandates and that they are not funded to do so.

For us with housing, the Justice Group go beyond what their job roles are as the Justice Group. They do help and assist with housing applications, bond loans. They [give] a lot of assistance [to] community members by helping them do paperwork, which I know that they do not get funded for. And time wise they are extremely busy, but they still do those sorts of items. So [you] could give them more money to do that. (Department of Housing staff member)

CJGs are trusted and community-based and therefore well placed to provide community support, but government should consider funding additional positions for CJGs to do this work, as it does take away from current staff's ability to do other justice-related work. In a spatial sense, the interface for the CJGs is the person tending their front counter:

I want to do my role fully as a coordinator and making contact with clients out there to represent them through the courts. But there's always people at the front counter coming in with enquiries and that just stops me from getting out to the community... If we had a reception, you know, part time reception at the front counter, we can leave the office and go out and do our business and come back. (CJG Coordinator)

Currently, each CJG has discretion to determine its own staffing arrangements and negotiate its budget accordingly. Beyond the core Coordinator or Manager role, some CJGs already have a support person, often described as a receptionist or support person. It is understood that many CJGs have surplus funds available, which might give them an option of establishing a part-time administrative position. As recommended in the [Phase 1 Evaluation Report](#), the CJG funding guidelines should recognise the general community support function of CJGs, and enable the position descriptions of administrative staff to reflect this function in addition to court related work.

I actually believe that we need to have two workers here, at least... So for my position, I think I should have a support person underneath [me] that works in administration. That does the support for the clients ... and that can be anything from immigration to stolen wages to a housing application across the probation and parole areas. (CJG Coordinator)

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)

Recommendation 15. That each Queensland Government agency delivering services to Aboriginal and Torres Strait Islander people conduct an independent review and report results to the CJGs and DJAG about the extent to which CJGs are delivering services that are the responsibility of the agency, and consider strategies and measures to manage this load on CJGs (for example, improving service access at CJG locations or specifically resourcing CJGs as agents or referral points for certain services).

In addition, as will be discussed in the next Part, where CJGs are essentially performing an engagement or frontline service role for another agency, they should be supported to negotiate agreements with that agency to ensure they are properly resourced to deliver.

11 CJG OUTCOMES IN ASSISTING AGENCIES AND SERVICE PROVIDERS

Key Findings

- CJGs are achieving significant and highly valued outcomes through the assistance they provide to a range of agencies and service providers in the justice and social services sectors in Indigenous communities. This is a substantial element of CJGs' work (accounting for an estimated 9% of staff time), and is not always recognised and supported adequately by the beneficiaries.
- Government agencies and service providers have highlighted the importance of assistance they receive from CJGs in enabling them to deliver services in Indigenous communities. In a survey of 70 stakeholders, 47% said that the CJGs help them by locating and connecting them with community members and 42% said that CJGs provide cultural advice to their staff. About three quarters (73%) said that the contribution of CJGs is 'essential' or 'very valuable' to them achieving good outcomes. Several agency stakeholders interviewed by the evaluation said that they could not deliver their services in Indigenous communities without local CJGs.
- Many staff of agencies spoke about how CJG Elders and staff have helped them personally to build their cultural competency. This occurs sometimes through formal cultural awareness training, but more often through informal relationships and cultural guidance and advice.
- CJGs' assistance to agencies is rarely remunerated or supported with resources or training. While CJGs generally see benefit to their communities from the assistance they provide to agencies to deliver better services, many see a need for MoUs or agreements to manage this load. The evaluation recommends that CJGs be assisted to negotiate agreements with key agencies to cover the support that CJGs provide them.

11.1 Introduction

CJGs' assistance to a wide range of government and non-government agencies and service providers is a less-recognised aspect of their work. Yet, the activity mapping with 12 CJGs revealed that CJG staff spend a considerable portion of their time (an average of 9%, and up to 21% at one CJG) assisting other agencies with service delivery. This relates to work that does not sit within CJG's other business around supporting people through the justice system. Compared to the preceding outcome area, where CJGs are *proactively* pushing agencies to deliver needed services, this outcome area is the role where CJGs more *reactively* respond to agency requests for help to access their clients, or more generally to consult the CJG as a community reference point. The [Phase 1 Evaluation Report](#) indicated that the main non-justice related agencies assisted by CJGs are Child Safety, Housing, Queensland Health, Education Queensland, Aboriginal and Torres Strait Islander Partnerships, Liquor and Gaming, Councils. CJGs also support ATSILS, Corrective Services, Police, Youth Justice, and various business areas of Justice and Attorney-General.¹⁸⁴

CJGs' support for agencies has potential outcomes for both the agencies and community members who are served by those agencies. This Part reviews the evidence the evaluation has collected about these outcomes.

11.2 Evidence of outcomes from CJGs' assistance to agencies and service providers

During the CJG evaluation, agency stakeholders have consistently emphasised the importance of CJGs to their ability to provide services in Indigenous communities. In the Phase 3 surveys, stakeholders were asked to describe any activities that CJGs do to assist them in achieving their goals. As Figure 27 shows, CJGs provide support to many agencies by locating or connecting them with community members and by providing cultural advice to their staff. These outcomes are discussed in turn in this section.

¹⁸⁴ See Part 4.13 of the [Phase 1 Evaluation Report](#).

Figure 27. Survey of stakeholders, 2023¹⁸⁵



CJGs help agencies with the local knowledge and connections to improve their engagement with service users

To deliver a service, being able to engage with potential service users is critical. For agencies operating in Indigenous communities, there may be many barriers to engagement, including lack of local connections (especially for visiting service providers), lack of cultural sensitivity (especially for non-Indigenous organisations), distrust of agencies, limited community awareness of the service, lack of facilities, transport challenges and inadequate knowledge of local conditions. As grassroots community organisations with strong local networks and cultural knowledge of their communities, CJGs are well placed to help agencies address these barriers.

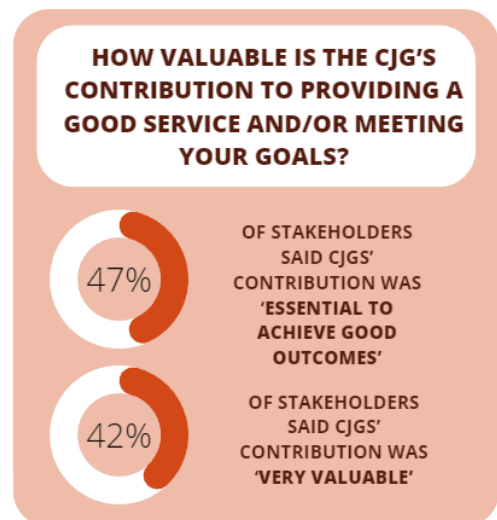
The significance of CJGs' assistance to agencies is indicated by the Phase 3 survey response, where almost half said the CJG's contribution was essential to their agency achieving good outcomes, and 42% said it was very valuable (see Figure 28).¹⁸⁶

Agency representatives interviewed and surveyed for the evaluation gave numerous examples of how local CJGs are assisting them to engage with community members through their local knowledge and their local connections:

So we have meetings regularly with the Justice Group... to discuss any issues within the community, in relating to housing, in relating to rents and relating to behaviours to try and assist my tenants... Any time that I need to contact a tenant, if I can't get hold of them, [the CJG] will go out and locate them. If I have troubles communicating or cultural wise, the Elders Justice group will also assist. So they are a huge asset for the Department of Housing. (Agency representative)

[The CJG] supports our work by inviting us in to speak and be involved in the Aboriginal and Torres Strait Islander community in a way that would not be possible if they weren't there. Our focus is around Domestic and Family Violence and we are given the opportunity to reach out to the community through the groups that happen weekly with the end result hopefully being a better understanding of DV and supports available with a view to reduce DV in the community. (Agency respondent to Phase 3 survey)

Figure 28. Stakeholder survey, 2023



¹⁸⁵ For detailed graph, see Figure 72 in [Appendix 1](#).

¹⁸⁶ For detailed graph, see Figure 74 in [Appendix 1](#).

I think they're very valued in the community across all services. I know with all the service providers that we have any engagements with, they always speak very highly of the Justice Group and the fact that they know where to go [for help]. (Agency representative)

The CJGs help me achieve one of my goals of client attendance/engagement (Agency respondent to Phase 3 survey)

They [the CJG] are on the ground, knowledgeable and the obvious first point of call if we are working in their community. They have local knowledge we don't have and are invaluable to us being able to provide our service in their areas. (Agency respondent to Phase 3 survey)

CJGs' relationships with agencies provide them with credibility, which encourages clients to have trust in them.

The rapport that we've been able to build transfers through ... the justice group, or the aunties or the uncles, [so that they are] able to say [to the participants] 'no, they're good, you know, they are good ones, go down, it's fine.' So ... they already feel a little bit more confident when they come in [to QCS]. And over time, you know, that's having wider impacts ... It's really exciting. (QCS staff member)

CJGs also play a logistical support role for many visiting services, by providing a physical space for service delivery, and sometimes access to a vehicle. In many cases, the CJG's headquarters is a 'hub' for community services.¹⁸⁷ One service provider commented that the Justice Centre "seems to be the heart of the community".

CJG support is so important that some agency representatives commented that they could not deliver their service without the CJG:

I think it's a good organisation, it's very well-run and, yeah, we'd be lost without them... So the support to [our agency] is invaluable and I know that we're not the only organisation that feels that way... There's a lot of other organisations that rely on their service. (Agency representative)

[The Regional Office] basically said that in our current work, without the CJG, we just couldn't get out [in the community], we just couldn't operate. (Agency representative)

I just want to reiterate my appreciation for the [CJG] service we have here- we continue to develop relationships within the community that would otherwise be impossible to do without the co-operation and assistance of our local group, this would lead to lower levels of support that we would be able to offer because there would be fewer opportunities to build relationships with individuals and less opportunity to build trust. (Agency respondent to Phase 3 survey)

As the last comment highlights, the most important outcome of the CJGs' support for agencies is that the community is able to access the service. On the flip side, some CJGs were concerned that where agencies do not access help from the CJG, the community is denied a service.

What we found was all these services from down south come in and they, they don't talk to each other and they don't talk to the community... There's nothing out in the community to say that they are coming... And they don't like what was happening as they were coming into the community and nobody went to see them. And then they were like, 'Oh, there's no need here'... (CJG staff)

The CJG outcome of facilitating greater third party service delivery was most evident in remote and regional locations where many services visit the community, in contrast to the CJG, which is locally-based. However, the Local Evaluations showed that CJGs also play a role in enabling better engagement by mainstream services with Indigenous families in larger population centres. This is again due to CJGs' greater connections

¹⁸⁷ See [Phase 2 Evaluation Report](#), Part 12.3.

with Indigenous families and because they have greater cultural knowledge and usually more trusting relationships with the community.

CJGs help build cultural competency of agency staff to work with Indigenous communities

As the Phase 3 survey indicated, another outcome of CJGs' work with agencies is to build the cultural competency of agency staff. This may happen through informal advice and guidance provided by CJG staff and Elders to agency staff – *"they are happy to clarify questions I have around culture"* (Agency staff). Or it might involve formal training or cultural awareness sessions delivered by the CJG – *"they come to the office and work with staff and have done events to improve cultural knowledge and capability of people who work here"* (Agency staff). A police officer spoke about asking CJG Elders down to the station to induct any new police starting in a community. A CJG coordinator in a regional town was asked by Corrections staff to deliver a presentation on cultural safety.

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 the respondents to the Phase 1 survey¹⁸⁸ said they have received 'information and/or training from CJGs about making services culturally safe.' As outlined in Box 13, many staff interviewed at CJG locations across the State reflected on how CJGs had helped them personally to develop their cultural competency.

Box 13. Personal stories of CJGs helping develop cultural competency

"But I can absolutely personally say that anytime from the second I walked in there, anyone that I've brought to observe or train, they [the CJG] have absolutely been totally about increasing cultural capability as opposed to, you know, pointing out someone's cultural incapability or something like that. So it's always very supportive. I've experienced significant development in my cultural capability." (QCS officer)

"Often visit the service and am always welcomed, our service has been invited to present topics to the weekly Women's Group, also liaise with the men's group coordinator, introduced to the Elders and attend meetings with them when appropriate. In short, I have gained so much, personally and as a service worker through my interactions with my local CJG and this has allowed me to work in a more positive and supportive way with the community." (Service provider)

"I value the time I get to spend with the Elders because... it's just lovely to hear them talk and they know everybody... I just like hearing the stories of the people and the defendants and you know, what life is like for them." (Service provider)

"The CJG's are an invaluable part of not only supporting programs in the community, but also advising organisations of cultural appropriateness, when is a right or wrong time for people to visit their community." (Agency respondent to survey)

While CJG cultural guidance is particularly important for non-Indigenous workers, Indigenous staff of agencies have also spoken about the guidance they receive from Elders and staff of CJGs.

I just appreciate them being still here. Where would us younger generation be? The knowledge, the cultural knowledge, the guidance, the stories, they hold so much information. I just appreciate them being present. (Indigenous worker at NGO)

CJGs help build the cultural responsiveness of the service system

The impact of CJGs goes beyond building individual staff members' cultural competency. The guidance and leadership of a CJG can also influence the way the whole service system works in an Indigenous community. This is because CJGs can operate more flexibly, unconstrained by service 'jurisdictions', through a person-

¹⁸⁸ See Part 12.3 of the [Phase 1 Evaluation Report](#).

centred approach. By taking the person who they are assisting as the starting point, CJGs may end up bridging and navigating several service domains in a creative way. A CJG manager felt that by doing this, the CJG was teaching services how to be more culturally responsive to Indigenous people.

I feel like we're constantly joining dots for [service providers]. We hear that a lot. It's being able to hold accountability in the way of collective case management. It's amazing the amount of staff members across government agencies that can be working with the one person and none of them talk to each other. So successful transition and mobility doesn't take place... And no wonder why you've got a pipeline straight to prison, because there's no collective case management.

So I feel like we're constantly having that accountability conversation... [Staff in agencies] have to operate in a certain way and framework, whereas we get the flexibility in this space where we base our operations on the needs and wants of community and the frameworks that complement that. And so being able to share how we do practice (and the best practice in that) with government agencies is a powerful thing because it comes from grassroots. (CJG manager)

The CJG manager noted that this need for learning applied to “Aboriginal and Torres Strait Islander staff in the Department as well, because they work in those echo chambers of the system.”

These reflections are consistent with the evaluation’s observation that high performing CJGs seem to play a significant role in leading better inter-agency coordination in the service system.¹⁸⁹ For example, some CJGs running Murri Courts facilitate very effective multi-agency stakeholder networks to support clients in Murri Court.

11.3 Opportunities for enhanced outcomes of CJGs’ support for agencies

In the [Phase 1](#) and [Phase 2](#) Evaluation Reports, the evaluation highlighted the burden that CJGs carry in providing the myriad forms of assistance to agencies and their staff listed in this section. CJGs do this work because they see the benefits in improving services for their communities, but many CJGs highlighted that this represents a significant workload and that demands from agencies are rarely paid for.

CJGs expressed that they are generally happy to provide, or even enhance, their assistance to agencies, provided arrangements were in place to manage the risk and ensure it does not affect the sustainability of their workloads. Suggestions by CJGs included agencies:

- remunerating CJGs through a fee-for-service arrangement;
- funding CJGs to have a part-time position (e.g. a community liaison officer to assist the agency to find or engage clients);
- providing training or in-kind resources to CJGs to manage the risk.

The responses of stakeholders to the Phase 3 survey question about assistance that CJGs provide to them were illuminating. While 40% did not know enough to comment:

- 18% said CJGs are fully remunerated for the services they provide [to their agency];
- 18% said CJGs are partly remunerated for services they provide;
- 25% said CJGs carry out these services on a voluntary basis;
- 22% said CJGs are provided with materials and supports to help them carry out the activities;
- 29% said CJGs manage their own insurance and/or transport [for these activities]

(Figure 72 in [Appendix 1](#)).

The results suggest that many stakeholders recognise that CJGs are largely not remunerated for the assistance they provide, nor provided with materials and supports, insurance and transport.

¹⁸⁹ See Part 12.3 of the [Phase 2 Evaluation Report](#).

The [Phase 1 Evaluation Report](#) noted that there were two themes regarding stakeholders' views about how to address this issue: first, the need to better negotiate and communicate the scope of the relationship and the assistance expected of CJGs; second, the need to better support CJGs to manage the level of risk and the workload they take on. Agreements or MoUs between CJGs and agencies could deal with both of these issues. The evaluation was surprised to find no examples of current MoUs in place for these arrangements. However, some CJGs told the evaluation they wanted to see MoUs negotiated with agencies they do significant unpaid work for. One CJG had unsuccessfully tried to convince an agency to enter an MoU.¹⁹⁰

The [Phase 1 Evaluation Report](#) recommended "That the CJG Inter-departmental Working Group (IWG) reviews the evaluation data regarding the work that CJGs do to assist government agencies, and considers strategies and measures to ensure this does not affect the sustainability of CJGs, such as providing additional training and in-kind or financial resources to CJGs to support these activities." The evaluation is advised that DJAG has experienced difficulty with elevating these issues through the IWG. The evaluation suggests that a more effective approach may be for DJAG to enable CJGs themselves to negotiate MoUs with key agencies about services that CJGs provide. The proposed peak body for CJGs would be an opportunity for CJGs to collectively engage with agencies to negotiate statewide MoUs or template MoUs that could be adopted by CJGs and local agency representatives.

Recommendation 14. That the Queensland Government work with CJGs, ideally through the proposed peak body, to develop:

- (a) a protocol for government departments requesting CJGs' engagement in delivery of services that are their responsibility, which ensures that CJGs are appropriately compensated and supported, including with capacity development;**
- (b) remuneration mechanisms (e.g. agreements, grants, standard service agreements, standing offer arrangements) that CJGs and agencies could use to negotiate CJG assistance to agencies.**

¹⁹⁰ The agency's response to the request for an MoU was as follows: "They've put it back on us. 'Oh, can you draft something?' Well, it's really not our business. It is our business in terms of looking after our people. But you're the agency that calls the shots here, so you need to be drafting it as the lead agency, to work with us, you know. And if you if you want us to do this [work], in the MoU put down the resources you're going to provide... And that's one Department we do a lot of work for."

12 LONG-TERM IMPACT OF COMMUNITY JUSTICE GROUPS

Key Findings

- Feedback from CJGs is that their long-term objectives are to *help people stay out of the justice system*, but also to help people achieve *happier and more empowered lives* and to foster *safer and more cohesive communities*. The evaluation has documented extensive qualitative evidence of CJGs' contribution to these outcomes. While there are challenges measuring and attributing improvements in offending and recidivism, there are strong grounds for concluding that CJGs are reducing Indigenous contact with the justice system.
- While the overall impacts on criminal justice outcomes flowing from CJGs' work are difficult to measure, there are numerous examples of CJG activities that stakeholders have reported to directly reduce Indigenous people's further or deepened contact with the justice system. Prominent examples include: CJG assistance through therapeutic court processes (e.g. Murri Court) usually avoids custodial outcomes for offenders; CJG assistance to defendants to attend court demonstrably reduces incidence of warrants and arrest for non-appearance; and CJG assistance to Probation and Parole authorities (e.g. to contact people who have failed to report or comply with parole) is widely reported to prevent parole breaches leading to return to custody.
- It is not possible to measure CJG impact by analysing macro-level data about Indigenous people's contact with police and courts in the locations where CJGs operate. Many factors driving Indigenous contact with the justice system are beyond a CJG's influence. At courts where CJGs operate, the number of unique Indigenous defendants fell by 5% from 2015-16 to 2021-22 and the number of appearances for Indigenous defendants fell by 11%, but the number of charges and convictions increased by 28% and the number of custodial sentences increased by 14%. There is significant community-level variability – in the past four financial years, charges against Indigenous offenders rose 14% across the 41 CJG sites, with an increase in 22 court locations and a fall in 19 court locations.
- A number of CJGs believe that their work has contributed to a decline in the number of Indigenous people coming to court in their location. While the evaluation has found some evidence in police and court data to support these claims, there is insufficient evidence to attribute improvements to the work of CJGs. Detailed site-level analysis of the outcomes for specific individuals assisted by CJGs would be required to verify CJG's impact on their clients' justice outcomes or recidivism.
- Surveys in 16 communities involving 453 respondents found that two-thirds of CJG clients who had been to court (or the family or friends of these clients) believe that the assistance from CJGs helped them to stay out of trouble with the law in the future (48% said 'a lot' and 17% said 'a fair bit'). Two-thirds of community members also expressed the opinion that CJGs are helping to keep Aboriginal and Torres Strait Islander people out of the criminal justice system generally.
- The evaluation heard a range of views from CJGs and stakeholders about whether CJGs have a long-term impact in reducing offending and/or Indigenous contact with the justice system. While many stakeholders believe CJGs both reduce offending and contact with the justice system, some people believe that endemic systemic factors driving Indigenous contact with the system overwhelms CJGs' efforts – for example, concerns were raised about discrimination in policing, punitive criminal laws, changes to DFV legislation disproportionately affecting Indigenous people, and lack of cultural safety in programs and services.
- There is strong evidence from the evaluation that CJGs are implementing strategies that directly target a wide range of the acknowledged underlying causes of offending in Indigenous communities. As such, while the long-term impact is difficult to measure, CJGs can have a high degree of confidence that their work is contributing to reducing the over-representation of their community members in the criminal justice system.
- Some of the most significant reported impacts that CJGs have on clients are greater empowerment, self-esteem, cultural pride and life opportunities. Accordingly, many stakeholders believe that CJGs are contributing to the long-term goal of *happier and more empowered youth and adults*. The case studies in the *CJG Stories of Success* document bear testament to the life-changing impacts CJGs have on many individuals.
- Objective measures of *community safety and cohesion* are problematic, but the evaluation has heard qualitative feedback about the ways that CJGs contribute to strengthening Indigenous communities. A well-functioning CJG providing cultural leadership and holistic support to community members is a source of pride for Indigenous communities, bringing families together and contributing to community-wide empowerment and a sense of community efficacy.

12.1 Introduction

An important question for the evaluation is to what extent CJGs are achieving the CJG Program's overarching long-term goal of contributing to reduced Aboriginal and/or Torres Strait Islander over-representation in, and contact with, the criminal justice system. The intent of the CJG Program is that the various outcomes of CJGs' work, as discussed in the previous Parts, will contribute to this long-term outcome. While CJGs and stakeholders all agree that reducing contact with the criminal justice system is the central goal, CJGs have a broader conception of what they are seeking to achieve, as the following comment illustrates:

Keeping them out of jail is not a success story. Keeping them out of jail and having them have an aspiration, whether it's to be with their family or to get their kids back or to find a job or to go and do something, you know, start up a little business from what they're doing, whatever aspirations that they feel they'd like to do. I think that's the measure. (CJG Elder)

In workshops with CJGs about the future direction of the Program in 2018, CJGs articulated a vision for their communities as healthy, happy, educated and safe communities with no crime and better futures and self-determination for young people.¹⁹¹ In considering the long-term impact of CJGs, therefore, it is important to look beyond reduced contact with the justice system to these broader social outcomes that CJGs desire. This Part assesses the extent to which CJGs are achieving this desired long-term impact as summarised in three outcome areas:

- Reduced Indigenous contact with the criminal justice system
- Happier, more empowered youth and adults
- Safer and more cohesive communities

12.2 Reduced Indigenous contact with the criminal justice system

12.2.1 Introduction

This report has documented the myriad ways in which CJGs work with community members to reduce their contact with the criminal justice system. The evidence indicates there are two ways in which stakeholders believe that CJGs contribute to this outcome:

- (a) By working with Indigenous clients and justice system stakeholders to reduce clients' deeper contact with the justice system (e.g. incarceration);
- (b) By working with Indigenous community members to prevent them offending, or re-offending if they have previously offended.

12.2.2 Evaluating reduced deeper contact with the justice system

There are many instances where the link between what a CJG does and the outcome of reducing further entanglement with the justice system is clear. For example:

- supporting people successfully through a therapeutic court process (for example, Murri Court, or a Magistrates Court applying a diversionary approach) usually results in a non-custodial sentence where a custodial sentence would normally have been the result;
- providing cultural reports to magistrates setting out the cultural context for offenders, or suggesting alternative community-based solutions, may lead to clients avoiding custodial sentences;
- facilitating better communication and interaction with legal representatives may lead to some charges being successfully defended, or avoiding the problem of clients pleading guilty;
- making sure that defendants appear at court ensures they do not have warrants issued for their arrest;

¹⁹¹ KPMG, 2020. *Community Justice Group Consultations: Community Justice Group Service Delivery Blueprint*, p.18.

- assisting defendants in court to understand the process, and to stay calm and not get angry and antagonistic, improves their prospects of a better outcome from the process;
- making sure that offenders understand and comply with their court orders avoids further prosecution for breaches;
- helping Probation and Parole track down offenders who have failed to report avoids breach actions that may result in their return to custody; and
- supporting people on parole to understand and meet their conditions (which may be complicated by additional DVO conditions) avoids breach actions that may result in their return to custody.

In all these areas, the impact of effective CJGs in reducing further contact with the justice system is widely acknowledged by stakeholders. However, measuring the quantum of reduced contact with the justice system in any of these areas would require a complex data collection exercise that is beyond the scope of this evaluation. For example, it might require collecting longitudinal data to track individuals through the justice system, collecting data about the extent of assistance provided by the CJG to that individual, and comparing the result to a control group of individuals who do not receive assistance from the CJG.

12.2.3 Evaluating reduced offending or recidivism

Measuring the long-term outcome of CJGs' contribution to reducing offending and recidivism is even more difficult. The best means of measuring crime prevention efforts are longitudinal studies over many years that compare people who have been part of crime prevention initiatives with a cohort who have not. Measuring an offender's rate of recidivism is possible from administrative datasets, but attributing any reduction to the efforts of CJGs is much more difficult, given the range of confounding factors.

Instead, most stakeholders to the evaluation agreed that the best way to measure the criminal justice system impacts of CJGs is to collect qualitative information from those involved in the process. In other words, to ask community members (especially CJG clients), CJG staff, CJG members, judicial officers, court staff and other government and non-government stakeholders about the differences they have seen as a result of CJGs' work. In addition, the evaluation has asked for case studies or stories that exemplify the success that people attribute to CJGs (see the *CJG Stories of Success* compendium).

The utility of macro-level data about changes in offending

Given that the overall goal of the whole CJG program is to contribute to reduced Indigenous contact with (and over-representation in) the criminal justice system, an observer might ask whether the program's long-term impact should be assessed by looking at statewide data about changes in Indigenous contact with the justice system, or at least data aggregated from the sites where CJGs are operating. The evaluation has had access to multiple years of QWIC data that show the extent of Indigenous peoples' contact with the courts where CJGs operate across the State. The evaluation has also accessed publicly available data about reported offences, collected by police in all police districts across the State.

However, when the evaluation explored in Phase 3 interviews with stakeholders how best to measure CJGs' success, there was broad consensus that it is not reasonable to measure the impact of CJGs by looking at this macro-level criminal justice system data. Reasons include:

- Indigenous people's contact with the justice system is affected by changes in the justice system, such as changes in resourcing (e.g. additional policing in remote communities, changes to availability of non-custodial sentencing options, funding or defunding of therapeutic courts), changes in legislation (e.g. increases in penalties, restriction of bail eligibility, changes to DFV laws, introduction of alcohol restricted areas), and changes in practice (e.g. increasing focus on DFV prosecution);

- CJGs provide assistance to only a portion of Indigenous people who are involved in the justice system, due to resourcing constraints, service agreement parameters and the fact that it is voluntary for people to access the assistance of a CJG;¹⁹²
- the causes of offending and recidivism for Indigenous people are a highly complex mix of historical, social and economic factors, many of which are beyond the capability of CJG interventions to influence;
- CJGs have been operating in most locations for over 20 years, so they are not a 'new' intervention which can be assessed by looking at 'before and after' indicators of contact with the justice system; and
- the introduction of a DFV response service at discrete community CJGs (under the DFVE) has not had sufficient time to be embedded in communities and to affect local patterns and measurable outcomes.

All stakeholders hope that over time, and especially as CJGs' resourcing and capacity continues to build, the net effect of the collective efforts of CJGs across the State will be a downward trend in Indigenous Queenslanders' contact with the justice system. However, no one involved in the CJG Program suggested to the evaluation that the macro-level, long-term impact of CJGs should be discernible in the current data about the criminal justice system. Stakeholders pointed to a range of significant factors that drive up Indigenous contact with the justice system and are beyond the control of CJGs (see further discussion below).

Analysis of QWIC data for 52 court locations (including Torres Strait outer islands) where CJGs are operating shows that the number of unique Indigenous defendants fell by 5% from 2015-16 to 2021-22 and the number of appearances for Indigenous defendants fell by 11%.¹⁹³ While this is positive insofar as it shows fewer Indigenous people are coming into contact with courts in CJG locations, the number of charges and convictions actually *increased* by 28% during this period. So fewer Indigenous people are appearing in court, but they are facing more charges. In addition, during this period, the number of custodial sentences received by Indigenous defendants *increased* by 14%, while the number of non-custodial sentences fell by 20%.¹⁹⁴

The most recent four years of courts data (2019-20 to 2022-23) at the site level where CJGs are working showed no consistent trend applicable to all these courts. Across all 41 courts where CJGs are funded to operate (excluding Torres Strait outer islands), the number of charges against Indigenous offenders rose 11% in the past four years,¹⁹⁵ but there is significant local variation across courts – the number increased in 22 court locations and fell in 19 court locations.¹⁹⁶

The utility of community-level data about changes in offending

While the macro-level police and court data about offences is not a reasonable measure of the success of the program as a whole, some CJGs suggested that the outcomes of their work to support community members was reflected in reduction in the numbers of people coming before their local court. As with the macro-level data, site-level data are affected by the same system-wide confounding factors listed above, and are also highly sensitive to local issues such as changes in policing activity and changes in court operations. Further, in locations with small numbers, seasonal issues or one-off incidents create substantial variability and distortions in any trend patterns.

¹⁹² CJGs are currently in 41 court locations out of 100 across Queensland, covering an estimated 60% of the population. In the large courts, CJGs are able to support a few hundred people out of thousands of defendants.

¹⁹³ See Appendix 1 of the [Phase 2 Evaluation Report](#), p.164.

¹⁹⁴ See Appendix 1 of the [Phase 2 Evaluation Report](#), p.165.

¹⁹⁵ See Table 5 in [Appendix 4](#).

¹⁹⁶ QWIC data.

Nevertheless, the evaluation has considered the police reported offence data and the available QWIC courts data to explore specific CJGs' observations about reduced offending in their local court.

Some of the reported drops in court list numbers occurred at Murri Court sites. However, attending Murri Court is voluntary and only occurs where a defendant pleads guilty. Use of Murri Court is also affected by the availability and preferences of defence lawyers, the availability of support services, and other system capacity issues. Therefore, many more matters proceed through mainstream Magistrates Courts at a location rather than the Murri Court. Changes in Murri Court numbers is likely to reflect the number of referrals, rather than any broader trends in reduced offending at a location.

In Mackay, however, the CJG and some stakeholder believed that the success of the Murri Court in dealing with youth offenders had led to a long-term reduction in Indigenous youth offending, and hence, the number of participants in the Youth Murri Court.

It was 47 [Indigenous youth in Murri Court] when we first started. And then now it's dropped down. We've had zero on and off. (CJG staff)

And since Murri Elder Court has been going, it's been really good because a lot of our [children] are not in the courtrooms. So we're absolutely stoked. (NGO stakeholder, Mackay)

We are making an influential change. It's amazing, when I first started the waiting room at the court used to be full of our mob, now we walk out, there's none. (CJG member)

Data provided by DJAG confirmed that the number of Murri Court participants in Mackay had indeed declined over several years. Not all offenders are referred to Murri Court, so this does not necessarily reflect a fall in youth offending. Courts data for the last four years (2019-20 to 2022-23), however, shows that the number of charges for Indigenous people in Mackay courts has fallen by 24%, from 2665 to 2028. Although separate figures are not available for charges against youth, large declines have occurred in offence categories often associated with youth crime, including theft (down 53%), public order offences (down 38%), unlawful entry (down 31%), and property damage (down 24%). In 2022-23, in Mackay courts there were no Indigenous youth sentenced to detention. By comparison, in Townsville, which has a little over double the Indigenous population of Mackay, there were 78 detention orders made for Indigenous children in 2022-23. Although there is not sufficient evidence available to this evaluation (outside the interview feedback) to make a causal link between the CJG's work and these apparent reductions in offences in Mackay courts, this site would be worthy of a more in-depth evaluation of the CJG to explore this improvement. The interviews for the Local Evaluation at Mackay indicated that stakeholders see the success partly as a result of the work done by ATSIP in regularly bringing all the Indigenous services together (including the CJG) to improve coordination and information-sharing about at-risk young people and families requiring support.

As with Murri Court locations, in mainstream Magistrates Court locations, it should be noted that only a portion of Indigenous defendants receive assistance from the CJG, due to a range of capacity and resourcing issues, and the voluntary choice of the defendant. Nevertheless, during the Local Evaluations, there were also some CJGs at non-Murri Court sites who expressed a view that the CJG had contributed to a reduction in Indigenous people's contact with the justice system. For example, in Cloncurry in late 2022, CJG staff told the evaluation team member that youth crime had reduced in the town, as a result of a number of agencies working together, including the CJG delivering a night patrol. Court data for Cloncurry shows that there were no orders made against children in 2022-23, compared to six or seven orders made in each of the previous three years. There has also been a small decline (9%) in the total number of charges against Indigenous people in the Cloncurry court from 2019-20 to 2022-23. In this four year period, there were significant falls in charges against Indigenous people for property damage (down 50%), unlawful entry (down 68%), and public order offences (down 67%). Again, while these changes are positive, it is not possible to attribute any of this improvement to the CJG without collecting significantly more evidence at this location, which was beyond the scope of the short Local Evaluations for the CJG Program Evaluation.

In Thursday Island, the CJG and court stakeholders said that there had been a reduction in offending over several years. One stakeholder recalled that the court list was 6-7 pages about a decade ago, whereas now it was only 3-4 pages. Police reported offence data confirms that the number of offences in the Thursday Island division has been steadily declining in the past decade, from 938 in 2012 to 738 in 2023, a 27% drop.¹⁹⁷ The exception to this is Breaches of Domestic Violence Orders, which have steadily risen in this time. Court data for Thursday Island also confirm a 34% fall in the number of charges against Indigenous individuals in 2023-23 compared with four years ago.

At Wujal Wujal, CJG staff said that court numbers had been reducing for several years until 2020, when COVID-19 led to an increase again. During the Local Evaluation in 2022, two CJG staff members commented that court numbers were around 50 people several years ago but that they were now only around 12-13 per month.

And being an Elder here, this is where we're trying to stop the men from going to jail, and I think we're getting that court now where we can say, you know, 50 is coming down, down, down, down from 50 to 40, to 30, to 20, to ten. And maybe, you know, we're maybe getting about 12-13 going to court now a month. But some of them that go to court, they're only getting busted for one can of beer. It's so ridiculous. (CJG staff member/Elder)

The evaluation does not have access to data about changes in the number of people on the court list at Wujal Wujal, and many Wujal Wujal residents attend court at Cooktown with defendants from other communities. Police reported offence data is available for Wujal Wujal, however. As a small community, these figures are highly variable, but there has been a downward trend since 2015.¹⁹⁸ Despite a slight increase in 2021 and 2022 calendar years, the number of reported offences in the last four years was about 10% less than the previous four years. Liquor offences accounted for almost a third of reported offences in 2022. The QWIC dataset about the number of charges brought before the court in Wujal Wujal over the past four years does not reveal any trend.¹⁹⁹

During the Local Evaluation at Coen in 2022, a CJG staff member commented on how efforts to reduce DFV sometimes flowed through to fewer court matters.

[We] prevent domestic violence. Prevent higher court cases... The one time we had little next to nobody on the court list... I get happy when things like that happen because it just shows that we're doing our job and people are really, really progressing forward and they want to make change. (CJG staff member)

Coen is another very small community with highly fluctuating offence numbers reported by police and processed through the monthly circuit court. Courts data for Coen indicates that the number of charges against Indigenous people for 2022-23 (98) was lower than in any of the previous three years.

In summary, while there are some data to back up some of the anecdotal comments from CJGs and other stakeholders about perceived reductions in offending, there are so many potential factors impacting on these statistics that this evaluation cannot reliably draw any conclusions from them about CJG impact.

The Department should consider a longitudinal research project to assess the impact of CJGs on the recidivism rates of offenders that they assist. As mentioned, this would require tracking the outcomes for a sufficiently large sample of individual CJG clients who have received a substantial amount of assistance from the CJG (the 'treatment group') and either making a comparison with those individuals' prior history of

¹⁹⁷ See: mypolice.qld.gov.au/queensland-crime-statistics/.

¹⁹⁸ See: mypolice.qld.gov.au/queensland-crime-statistics/

¹⁹⁹ Also, some Wujal Wujal court matters are heard in nearby Cooktown, along with other matters from the Cooktown region, including Hope Vale.

offending or making a comparison with a cohort of individuals who have not received the CJG's assistance (a 'control group').

12.2.4 Community feedback about CJGs' impact on Indigenous contact with the justice system

The feedback of clients and their families is perhaps the most valuable qualitative feedback about CJGs' outcomes. In the surveys with 453 community members in 16 CJG locations, a total of 254 respondents had been assisted by a CJG when they (or a friend or family member) went to court. As reported in [Part 7.2](#), for the most part they were very positive that they and other community members were assisted to understand the process, and were treated more fairly by the court as a result of the CJG's help. Importantly, the survey also indicates that a strong majority believed that the CJG had helped them (or their family member or friend) to 'stay out of trouble with the law in the future' (see Figure 29).²⁰⁰ About two-thirds (65%) said the CJG had helped 'a lot' or 'a fair bit'. At three locations, between 91% and 100% of participants said the CJG helped 'a lot' (two of these were Murri Court sites and one was a CJG in a regional town).

Community members were also asked a general question: 'How much do you think the Community Justice Group is helping to keep Aboriginal and Torres Strait Islander people out of the criminal justice system (in other words, from having to go to court or being put in prison)?' (see Figure 30). The responses indicate that a strong majority of community members felt that the CJG was helping keep people out of the justice system. Two-thirds (66%) said the CJG helped 'a lot' or 'a fair bit'. At four locations, between 81% and 100% said the CJG was helping 'a lot' (two Murri Court sites, a regional town and a remote community).²⁰¹

Respondents were also invited to explain their feedback ratings, whether positive or negative, about the CJGs' assistance in court and other areas. A thematic analysis of the positive responses indicated that one of the most common themes was how the CJG had helped the individual to stay out of jail or stay out of trouble with the law. Box 14 captures the positive comments from the survey that alluded to the CJGs' assistance to reduce contact with the justice system.

Figure 29. Survey of community members in 16 CJG sites (n=254)

HOW MUCH DID THE JUSTICE GROUP HELP YOU, YOUR FAMILY OR FRIEND TO STAY OUT OF TROUBLE WITH THE LAW IN THE FUTURE?

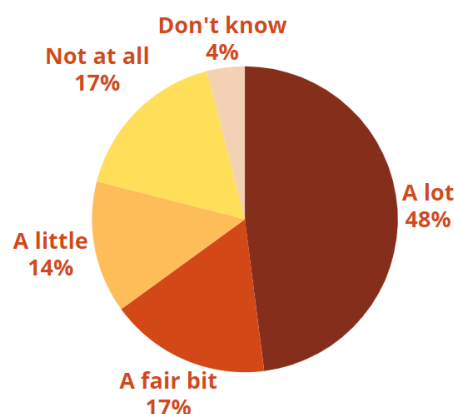
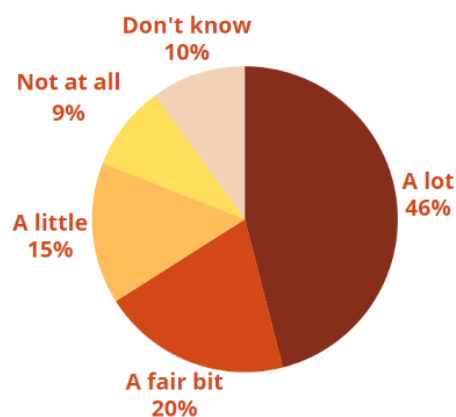


Figure 30. Survey of community members in 16 CJG sites (n=450)

HOW MUCH DO YOU THINK THE CJG IS HELPING TO KEEP ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE OUT OF THE CRIMINAL JUSTICE SYSTEM (IN OTHER WORDS, FROM HAVING TO GO TO COURT OR BEING PUT IN PRISON)? ?



²⁰⁰ See [Figure 92](#) in [Appendix 2](#) for full details.

²⁰¹ See [Figure 101](#) in [Appendix 2](#) for the comparison of the 16 CJG sites.

Box 14. Clients' and families' comments about how the CJG reduces contact with justice system

- "They helped myself and a lot of boys from doing time in the big house [prison]" (NPA)*
- "helped my family by staying out of trouble" (Cloncurry)*
- "My partner received help with a referral to ATODS, it has helped her greatly and we are very happy with the assistance we received" (Cloncurry)*
- "I got the help and support from the Justice Board Members and now got a job" (Aurukun)*
- "Keeping families out of trouble" (Aurukun)*
- "Very happy with my outcome, behaving myself to having a better in life" (Aurukun)*
- "I just feel that I am doing well with staying out of trouble and supporting the justice [group] for their hard work" (Aurukun)*
- "I have been staying and keeping out of trouble until this day. I'm very happy about myself and the support I got from the community justice board" (Aurukun)*
- "I went there for public nuisance. CJG was a big help. I know that they are watching me now so I make sure to stay out of trouble" (Aurukun)*
- "They sent me to rehab when I needed to be there. Because I got to say my side of the story, when the police wouldn't listen" (Mt Isa)*
- "It's helped turn my life around" (Bayside)*
- "I got a reduced fine and I helped at the on-country project to pay the fine" (Goondiwindi)*
- "I need the support so I can change - I can talk to him, listens, gives good advice and direction - referral process" (Townsville)*
- "They are very supportive towards me and whatever help I have needed. The guidance they have shown me to take the right path in community" (Mackay)*
- "Very happy got me out of court" (Mossman)*
- "Cut down on addictions, broken the cycle - recidivism (cut down a fair bit with getting into trouble - I have supports in place if I feel I am relapsing" (Cloncurry)*
- "Court reports, referrals if they didn't have the service more of our mob would be going into jail. they are the voice [for] who can't talk for themselves" (Cloncurry)*
- "Without certain workers with in the system - assisted them to break cycle recidivism (going back to jail). future training, life skills, coping skills, bringing community together - sharing and caring - work together with our mob make a better community for our mob" (Cloncurry)*
- "I have had issues with family violence and they were always there to help support me throughout the court hearing and helped me stay out of trouble with the law and now I am doing well" (Aurukun)*
- "I'm grateful for their support and the help I got for my two sons keeping out of trouble" (Aurukun)*
- "They are doing great staying out of trouble and now looking for a job" (Aurukun)*
- "They helped me get through without getting into trouble. very supportive" (Aurukun)*
- "They go and talk to people locals and tell them to attend court and sign probation parole and get to stay out of trouble" (Aurukun)*
- "Good that CJG explain sorry business so the court adjourns the matter, otherwise breach of bail. CJG helped to make sure no one went to jail, and have a sentence that involved condition for regular alcohol testing. Much fairer" (Aurukun)*
- "Helped the clients whom I work with to break the cycle of recidivism" (Townsville)*
- "Mediation helps keep people out of the justice system" (Aurukun)*
- "The CJG members get involved in stopping the fighting. Stopping family violence. [The CJG Chairperson] stops her family fighting" (Aurukun)*
- "They like to educate not incarcerate and help you through your problems" (Bayside)*
-

12.2.5 CJG and stakeholder views about CJGs' impact on Indigenous contact with the justice system

In addition to community feedback surveys, Phase 3 of the evaluation included surveys of CJGs, judicial officers and other stakeholders, specifically exploring CJG outcomes. In the surveys, CJG representatives were asked for their perceptions about changes in their communities in relation to CJGs' contribution to reducing community contact with the justice system. As Figure 31 shows, CJG respondents reported seeing some positive changes in this regard, especially in the number of people being referred to help and getting help, and to some extent in the number of people offending. Other stakeholders were asked a similar question. While almost a third (31%) said they don't know enough about this, those who could comment also saw the biggest changes as CJGs getting more referrals and people being more willing to get help. Some stakeholders perceived reductions in offending as well, although not to the extent that CJGs saw this.

Figure 31. CJG and stakeholder surveys, 2023²⁰²



Stakeholders were also asked whether they think the number of people coming to court or committing offences is changing: 38% thought it was decreasing, 31% thought it was increasing and 50% thought it was the same (see Figure 72 of Appendix 1).

12.2.6 Differing views about CJGs' long-term impact on Indigenous contact with the justice system

In addition to the survey feedback, all interviewees over the course of the evaluation were asked about their perceptions of the long-term impact of CJGs in reducing Indigenous people's offending and contact with the justice system. The responses fall into four camps:

1. People who believe CJGs have a significant impact in reducing Indigenous offending and recidivism as well as contact with the justice system;
2. People who believe CJGs are having an impact in reducing offending and some contact with the justice system, but feel that factors endemic to the justice system (including institutional racism) continue to drive disproportionate contact with the justice system for Indigenous people;
3. People who believe that CJGs' are only having a limited impact on reducing contact with the justice system because they are not able to counter the underlying issues that lead to offending;
4. People who believe that CJGs are not effective in reducing offending or reducing contact with the justice system.

²⁰² For detailed graphs, see Figure 77 in [Appendix 1](#).

1. Perception that CJGs have a significant impact reducing Indigenous offending and recidivism as well as contact with the justice system

Most CJG representatives hold a firm view that their work is having an impact on reducing offending and recidivism as well as the level of contact with the justice system. Staff and members of CJGs shared examples of individual clients who they felt the CJG had helped to avoid custody or achieve a better court outcome, such as through providing cultural submissions. They also shared examples of offenders the CJG had worked with directly (e.g. through men's or women's groups), or referred to support services, who had desisted from, or reduced their level of, re-offending. CJGs tended to be clear-eyed that their work did not succeed with every individual. A common refrain in interviews with CJGs is that the CJG can only provide guidance or opportunities, and it is up to individuals to make the changes themselves. However, for some individuals, CJGs report that they do see evidence of long-term impact on their offending. Some people emphasised that this did not always mean the individual did not offend again, but that a successful trajectory might involve longer gaps between coming back into contact with the justice system.

CJGs that support Murri Courts were especially confident that they were assisting people to firstly, avoid custody, and secondly, avoid re-offending. CJGs made the point that, over several years, no offender who had completed their Murri Court process had received actual imprisonment.

But for all the ones we've had sentenced over the last seven years, we never had anyone go to jail. The ones that have made it through the program. We've had some really good outcomes. (CJG staff)

This was confirmed by a judicial officer who convenes Murri Court:

I certainly do believe that we are keeping many people out of custody throughout the period during which they're engaging with Murri Court because they're motivated to stay out of custody. They seem to be, or many of them seem to be, engaging, going to the appointments, going to the counselling, and because by the time we deal with them [at sentencing] they've been out of trouble – some of them... for 12 months. (Judicial officer, Murri Court)

CJGs acknowledged that some participants in Murri Court re-offend during the process or do not complete the requirements and are returned for sentencing in a mainstream court, but those that do complete the program do not receive custodial sentences, or at least have those suspended. A defence lawyer observed that even for the occasional person who does re-offend over the typical 3-6 month period of Murri Court, "it's never the same rate, and it's never the same seriousness." A Murri Court Elder in Richlands said that "we've had a pretty good strike rate for people not reoffending".

It is not only CJG representatives that felt that Murri Court had been the catalyst for some individuals to make long-term changes away from offending and further contact with the justice system. Several of the stories in the *CJG Stories of Success* compendium were sourced from judicial officers, lawyers, court staff and other stakeholders working with Murri Court participants. A common theme of the stories of success from Murri Court is that individuals have addressed underlying issues such as alcohol and drug use, domestic relationship problems, DFV, youth crime and homelessness. [Part 7.2.5](#) described how CJGs are contributing to these outcomes for people.

As discussed in [Part 12.2.3](#), several CJGs at non-Murri Court locations (Mackay, Cloncurry, Coen, Thursday Island and Wujal Wujal) also perceived that their work in the community had led to declines in offending. Although it is not possible to use the site-level offence data to substantiate these claims, it is notable that the community surveys conducted at four of these sites (no survey was conducted at Thursday Island) revealed very positive feedback from the community.

2. Perception that CJGs are reducing offending and some contact with the justice system, but factors endemic to the criminal justice system continue to drive disproportionate contact with the justice system for Indigenous people

The second category of opinion offered by some participants in the evaluation was that CJGs do have an impact reducing people's offending behaviour, and they also have some impact in reducing individuals' contact with the justice system, but overall they are unable to reduce Indigenous contact with the justice system because of countervailing factors. In other words, even if Indigenous people are offending less, they can nevertheless have greater contact with the justice system because of the way the justice system interacts with Indigenous people. These stridently expressed opinions are set out in Box 15.

Box 15. Perceptions that endemic factors drive Indigenous people's contact with the justice system

"In order to change numbers of First Nations people coming to court Policing and Community attitudes need to improve and systemic/institutional racism needs to decline. CJG's can't achieve this in isolation, they do their best to provide Police and agencies advocacy and education. Improved regulations around Policing behaviours need to be implemented. Deaths in custody rates have not reduced, and there is little evidence to suggest that policing attitudes and behaviours of over policing First Nations people have improved, therefore there has not been a reduction in First Nations appearing at court." (Survey respondent)

"Unfortunately, I think the number of people coming to court remains the same. Once inside the justice system, it is very hard to turn lives around to non-offending or the propensity for law enforcement to be more inclined to have coincidental contact with First Nations people is high." (Respondent)

"From my personal observations the severity and frequency of offending is reducing. However, the police have still been over criminalising this demographic (eg more likely to charge with bail offending, less likely to issue cautions, more likely to charge with contravening directions or not providing particulars etc) which means the number going to court is not reducing overall" (Respondent)

"I don't think that the CJG can address the legislative moves and the arresting patterns of police to be able to address court appearances. The new laws around juvenile apprehension, bail and detention were not raised with CJG's but were a response to media and certain politicians." (Respondent)

"I don't think there has been a reduction [in numbers of Indigenous people in court]. Unfortunately it doesn't have anything to do with the contribution by the CJG - but everything to do with the racist CJS that our mob find themselves a part of." (Respondent)

"While I think that the CJGs are doing a great job the approach of police (and state government policy) results in less opportunity to engage in alternative dispute resolution/diversionary programs etc. As a result even more people are dealt with in the justice system that might, in the past, have been addressed in some other way. The counterproductive policies which emphasise tough on crime type approaches ultimately lead to more criminal behaviour through forcing offenders, young offenders in particular, into contact with the criminal justice system"

"Institutional and systematic racism [is] rife in our local, state and federal institutions. There are limited culturally safe support services within our local areas." (Respondent)

"Systemic racism, discrimination, poverty and oppression." (Respondent)

"Legislative reform; political whim; community expectations and increased police powers." (Respondent)

"DV offences are through the roof, but this is due to legislative changes and that any person can put a DV order out, even where it is unnecessary." (Respondent)

"The continuing tough on crime rhetoric - we're building a new youth detention centre, aren't we?" (Respondent)

"Changes to Youth Justice laws have resulted in increased numbers of young people coming to court. The current regime of sentencing does not fit community." (Respondent)

"Populist government policies designed to win elections rather than actually reduce crime." (Respondent)

In summary, the endemic factors that people argued contribute to disproportionate Indigenous contact with the justice system include:

- Policing practices that are perceived to over-criminalise Indigenous people, especially in relation to the use of discretionary police powers towards Indigenous youth;
- Changes to criminal justice legislation (for example, youth bail laws) that are perceived to be politically-driven and disproportionately affecting Indigenous people by not taking sufficient account of their circumstances (for example, more transient living arrangements making young people less likely to be granted bail);
- Changes to DFV legislation and policy that are perceived to have unintended impacts when applied in the context of Indigenous communities;
- A perceived lack of culturally safe support services for Indigenous offenders.

3. Perception that CJGs are not having significant impacts on reducing contact with the justice system because they are not able to counter the underlying issues that lead to offending

A third body of opinion expressed during the evaluation is that CJGs are unable to have a long-term impact on reducing contact with the justice system because they have limited ability to address underlying causes that lead to offending. There were two concerns raised by these stakeholders. Firstly, the view that because the work of CJGs is predominantly with people already within the courts, it is too late to address underlying causes of offending.

The underlying factors, the homelessness, access to food, income / money security, DFSV, healing and safe spaces to get respite from violence. Systemic issues that require systemic change for example, child safety and the lack of prevention or intervention and any real support for families, when they first engage, you cannot do this when you are at the youth justice or criminal justice system end. It starts much earlier. (Stakeholder respondent to survey)

An increase in rates of recidivism [is] traced back to the underlying social determinants, such as poverty, homelessness, family violence, drug and alcohol misuse. For CJGs to be effective, policy makers must address the underlying drivers as to why Aboriginal and Torres Strait Islander peoples come into contact with the justice system in the first place. (Stakeholder respondent to survey)

Secondly, some of these stakeholders held the view that a CJG's ability to address an offender's underlying needs once they are already in the justice system is constrained by the lack of suitable services and supports to refer them to. For example, in the Phase 3 survey, three stakeholders attributed a lack of reduction in Indigenous people in courts to the following factors:

Limited access to culturally appropriate support and intervention services, particularly for offenders... despite CJG doing the best they can to meaningfully support clients, they are limited in what they can refer to... (Stakeholder respondent to survey)

They're getting the referrals, they're just not able to help. (Stakeholder respondent to survey)

Stakeholders who were in this camp argued for CJGs to target primary prevention and early intervention initiatives to keep people out of the justice system, and to develop innovative interventions and programs (such as healing centres) to provide culturally appropriate support for offenders.

4. Perception that CJGs are not effective in reducing offending or reducing contact with the justice system

A fourth group of stakeholders do not believe that CJGs are effective in reducing Indigenous people's offending or their contact with the justice system. For example, a Phase 3 stakeholder survey respondent said "I do not believe that CJGs as a stand alone entity, are having an impact across any of these markers." This view was expressed by a small minority of respondents to the Phase 3 stakeholder survey and a very small number of people interviewed during the course of the evaluation. Those who held this opinion essentially do not think that CJGs, or at least a particular CJG they are aware of, are achieving the types of

outcomes discussed in Parts 5 to 9 of this report. There are a range of reasons offered, such as: CJGs are politicised or not impartial, CJG staff or members are not sufficiently qualified or competent, CJGs are motivated by trying to help family members avoid the consequences of their offending rather than reducing offending, or CJGs hold incorrect views about issues such as DFV, which leads to them discouraging women from reporting DFV or re-victimising women suffering DFV. As outliers in the data, these negatives views can be easily politicised and undermine perceptions of the impact of the CJGs, so it is important that they are understood and managed.

12.2.7 The link between CJGs' demonstrated outcomes for people and long-term impact

In the absence of specific data that can establish a causal link between the work of CJGs and a reduction in contact with the justice system, the long-term impact of CJGs on Indigenous over-representation rests on the credibility of the program's 'theory of change'. The CJG Program's theory of change is that CJGs' work with community members and with the justice system will address, either directly or through links to suitable services, the underlying causes of Indigenous people's offending and/or coming into contact with the justice system. If there is evidence that CJGs are achieving outcomes in addressing the underlying issues, then it is a reasonable assumption that they are having long-term impact in reducing offending and contact with the justice system, even if the specific data to prove this causation and impact are not available or conclusive.

There is a range of social and systemic issues that are commonly put forward as underlying causes of Indigenous over-representation. During interviews for the evaluation, the same issues were repeatedly raised by CJGs, community members and other stakeholders. The list in Table 2 presents a summary of these underlying causes. It is based on a very good summary by researchers from James Cook University who undertook extensive consultations about the causes of crime in Gulf communities.²⁰³ While this list relates to remote Indigenous communities, the same issues were raised in Local Evaluations in urban and regional Indigenous communities. Added to the list are some additional underlying issues that emerged from the interviews for this evaluation.

Table 2. Summary of evidence that CJGs are addressing underlying causes of offending in Indigenous communities

Underlying cause of offending / contact with justice system	Extent of role of CJGs	Evidence of CJG outcomes addressing this cause
Early disengagement from schooling.	Small role for CJGs currently. A goal of some primary prevention and early intervention activities and programs for youth offenders.	Many CJGs are indirectly affecting this through supporting good parenting through women's and men's groups and programs. Examples are Toowoomba's Strong Fathers program and Cloncurry CJG's First 5 Together program. Some CJG youth camps have re-engagement with school as a goal.
Lack of alternative education and training options and recreational activities for disengaged youth.	Small role for CJGs currently. A goal of some primary prevention and early intervention activities and programs for youth offenders.	Several CJGs are delivering camps for youth as a primary prevention or early intervention activity (e.g. Tablelands CJG's BOMB camps, Hervey Bay CJG's Rites of Passage camps, Wujal Wujal CJG's camps, Thursday Island's youth camps) Some CJGs involved in school holiday programs and recreational programs (e.g. Thursday Island CJG has a boxing club to provide pro-social activities for young people).
Absence of opportunities for paid work from a young age.	Minimal role for CJGs currently.	
Availability and toxicity of alcohol.	Key role for CJGs in remote communities to provide advice on alcohol restrictions	CJGs in remote communities are active in providing advice and input on government changes to Alcohol Management Plans (legislated role).

²⁰³ Dawes et al, op cit.

Normalisation of drug and alcohol abuse, particularly cannabis and home brew.	Moderate role for CJGs currently. Primary prevention and education role, plus programs and referrals role.	Some CJGs providing education and awareness in the community, occasionally in schools, but commonly through guest speakers at men's and women's groups and yarning circles. Referral to AODS is one of the most common referrals that CJGs make for offenders (see Part 7.2.5). Extensive anecdotal evidence of CJGs assisting people to address D&A issues (see <i>CJG Stories of Success</i> compendium).
Normalisation of crime and incarceration within families and the broader community.	Key role for CJGs currently. Primary prevention and education role, plus programs and referrals role.	Many CJG staff and members said challenging these attitudes is a critical part of their work. Compelling evidence that Elders are having an impact on some offenders' mindset (see Part 7.2.5 and see <i>CJG Stories of Success</i> compendium).
Juveniles committing crime with peers (peer pressure to commit petty crimes amongst disengaged youth characteristic).	Small role for CJGs currently. Primary prevention and early intervention activities plus programs for young offenders.	Several CJGs are delivering camps for youth as a primary prevention or early intervention activity. Evidence of some CJGs successfully reducing anti-social behaviour by youth in public places through night patrols (Cloncurry night patrol and Mackay Elders' work with youth at local shopping centre).
Accommodation issues (overcrowding; absence of crisis accommodation).	Strong role for CJGs. Community support role, primary prevention role and referral for offenders, including post-release.	Most CJGs are actively assisting clients (and general community members) with housing issues. Positive feedback from housing authorities about CJG assistance. Several case studies of success include CJGs addressing homelessness (see <i>CJG Stories of Success</i> compendium). Some CJGs currently provide crisis accommodation (e.g. Ipswich CJG, brokerage funding) and others are planning new facilities (e.g. Cloncurry men's place)
Problems understanding the law and managing interactions with Police and the criminal justice system.	Critical role for CJGs. Primary prevention activities, early intervention with police, and support to clients through courts and corrections.	Extensive evidence that CJGs are contributing strongly to increasing community members' understanding of the justice process (see Part 7.2.3). Extensive evidence of CJGs assisting community members and police and justice stakeholders during interactions in the community, in watchhouses, in courts, in community corrections and in custodial corrections (see Parts 7 and 8)
Poor community-police relations particularly young and inexperienced police.	Moderate role for CJGs currently. Through cultural capacity-building with police.	Evidence from several sites, mostly remote communities, that CJGs play a role in providing cultural awareness inductions and cultural capacity-building for new police. Opportunities to expand this outcome.
Limited understanding of Parole and Order conditions (offenders and families) and how to navigate system (e.g., seek adjustment to parole conditions). [Also applies to DV order conditions]	Critical role for CJGs. Partly through education but mainly through work with offenders within the courts and on parole.	Extensive evidence that CJGs are assisting people to understand and comply with court orders, through one-on-one guidance and through men's and women's groups. In discrete communities, evidence that DFVE workers are helping people to understand the DFV legal process and to comply with and vary orders.
Unrealistic or inappropriate order conditions	Key role for CJGs. Through advice to court stakeholders and support to people under orders.	Evidence from CJGs, judicial officers and lawyers that CJG input is helping courts make more appropriate orders (see Part 7.2.1)
Absence of comprehensive support services in relation to addressing criminogenic needs.	Key role for CJGs. Through developing local CJG programs and improving referrals for offenders.	Extensive evidence that CJGs are developing their own supports (especially men's and women's groups/yarning circles) and developing referral processes so that offenders can get help for their underlying needs (see Part 7.2.5).

		Potential for expanding availability of culturally responsive programs such as on-country programs, healing programs and camps, trauma counselling etc (see Part 7.3).
Boredom, community disconnection, and social pressure precipitating relapse into previous habits associated with drug and alcohol abuse.	Moderate role for CJGs currently. Through work with offenders in court and post-release.	CJGs commonly refer clients to AODS and counsellors to assist with lifestyle changes to break this cycle. Evidence of success of CJGs in helping Murri Court and Magistrates Court clients break the cycle and resist social pressure.
Disconnection between Prison and community-based service delivery.	Moderate role for CJGs currently. Through prison visits and transition to community.	Evidence that some CJGs are visiting people in prison and helping them plan for release, including connection to community services (see Part 8). Evidence of positive outcomes from CJGs working with the Parole Board to support successful reintegration of released prisoners through the CERIP initiative (see Part 9)
Limited contact between offender and their family whilst incarcerated.	Moderate role for CJGs currently. Through supporting people in custody.	Evidence that many CJGs keep people connected with family through visits in watchhouses, prisons and youth detention centres and through facilitating communication through correctional authorities (e.g. videolinks) (see Part 8.2).
Issues associated with travel from prison home to community (e.g., travel itineraries with two nights in regional cities).	Small role for CJGs currently. Through reintegration support.	Some CJGs provide post-release support for prisoners (see Part 9).
Lack of suitable permanent and alternative accommodation options (e.g., men's shelter)	Moderate role for CJGs currently. Through bail support assistance and reintegration support.	Evidence that a few CJGs are actively responding to this critical need (e.g. Ipswich halfway house, Cloncurry men's shed)
Very limited employment options exacerbated by impact of criminal record.	Moderate role for CJGs currently. Through support for court clients and reintegration support.	Evidence that some CJGs men's and women's groups have achieved outcomes with employment referrals for participants. Some Murri Court success stories have been assisted to gain employment.
Absence of comprehensive, structured, and ecologically informed transition planning and coordinated case management.	Small role for CJGs currently. Through reintegration support.	Evidence of positive outcomes from CJGs working with the Parole Board to support successful reintegration of released prisoners through the CERIP initiative (see Part 9) Potential for greater role raised by many CJGs.
Absence of culturally safe responses to deal with unresolved grief and trauma	Key role for CJGs. Through all phases from primary prevention to reintegration support.	Strong evidence that CJGs and stakeholders are seeing outcomes from programs and interventions that focus on healing and addressing grief and trauma. Examples are Wujal Wujal CJG 'healing on country' program, Doomadgee CJG grief and loss group (see Part 5.2 and 7.2.5)
Lack of driver training and licensing support leading to traffic offences	Moderate role for CJGs currently. Through primary prevention and work with court clients.	Evidence of many CJGs providing targeted support to individuals to gain or re-gain drivers licences. Examples are NPA Licensing Muster, and the work of many CJGs supporting Murri Court clients.
Family conflict	Key role for CJGs. Mainly at early intervention phases.	Evidence that many CJGs achieve important outcomes in formally or informally mediating conflict between families that might otherwise lead to offending (see Part 6.2).
Erosion of positive male cultural identity and role within families and communities	Key role for CJGs. Through all phases from primary prevention to reintegration support.	Many CJG staff and Elders working with men said strengthening male cultural identity was a central outcome of their efforts. Examples are men's groups/yarning circles, camps, and Elders' and Respected Persons' mentoring.

Loss of cultural identity, pride and connection	Key role for CJGs. Through all phases from primary prevention to reintegration support.	Extensive evidence that an outcome of the work of CJGs with community members is strengthened cultural identity and pride, and connection with community and culture (see Part 7.2.5)
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Table 2 demonstrates that CJGs are delivering outcomes in addressing a very wide range of the commonly cited underlying causes for Indigenous contact with the justice system. By doing so, CJGs can have a high degree of confidence that their work is contributing towards long-term impact in reducing the over-representation of their community members in courts and correctional facilities.

12.3 Happier, more empowered youth and adults

As the Elder's comment at the beginning of Part 12 highlighted, keeping someone out of jail is a limited ambition, and CJGs aspire to help people in much more profound ways. A CJG coordinator put it as follows:

All the Elders, they come to join as members because they want to help their people... But not just to keep them out of jail. We're out there for them to live the rest of their lives free from major problems, and certainly not to come back to prison or continue on doing what they did before they came to us. (CJG Coordinator)

In the interviews with CJGs and stakeholders around the State, a recurring theme has been the goal of empowerment. This reflects that many people see the root cause of Indigenous contact with the justice system as stemming from a pervasive sense of disempowerment and marginalisation, a legacy of the processes of colonisation and dispossession of Indigenous peoples and consequent ongoing disadvantage.

This report has highlighted that an outcome of CJGs' support for people is that people feel respected and heard in court (Part 7), in custody (Part 8) and when seeking help for miscellaneous life challenges (Part 10). This outcome is evident in many of the comments made by community members who responded to the community surveys.

They [the CJG] sent me to rehab when I needed to be there. Because I got to say my side of the story, when the police wouldn't listen. (Community member).

Our Coen justice group have never been more empowering. They bring so much care and respect to their clients and family. (Community member)

The feedback of clients and stakeholders also conveyed a sense that clients of CJGs feel safe and less stressed as a result of the support they receive, which are important preconditions to happier lives.

They feel safe, knowing who to contact, if they want to question a process, like we received phone calls from participants if they get pulled over by the police. Wanting to seek that advice from one of our officers because they know we play in that space and they know they can get that support straight away... They have that empowerment, collective empowerment [from us] walking alongside them. (CJG staff)

Another precondition for happier lives is good health. CJGs and Murri Courts reported making 396 referrals to health services during 2022-23. At Toowoomba Murri Court, a '715' Indigenous health check is a condition of the court's order. In other locations, mental health checkups are a condition of Murri Court. The evidence for CJGs' impact in helping people to improve their health is throughout the stories of success for CJG clients in the *CJG Stories of Success* compendium.

Oh, ... clients ... it's amazing, because when they first come into the Murri Court process, they don't look well, you know, they don't smile, they don't brush their hair, or whatever, you know. When they get to the end of the Murri Court process, they're wearing beautiful clothes, their hair's brushed, they're smiling. They actually make eye contact with the Elders, respected person and the judge. So, you can see the difference that that process is making to them, you know what I mean? It's just

amazing, the turnaround. A lot of them are working, a lot of them get off the drugs and alcohol and you know, they got their health under control now because part of their bail with us is a 715 health check. (CJG Elder)

Another longer-term outcome that stakeholders highlight for successful, empowered CJG clients is increased pride in themselves, and feelings of self-esteem and self-worth. As [Part 7.2.3](#) described, many clients gain confidence in themselves merely from the fact that they complete a Murri Court process or some other program with help from the CJG. CJGs' support for clients can replace a 'vicious cycle' of negative self-talk leading to repeated failure and confirmed feelings of hopelessness with a 'virtuous cycle' of increased self-efficacy leading to improved self-worth and a belief that further change is possible.

[Murri Court] has a better impact on communities through less people committing offences... because they have got housing, they have got finances in place, they have got employment, which just brings up their own self-worth, which would then reduce offending or alcoholism or drug use or anything like that. Mental health, getting actual access to services. So I'd say it's having a really positive impact on all of that, all of those issues. (ATSILS solicitor)

This is what we're trying to change with our men's group, our men's camp: the stigma that they coming out with... they're seen as offenders. But when we do the program, we tell them, 'look, we don't care what you did, we're not looking at that, what we're looking at is you, and you are going to be warriors, you are warriors, you need to see that. So that that changes the mind set of who they are. (CJG staff member)

One of the things that stakeholders commented most upon when describing people who had successful outcomes following CJGs' help is the physical change in their posture and bearing. For example, CJG staff described sentencing hearings where a girl "stood up tall, and was talking to the magistrate" and a previously shy male "looked the magistrate in the eye".

I love seeing people complete Murri Court, [and face] whatever punishment they get. But they have rehabilitated themselves and the look on their face, when they open their eyes, is that they are really very proud of themselves. Some of them might reoffend a few months down the track, but they've got that to fall back on because they know that they have done it, and OK, they stuffed up, but they can go back. (ATSILS support worker)

And then when he came to be sentenced after being nearly six months with us, he spoke very clearly to everybody because in the Murri Court, everybody talks. And he told [the magistrate], told all of us in court, what his life really was like from little babyhood. And there wasn't a dry eye in the place. (CJG staff)

In the case studies in the *CJG Stories of Success* compendium, the other notable feature of some of the stories is that the individual's journey included gaining pride in their cultural identity – in being Indigenous. Many stakeholders commented on how cultural identity can be a source of empowerment for people who have not had connection with their Indigenous culture.

One of the problems that we have in in all of our communities in Australia is that young people are adopting this Americanised gangsta culture. And I think there are opportunities to help us be proud of our various cultures. I think the Elders take every opportunity to be involved in what they can in order to achieve that. (NGO stakeholder)

That's the whole thing about the Elders. Is that the Elders are able to empower them or give them a sense of belonging. And we've seen that with that young girl. You know, she came in a mess, then she finds out her parents, her grandparents are great leaders of [a remote community]... You know, they worked with our mothers and fathers. She knew nothing of that. And that's the heritage. And that's what we bring to the table with our young people. Because for so long they're under the thumb of a partner or whatever. They think they're nothing, they're getting kicked and whatever. But all of

a sudden they learn that they've come from a great heritage or a great sense of belonging again... and [they're] discovering reasons to be proud. (CJG Elder)

[The Elders] made me realise, don't be shame of who you are, you're unique, you're an individual, you got something special that not many other people have. (CJG member)

An important outcome of CJGs' support to their communities is to strengthen families as much as individuals. In [Part 7.2.5](#), the evaluation noted that the holistic approach of CJGs differed from some services that focus on treating the individual service user. CJGs recognise the interdependency of individuals within their immediate and extended families and that the underlying issues that lead to offending are likely to affect their families as much as the individual. Sustainable solutions must therefore treat families as well. The evaluation has heard multiple examples of how CJGs include families in their solutions – or example, Elders assisting parents of youth offenders during court, mediations involving extended family groups of individuals who are in conflict and partners offered referrals to the same counselling or programs as offenders. The impact on families is illustrated by the following feedback from a CJG client in a community survey: “Love you all, thank you very much. You've taught me how to be a respectful dad to my boys and how to raise them right. Thank you.”

In the end, increased happiness and empowerment are difficult concepts to measure in an objective or quantifiable way. However, the qualitative evidence from a range of stakeholder who participated in the evaluation provides a strong indication that CJGs are contributing to happier and more empowered adults through their work with community members. The net effect of the outcomes being achieved with people across the range of activity domains is to empower some community members to substantially change their mindsets and life trajectories. Taken together, the various case studies set out in the *CJG Stories of Success* compendium illustrate the long-term impact that CJGs are having on some individuals and their families.

12.4 Safer and more cohesive communities

This outcome recognises that a long-term objective of working with people in the justice space is to make Indigenous communities safer and more cohesive and harmonious. This is, of course, a natural result where CJGs achieve the outcomes of reducing offending and empowering people to live happier and more fulfilling lives. It is also an outcome of the very existence of CJGs as a vehicle to brings Elders and community members together to successfully tackle common challenges in a cultural and community-led way.

Stakeholders observed that the existence of the CJG and the Murri Court was a source of visibility and pride for the community, which brings the community together.

Having a presence in the community is a positive thing. It helps to address racism... [My mother] said that there was a lot of shame having any connection to any Indigenous family back [when she was growing up]. And that meant that people... go and hide. You can see it here, you know, like we have a very large Indigenous population in around [this] area, but you never see them, actually. And that's because of, as my mother put it, the shame involved with being, like, [Indigenous]. And anyway, I believe that's a carry over to today and we can fight that just by being present in the community and having all Indigenous organisations out there doing their stuff. And the more that we're seen, the more people get used to us and the more normal it becomes. (NGO staff)

Yeah, I think everybody knows the Murri Court is operating in [this suburb] and I think even as we walk around in our normal [Murri Court] attire and stuff like that, you can sort of you see people look and smile to find out who we are, and [who] the [justice] group are.... I get a bit choked up sometimes, but I think that they see us and I think they feel proud that we are there. (Elder)

Like the other long-term outcomes intended from CJGs' activities, this outcome is difficult to measure objectively. Whether the CJG is contributing to a safer and more cohesive community is largely a matter of opinion, and is likely to differ from place to place.

The survey and interview data provide some indication of stakeholders' perceptions of CJGs' success in community-building. In the community surveys, an average of 43% of people said that their CJG had 'a lot' of *respect in the community*, while 27% said it had 'a fair bit' of respect and 15% said it had 'a little' respect. Only 8% said 'none at all' (see Figure 86 in [Appendix 2](#)). On the other hand, there were two communities where at least a third of respondents (33% and 38% respectively) said the CJG had no respect in the community. This underlines the challenge for CJGs in unifying sometimes divided communities.

Many of the responses to the community surveys provide positive evidence of the success of CJGs in enhancing community safety and cohesion. For example:

The justice group do a good job making everyone that has to go to court attend. [They] help with mediation in the community and bringing everyone together. (Aurukun community member)

My aunty tells me that the [CJG] board members go around town, let locals know that they have to attend court and also get people to go and sign documents for probation/parole so that the courts can see that individuals are being responsible for their own good. They also help support the community with mediation stuff and getting everyone involved to get united and stop fighting amongst themselves. Personally I think they are doing a great job keeping Aurukun a safe place for locals and visitors. (Aurukun community member)

Family and me have felt safe. [CJG men's worker] tells us court dates and helps with information. (Mossman community member)

[The CJG] bring us all together and supporting the community. bringing cultural side of things back to community - elders, knowledge and traditional education - values, moral and respect. (Cloncurry community member)

[B]ringing community together - sharing and caring - work together with our mob make a better community for our mob. (Cloncurry community member)

Our Coen justice group have never been more empowering. They bring so much care and respect to their clients and family. (Coen community member)

Mossman is lucky to have the Justice Group. Their ongoing help makes our community a better place :) (Mossman community member)

We have become a better community because of the work and support of the Coen Justice Group and Coen Regional Aboriginal Corporation. (Coen community member)

A respondent to the Phase 3 stakeholder survey observed that their local CJG was "*building positive relations in the community*", with "*more people engaging in the community, engaging in work and engaging in dates of significance [and] being part of activities.*"

In summary, to varying degrees, CJGs contribute to long-term outcomes in increased community safety and community cohesion. As CJGs grow their programs and their effectiveness, with the benefit of the recently enhanced funding and the additional capacity-building support recommended during this evaluation, their community-building role and impact can be expected to increase. Unlike many other service delivery organisations, whose mandate may be focused on a particular service, CJGs are *community* groups and as such, represent a fundamental expression of self-determination.

13 OUTCOMES OF THE DFV ENHANCEMENT

Key Findings

- At this point in time, any evaluation of the outcomes of DFV Enhancement program for CJGs in 18 communities is necessarily preliminary, as most of the DFVE services have only been established in recent years and have been building their capability as established operations. Nevertheless, the evaluation has collected some data about positive outcomes being achieved by CJGs' DFVE services.
- The evaluation has heard consistent feedback that CJGs are helping people (including DFV perpetrators and victims) to understand what they have to do in court. CJGs are also assisting many people to attend court, especially DFV court (where attendance is not compulsory).
- CJGs and stakeholders report that CJG staff are increasing people's understanding of DFV court processes and the conditions of orders. However, data limitations mean the evaluation is not able to measure the impact of CJGs' efforts to help people navigate the DFV court process. Rapid increases in Indigenous people's court appearances for breaches of DFV orders in recent years indicates a continuing problem. Many CJGs and stakeholders are concerned about how DFV orders operate in relation to Indigenous people.
- CJGs and many stakeholders express the opinion that CJGs are very effective in holding perpetrators to account for DFV-related behaviour. Some judicial officers said they had seen evidence of improvement in perpetrators' accountability due to CJGs' work.
- Stakeholders have provided strong feedback in surveys and interviews that CJGs are successful in encouraging and facilitating offenders (including DFV perpetrators) to get help for underlying issues. Additional DFVE funding has enabled CJGs to boost this support through men's and women's DFV officers and through more regular men's and women's groups and activities.
- While there is evidence that CJGs are also providing some support to victims of DFV (to a lesser extent than their work with perpetrators), there is currently insufficient evidence to evaluate the impact of this work on empowering victims.
- At this point in time, it is not possible to measure whether DFVE services are contributing to broader community outcomes such as increased referral/reporting of DFV, changes in attitudes, a culture of positive relationships and more community prevention of DFV. However, feedback from community surveys in 16 sites indicates that community members believe CJGs are positively changing attitudes to DFV in their community (49% said 'a lot' and 26% said 'a fair bit').
- It is too early to assess long-term outcomes of the DFVE funding in the 18 target communities. Court convictions for DFV-flagged offences doubled between 2015-16 and 2021-22, but this is not a reliable indicator of changes in underlying levels of violence in a community. There is no consistent pattern of change in episodes of care for assault-related injuries in these Indigenous communities over the past decade.
- There are opportunities to enhance the DFVE's impact on DFV in Indigenous communities by supporting CJGs' aspirations and innovative ideas for DFV-focused primary prevention and early intervention activities, and new community reintegration initiatives for DFV offenders. The evaluation recommends that these responses be explored in partnership with CJGs as their DFVE service models evolve over time.

13.1 Introduction

As [Part 2.3](#) (Evaluation objectives and scope) noted, the evaluation of the DFV Enhancement funding provided to 18 discrete community CJGs is part of, but not distinct from, the overall evaluation of the CJG Program. The Phase 2 Evaluation Report²⁰⁴ provided a detailed assessment of the implementation of the

²⁰⁴ See Part 3 of the [Phase 2 Evaluation Report](#).

DFVE funding since 2016-17, when it was allocated as part of the Queensland Government's response to the Special Taskforce on Domestic and Family Violence in Queensland's 2014 report, *Not Now, Not Ever*.

13.2 Implementation of the DFV Enhancement

The [Phase 2 Evaluation Report](#) noted that the plan for a staggered four year rollout of the 18 new DFV service models from 2016-17 was impacted by factors such as community access restrictions due to COVID-19, community readiness issues, and the number of staff available to undertake the intensive 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. The last three locations came online in 2021 and 2022. The evaluation noted the innovative co-design process for the rollout and identified lessons that had been learned during this process.

The evaluation observed that the outputs delivered by the DFVE Program were largely shaped by its positioning 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 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.

The evaluation noted that the positioning of the DFVE Program as a justice system response limited the scope for a DFVE service to focus predominantly on primary prevention or diversionary responses that did not strengthen the justice system response, although DJAG's flexible and consultative²⁰⁵ co-design process did enable some communities to incorporate innovative prevention-focused elements in their service models. In line with the literature on the most effective responses to DFV in Indigenous communities, and the aspirations expressed by many CJGs, the evaluation recommended that the DFVE Program explore expanding the primary prevention and early intervention elements of CJGs' DFVE service models. The opportunity to do this arises from the ongoing process of review and refresh of the original co-designed DFVE service models.

Consistent with the justice system focus, the main outputs delivered by CJGs under the DFV Enhancement documented by the evaluation relate to:

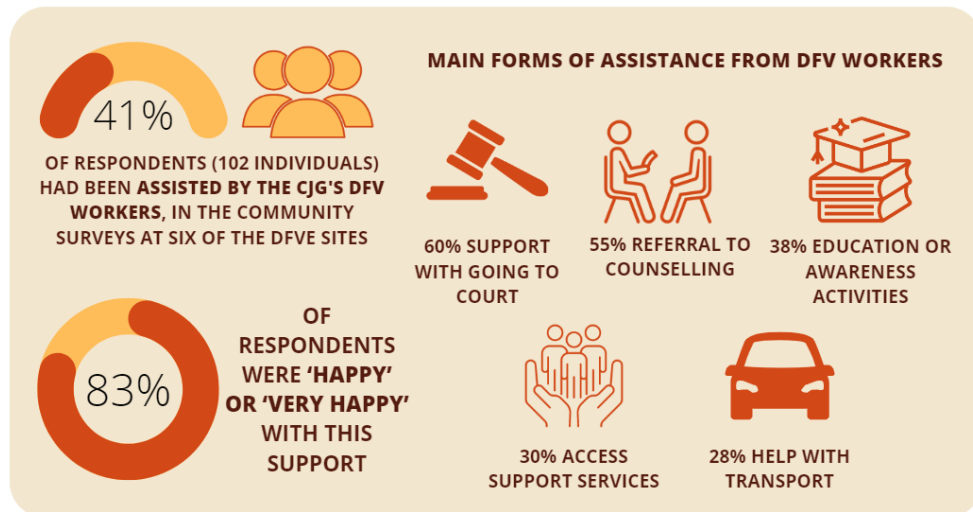
- providing support to individuals (primarily respondents but also aggrieved/victims) in the civil DFV court, including transport to court, engaging with legal representatives and understanding the court process;
- occasionally providing cultural reports to courts considering DFV matters;
- explaining DV orders to parties in DFV matters;
- assisting parties to seek variations to DV orders;
- referring individuals involved in DFV matters to support services;
- convening men's and women's groups and yarning circles to support community members involved in DFV, especially people on court orders or returning from custody.

Reporting by the 18 CJGs with DFVE projects indicates that in 2022-23, these CJGs attended DFV court on 80 occasions, assisted 179 participants and made 168 referrals. The community surveys conducted at six CJGs with DFVE funding showed that many respondents (including offenders, victims and their families) had

²⁰⁵ The co-design process included consultation with a wide range of community agencies along with the CJGs, including local government as applicable, to ensure that co-designed CJG DFV services met identified victim and offender support needs and could be appropriately integrated within local community support and service networks.

received support from the CJG's DFV workers, especially with going to court, counselling and education and awareness (see Figure 32). There was high satisfaction with this support (83%).

Figure 32. Community Surveys at DFVE Sites²⁰⁶



Outside of the justice system focus, the DFVE components of CJGs' funding agreements also included deliverables regarding attending DFV education and awareness activities, which appears to be a few days per month for CJGs' DFVE staff (based on CJG quarterly reporting). In the early intervention space, some CJGs use cultural mediation in DFV-related matters and others have sought to provide early responses to assist people at risk of DFV escalating into police involvement.

In addition to the DFV Enhancement in 18 remote locations, CJGs have been contracted to provide similar court support and referral services for participants in the Specialist Domestic and Family Violence Courts in Mt Isa, Palm Island, Townsville and from mid-2023, Cairns.

13.3 Evidence of outcomes from CJGs' DFVE activities

A major caveat to discussing outcomes from the DFVE is that it is still relatively early in the implementation of the Program. At the time of the evaluation's data collection at the eleven DFVE sites, the period for which the DFVE services had been in place varied widely. In two cases (Aurukun and Yarrabah), the DFVE services were still being established. In six cases, the DFVE services had been funded for between two to four years, and only in two cases (Mossman and Wujal Wujal) were the services in place for more than five years. Even where the service had been in place for some time, it was common for service continuity to have been affected by turnover in staff or difficulty filling positions. The [Phase 1 Evaluation Report](#) noted considerable unmet needs for more training and capacity development for all CJGs, especially during the establishment of new services and programs. Further, one of the areas where CJGs are still developing systems is data collection, which means that there are gaps in the available data about DFVE service delivery. Given the developmental stage of this initiative, it is appropriate that the evaluation has focused on the *implementation* of the DFV, but any evaluation of the *outcomes* of the DFVE Program at this point in time is preliminary. A further outcomes evaluation for DFVE would be warranted after all DFVE services have been operating in a stable state for a period of five years.

Bearing in mind this caveat, this Part outlines the available evidence about the DFVE outcomes to date. In describing CJGs' overall outcomes across the justice spectrum in Parts 5 to 9, this report has already described many of the outcomes being delivered by CJGs in responding to DFV. In the 18 discrete communities, a CJG's

²⁰⁶ For detailed graphs, see [Figure 104](#), [Figure 105](#) and [Figure 106](#) in [Appendix 3](#).

general work and the DFVE services tend to be integrated and overlapping, so it is not always possible to separately identify the outcomes from the DFVE funding. However, examples of CJG outcomes in addressing DFV from Parts 5 to 9 include:

- [Part 5](#) described the reported benefits from CJGs' work in providing pro-social activities and education and awareness about DFV issues through men's and women's groups and yarnning circles. DFVE funding for men's and women's DFV workers has enhanced CJGs' capacity to deliver these activities;
- [Part 6](#) described how stakeholders report positive outcomes from CJGs' early intervention and diversion activities – notably through mediation, men's and women's groups, on-country and cultural programs, intervening early to refer people to help, and mentoring by Elders. Many of these activities have been expanded in discrete communities through the additional men's and women's support officer positions funded by the DFVE Program;
- [Part 7](#) described a range of outcomes from CJGs' support for people in the courts. This support has been enhanced in discrete communities by the court support role designated for most of the new DFVE workers; and
- [Part 9](#) described the support provided by CJGs to people returning from custody. In discrete communities, some of the new DFVE positions have supported DFV offenders to reintegrate into the community, through involvement in men's and women's groups, cultural mentoring, and other assistance.

The evaluation has also considered the specific outcomes that were intended from the DFV's program design, as described in the Evaluation Framework for CJGs and the Myuma CJG Evaluation Plan from June 2021. These are discussed in turn below.

13.3.1 Outcomes relating to perpetrators

The DFVE program design aims to contribute to the following outcomes relating to perpetrators:

- in the short term, perpetrators would be more confident and empowered to, and know how to, *comply with court requirements* and *access culturally appropriate support and referral pathways* before, during and after court;
- in the medium term, perpetrators would *comply with court requirements*, be *held to account* and *address the underlying needs* related to their offending.

Attending court and complying with requirements

The Local Evaluations at DFVE sites found that CJGs are active in assisting respondents and defendants in DFV matters to attend court and to understand the process. As reported in [Part 7.2.3](#), the Phase 3 stakeholder surveys and community surveys reflected a strong belief from CJGs, other stakeholders and community members that CJGs were helping people to understand what they have to do in court. There was also consistent feedback that CJGs are helping more people to attend court. This is important for the civil DFV court, as respondents are not required to attend, with the consequence that their views may not be heard and they may not be aware of a DFV order made against them until it is later served on them by police officers.

Judicial officers who are aware of the DFVE services (for example, because they have conducted circuit court in discrete communities) were asked in the Phase 3 survey whether they had seen any changes since the DFVE services started in the community. A third (33%) said they had seen that perpetrators are attending court more often since DFVE started.²⁰⁷ This was the change that was observed by the highest proportion of judicial officers, noting that several said they did not know enough to comment. However, one judicial officer

²⁰⁷ See [Figure 75](#) in [Appendix 1](#).

observed that about 80% of Indigenous parties to DV court do not attend, which indicates this remains a problem in many cases.

The rapid increase in court appearances for Indigenous people for breaching DFV orders²⁰⁸ indicates that there are issues with the level of compliance with order conditions. Although further instances of DFV no doubt accounts for many of these breaches, multiple stakeholders attribute the high breach rate to a lack of understanding by parties about the conditions on orders and in some cases, inappropriate or unworkable conditions, leading to many breaches that do not actually involve further perpetration of DFV. Stakeholders' concerns about the way the DFV legal system is operating in Indigenous communities are discussed further in [Part 14.6.1](#) below. The most contentious issues are 'no contact' conditions that mandate that respondents stay a certain distance from aggrieved persons and other family members, and ouster conditions requiring respondents to leave the family home. In small communities with only one shop, 'no contact' conditions may be unrealistic and in communities with very restricted housing, ouster conditions may lead to homelessness. To try to deal with these issues and prevent unnecessary breaches of DFV orders, DFV staff employed by CJGs highlighted that a major part of their role includes:

- explaining the conditions of orders to respondents so they do not inadvertently breach them;
- explaining the conditions of orders to victims/aggrieved persons (and other family members) so they do not inadvertently encourage respondents to breach them;
- encouraging respondents to comply with the conditions of orders; and
- assisting aggrieved persons and respondents to seek variations to conditions of orders.

At this point in the implementation of the DFVE program, it is not possible to gauge the outcomes of CJGs' enhanced DFV services in assisting DFV parties to navigate the legal process. The evaluation suggests that CJGs should be assisted to develop local measures and data collection capabilities. For example, DFVE staff could track the number of perpetrators to whom they explain the conditions of orders, and the proportion of these people that later breach the order. DFVE staff could also track the number of variations that they assist DFV parties to successfully seek from the court.²⁰⁹ After a DFVE service has been operating for at least three to five years, an outcome evaluation should quantify any changes in the proportion of DFV orders that are breached for 'compliance' reasons rather than new instances of DFV. If the court support output of the DFVE is succeeding, over time an expected outcome would be a reduction in 'compliance' breaches of DFV orders across all the sites where DFVE is being delivered. The current evaluation's analysis of the court data for the courts serviced by CJGs shows the trend for breaches of DFV orders continues to be upward. For example, across all courts serviced by CJGs, there has been a steady increase in the number of charges for breaches of DFV orders over the four years to 2022/23, with the number of charges in 2022/23 more than doubling from 2019/20.²¹⁰ This increase has been for both Indigenous (up 101% over 4 years) and non-Indigenous people (up 108% over 4 years).

In the data collected for this evaluation, the main indication of progress is that a few judicial officers reported seeing an improvement in perpetrators' compliance with DFV orders. In the Phase 3 survey, 17% of judicial officers said they had seen evidence that 'perpetrators are more compliant with DFV orders' since CJGs started the DFV Enhancement services in discrete communities (see Figure 33). Improved data collection systems are needed to track the proportion of DFV orders that are breached. The evaluation understands that breaches of DFV orders or offences by people on DFV orders cannot be currently matched to the DFV orders.

²⁰⁸ See the data reported in [Part 3.2.3](#).

²⁰⁹ Noting that this is usually by referral to a specialist DFV service or legal service to apply for the variation.

²¹⁰ See [Figure 119](#) in [Appendix 4](#).

Figure 33. Result from Survey of Judicial Officers, 2023²¹¹



Holding perpetrators to account and encouraging them to get help

It is also difficult to measure the extent to which CJGs are holding perpetrators to account. Many CJGs and other stakeholders²¹² express the belief that Elders and Respected Persons on CJGs are best placed to communicate the community's condemnation of an offender's behaviour (see [Box 10](#). 'Elders' views on making offenders accountable'). They believe that the disapproval expressed by a CJG is likely to have more impact on an individual than the words and sanctions of a court. On the other hand, a small number of non-CJG stakeholders held the view that CJGs' help DFV perpetrators to escape accountability through the justice process, because CJGs are focused on supporting defendants. The counter view expressed by CJGs in the Local Evaluations is that their goal is to help perpetrators to address their underlying issues so that the violence stops, but that they also strive to make perpetrators accountable. Many CJG representatives used the term 'tough love' to describe this balance between supporting individuals and condemning their behaviour.

The Phase 3 survey of judicial officers provided some encouraging signs that courts have seen some improvement around perpetrators' accountability as a result of CJGs' efforts in the communities with DFVE funding. While it is early in the implementation of the DFVE projects in many communities, and many of the judicial officers surveyed had limited information about these projects, Figure 34 shows that some of these judicial officers have seen evidence that the new DFV services are helping perpetrators to get help for their problems and take responsibility for their actions. More positively, half believe that CJGs are helping perpetrators to reduce their offending and contribute to their communities.

Figure 34. Judicial officer survey, 2023²¹³



²¹¹ For detailed graph, see [Figure 75](#) in [Appendix 1](#).

²¹² See quotes in [Part 7.2.4](#).

²¹³ For detailed graphs, see [Figure 75](#) and [Figure 76](#) in [Appendix 1](#).

This is consistent with the qualitative and survey evidence presented in [Part 7.2.5](#) that CJGs are achieving outcomes in encouraging and assisting offenders to address the underlying issues contributing to their offending, by helping them navigate the service system, enabling them to engage with services, and supporting them to address their needs holistically. Some of the case studies in the *CJG Stories of Success* compendium are from communities with DFVE funding and illustrate how CJGs are helping some people to turn their lives around.

The additional funding for discrete communities under the DFVE is enhancing their capability to assist offenders to get help for their underlying needs. An encouraging sign is the greater level of assistance that some CJGs are providing to released prisoners, including DFV perpetrators. Since 2021, the Parole Board of Queensland has been collaborating with CJGs to support prisoner reintegration on parole through its CERIP program.²¹⁴ PBQ representatives have observed an increase in CJGs' capability to assist with reintegration in recent years.

[I've seen change] mainly with the supports they [CJGs] offer... I remember when [CERIP] started, I feel like it was mainly men's group at most places... that was the kind of consistent program that was being offered. But there's now Domestic and Family Violence counsellors come up a lot... there definitely seems to be a lot more in terms of services that are available upon a prisoner release. That is what I've heard, at least, [the CJG says] 'Oh, well, we actually have this as well and this, that and the other.' (PBQ stakeholder)

And they're bringing along relevant people too, which wasn't happening to start off with... [Before], we would just see the [CJG] co-ordinator perhaps, and maybe an Elder. But one of the changes that I'm seeing is that you'll get the co-ordinator, who will have brought the bloke who runs the men's group and the Domestic and Family Violence Co-ordinator. So they will have kind of assembled a team of people, which is really helpful even if they're not formally members of the justice group. I think for those [justice] groups that we deal with most regularly, I don't know whether it's a combination of better funding and more enthusiasm about this project, but certainly the buy in and the engagement has certainly improved. (PBQ stakeholder)

13.3.2 Outcomes for victims

The DFVE program design aims to contribute to the following outcomes relating to victims:

- in the short term, victims would be more confident and empowered to, and know how to, *participate in court processes* and *access culturally appropriate support and referral pathways* before, during and after court.
- in the medium-term, victims would *feel safer and more supported* and *feel that their voices were being heard*.

There is insufficient evidence to determine whether CJGs are succeeding in encouraging more victims to attend DFV court. Some CJG DFV staff reported that they were actively encouraging this. In the Phase 3 survey of judicial officers, 8% said they had seen evidence that 'victims are participating more in court cases' since CJGs started the DFV Enhancement services in communities.

There is also insufficient data from the Local Evaluations to draw firm conclusions about the extent to which victims are generally being empowered and supported in the justice system. The data show that many CJGs are providing support to victims but the impact of this support is harder to measure. CJGs' reporting to DJAG indicates that at DFVE sites in 2022-23, CJGs supported 53 victims/aggrieved parties to go to court in criminal or civil DFV matters. As Figure 35 indicates, a strong majority (84%) of CJGs themselves and about half (51%) of other stakeholders said that CJGs provide a lot of support to victims during court process.

²¹⁴ See [Part 9.2](#).

Figure 35. CJG Survey, 2023²¹⁵



In the community surveys at six DFVE sites, 20% of people who said they had been helped by the DFVE workers said they were victims.²¹⁶ In these surveys, there was a high degree of satisfaction by community members regarding the support received from CJGs,²¹⁷ although the sample for DFVE sites is limited.

The evaluation found there were differences in stakeholders' understanding of the role of CJGs in supporting victims. A couple of respondents to the Phase 3 stakeholder survey said they did not know that supporting victims was part of CJGs' role. One suggested that this could conflict with their role supporting perpetrators/defendants. This appears to be a narrowly legalistic interpretation of CJGs' role, which is not legal representation but assistance to understand the process and access referral pathways to other agencies and support through men's and women's groups and other CJG programs. DFV workers for a CJG told the evaluation how they divide their work supporting the parties in DFV court so that one of them supports the perpetrator and the other one supports the victim.

During the evaluation, a few stakeholders cited examples where they thought that CJGs were actively working against the interests of victims, or unreasonably favouring perpetrators. Some stakeholders were concerned that a CJG had discouraged victims from reporting DFV, due to risks of men being imprisoned or children being removed. This was sometimes attributed to family bias on the part of CJG staff or members, although sometimes it appeared to be driven by the motivation to keep families together and try to work with couples to sort out problems without recourse to the justice system. Some stakeholders questioned CJGs' attitudes to DFV. A judicial officer was concerned that a CJG made a submission that blamed a victim of an assault, while another judicial officer was concerned that cultural mediations involving parties to DFV were enabling a perpetrators' family members to pressure the victim. Another stakeholder was concerned that a program being run by a CJG was blaming victims for perpetrators' behaviour. While these concerns were raised by a very small number of stakeholders, they suggest the need for ongoing training and awareness for CJG staff and members about DFV, especially how to safeguard the rights of victims in any local DFV responses.

The evidence suggests that CJGs are providing support to victims to some extent, but this is currently secondary to their work with offenders. In the Phase 3 surveys of CJGs and stakeholders, referring victims to help was not one of the most commonly cited activities that people think are most effective helping people through court (only 2% stakeholders and 3% CJGs mentioned it). On the other hand, in the survey of

²¹⁵ For detailed graphs, see Figure 49 and Figure 56 in Appendix 1. It should be noted that a greater number of stakeholders than CJGs answered 'don't know' to these questions.

²¹⁶ See Figure 103 in Appendix 3.

²¹⁷ See Figure 106 in Appendix 3.

stakeholders, one of the CJG activities that respondents frequently mentioned as being most effective in supporting reintegration was the support for families of offenders and victims. As [Part 9.2](#) indicated, some CJGs are achieving important outcomes in working with victims and their families to support peaceful re-entry of offenders following release from custody.

13.3.3 Outcomes for communities

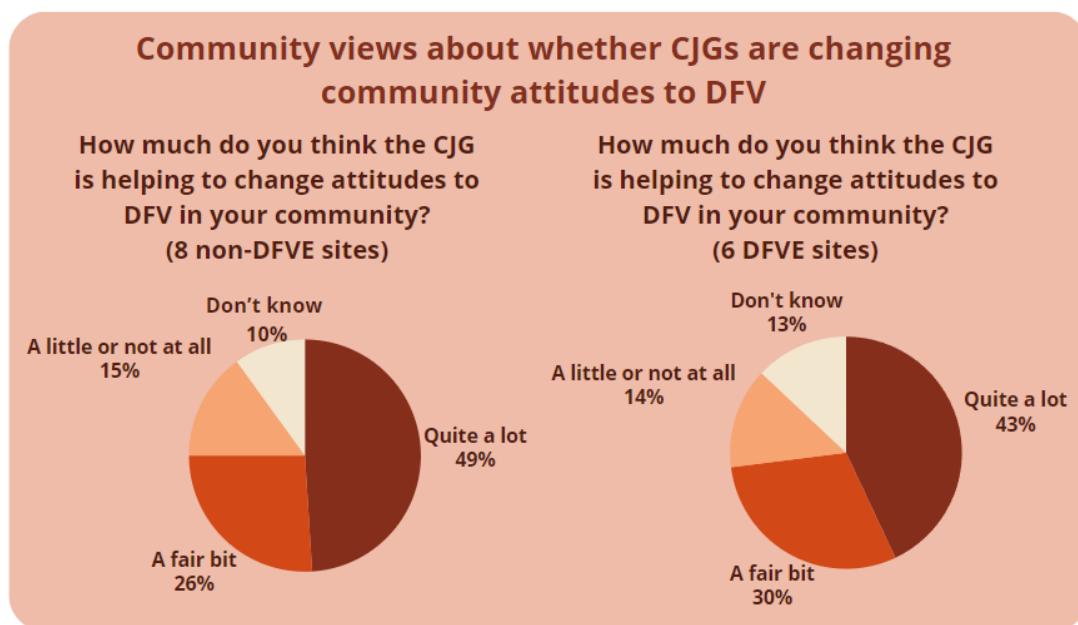
The DFVE program design aims to contribute to the following outcomes for communities:

- in the short term, communities would be more confident and empowered to, and know how to, *refer DFV cases, support CJGs and prevent DFV*;
- in the medium term, communities would *refer more DFV cases, build a culture of positive relationships, support CJGs and prevent DFV through community development activities*.

It is difficult to measure changes in communities' responses to DFV. One indicator of the community's response to DFV is the number of applications for DV orders. The analysis of courts data in Part 3.2.5 shows that the number of applications for DV orders for Indigenous aggrieved parties at courts at CJG locations has actually fallen over the past eight years, although the number has started to rise in the past two years. In the past eight years, the number of DV applications has risen considerably for non-Indigenous people in these courts. The reasons for the decline in Indigenous applications for DV orders are not clear. Some stakeholders suggested that victims of DFV may be discouraged to report DFV out of fear of having their children removed by child protection authorities. While CJGs have been involved in DFV education and awareness activities, this accounts for a limited part of their time, so an increased rate of reporting DFV is perhaps not a reasonable measure of their efforts in this area. Many other factors such as the focus of policing activity are likely to have a more significant impact.

There is evidence from the community surveys, however, that CJGs do have some impact changing attitudes to DFV. As Figure 36 shows, community members at DFVE sites believe their CJG is helping to change attitudes to DFV, although this was also the case in communities where CJGs do not have DFVE funding. Hence, this outcome is not necessarily attributable to the DFVE funding, but to the work of CJGs in general.

Figure 36. Survey results from DFVE Sites²¹⁸



²¹⁸ For detailed graphs, see [Figure 107](#) and [Figure 98](#) in [Appendix 2](#).

At this point in time, there is not enough information available to the evaluation to reach a firm conclusion about the extent to which the DFVE Projects are succeeding in helping communities to build a culture of positive relationships, encouraging community support for CJGs and enabling community development activities to prevent DFV.

13.3.4 Outcomes for the justice system

The DFVE program design intends that communities (victims, defendants and families) will in the medium term have *more confidence in the justice system*. Data are not available to measure whether the efforts of DFVE staff are increasing people's confidence in the justice system. There are some positive indications. [Part 7.2.2](#) reported on the extensive evidence that CJGs are helping people to feel respected and heard in court, which gives them more confidence in the justice system. In the community survey, people felt that the CJG made sure they were treated more fairly in court (see Figure 37).

Figure 37. Community survey at 16 CJG sites²¹⁹

However, a strong theme from interviews across the State with CJGs and stakeholders is that many Indigenous communities are concerned about how the justice system is responding to DFV. It is clear that many people lack confidence in the justice system to effectively deal with DFV in Indigenous communities. This issue has implications beyond the DFVE program

and is discussed further in [Part 14.6.1](#). The seventh Supporting Outcome for the Queensland DFV Prevention Strategy 2016-2026 is "7. The justice system deals effectively with domestic and family violence". In Indigenous communities, as the feedback in [Part 14.6.1](#) will show, there are serious concerns about whether the justice system is dealing effectively with DFV, and whether it is operating fairly in respect of Indigenous people. The broader systemic issues about the DFV legal system raised by stakeholders in this evaluation require urgent attention.



13.4 Evidence of long-term impact from DFVE projects

In the long-term, the short and medium-term outcomes from the DFVE Program discussed above are intended to reduce the amount of DFV and increase safety in the targeted Indigenous communities. Given the difficulties highlighted in this Part in relation to measuring the outcomes directly being achieved by the DFVE to date, it is not possible to gauge the longer term impact of the Program in reducing DFV. Analysis of police and courts data indicates that there has been a substantial increase in DFV matters being processed through the court system in Indigenous communities across Queensland. For example, in the 18 discrete communities where DFVE services are funded, the number of convictions for DFV-flagged offences doubled between 2015-16 (489 offences) and 2021-22 (973 offences).²²⁰ This is not necessarily an indication of changes in the underlying level of violence in the community, because the number of matters coming to court is dependent on people's willingness to report DFV, and the level of prioritisation and available resourcing for police to take matters to court. In fact, for the justice system response to be effective in reducing DFV, a medium-term increase in reporting DFV and matters coming to court could be a positive indicator.

An indicator of the underlying level of violence in a community that is not affected by reporting to police or by police response is the number of episodes of care for assault-related injuries. These episodes are not restricted to circumstances involving DFV, although a high proportion of violence in discrete Indigenous communities is likely to be within families. As Figure 39 shows, in the discrete communities where the DFVE program operates, there has been no consistent trend up or down for the rate per 1000 population of assault-

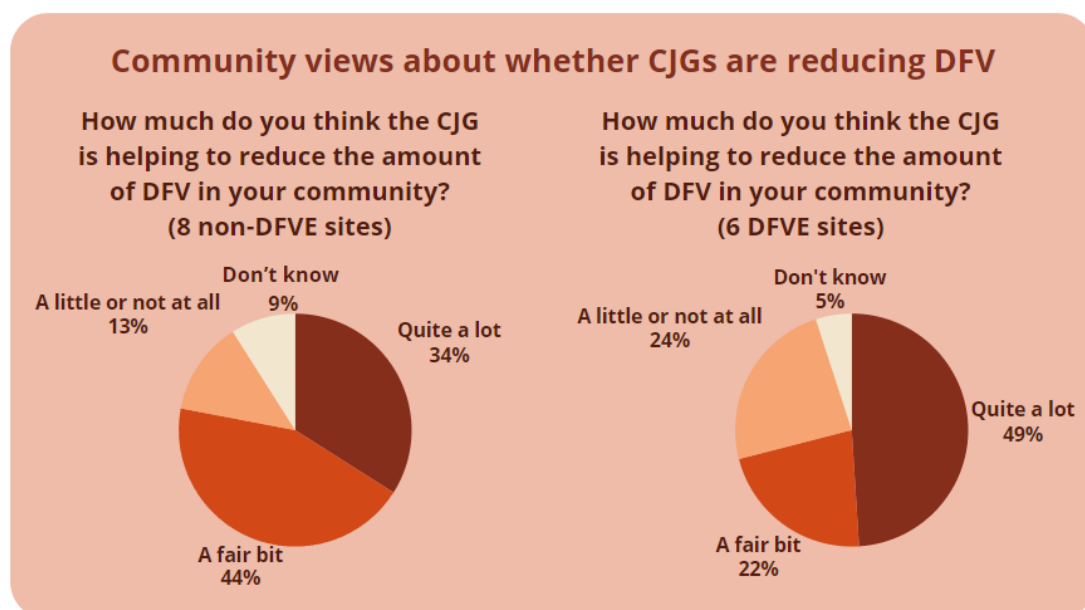
²¹⁹ For detailed graph, see [Figure 90](#) in [Appendix 2](#).

²²⁰ QWIC data.

related injuries over the decade since 2011-12. Five communities had an increased rate, seven communities had a reduced rate, while the rest stayed the same. This suggests the underlying level of serious violence has not substantially changed.

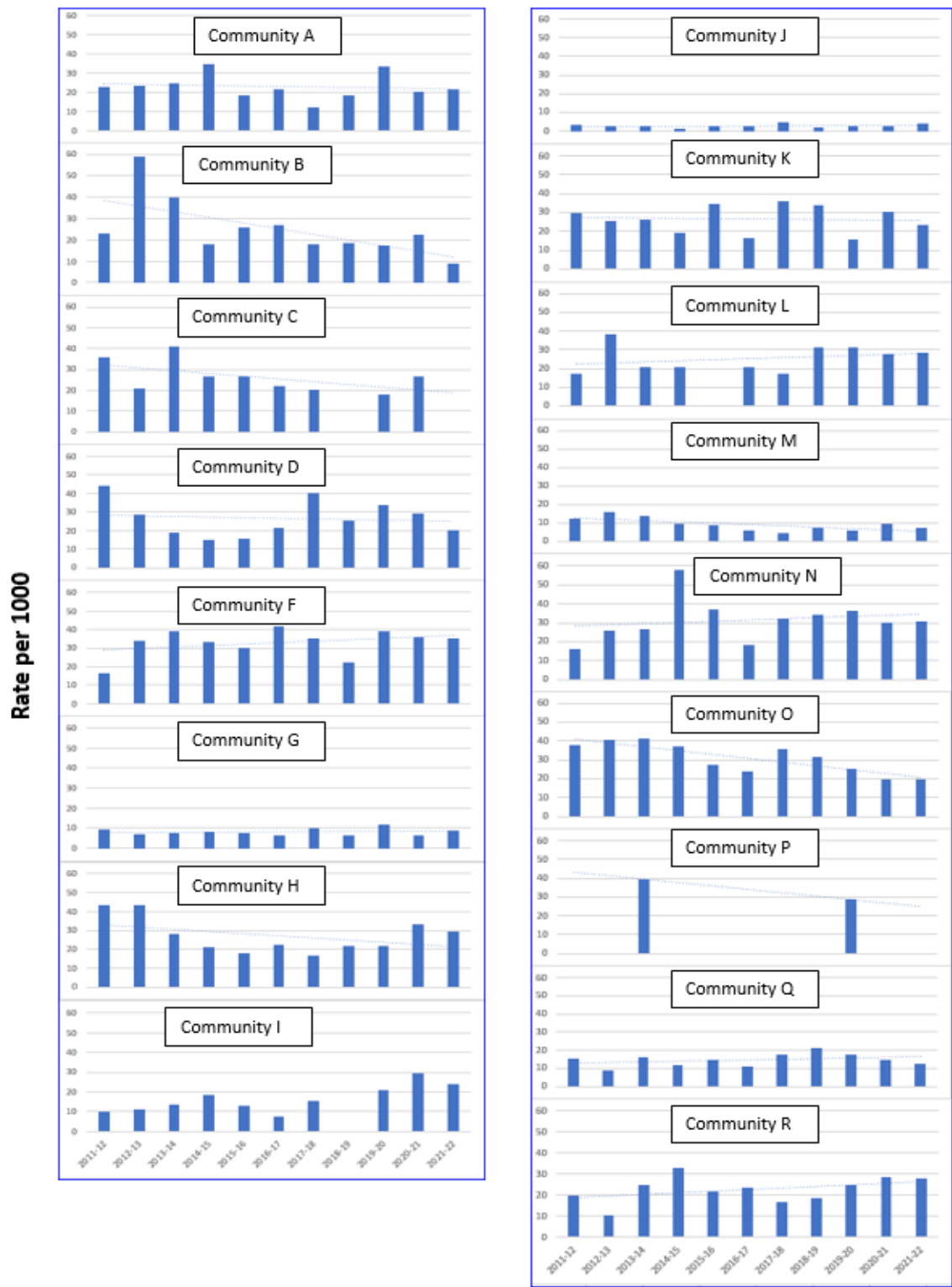
While it is not possible to measure whether CJGs are having a long-term impact on violence and community safety, it is encouraging that the surveys show that community members at CJG sites with DFVE projects believe that CJGs do help reduce DFV in their community (see Figure 38). For the six DFVE sites, an average of half the community members (49%) said the CJG is helping to reduce DFV in the community 'a lot', and 22% said 'a fair bit'. This is a more positive response than for those CJGs that are not DFVE sites, where only 34% of community members said 'quite a lot', although there were two regional town CJGs where a strong majority of community members (100% and 64% respectively) said 'quite a lot'. The stories of successful CJG clients in the *CJG Stories of Success* compendium include many who are reported to have stopped perpetrating DFV. These case studies illustrate the potential of CJGs to have an impact in this area.

Figure 38. Community surveys at 6 CJG sites with DFVE services and 8 sites without DFVE services²²¹



²²¹ For detailed graphs, see Figure 100 in [Appendix 2](#) and Figure 108 in [Appendix 3](#).

Figure 39. Episodes of care for assault-related injuries at Queensland Health facilities in 17 discrete Indigenous communities, 2011-12 to 2021-22²²²



²²² Queensland Government Statistician’s Office, Queensland Treasury, 2021. *StatShot reports* (produced for discrete Indigenous communities). Sourced from Queensland Health. Rates are per 1000 population. Excludes Community E due (footnote continued)

13.5 Opportunities for enhanced outcomes from the DFV Enhancement

As discussed in [Part 5.3](#), the need for more primary prevention activities, especially in response to DFV, has been regularly raised by CJGs during the evaluation. When discussing DFV, a recurring theme has been the concern that the justice system's response to DFV does not contribute to the community's objective of healing families so they can come back together in functional and peaceful relationships (see [Part 14.6.1](#)). While the justice system provides leverage to prompt perpetrators to engage in rehabilitative activities, including men's and women's groups and referral services, many CJG staff and members highlighted more prevention and early intervention as a better response, and one that avoids entanglement with justice processes that can often further entrench life problems for Indigenous community members. CJGs put forward many suggestions for stronger early intervention for DFV matters, such as healing centres, men's hubs/cooling off places, on-country and cultural strengthening programs for youth and adults, and mediation services. These proposals hold the potential for significant impacts on DFV and deserve further support.

The evaluation also notes the positive outcomes being reported where CJGs are involved in the reintegration of offenders following release from custody (see [Part 8.2](#)), including working with DFV perpetrators and the families of perpetrators and victim-survivors. DFVE service models in some communities already include reintegration support, and many staff and members of CJGs in discrete communities flagged aspirations for doing more in this area (see [Part 8.3](#)). Several are now actively working with the Parole Board of Queensland through its CERIP initiative. The evaluation agrees with CJGs and stakeholders who nominated post-release support as an area where CJGs can make a significant impact. The Queensland Government should support CJGs' innovative ideas for reintegration – such as community teams of mentors/supporters and on-country diversionary programs for released prisoners.

The evaluation therefore reiterates the recommendation from the [Phase 2 Evaluation Report](#) that DJAG, in the further development of the DFVE Program, work with CJGs to support their aspirations for more primary prevention and early intervention activities.²²³ This should also extend to aspirations for reintegration programs. As will be discussed in [Part 14.2](#), the evaluation also recommends making available an additional pool of funding for capable CJGs to implement some of their ideas for primary prevention, early intervention and reintegration. For CJGs with DFVE services, this will enable them to undertake new activities without reducing the court support outputs that they are contracted to provide through their DFVE service agreements with DJAG.

The evaluation acknowledges that in the Queensland Government's [Domestic and Family Violence Prevention Strategy 2016-2026](#), CJGs' DFV Enhancement was positioned as an initiative to "Strengthen the justice system response to DFV". Given the evidence in this evaluation about the positive impacts of the activities of CJGs in primary prevention and early intervention, the role of CJGs in the DFV Prevention Strategy should be recognised in the other supporting outcome areas, especially "Supporting Outcome 2. Respectful relationships and non-violent behaviour are embedded in our community." This would be more consistent with the refocused CJG service model in the *Framework for Stronger CJGs*, which acknowledges CJGs' contributions outside the court process. The DFV Prevention Strategy was developed in 2016, prior to the funding increases for CJGs and the development of the *Framework for Stronger CJGs* from 2019. The Strategy should be updated in line with recognition of CJGs' broader role.

to unreliably small sample size. Data are not available for all years for some locations (e.g. Community P). Episodes are not a count of unique individuals. Some patients will have several episodes of care for the same disease or injury episode. A single person may be cared for more than once each year, either for the same incident or multiple incidents.

²²³ See [Phase 2 Evaluation Report](#), Recommendation 3.

Recommendation 10. That the Queensland Government amend its *Domestic and Family Violence Prevention Strategy 2016-2026* to recognise the role of CJGs in the supporting outcomes areas beyond strengthening the justice system response, especially ‘Supporting Outcome 2. Respectful relationships and non-violent behaviour are embedded in our community.’

The evaluation also recognises that other organisations in Indigenous communities may be funded to deliver, or have an interest in delivering, primary prevention, early intervention or reintegration services for DFV. There are also other programs that provide funding for such initiatives, such as the Keeping Women Safe from Violence Grants. Increased CJG involvement in these areas will depend on local circumstances and CJG aspirations and capability.

Recommendation 8. That DJAG work with CJGs to:

- (a)** strengthen, in response to CJG proposals, community-led primary prevention, early intervention or post-release reintegration responses to DFV, maintaining the capacity of CJGs to support court-based work; and
- (b)** refresh service models funded under the DFVE Program (currently for discrete community CJGs) where changes in the service environment may affect the efficacy of the DFV response.

CJGs beyond the 18 discrete communities eligible for DFVE funding expressed a desire to do more to respond to DFV in their communities. The evaluation recommends that the DFV-specific funding should be rolled out to these locations, where DFV is also driving increased contact with the justice system. This will require further resourcing within DJAG to support the Program.

Recommendation 9. That DJAG provide DFV funding to non-discrete CJGs and establish a dedicated DFV function with appropriate staffing within IJP to assess the demand for DFV initiatives, support increased CJG capacity re DFV, and facilitate the roll-out of DFV initiatives.

14 DISCUSSION AND CONCLUSIONS

Key Themes

- Phase 3 of the evaluation has documented the strong outcomes that CJGs are achieving across and beyond the justice spectrum. Phases 1 and 2 found, however, that many CJGs are experiencing gaps in the identified foundations for delivering consistent outputs and outcomes, and recommended a comprehensive CJG Capacity Development Program to meet priority needs for training and capacity-building support. From discussions amongst CJGs over the past year, support has emerged for a new peak body to support CJG capacity development and advocacy. The evaluation supports this.
- CJGs also continue to call for more opportunities to share information and good practice across the CJG network. The evaluation recommends continuing support for a communications platform for CJGs, which could be supported on an ongoing basis by a peak body.
- The evaluation has considered the potential for further enhancing CJG outcomes. The strong CJG outcomes in the court process could be enhanced by further building CJGs' organisational capability, considering expansion of CJG court support to more youth, investigating the adequacy of resourcing for those CJGs who are servicing the busiest court locations, and ensuring CJGs have the capacity to undertake more proactive case management of their clients' engagement with referral services.
- Outside the courts, there are considerable opportunities to enhance CJGs' impact by expanding support for CJGs in primary prevention, early intervention and post-custody transition back to community. Many CJGs have already applied their additional funding to successful activities in these non-court domains, and others flagged priorities and ideas for new initiatives, such as DFV primary prevention (e.g. education and awareness), men's shelters/hubs, on-country camps, mediation services, police diversion partnerships, youth early intervention programs, and prisoner reintegration projects. The evaluation recommends that DJAG seek additional funding to make available a grant pool for CJGs to apply for and deliver innovative community-driven projects for primary prevention, early intervention or reintegration.
- In line with the broader conception of CJGs role under the *Framework for Stronger CJGs*, the Program is transitioning from a predominantly 'justice system' response (as reflected in its location within the Magistrates Court Service) to a broader whole-of-government initiative supporting community-driven responses to a wide array of justice-related issues. A priority for DJAG should be to build a mandate to work with CJGs to influence policy and practice across the wider justice and social services system.
- CJGs should be supported to build their monitoring and evaluation capability and to access relevant government data that will assist them in planning, monitoring and evaluating their activities.
- CJGs have a potentially very important role in the Queensland Government's plans to reframe its relationship with Indigenous communities, including through the Local Decision-Making Bodies underpinning the Local Thriving Communities initiative. At the statewide level, CJGs should be involved in the Justice Policy Partnership and in the governance of the CJG Program itself.
- During the course of the evaluation, two systemic issues were frequently raised as critical issues driving Indigenous people's over-representation in the criminal justice system. Both issues require further attention by the Queensland Government. The first issue concerns how the DFV legal system is impacting on the level of contact of Indigenous people with police and courts, and whether recent legislative and practice changes are improving the system's response to DFV in Indigenous communities. The second issue relates to concerns by CJGs and stakeholders that culturally insensitive policing practices are sometimes driving Indigenous people's contact with the criminal justice system in unnecessary ways.
- While available data do not permit a detailed cost-benefit analysis, the evaluation estimates that if a CJG was successful in preventing three months of custody for just 12 (5%) of its court clients each year, the custodial cost savings alone would offset the CJG's total annual core funding (currently \$280,000 per year). CJGs are especially cost-effective where they can successfully keep young people out of the justice system. It costs \$2232 per day to keep a youth in detention, so a CJG could offset its entire annual core funding by assisting just one young person to stay out of custody for 4.1 months. While robust data are not available to measure CJG outcomes in avoiding custody, the qualitative evidence is compelling.
- Putting the challenges of measuring CJGs' precise impact to one side, the value of the CJG Program is best understood in the unwavering commitment of the members and staff of CJGs across the State, and the strong feedback from clients and families about the positive impact of CJGs in their community.

14.1 The foundations for successful CJG performance

This report has documented how CJGs are achieving outcomes across a wide range of domains within the formal justice system and beyond. In line with the evaluation's strength-based, appreciative approach, the report has focused on what it looks like when CJGs are being successful, while acknowledging that not all CJGs are successful all the time.

The evaluation has found that strong outcomes are delivered where the following foundations for successful performance are in place:

- The CJG has a stable workforce, with skills and knowledge in the justice system, the social services sector, relationship-building, community engagement, partnership brokering and project management and administration;
- The CJG has suitable premises and equipment;
- Elders are actively engaged in the delivery of programs and services;
- The CJG has processes for recruiting and renewing its membership, to ensure older members are replaced when needed, there is a balance of men and women, and a diversity of families in the Indigenous community are involved;
- The CJG has a stable, well-governed auspicing organisation or is independently incorporated with good business and financial systems and governance;
- Any conflict and disputes within the CJG organisation are well managed;
- The CJG has strong engagement with the community and a level of trust, respect and awareness of its functions amongst community members;
- The workload of the CJG is managed, with measures in place to prevent staff burnout;
- The CJG has the capacity to collect and report data regularly and accurately, and use the information to plan, deliver and monitor activities;
- Staff and members have a positive relationship with police, court stakeholders and corrections staff; and
- The CJG has strong relationships with a range of referral partners to assist CJG clients to deal with underlying issues, with solid information-sharing and resource-sharing agreements in place.

14.2 Building CJG capability

The review of the CJG Program's implementation in Phases 1 and 2 showed that, as with any program, the delivery of outputs is uneven across the CJG network, and CJGs tend to go through cycles of performance over time. Not all CJGs are consistently achieving the outcomes documented in this report.

The [Phase 1 Evaluation Report](#) highlighted that many CJGs are experiencing gaps in the foundations for successful performance highlighted in the previous section, especially as they are in a phase of unprecedented growth in their funding and the administrative complexity of their services. The evaluation's key recommendation from Phases 1 and 2 was that DJAG develop a comprehensive CJG Capacity Development Program to meet the priority training and capacity-building needs of CJGs. It was suggested that the level of training and capacity support provided by the Department would not be able to meet this need, and that CJGs should be consulted about delivery models such as a peak body or resource agency. The evaluation understands that CJG leaders in the past year have been discussing and advocating for establishment of a peak body to undertake this capacity development function across the CJG network, and presumably to advocate to government and other stakeholders about CJGs' perspectives about important issues.

The evaluation continues to see capacity development as the foremost priority for the CJG Program and strongly endorses the aspiration emerging amongst CJGs to establish a peak body with this role. Investing further in the capacity of CJGs is critical to ensure that the enhanced Program funding allocated since 2019 is used optimally by CJGs to maximise the outcomes discussed in this report.

Recommendation 1. That DJAG resource a CJG Capacity Development Program to meet the ongoing training and capacity-building needs of CJGs, including for the current growth phase of the CJG Program and beyond. Considerations in developing this Program are:

- (a) training needs related to governance, program management, court services and DFV; and
- (b) broader training needs in the CJG Training Needs Surveys and the feedback to the evaluation (e.g. mediation/peacemaking, conflict resolution, mental health, trauma, Indigenous healing and self-care)

Recommendation 2. That DJAG, in consultation with CJGs, support the establishment and funding of a peak body for CJGs, developed by CJGs, which may include functions such as:

- (a) leading the Capacity Development Program for CJGs;
- (b) promoting and raising awareness of the broad work of CJGs;
- (c) reflecting the voice of CJGs in providing insights to government on laws, policy and strategy;
- (d) facilitating consultations within the CJG sector in relation to government initiatives; and
- (e) developing and sharing good practice frameworks for service delivery and governance.

One of the most common comments by CJG staff and members during the evaluation has been the desire for more opportunities for CJGs to share information across the CJG network. The evaluation notes that the consultations with CJGs in 2018 resulted in a suggestion to build the CJG network through “establishing an online database to share information regarding mediation and referrals etc; support quarterly gatherings or forums for CJGs, including the capacity for CJG representatives to travel to other communities to learn and share best practice; and supporting CJGs to establish and maintain an online communication platform and a newsletter.”²²⁴ In the current evaluation, CJGs acknowledged the annual workshops run by DJAG but noted that only a couple of people could attend from each CJG. The evaluation has sought to respond to CJGs’ interest in information-sharing through establishing the ‘Our Community Justice’ communications platform, comprising a website,²²⁵ social media, and monthly online ‘coffee catchups’ open to all CJGs across the State. The evaluation recommends that a communications platform for CJGs to collaborate and share good practice should be continued beyond the conclusion of the evaluation at the end of 2023. This is a natural function for the proposed peak body.

Recommendation 6. That DJAG continue to support a communications platform for CJGs, led by CJGs or the proposed CJG peak body, to collaborate and share good practice.

While supporting capacity development is a priority, the CJG Program should also ensure strong processes of accountability for organisations receiving CJG funding to deliver on their commitments. Although a process of adjustment during the ramping up of services was inevitable following the increase in funding to CJGs, investing in capacity development should result in the Program reaching a ‘steady state’ with greater service continuity. At this point, it will be possible, in consultation with CJGs and possibly the recommended peak body, to stipulate some service benchmarks or quality standards that CJGs can be measured against. The new Grants Management System will enhance the Program’s ability to track performance. Failure to meet these benchmarks should trigger a robust process of remedial action.

14.3 Further enhancing CJG outcomes across the CJG activity spectrum

The enhanced CJG funding from 2019 has enabled the CJG service model to be reframed beyond the predominant focus on court support to align with the full range of activities that CJGs have in fact been

²²⁴ KPMG, 2020. *Community Justice Group Consultations: Community Justice Group Service Delivery Blueprint*, p.18.

²²⁵ See www.ourcommunityjustice.org

delivering in their communities, from prevention through to transition to community following release from custody (see Figure 4 in [Part 4.2](#)). This report has confirmed that CJGs are not only delivering outputs across all these areas (as documented in [Phase 2](#)), but are perceived as achieving a range of positive outcomes from these activities.

Part 4 has set out the significant outcomes that CJGs are achieving *within the court process*, both for community members and for the justice system. The stories in the *CJG Stories of Success* compendium illustrate the powerful impact CJGs can have on people's lives as they journey through the court process, whether in Murri Courts or mainstream courts. The continued high number of Indigenous people in the courts, and the growth in charges against them, makes it imperative that the CJG Program support and strengthen CJGs' work in courts. The evaluation has recommended consideration of expanding court support to youth in those locations where CJGs and stakeholders are advocating for this. Expanding support for CJGs in the busiest court locations should also be considered. The evaluation has shown that CJGs are most effective where they not only make referrals for people in courts, but have the resources and skills to be able to proactively case manage their clients' engagement across services to address their underlying issues.

Recommendation 7. That DJAG consider, in consultation with CJGs or the proposed CJG peak body, whether Murri Courts and other models can be extended to more locations across Queensland, to ensure that Aboriginal and Torres Strait Islander people have access to cultural support during court processes.

Beyond the court process, this report has also shown the impact of CJGs' work in the other domains of the CJG service model in the *Framework for Stronger CJGs* – that is, in prevention, education and awareness (see [Part 5](#)), in early intervention (see [Part 6](#)), when people are in custody or under supervision (see [Part 8](#)), and when people are in transition to community from custody (see [Part 9](#)). The evaluation has identified areas where CJGs have been enhancing their outcomes in recent years, and outlined their aspirations to enhance them further.

The scale of the need for support in the courts means that it will usually not be possible for a CJG to divert resources from court support to these other outcome areas. Additional resources will be needed to support CJGs' aspirations to expand outcomes in these other areas. Not all CJGs have the current capability for such an expansion at this point in time, not all CJGs aspire to expand into this space, and in some locations, there is less need as existing organisations may be leading local work in primary prevention, early intervention and transition to community. Hence, expanding CJGs' delivery in this space should be a place-based, self-determined exercise, dictated by local needs and CJG capability and aspirations. To enable this flexibility, the evaluation recommends that DJAG make available an additional pool of funds for CJGs to access, on an application basis, to deliver innovative new projects in the activity domains outside of the court process. For example, CJGs could be invited to put forward proposals twice per year for initiatives such as DFV primary prevention (e.g. education and awareness), men's shelters/hubs, on-country camps, mediation services, police diversion partnerships, youth early intervention programs, or prisoner reintegration projects.

The evaluation does not agree with the view expressed by some people that CJGs should not expand their activities in these non-court areas because this is the responsibility of other organisations. As described in this report, many of the current outcomes being achieved by CJGs in these areas flow from the unique characteristics of CJGs, such as the involvement of Elders and Respected Persons, the cultural capability and connectedness to grassroots communities, and the ability to innovate and partner across traditional service boundaries. The evidence shows that CJGs are uniquely placed to deliver outcomes in these non-court areas in ways that many other service providers are not able to replicate. Indeed, the argument made by many stakeholders was that CJGs should be supported to take the successful approaches they currently deploy to assist people in the court process and apply them to the early intervention or primary prevention space. If these processes work, why wait until a person is already in the justice system?

So then, for me, like I'm looking at it and from a lot of the stories and the narratives that have been passed around this year... it's still a very reactive process. Because from what we've talked about

today, a lot of the issues sound like they centre around trauma breakdowns and family relationships, lack of supports that are present there. And then it's interesting that on the other side is when we actually provide the support and we provide Elders and we provide the opportunity to build positive connections, we can actually start to see some positive outcomes. So why do we still have to put our people through this process of going through pleading guilty before we actually provide them what they actually need? (CJG member)

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. (Judicial officer)

Recommendation 13. That DJAG seek additional funding to make available a grant pool for CJGs to implement innovative ideas for community-driven primary prevention, early intervention or reintegration initiatives.

In addition to prevention and intervention in the pre-court space, many CJGs want to expand, or have already expanded, their work in the corrections and post-custody space (see Parts 8 and 9). Through a place-based approach, CJGs should be supported to implement their ideas, especially around reintegration of people leaving custody. Successful initiatives in this space will revolve around strong partnerships with adult and youth corrections authorities (including the Parole Board, which is already partnering with many CJGs) or other organisations involved in reintegration, such as ATSILS and QCS-contracted²²⁶ and YJ-contracted²²⁷ providers. Australian Government funding may be available for these initiatives.²²⁸

Making progress towards the CJG Program's goal of reducing Indigenous people's contact with the justice system will require more focus on whole-of-government strategy and partnerships with other agencies with a role in primary prevention, early intervention and reintegration. With its expanded funding and focus, the CJG Program is transitioning from a predominantly 'justice system' response (as reflected in its location within the Magistrates Court Service) to a broader whole-of-government initiative supporting community-driven responses to a wide array of justice-related issues. The managers of the Program within DJAG will need to build their mandate for working with CJGs to influence policy and practice across the wider justice and social services system. For example, the Program will need to negotiate across government for more sustainable arrangements for CJGs, and address whole-of-government issues such as CJGs filling gaps left by other agencies (see [Part 10.3](#)) and CJGs providing unremunerated assistance for other agencies to operate in Indigenous communities (see [Part 11.3](#)). Positioning the CJG Program within whole-of-government strategies such as the Justice Strategy to reduce over-representation of Aboriginal and Torres Strait Islander people will facilitate this.

²²⁶ For example, Community Re-Entry Support Team (CREST) providers.

²²⁷ For example, On Country Program providers.

²²⁸ For example, justice reinvestment funding.

Whether the Magistrates Court Services is the most appropriate location to enable the CJG Program to have a whole-of-government impact should also be considered.²²⁹ The CJG Program team has experienced difficulties engaging other agencies in strategic conversations and change processes about supporting CJGs, exemplified by poor attendance and engagement by agencies in the Inter-departmental Working Group for CJGs. Elevating the CJG Program as a higher level initiative within Justice Services may enhance its ability to engage at a whole-of-government level, including through strategic processes such as the development of the Justice Strategy under the Justice Policy Partnership.²³⁰

Recommendation 16. That DJAG consider opportunities to:

- (a) position the CJG Program within relevant whole-of-government strategies, such as the Justice Strategy to reduce over-representation of Aboriginal and Torres Strait Islander people, in line with the broader role of CJGs under the *Framework for Stronger CJGs*; and**
- (b) ensure CJGs, a peak body and DJAG are appropriately resourced to support whole-of-government strategies and initiatives**

The evaluation has found that CJGs are also achieving significant outcomes in the areas of community support and advocacy (see [Part 10](#)) and assistance to other agencies and service providers (see [Part 11](#)). The current workload in these areas is, however, hampering many CJGs' ability to deliver outcomes in relation to justice-related activities. It is notable that in the Phase 3 survey, CJGs did not feel that additional funding had helped to reduce the risk of staff 'burnout' to the extent the funding had helped in other areas (see Figure 81 in [Appendix 1](#)).

Helping CJGs manage these functions and achieve sustainability is a priority. CJGs and their communities continue to place a high value on these functions, so CJGs cannot be expected to withdraw from them purely because they are not reflected in current Service Agreements. As suggested in [Parts 10.3](#) and [11.3](#), other agencies need to better support CJGs through additional funding and in-kind resources (for example, administrative positions for CJGs), or by making their own arrangements regarding services for which they currently rely on CJGs. For example, agencies should fill gaps in service delivery that CJGs are currently filling on their behalf, and agencies should consider employing their own Indigenous engagement staff rather than relying on CJGs to help their staff engage with Indigenous community members. In [Part 11.3](#), the evaluation recommended that DJAG assist CJGs to negotiate MoUs with agencies that CJGs are extensively supporting.

14.4 Measuring the outcomes and impact of CJGs

This report has highlighted the difficulties in precisely measuring the many and varied outcomes of CJGs. The evaluation has sought to overcome limitations in site-level and statewide data through extensive use of surveys, data collection tools (for example, for activity mapping), and qualitative interviews in 25 CJG communities. The extent of data collection and the level of triangulation across the multiple sources has enabled a rich picture to be formed of the outcomes CJGs are achieving.

Evaluation is a time-limited activity, however, and there is a need to embed better ongoing monitoring and evaluation processes in CJG operations. This should be a priority for the CJG Capacity Development Strategy, and developing tools and training CJGs could be a role for a new CJG peak body. As mentioned in [Part 14.2](#),

²²⁹ The current location of the Program has led to a misconception by some stakeholders that CJGs' only function is to provide services within the court system. Some stakeholders thought that the legislative provisions guaranteeing CJGs a voice in sentencing and bail matters were CJGs' legislatively mandated roles. In fact, CJGs were established many years before these provisions were enacted in 2002, and their objective was to provide CJGs with the *option* to be heard in court where they chose to. The role of CJGs in courts has evolved to the point where the CJG Program now contracts CJGs to provide this input to the court process, amongst other deliverables.

²³⁰ See: www.justice.qld.gov.au/about-us/services/first-nations-justice-office.

a peak body could also work with CJGs to develop meaningful service benchmarks or quality standards for CJGs to track and report their own performance.

There is also an opportunity for the Queensland Government to support CJGs to access currently available data that would assist them in planning, monitoring and evaluating their activities. This evaluation has accessed court-level QWIC data about the contact of Indigenous people with courts in the locations where CJGs operate (see Part 3.2). Myuma's original evaluation proposal was to share relevant local data with each CJG as part of the Local Evaluations. This was not possible for budgetary reasons, but the evaluation recommends that DJAG take the opportunity to share with CJGs some of the QWIC data analysed for the evaluation. It is suggested that DJAG provides a high level presentation to CJGs about the QWIC analysis, and provides each CJG with the data for their court location, compared with averages for other similar locations. The site-level presentations in discrete Indigenous communities could also include Statshot data from the Queensland Government Statistician's Office. The presentations should also provide guidance to CJGs on how to access the publicly available police reported offence data updated monthly on the QPS website.

Recommendation 17. That DJAG provide CJGs with data that will assist them in planning and evaluating their activities, including annually presenting QWIC data about Indigenous involvement in courts at CJG locations, and annually sharing QWIC data with each CJG about their court location, compared with averages for other similar locations.

The evaluation has noted several issues within the justice system that are impacting on the continued over-representation of Indigenous people. It is important for agencies to be able to track these trends, to formulate appropriate policy responses and measure the impact of interventions such as enhanced support for CJGs. For example, it is not currently possible to measure whether compliance with DFV orders is improving, which is an important goal of many CJGs' DFVE services working with DFV parties.

Recommendation 11. That QPS, DJAG, QCS and QGSO collaborate on improving data recording and reporting systems to identify significant issues across court jurisdictions that impact on outcomes for Aboriginal and Torres Strait Islander people.

14.5 Role of CJGs in the Queensland Government's reframed relationship with Indigenous communities

As community-driven groups led by Elders and Respected Persons, CJGs have a key role in advocating their communities' interests (see Part 10.2). This makes them potentially very important in the Queensland Government's plans to reframe its relationship with Indigenous communities. In 2019, the Queensland Government signed a "Statement of Commitment to reframe the relationship between Aboriginal and Torres Strait Islander peoples and the Queensland Government" as the foundation stone for its Path to Treaty process.²³¹ The government committed to a new way of working together underpinned by the principles of recognition, respect, self-determination, locally-led decision-making, empowerment, consent and a strengths-based approach. In the community justice domain, CJGs are the embodiment of all of these principles.

The government is pursuing its reframed relationship through strategic reform processes including Local Thriving Communities (LTC), the Closing the Gap Implementation Plan, and the Justice Policy Partnership. Common to all these reforms is a commitment to partnering with Indigenous communities to co-design and implement solutions to the most pressing issues affecting those communities, including the over-representation of Indigenous people in the criminal justice system. The evaluation suggests that CJGs should be key partners for the government at both the local and statewide level.

²³¹ See: www.dsdsatsip.qld.gov.au/resources/dsdsatsip/work/atsip/reform-tracks-treaty/path-treaty/treaty-statement-commitment-july-2019.pdf

At the local level, the central role of CJGs in leading community responses to justice issues should be recognised through the Local Decision-Making Bodies underpinning the Local Thriving Communities initiative. The government should renew previous initiatives to directly negotiate community-level justice agreements with Indigenous communities, with CJGs as key players in this process.²³²

At the statewide level, the reframed relationship requires greater involvement of Indigenous communities in decisions about strategies, programs, service reforms and law reforms relating to Indigenous justice. DJAG has already established an Executive Governance Group and Cross Agency Working Group to progress the Justice Policy Partnership. CJGs are not involved in these governance structures. A peak body for CJGs would be a key enabler for CJG participation at the strategy level for initiatives such as the Justice Policy Partnership. CJGs should also be involved in the First Nations Justice Office's whole of government and community strategy to address over-representation of Aboriginal and Torres Strait Islander peoples in the criminal justice system.

At the level of statewide governance of DJAG's CJG Program, the reframed relationship requires greater involvement of community representatives in decisions about the program. The need for more community involvement in program governance for the CJG Program and the DFV Enhancement was recommended in the [Phase 1 Evaluation Report](#)²³³ but has not been implemented to date. Giving effect to the reframed relationship will require consideration of how to embed a new partnership arrangement for the way the program is run, with both DJAG and Elders and community justice practitioners at the table in co-designing and implementing program reforms and solutions. A peak body for CJGs would provide an ideal partner for DJAG's governance of the CJG Program. Given the additional work involved in facilitating this partnership, DJAG will require additional dedicated resources to support this process.

Recommendation 5. That DJAG include representatives of CJGs in the Program's governance arrangements, to give CJGs a voice in important decisions about the CJG Program.

14.6 Broader systemic issues affecting over-representation

During the course of the evaluation, two systemic issues were frequently raised as critical issues in relation to Indigenous people's over-representation in the criminal justice system. The evaluation flags these issues in this section as they appear to have a significant negative impact on over-representation, and are therefore relevant to the CJG Program's goal.

14.6.1 Problems in the justice system response to DFV

Many people interviewed in the course of the evaluation highlighted DFV as the key driver for Indigenous people's continuing high level of contact with the criminal justice system. There were two themes to this feedback. The first theme was an acknowledgement that high levels of violence within some families and communities were leading to frequent police involvement and high numbers of people being brought before the courts. The figures for episodes of care for assault-related injuries in Indigenous communities in [Figure 39](#) show rates per 1,000 persons in 2021-22 that are between four and 30 times the Queensland rate of 1.2. Common reasons stakeholders put forward for offending in Indigenous communities included alcohol and drug abuse, social disadvantage, overcrowding, grief and trauma, and lack of employment (see [Figure 74](#) in [Appendix 1](#)).

²³² Previous initiatives include the negotiation table process following the Cape York Justice Study in 2001, and the community safety planning process in remote communities over the past decade and a half.

²³³ See Recommendation 2 of the [Phase 1 Evaluation Report](#).

Look, I suppose just like any other police station anywhere in the state, we just respond to jobs and most of our work here is DV. It really is probably 90% of it would be Domestic Violence... And there's probably a lot of alcohol fuelled stuff there. (Police officer)

A lot of [the offending] is from, you know, alcohol based stuff, but a lot of it's based on grief as well. You know, a fight will start at a funeral... and that's quite more common than what you think. Then people come before the courts, because it just gets out of hand and DVs get out of hand. (CJG Elder)

We've got high Domestic Violence... So it's all the influx of people that come into town as well and puts families under that pressure, then the families feuding internally, you know, so you'll get Domestic Violence. (CJG coordinator)

The prevalence of DFV as a driver for Indigenous contact with the justice system is borne out by the evaluation's analysis of court data (see [Part 3.2.3](#)). For example, for Indigenous people, the proportion of appearances in criminal courts for DFV-flagged offences from 2015-2022 was 13.7%, almost twice the rate of non-Indigenous people at 7.5%.²³⁴ In the past two years (2021-22 and 2022-23), there were 50% more charges against Indigenous people for DFV-flagged offences in the courts where CJGs provide services compared with the previous two years. As [Part 3.2.3](#) and [Appendix 4](#) illustrate, about two-thirds of DFV-flagged offences are 'offences against justice procedures' (such as breaches of DV Orders), and Indigenous children are charged with DFV offences at a higher rate than non-Indigenous children. Breaching a DV Order increases the likelihood of deepening an individual's level of contact with the justice system, because any subsequent breach then has the circumstances of aggravation, attracting a higher penalty. For Indigenous people in courts where CJGs operate, 68% of their breaches of DV Orders in the past four years were 'aggravated', compared to 49% of breaches for non-Indigenous people.²³⁵

The second theme in the feedback was a concern on the part of many people that recent changes in the way the justice system responds to DFV has disproportionately affected Indigenous people, and not in a way that is effectively dealing with the problem. Some people expressed the view that the level of underlying DFV in Indigenous communities was not increasing, but the justice system's response was increasing, leading to greater criminalisation of Indigenous people. Relevant changes in practice, policies and legislation that were flagged by CJGs and stakeholders included:

- An increased focus by police on surveillance and enforcement of DFV laws following the greater media profile of the issue in recent years.
- Instances of police misidentifying the perpetrator when attending DFV incidents, taking out DFV orders against people who are the victims of DFV.
- An increased likelihood that courts will deny bail to people with DFV in their history due to a greater focus on managing DFV risk.

A lot of court is to do with Domestic Violence these days. People will get remanded in custody when they never would have [previously]. If they have Domestic Violence in their history, the magistrate will remand them in custody. (Indigenous service provider)

Well, the law changes on a regular basis. In my time here we've seen legislation around Bail Acts and very few people get bail now because they've got to be able to actually prove that they should be getting bail. (CJG coordinator)

²³⁴ See [Phase 2 Evaluation Report](#), p.167.

²³⁵ See [Part 3.2.3](#).

- A legislative change from 5 May 2016 to make DFV an aggravating factor on sentencing, increasing the likelihood of custodial sentence for any level of aggravation.

In any offence that's aggravated, which involves actual violence – it might be a slap or a punch or kick or whatever – you're looking at a term of imprisonment, given the way that they're pushing the Domestic and Family Violence [response] in the State. (CJG Coordinator)

- A legislative change from 30 May 2017 to increase the duration of an order to a minimum of five years unless the court is satisfied there are reasons for a shorter order.

Usually the order's now put in place for five years. Hanging over their head for five years. And if they breach any of that, they can take them back to court, they can be charged for breaching the order, because the courts want to emphasise that these are not just pieces of paper, they actually do have force. There can be a sentence for breaching the order and can be up to three months [imprisonment]... People ignore it, but you still have to tell them... If they know that they're going to go to jail for it, then [maybe] they're less likely to breach it, but that's not gonna stop them from breaching it. They'll [try to] find ways and means of getting around it so they don't get themselves in trouble. (CJG Coordinator)

- A legislative change from 5 May 2015 to increase the criminal penalty for choking, suffocation or strangulation. One stakeholder was concerned that there needed to be more community education and awareness around such changes.

That little boy being 14, [he was] choking out that little girlfriend. He went straight to the choking because he'd already seen what his father had done to his mother... And he doesn't even know the consequences for choking is up to seven to 11 years in jail. They don't know that. (CJG staff)

- A legislative change from 30 May 2017 requiring a court to consider whether additional DVO conditions (beyond the standard conditions that the respondent be of good behaviour and not commit Domestic Violence) are necessary or desirable to better protect the victim or a named person. Most stakeholders in discussing DVOs raised concerns about whether 'no contact' conditions were always necessary or workable.

One of the other things that women have said that they're finding it hard to deal with – especially with those who have got children – is if there's been a DV order put out then they can't have any contact with that person. The children don't understand why they can't see mum or dad. And the children are crying to see their mum or dad, so they call them and say 'look, your son or your daughter is crying, you need to come over here and settle them down.' And when they do that, they get breached. And the girls in our group have said, 'How can we talk to the magistrate and see is there a way that [the court] can look at doing it differently so that they can still have contact with their children, without them being breached?' (CJG worker)

My other nephew has just been released from custody. He's been eight months in prison, incarcerated on remand, and was told by the magistrate that he's not allowed to go back home to see his own kids. They put it all on him. He hasn't even been charged with offences. His partner has done a Stat Dec saying that there was no DV towards her. And this is an issue we have. The police have been told that if there's any incidents, to charge the males, every time. I feel the court should have programs where they actually support Indigenous families. Because the courts are good to put an order on the male and the females and on the children to take away your rights to be with your children: 'no contact with your wife, your partner' vice versa the wife with the husband. There is not enough support out there in the community to support these families. (CJG worker)

- A legislative change from 29 January 2016 whereby a court is required to consider imposing an 'ouster' condition (to remove a perpetrator from the family home) in all applications for DVOs. Stakeholders were concerned that the lack of housing in communities means that this condition might render the respondent homeless, exposing them to further risk of committing public place offences.

See, one boy is back in jail because he lives in [a discrete Indigenous community] and he was staying with his mother and he's not allowed near his mother, but there was nowhere else for him to go. So he got picked up, sent straight back to jail. He didn't do one thing wrong since he'd been out of jail. He went home to his mum and she said he's so good and he was clean and keeping everything clean in the yard. And they [police] came and picked him up. That sort of place, they got no halfway house for them when they come out of jail... Same as the boys from the Mission that come from up in the Cape. They got nowhere to go, because they're not allowed back there. Well, where else they going to stay? Homeless in Cairns. And it's all new to them. Some of them never been in a city. Oh, we got this young boy, he says, 'Oh Auntie, I just want to get home, I miss my kid.' But he wasn't allowed... I'd like to see something like that accommodation for them, because otherwise they're going to be on the street and then they're going to get picked up and they're going to go back to jail. (CJG Elder)

- A legislative change from 30 May 2017 to expand the scope for police protection notices to be imposed by police. Stakeholders were concerned that police may not understand the context of situations they are dealing with, leading them to impose an order that is not wanted by, or helpful to, the aggrieved.

Because sometimes their orders are placed on them by the police... Even though the aggrieved has not agreed to the police placing that order on the respondent, on the perpetrator. So they're having a fight. Someone's called the police. The police come and see the fight and go, okay, slap a DV order on that man, because he's been a little bit violent and they've witnessed it, even though she's saying 'no, no, I don't want an order against him.' They just go ahead and do it anyway... And then now she's all stressed out like 'what does this mean? what is happening?' (CJG staff member)

What's to say every relationship in Mount Isa won't end up with a Domestic Violence order? So then it kind of breaks the family down. (Murri Court Elder)

- A legislative change from 22 October 2015 to increase the maximum penalties for first time breaches of DVOs to three years imprisonment and subsequent breaches of DVOs to five years imprisonment. Many stakeholders raised a concern that people were being exposed to significant penalties for breaching DVOs in circumstances where they either did not understand the conditions of the DVO or the conditions were unreasonable and highly likely to not be complied with.

And if they do get a copy [of the DVO] they never keep it and they can never find it. And it's the same when they come out of prison as well. So they might still be on [DV] orders, but they've got no idea about waiting [before seeing their partner]. They just go home again and then breach the order. (ATSILS)

Many Indigenous stakeholders expressed the view that the changes to legislation were targeted towards DFV problems in the mainstream community, but were having unintended impacts in deepening Indigenous people's contact with the justice system. One stakeholder expressed the view that "Domestic and Family Violence is a political football at the moment", while another was of the opinion that "the whole DFV system is pretty much for white people". While these stakeholders did not downplay the need to address DFV in Indigenous communities, they felt the legal system response was not addressing those problems effectively.

For example, the solution offered by the court system is often based on separation of DFV parties, which does not meet Indigenous communities' need to heal relationships and bring people back together:

Courts do not understand the dynamics and extended relationships of people in our community. Two families may have a fight and one month later they are friends. In the heat of the moment belongings are damaged, people are physically hurt. However, we all come from kinship relationships and this is different to a suburb in the city. We have to see each other, everyone is related through blood or intermarriage, we go to the same community events, schools, medical facilities etc. We have to become friends at some point. The CJG support is about mending those broken relationships so we all can live in peace. (CJG stakeholder respondent to CJG survey)

Well, what it's increasing is just compliance with Domestic and Family Violence [laws]. So deep down, that's the issue. And so it just becomes a compliance thing. And then it's not making our community any safer. (ATSILS)

This view was also shared by some justice stakeholders:

Even in the DV space more generally, my personal view is – it's not the views of the Queensland Police Service – but government tends to think legislation, locking people up or creating offences, is the answer to that, policing is the answer to it. When clearly even [for] things like this,... those offences are reflective of social issues within the community... And that then begs the question of what do you spend your money on? Trying to cover the sort of things once the police have to become involved is obviously, in my view, there's some things already gone quite amiss – you know, with families, with health, with education, with all those different aspects. (Police officer)

Several Indigenous stakeholders expressed the view that not only does the DFV legal system not address DFV, but it also exacerbates social breakdown in Indigenous communities.

[Respondents] are separated from their children, [and the] children don't understand. And so we're keeping their parents apart, but we're doing more damage to the children, putting them through trauma. And there's got to be some way that we can help them forward. (CJG staff)

The limitation is that the courts don't have the capacity to respond and not react. They've got plenty of people to react to it, but not to respond to that depth of understanding about that complexity... Martin Luther King said [don't] be part of the problem, you got to be part of the solution. And the courts are always part of the problem. (CJG Elder)

The quotes in this Part underline the depth of feeling amongst a large number of CJGs and other stakeholders about the perceived negative impacts of the DFV legal system in Indigenous communities. This has been a consistent theme over three years of the evaluation. It suggests the need for the Queensland Government to seriously investigate these issues further. The overriding concern is that changes to the DFV legal process and DFV enforcement practices are exacerbating the over-representation of Indigenous people in the justice system, without addressing the underlying issues or making Indigenous communities any safer. In fact, people are concerned that the system is making Indigenous communities *less* safe. In one community, several stakeholders said that the impact of the DFV legal process was that many men were being effectively removed from the community through bail conditions or DVO conditions, which was leaving children unsupervised and on the street, vulnerable to both committing offences and becoming a victim of offences. A CJG coordinator pointed out a consequence of parents being involved in the DFV legal process is that children may be removed into State care. Another stakeholder felt that the justice system's response, in prioritising separation and incarceration, was 'criminalising' rather than healing DFV perpetrators in a way that made the community less safe.

At the community level, CJGs are trying to deal with these problems through working within the legal system and through trying to develop diversionary alternatives. Within the system, CJG staff are trying to assist DFV parties through the court process, to obtain legal representation to try to achieve more just outcomes and

to improve understanding of the process and DVO conditions to minimise unnecessary breaches (see [Part 7.2](#)). CJGs may also have a role in assisting police prosecutors and courts to ensure conditions of orders are appropriate.²³⁶ Some CJGs are also trying to leverage court orders to help DFV perpetrators to deal with underlying issues, such as by participating in CJG activities such as men's and women's groups, on country camps and counselling and drug and alcohol referrals (see [Part 7.2.5](#)). In other cases, CJGs are prioritising early intervention initiatives such as men's sheds, healing places or mediation as alternatives that divert people away from further involvement in the court process (see [Part 6.2](#)). The CJG Program plays an important role in supporting all of these CJG activities, including through the DFVE funding in discrete communities.

There is a sense from the interviews with CJGs and stakeholders, however, that CJGs' efforts within the court process will never be adequate to counter the systemic factors that exacerbate Indigenous contact with the court system for DFV matters. The problems with the justice system response to DFV further reinforce the view that long-term change will only be possible through more focus on primary prevention and early intervention responses that tackle DFV *before* the justice system is involved. As indicated in [Part 14.3](#), the evaluation suggests that CJGs can play a much expanded role in these interventions, and many are already developing local responses deserving of further support.

In addition, once the justice system is involved in a DFV matter, better availability of culturally appropriate interventions is the critical missing piece in the current justice system response. The lack of suitable programs for DFV perpetrators has been a recurring theme at Local Evaluation sites across the State. CJG staff involved in DFV court processes expressed frustration that referral options are limited at the civil court stage. For example, one CJG had observed that many of the individuals who attended DFV court subsequently breached their DFV order and were only given assistance after pleading guilty and entering the Murri Court. For these staff, this situation begged the question why the assistance could not be offered at the civil DFV court stage, to prevent the individual from progressing to the criminal courts. A number of CJG DFV staff thought that the civil DFV court should be able to mandate that respondents undertake programs. The evaluation notes that legislation does permit interventions to be part of the conditions of DVOs, but only on a voluntary basis.

The feedback from this evaluation suggests the need for the Queensland Government to review the operation of the DFV justice system in Indigenous communities, especially in light of the legislative and practice changes in recent years. The views reported in this Part raise questions about whether the DFV Prevention Strategy's supporting outcome 7 ('The justice system deals effectively with domestic and family violence') is being achieved for Indigenous communities.

Recommendation 12. That the Queensland Government conduct a review, in consultation with CJGs and Indigenous communities, into the impact of changes to DFV legislation since 2015 on Indigenous people, focusing on:

- (a) whether the legislative changes, and the way they are being implemented, adequately take account of the unique needs and circumstances of Indigenous families and communities; and**
- (b) any unintended consequences for Indigenous people, including unnecessarily increasing contact with the justice system.**

14.6.2 Perceived problems with policing practices

A second systemic issue raised by CJGs and other stakeholders as perceived to be a major driver of Indigenous people's contact with the criminal justice system is policing practices. During the Local Evaluations across

²³⁶ The November 2022 report of the Commission of Inquiry into Queensland Police Service responses to DFV recommended that support and funding for CJGs be increased and that they should be consulted by police prosecutors about the cultural appropriateness of the proposed length and conditions of DFV orders. See Recommendations 52 and 53 of *A Call for Change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence*.

the State, CJG staff and members frequently raised concerns about policing practices, ranging from cultural insensitivity to behaviour that was perceived as racist. Examples reported by stakeholders included:

- Elders pulled over by police without explanation for 'spot checks'

The policeman pulled me up the other day in the car, he's so rude to me. It wasn't funny... I'm in my mid 80s. So he pulls me up at 9:00 in the morning. What does he think I was doing at 9:00 in the morning? He didn't tell me why he pulled me up. Because I wasn't worth the bother to tell me because I was the black woman, you know. 'Because we're doing a spot check'. (Female CJG Elder, regional centre)

- police injuring an Elder while dragging him into a police wagon following attendance at a domestic dispute
- targeting of Indigenous children in shopping centres, requesting ID and explanations of their presence at the centre

Mob got it already like you can't walk down the street some time. Pulled over and asked for ID. I've seen it in some kids getting pulled up down [at the] bloody shopping strip. Photos taken of them, asking who they are. And I ended up with one cop watching me watching them. And he was giving me the filthiest looks. (Indigenous NGO worker)

- people being detained without explanation

One young fellow [a client]... he was saying he got pulled up by the police the other day and they put him in the watch house and he hadn't done anything and then they realised, 'oh, no, it's not you' and just let him go. But you know, like, it's just constant. (CJG worker)

- police charging people for what are perceived to be trivial offences, such as public nuisance and other street offences

And like if they [police] have got it in for someone, they'll keep annoying them and annoying and calling them. Like we had a football match here, and my son walked up the street and yelled [a war cry for his team]. They [the police] came, slammed him down on the ground, arrested him. But my sister was there and told them, 'Hey, you know, we're walking home.' They fined her for obstructing police. So she had to go to court for getting involved. Yeah, it is ridiculous. (CJG Elder)

It's supposed to be fair for everybody. But there's a lot of, when you got people to this court here every month, I see 30, up to 35 young people, women and all, all in trouble for petty things. (CJG worker)

Some court stakeholders also expressed concern about the way police exercised discretion by bringing Indigenous people to court for minor matters.

I think that police have a public policy kind of guideline where they will just jump on someone the second they do something wrong. And unfortunately, sometimes the court is just duped into agreeing with that, by police full on, passionately advocating on behalf of the breach being significant when it's just not at all. An example of that I had today is this man who lives on a station. He has schizophrenia and is brought into town by his brother who was going to a funeral. They were also passing through to pick up the client's schizophrenia medication, though only passing through the town. The reason he couldn't be in the town was that an aggrieved person had been living here, so [on his bail order] they made this a place he could not go. That particular aggrieved person isn't even in the town. She's living up in [a remote community]. She hasn't been to the town for a long time. We don't even know if she's coming back. So we've got a breach of bail here that is just extremely minor, extremely technical, and is just geared towards putting an Indigenous person in custody. (Defence lawyer)

A judicial officer felt that overzealous enforcement of order conditions was a cultural problem within some parts of the police service, especially affecting younger members. The judicial officer gave examples of what was considered “*very heavy handed policing*”, including unreasonable conditions placed on bail, and taking breach action for trivial incidences of non-compliance, such as reporting to the police station at 6pm when the bail condition stipulated attendance between 8am and 4pm. In another example, police had charged a person when they turned up one day late to provide identifying particulars, when the requirement was to attend the police station to provide identifying particulars within seven days. The judicial officer was concerned that in this case, the police had received the identifying particulars, which was the point of the condition, and it was unnecessarily punitive to charge the individual with a criminal offence for breaching this requirement: “*they [police] just need to understand when they should charge and when there is no criminal offence really committed.*”

These anecdotes clearly illustrate how policing can increase Indigenous people’s contact with the justice system in ways that are unnecessary and counterproductive. These are systemic and cultural issues that run counter to the efforts of CJGs and other stakeholders to reduce Indigenous people’s contact with the justice system. It should be acknowledged that in many locations, CJGs and stakeholders were very positive about the role of police in working with the CJG and the community to address justice issues in a culturally informed manner. Many of the problems with policing were raised in relation to younger officers who were considered to lack cultural awareness. The feedback suggests that there is a need for better cultural awareness training for police. Some CJGs are already involved in cultural inductions for new police, and this is an area where CJGs can play an enhanced role. The evaluation was advised that QPS’ First Nations and Multicultural Affairs Unit is working on cultural capability training for police working with Indigenous peoples.

14.7 Cost-benefit considerations

The Queensland Government has substantially increased its investment in CJGs in the past seven years, from a CJG Program budget in 2015-16 of \$3.8 million per year solely for CJG core functions, to a CJG Program budget in 2023-24 of \$14.9 million. The Program budget now comprises increased core funding and various specific purpose funding for supporting Specialist DFV Courts, the Youth Court in Townsville, the Aurukun Restorative Justice Program and the DFV Enhancement.

The diversity of place-based activities delivered by CJGs across the State and the challenges of quantifying CJG outcomes make it difficult to undertake a traditional cost-benefit analysis around this investment. Some of the most important long-term outcomes documented [in Part 12](#), such as empowerment of youth and adults and increased community cohesion, do not easily translate into economic valuations. The success of CJGs in assisting people away from a trajectory of offending and incarceration has considerable long-term economic benefits, but these are difficult to quantify.

Nevertheless, in assessing the value of CJGs, many stakeholders sought to emphasise the cost savings to the State that CJGs generate through diverting people away from the justice system. Some people highlighted the notion of *justice reinvestment*, where additional expenditure directed at community interventions is more than offset by the savings within the justice system.

For the reasons set out in [Part 12.2](#), the evaluation is not able to calculate the net quantum of reductions in offending or justice system contact attributable to the work of CJGs. However, for those areas where the evaluation has identified credible qualitative evidence of the outcomes of CJGs’ work in reducing contact with police, courts and/or corrections, it is worth considering the economic benefits.

Studies by Griffith University criminologists estimating justice system costs in Queensland are a good reference point for calculating any reduced costs to the State from an intervention that prevents offending or reduces people's contact with the justice system.²³⁷ These data show:

- the average hourly transactional cost for Queensland police was \$245.10 in 2010-11, which equates to \$328.43 in 2022-23 dollars;
- where an offence by a youth proceeds to court it consumes 15.1 hours of police time, therefore costing \$4959 per matter;
- where an offence by an adult proceeds to court it consumes 11 hours of police time, therefore costing \$3612 per matter;
- the average cost for a matter to be dealt with by the Childrens Court is \$900 and in the Magistrates Court is \$528 (adjusted to 2022-23 dollars).

In addition, recent Productivity Commission data indicates that the cost of incarcerating a child in youth detention is \$2232.57 per day²³⁸ and the cost of incarcerating an adult is \$257.73 per day.²³⁹

Using these figures, Table 3 illustrates the potential financial benefit of various outcomes that have been attributed to CJGs during this evaluation.

Table 3. Cost savings from work of CJGs

CJG outcome	Evidence about scale of outcome	Potential cost saving to justice system
Police diverting a family conflict to CJG mediation as an alternative to charging people	Frequent occurrence in some remote communities (see Part 6.2), especially Aurukun and Mornington Island, but also Doomadgee Evidence of CJGs in other communities resolving family conflicts on an occasional basis	<ul style="list-style-type: none"> • Reduced police time taking a matter to court (up to \$4959 for a child or \$3612 for an adult, although this may be offset by the costs of police taking alternative diversionary actions such as cautioning) • Reduced court time by avoiding charges coming to court (\$900 per matter for child or \$528 for adult) • A review of the mediation project at Aurukun estimated that police diversions to mediation by the CJG had saved about \$29,000 per year²⁴⁰
Making sure defendants appear at court to avoid warrants being issued for their arrest	Frequently performed role of CJGs, acknowledged by court stakeholders and clients (see Part 7.2.2)	<ul style="list-style-type: none"> • Reduced police time in finding, arresting and supervising defendant at the watchhouse @ \$328 per hour • More efficient court processes, including reduced time to finalisation of a matter, and reduced court time for new charges (cost saving unknown)

²³⁷ Allard, T, Stewart, A et al, 2014. 'The monetary cost of offender trajectories: Findings from Queensland (Australia)', *Australian and New Zealand Journal of Criminology*, 47(1), 81-101; Allard, T and McCarthy, M. 2019. 'Costing Indigenous and non-Indigenous offending trajectories', presentation at Griffith University (unpublished).

²³⁸ Productivity Commission, 2023. *Report on Government Services 2023: Part 17 Youth Justice Services*. Figure 17.9 Cost per average day per young person subject to detention-based supervision (CPI adjusted from 2021/22 to 2022/23 dollars) www.pc.gov.au/ongoing/report-on-government-services/2023/justice/corrective-services

²³⁹ Productivity Commission, 2023. *Report on Government Services 2023: Part 8 Corrective Services*, Figure 8.11b Real net operating expenditure (excluding capital costs), per prisoner per day. (CPI adjusted from 2021/22 to 2022/23 dollars) www.pc.gov.au/ongoing/report-on-government-services/2023/justice/corrective-services

²⁴⁰ Limerick & Associates, 2017. *Evaluation of the Aurukun Restorative Justice Project – Final Report: Review of Outcomes*, produced for Department of Justice and Attorney General.

		<ul style="list-style-type: none"> Potential for lesser sentence where defendant is cooperative, leading to potentially lower community supervision or custodial costs @ \$2232 per day for child and \$257 per day for adult
Assisting offenders to obtain bail rather than being held on remand (including through Murri Court participation)	Reported outcome from the input of CJGs in bail proceedings (for example, by offering Elders' and CJG staff support to ensure defendant has safe accommodation and will return to court)	<ul style="list-style-type: none"> Reduced custodial costs for youth and adults granted bail who would otherwise have been kept on remand (@ \$2232 per day for child and \$257 per day for adult)
Assisting offenders to understand and comply with court orders, reducing breaches	Frequently performed role of CJGs (see Part 7.2.3)	<ul style="list-style-type: none"> Reduced police time in returning an offender to court @ \$4959 for a child or \$3612 for an adult Reduced court time in dealing with breaches @ \$900 per matter for child or \$528 for adult
Helping Probation and Parole track down offenders who have failed to report, thereby avoiding breach actions that may result in their return to custody	Frequently performed role of most CJGs (see Part 7.2.3), commented on very positively by Probation and Parole staff	<ul style="list-style-type: none"> Reduced police time in returning an offender to court @ \$4959 for child or \$3612 for adult Reduced Probation and Parole time dealing with breach (cost unknown) Reduced court time in dealing with breaches @ \$900 per matter for child or \$528 for adult Reduced custodial time where people complete orders in the community @ \$257 per day for adult. Return to custody is likely to be for several months @ \$7845 per month for adults.
Avoidance of re-offending for participants for the period of several months they are in the Murri Court process	Reported outcome for most Murri Court participants, observed by a judicial officer and CJGs (see Part 12.2.3)	<ul style="list-style-type: none"> Reduced police time in returning an offender to court @ \$4959 for child or \$3612 for adult Reduced court time in dealing with breaches @ \$900 per matter for child or \$528 for adult
Avoidance of prison time for defendant who successfully completes Murri Court process	Widely reported outcome of Murri Court (see Part 12.2.3)	<ul style="list-style-type: none"> Saving of custodial time, likely to be a period of months @ \$7845 per month for adults or \$67,954 per month for children In 2022-23, 178 adult participants were provided with CJG sentence reports in Murri Courts. If, for argument's sake, 90% of these proceeded to sentence and 50% avoided an average sentence of 3 months in custody, then this would lead to custodial savings of \$1.89 million across the State In 2022-23, 5 youth participants were sentenced in Murri Courts. If, for argument's sake, 50% avoided an average sentence of 3 months in custody, then each success saved an average of \$203,861, or \$1.02 million across the State
Avoidance of future offending and potentially custodial time for participants who are successful in making changes through Murri Court or mainstream CJG court support in other locations	<p>Anecdotal evidence of this outcome for dozens of CJG clients (see the <i>CJG Stories of Success</i> compendium)</p> <p>Imputed outcome for many people assisted by CJGs, but exact number unable to be quantified (see Part 12.2.5)</p>	<ul style="list-style-type: none"> Saving of police time in bringing charges against offenders @ \$4959 for a child or \$3612 for an adult Saving of court time @ \$900 per matter for child or \$528 for adult Saving of correctional costs of community supervision (both QCS and YJ) of unknown quantum Potential saving of custodial costs @ \$2232 per day for child and \$257 per day for adult

To understand the value for money from the government's investment in CJGs, it is worth considering the total costs of administering justice in communities where CJGs operate. The itemised estimates for policing,

court and adult corrections costs enable a community-level estimate to be calculated. Taking remote Community X (name withheld) as an example, in 2021-22 there were 396 court appearances, comprising 24 children before the Childrens Court and 372 adults before the Magistrates Court.²⁴¹ On the Griffith University estimates cited earlier, these appearances would cost a total of \$1.46 million for the year. The number of adult residents from Community X incarcerated at 30 June 2022 was 45.²⁴² As the median length of incarceration for Indigenous prisoners in Queensland was 3.0 years in 2022,²⁴³ this figure of 45 can be estimated to apply year-round. Therefore, residents of Community X collectively spent 16,425 days in custody in 2021-22, costing the State \$3.96 million.²⁴⁴ Figures were not available for the number of children from Community X held in youth detention during 2021-22. The evaluation also does not have details about the cost of community corrections supervision for either adults or children. However, on the estimates above, the total financial cost of policing, courts and adult custodial corrections in Community X in 2021-22 sums to \$5.42 million. In comparison, annual funding for the CJG in Community X was \$354,000 in 2021-22, which equates to only 6.5% of the other justice system costs.

Another way of looking at the value for money aspect of the CJG program is to consider the cost savings that CJGs are likely to generate in respect of the most expensive aspect of the justice system, which is custodial costs. Keeping community members out of custody is an avowed aim of CJGs, and the many case studies in the *CJG Stories of Success* compendium indicate that this outcome is being achieved at the very least for a portion of individuals that CJGs work with. The evidence from stakeholders indicates that CJGs reduce custodial costs in the following ways:

- assisting people to obtain bail, therefore reducing their time on remand, which might be up to two months in remote areas where court circuits are infrequent;
- assisting people to attend court (or providing information to the court about a defendant's absence), which reduces warrants for arrest and consequently, time in custody awaiting court;
- making sentencing submissions that may provide cultural information or alternative community-based options that lead to a person receiving a non-custodial sentence;
- assisting clients to avoid offending or re-offending or breaching court orders, which might otherwise lead to custodial time.

While the evaluation has strong qualitative evidence from a range of community and government stakeholders that CJGs are keeping people out of custody in these ways, the exact number of people and for how long they are kept out of custody is not possible to quantify. Nevertheless, as Box 16 shows, if a CJG achieved success in terms of avoiding custody for only 5% of the adults that it assists during the court process each year, the savings in custodial costs alone would offset the entire cost of funding the CJG. Put another way, the annual cost of funding a CJG (currently \$280,000) would be offset by savings in custodial costs if the CJG was able to succeed with helping just 12 of its adult clients avoid three months in custody.²⁴⁵

²⁴¹ QWIC data, DJAG.

²⁴² Queensland Government Statistician's Office, Queensland Treasury, 2023. *StatShot for [Community X]*.

²⁴³ ABS, 2022. *Prisoners in Australia*, Table 26. www.abs.gov.au/statistics/people/crime-and-justice/prisoners-australia/latest-release#data-downloads.

²⁴⁴ Based on a cost per adult prisoner per day of \$240.81 in 2021-22. See Productivity Commission, 2023. *Report on Government Services 2023: Part 8 Corrective Services*, Figure 8.11b Real net operating expenditure (excluding capital costs), per prisoner per day. www.pc.gov.au/ongoing/report-on-government-services/2023/justice/corrective-services

²⁴⁵ QSAC reported in 2021 that the average length of a custodial sentence in the Magistrates Court is 7.3 months and in the Childrens Court is 7.6 months – see QSAC, 2021. *Baseline Report: The sentencing of people in Queensland*.

Box 16. How keeping people out of custody pays for CJGs

The standard base funding model for a CJG under the DJAG CJG Program is \$280,000 annually.

In 2022-23, CJGs across the State reported providing support in court for 9374 Indigenous defendants in criminal court or respondents in DFV court. This is an average of 229 clients for each of the 41 CJGs. (In practice, the number of clients serviced by each CJG varies by location).

With current data collection systems, it is not possible to quantify how many CJG clients are successfully kept out of custody for any period of time. However, for the purposes of estimating custodial cost savings, a conservative estimate might be that a handful of CJG clients have an outcome of avoiding custody – for example, through being assisted by the CJG to obtain bail or turn up at court, successfully completing Murri Court and receiving a non-custodial sentence, receiving a non-custodial sentence as a result of a CJG cultural submission to a Magistrates Court, or successfully completing a parole order with CJG assistance.

If the CJG assisted only 5% of its adult clients to avoid custody, that would be around one client per month or 12 clients per year on average. The period of custody avoided is likely to be a few months on average. For example, the average length of a custodial sentence in the Magistrates Court is 7.6 months.ⁱ Most sentences have a non-parole period of half the sentence, so a person could be expected to serve at least 3.8 months (the average will be longer). When people are assisted to obtain bail, this will avoid a period of custody on remand of several weeks or even several months. When people are assisted to avoid breaching parole, this could avoid a return to custody of months or even years to complete a head sentence.

Therefore, a conservative estimate of the annual custodial cost savings that an average CJG achieves is as follows:

~ 12 individuals assisted by the CJG in the court process (5% of an average CJG's clients for the year)

~ successfully avoid an average period in custody of 3 months (91 days), saving a total of \$23,478 in custodial costs at \$258 per day for an adultⁱⁱ

~ leads to a total annual saving of $12 \times \$23,478 = \$281,736$

Successful outcomes in avoiding 3 months custody for just 12 clients per year for each CJG is not a conservative estimate, given the qualitative evidence collected for the evaluation. In addition to the average of 229 clients per year that CJGs report to assist through court processes, CJGs also provide support to many more people through primary prevention initiatives, early intervention activities, or post-court assistance to prisoners and people leaving custody. CJGs do not report the numbers of these people supported.

The 'CJG Stories of Success' compendium contains success stories for dozens of clients of the 25 CJGs where Local Evaluations were conducted. Many of these individuals are reported to have moved on from offending altogether, and therefore potentially avoided repeated custodial experiences that could amount to multiple years.

It should also be noted that custodial costs for youth are much higher than for adults. The Productivity Commission reports that the cost of youth detention in Queensland in 2021-22 was \$2086 per day.ⁱⁱⁱ In 2022-23, that equates to \$814,888 per year. A CJG would only have to be successful in keeping one child per year out of custody for 4.1 months to save the State an equivalent amount to the CJG's annual budget of \$280,000.

In summary, CJGs succeeding each year with just 5% of court clients would offset the entire cost of funding the CJG Program through savings in custodial costs alone. And this does not even account for the fact that there would also be considerable other savings to the State in terms of police costs, court costs and community corrections costs.

NOTES:

i Queensland Sentencing Advisory Council, 2021. *Baseline Report: The sentencing of people in Queensland*

ii Productivity Commission, 2023. *Report on Government Services 2023: Part 8 Corrective Services*. Figure 8.11b Real net operating expenditure (excluding capital costs), per prisoner per day (2021/22 figure of \$241 per day CPI adjusted to 2022/23 figure)

iii Productivity Commission, 2023. *Report on Government Services 2023: Part 17 Youth Justice Services*. Figure 17.9 Cost per average day per young person subject to detention-based supervision (2021/22 figure of \$2086 per day CPI adjusted to 2022/23 figure)

14.8 The subjective value of CJGs

Cost-benefit considerations are one lens to evaluate CJGs, but it is important to note that this only captures a narrow conception of the value that flows from CJGs' work. By ignoring the broader social value of empowering community members to lead better lives while strengthening community safety and cohesion, cost-benefit calculations under-estimate the true benefits of CJGs.²⁴⁶

A more subjective measure of the impact of CJGs is the continuing dedication of the Elders and Respected Persons who give their time to work for CJGs for little or no financial reward, and the CJG staff who often work long hours and deal with vicarious trauma on a daily basis. This dedication is exemplified in the comments of CJG staff and members in Box 17.

For one government stakeholder, the time volunteered by Elders is the ultimate demonstration of the value of CJGs

Just the fact that these little groups of people meet up often, with Elders who could be resting with their feet up. And after all that... they still turn up for court. We saw some of the CJG up in Thursday Island, you know, and people just coming out of their homes to turn up to do that, to do the right thing by the people. And if it wasn't working well, if people didn't see any hope in it, they wouldn't come. But these people are coming in. You know, it should be recognised that the work that they're doing is just so important and so vital. Because they see a value and they want to help. (Government stakeholder)

²⁴⁶ Stobbs, N and Mackenzie, G, 2009. 'Evaluating the performance of Indigenous sentencing courts', *Australian Indigenous Law Review*, Vol 12, No. 2, p.96.

Box 17. How CJG staff and members perceive impact in their work

My role is the [men's] Domestic and Family Violence Officer. And the reason why I applied for the position, [is] because I actually grew up in domestic violence myself. And that's why I'm so passionate about it. And I have an understanding about the issues when it comes around in domestic violence. (CJG staff)

As Elders, we've been told that we've made a difference. And I would say we enjoy doing what we're doing. And it's a challenge. And as you get older, you need a challenge... And so we've got to give back to our communities and this is how we're doing it. This is one of the things that we're doing, is supporting those young people... going through the courts. (CJG Elder)

I'm a court Elder here... I really enjoy what I'm doing and hopefully making a difference to my community. My community provided me with the job when I was working. Now I'm retired, I'm giving back. (CJG Elder)

So my role as an Elder is to see our community rise and help our children and make better for them and make them understand that they can have a life when they grow up, that there is a strong life out there for them to achieve what their goals are. (CJG Elder)

The overrepresentation of our mob in the justice system, filling our prisons, filling the detention centres, 90% of that is males... I have two sons. What I'm working towards, if I can help someone not be in the justice system, then I'm helping. I just don't want my sons to become another statistic. And I guess this is why I work here. I'm trying to help them get out of that. (CJG staff)

I'm a firm believer in there are experiences and interactions in community and in your life that shape how you see the world. And I think that there's potential here, too, for Elders to make a really big difference. And I know that not everybody sees it, but I see it. I see all the little things and I think it's just the easing of the day to day suffering sometimes, that gets me through the other side of things. (CJG staff)

I'm an Elder helping out in the courts. I can see the struggles that the children are going through in the courts. And, you know, I really believe it comes back to families. Things that are happening inside the homes... I believe as Elders we all have answers to give to our community and especially those in the courts, in the justice system, those at the prisons, they really need help. And I believe that with each and every Elder here today, we can offer them that assistance, and guidance in their life, which they so dearly need... I believe it's an important role to be there as a support, so they can turn their lives around and live a better life. (CJG Elder)

We know our families and if we can support anybody, you know, to help change their lives, then that's what I'm about. I want to see change and sometimes you know, it's that ripple out effect. That if you make one change then other people see it, then other people will want to make that. And it's slow generational stuff, it doesn't happen overnight. But, if you give families time, they can, they'll make those changes. So, that's what I'm on about. It's giving people a better life because, you know, some of our Mob have had shit lives. (CJG Elder)

I love the helping, even if you get frustrated and concerned for people's safety. I think we can make a difference and we do make a difference. Sometimes it might be hard to measure and you can't see what you have prevented but I think overall we try to do the best that we can with what we have got. And people do give us positive feedback. (CJG staff)

But personally, I've never felt so much like I'm doing something real, for my people. Keeping my people out of jail. (CJG Elder)

APPENDIX 1. SURVEYS OF CJGS, STAKEHOLDERS AND JUDICIAL OFFICERS

Introduction

In early 2023, IJP collaborated with Myuma to design three surveys to capture stakeholders' views about the outcomes of the CJG program. The surveys were targeted at:

1. CJG staff and members
2. Judicial officers working with CJGs
3. Stakeholders working with CJGs

From July to August 2023, DJAG administered these surveys by email through various networks.

Survey of CJG staff and members

There were 59 responses to the survey of CJG staff and members:

- 85% worked or volunteered for a CJG
- 73% identified as Aboriginal or Torres Strait Islander.
- Respondents worked at CJGs close to these locations: 3% Mt Isa, 43% Cairns, 7% Rockhampton, 20% Toowoomba, 33% Brisbane. 74% of respondents worked with a CJG daily, 13% weekly, 10% monthly and 3% three or four times a year.
- Respondents were about evenly split between people working with a CJG in the 18 discrete Indigenous communities²⁴⁷ (48%) and those working in rural towns, regional centres or urban areas (52%).

Survey of CJG program stakeholders

There were 171 responses to the survey of CJG program stakeholders:

- 30% were Aboriginal and/or Torres Strait Islander community members, 8% were non-Indigenous community members, 33% belonged to an NGO community service provider, 31% belonged to a state or federal government service provider, 8% belonged to a state or federal government policy or program developer, regional or state manager, 7% to local government, 1% researchers, 4% business and 20% other.
- 8% of respondents had been connected to more than 10 CJGs in the past year, 11% to 5-9, 32% to 2-4, 31% to 1 CJG and 13% to the CJG program as a whole.
- 36% of respondents had weekly or more direct contact with a CJG, participants or program in the past 12 months, 19% had two or more times most months, 8% had once a month, 20% had a few times only and 18% very little or no contact.

Survey of judicial officers

There were 20 responses to the survey of judicial officers:

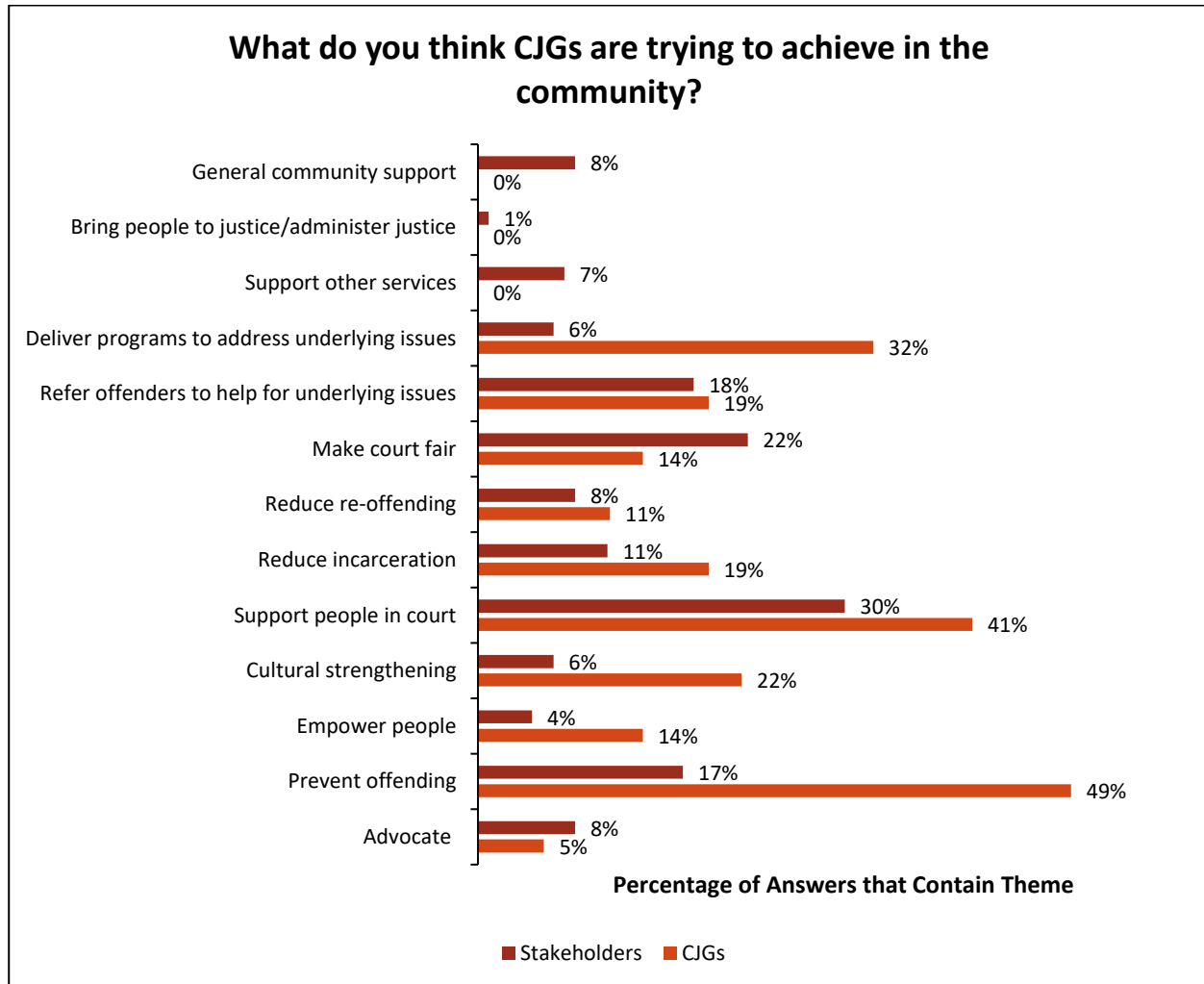
- 95% presided as a Judicial Officer in one or more of the areas containing CJGs
- 17% identified as Aboriginal or Torres Strait Islander.
- 56% of respondents said they knew 'quite a lot' about the work that CJGs do and 44% said they knew some about the work that CJGs do.
- 83% said they had 'quite a lot' of experience working with CJGs in their court, and 17% said they had a little experience.

²⁴⁷ Aurukun, Cherbourg, Coen, Doomadgee, Hopevale, Kowanyama, Lockhart River, Mapoon, Mornington Island, Mossman, Napranum, Northern Peninsula Area (NPA), Palm Island, Pormpuraaw, Thursday Island, Woorabinda, Wujal Wujal, Yarrabah. CJGs at these sites all receive DFV Enhancement funding.

- Judicial Officers had contact with CJGs in the Magistrates Court (72%), Murri Court (72%), Domestic and Family Violence Courts (22%), Magistrates Court on discrete communities (67%), Circuiting Magistrates Court (61%) or other specialist courts (QDAC, Court Link, High Risk Youth Court) (33%).

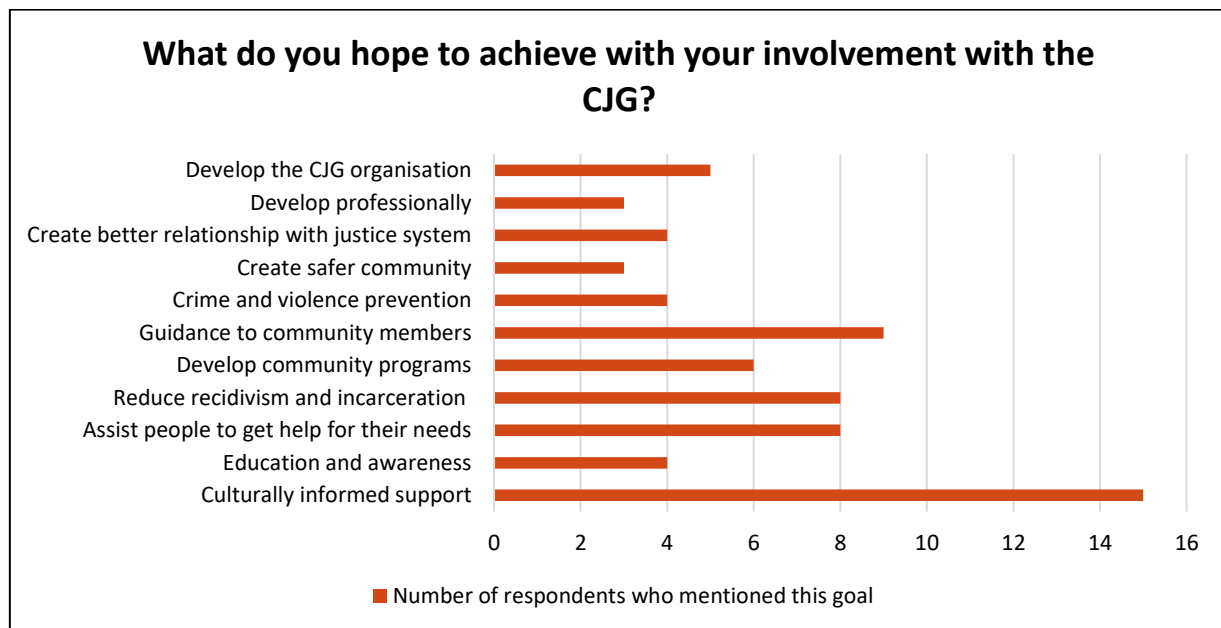
CJGs' goals for the community²⁴⁸

Figure 40. CJG and Stakeholder Surveys (combined), 2023 (n = 150)



²⁴⁸ The charts in this section are based on a thematic analysis of open-ended responses to the questions. The charts represent a count of the number of respondents whose answer contained the general theme (i.e. a goal).

Figure 41. Survey of CJGs, 2023 (n = 37)



CJG outcomes – Prevention and early intervention

Figure 42. CJGs and Stakeholder Surveys (combined), 2023 (n = 144)

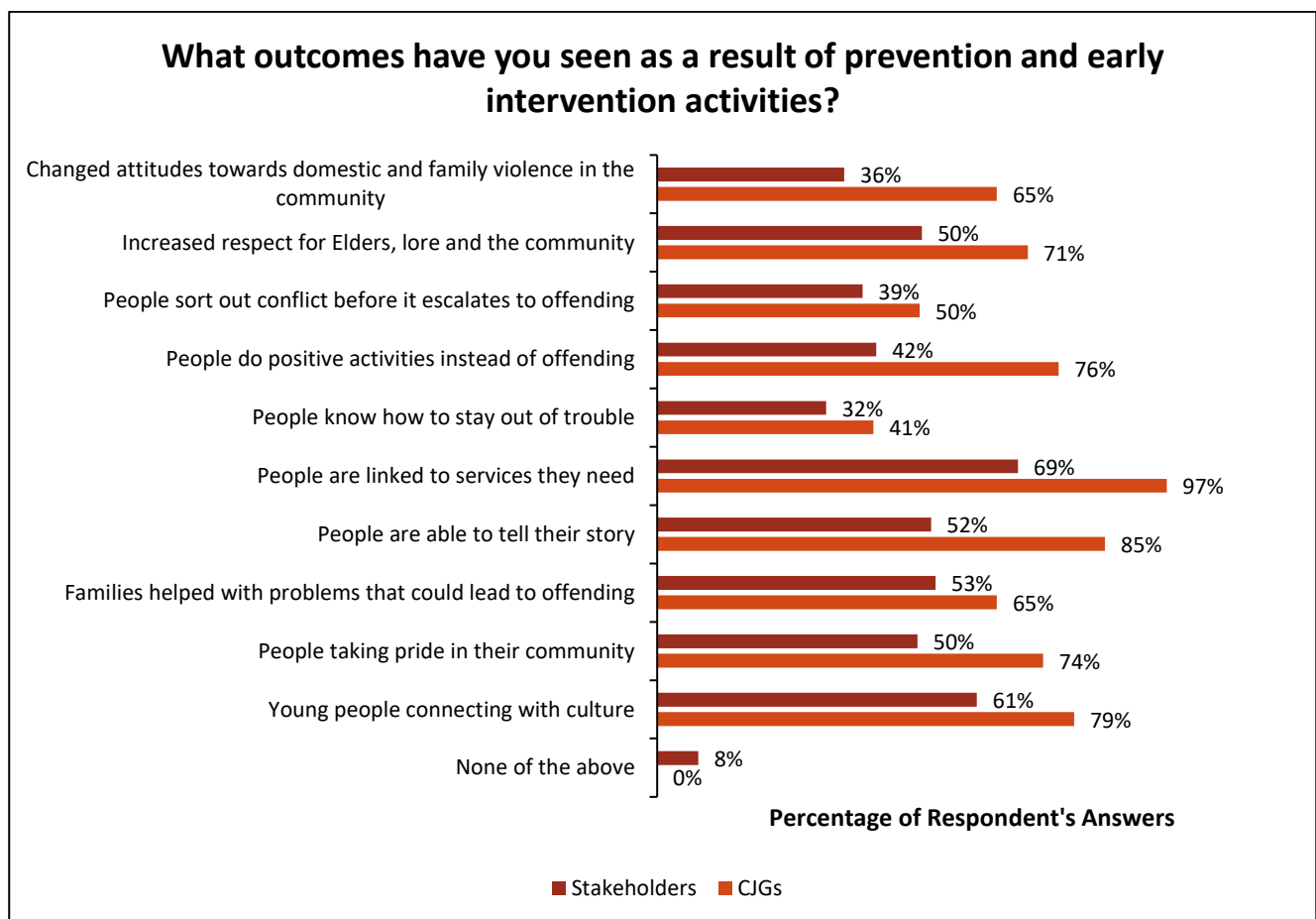


Figure 43. CJG and Stakeholder Surveys (combined), 2023 (n = 133) ²⁴⁹

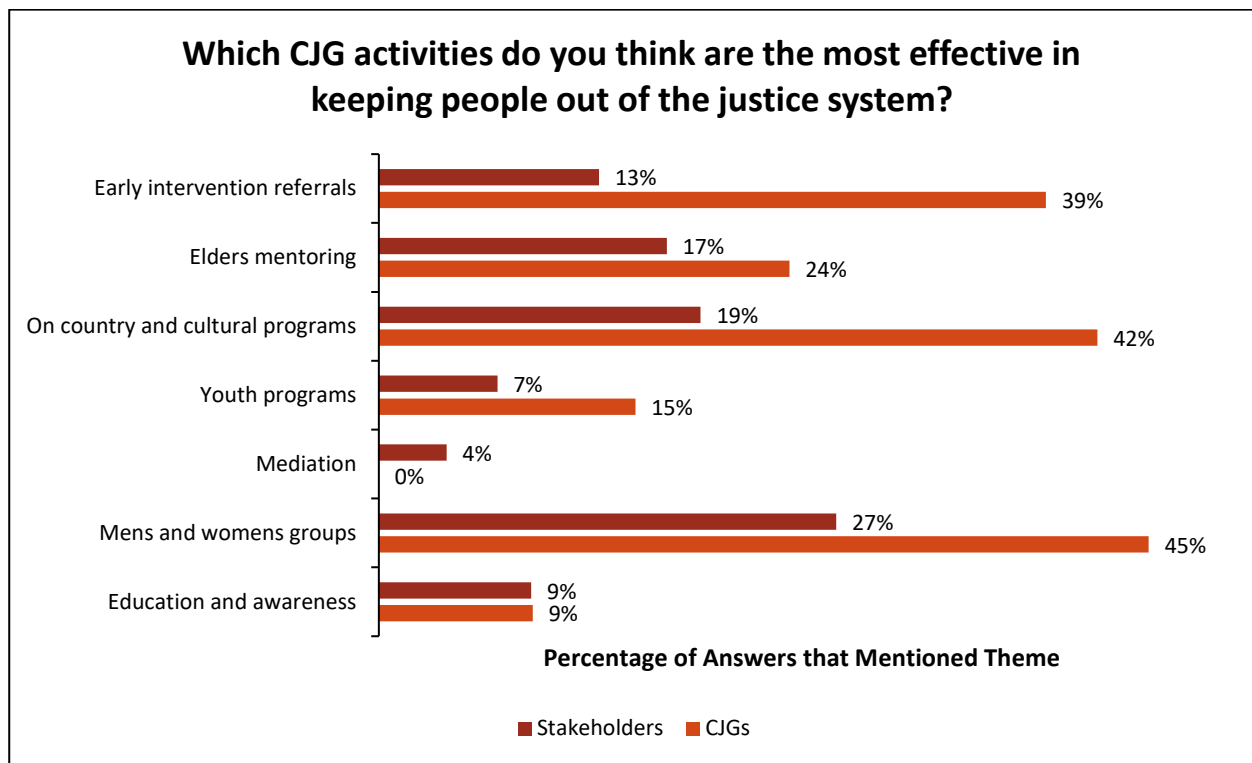
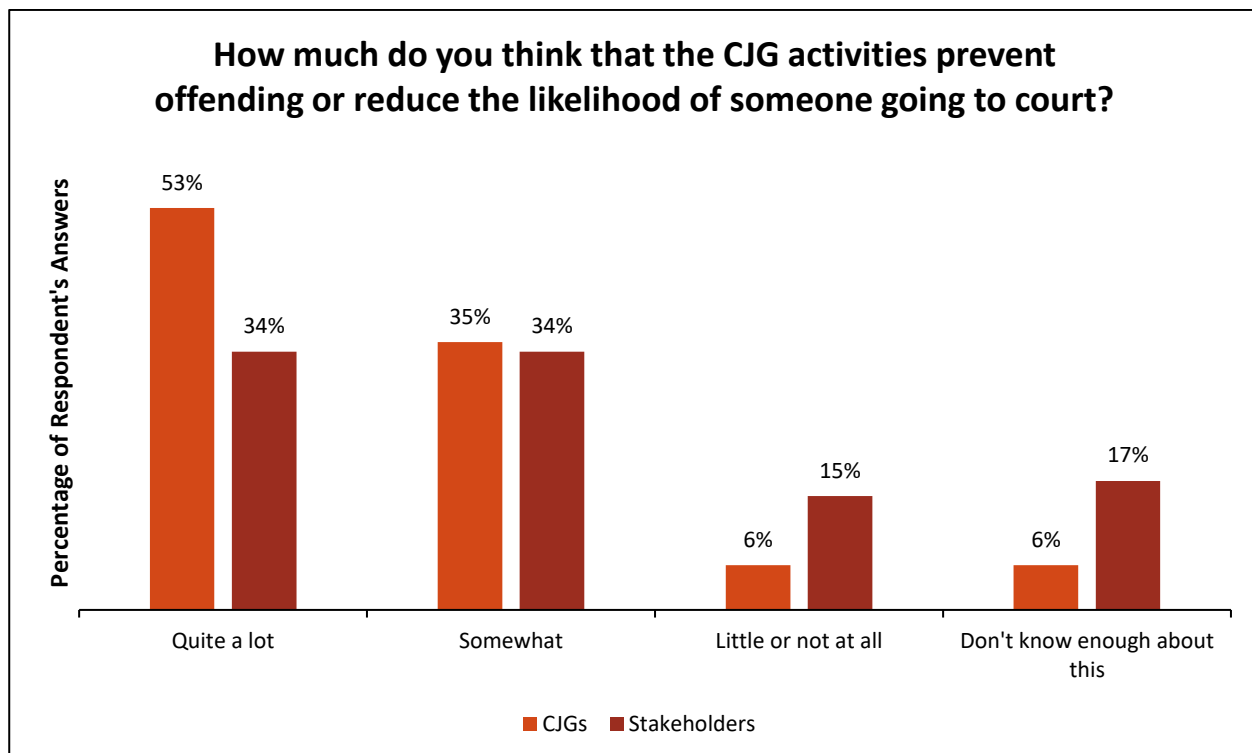


Figure 44. Survey of CJGs (n=34) and Stakeholders (n=119), 2023 (combined n = 153)



²⁴⁹ This chart is based on a thematic analysis of open-ended responses to the questions.

CJG outcomes – Within the court process

Figure 45. Survey of CJGs and Stakeholders (combined) (n = 124)

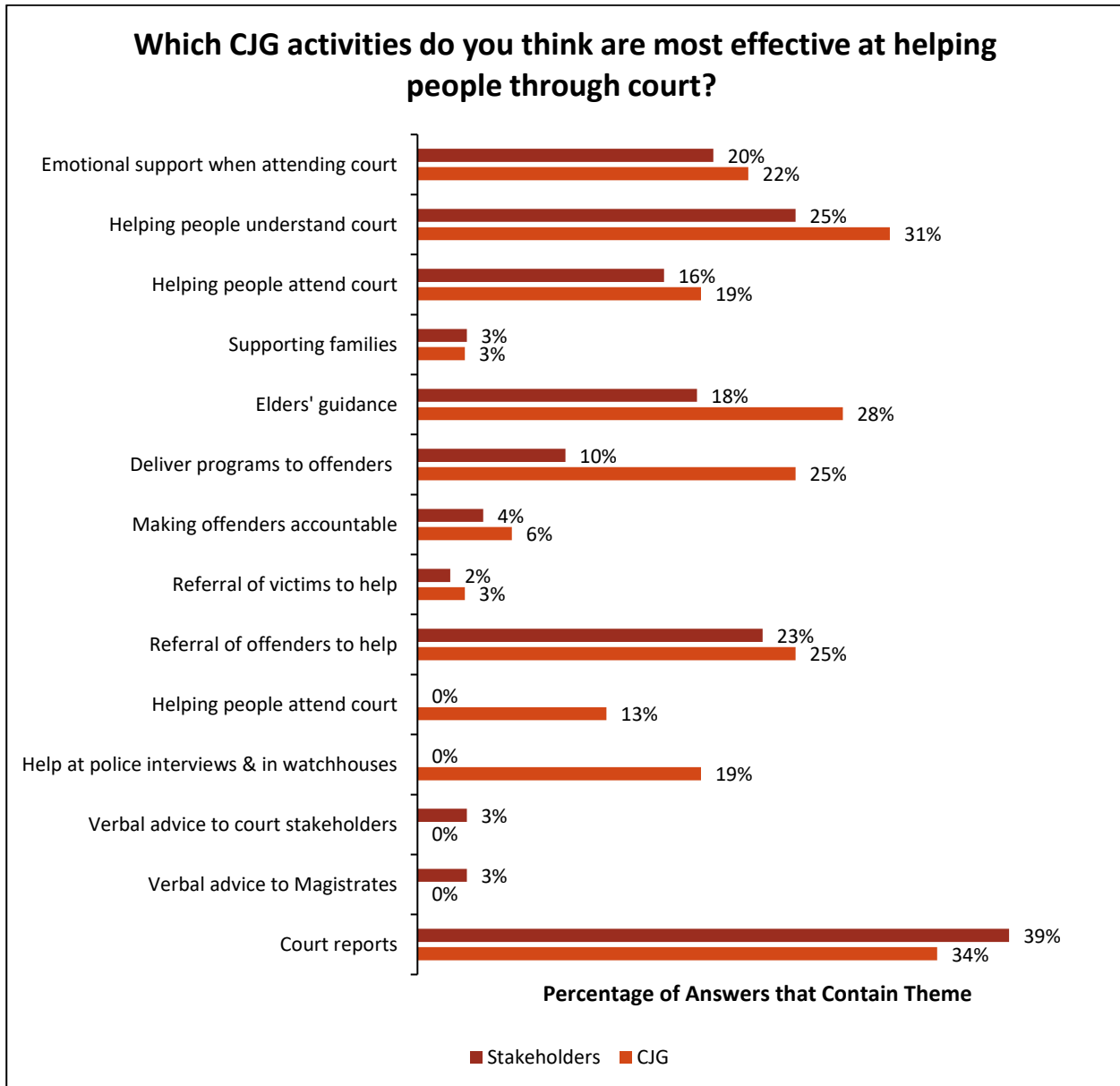


Figure 46. CJGs and Stakeholders (combined) 2023 (n = 123)

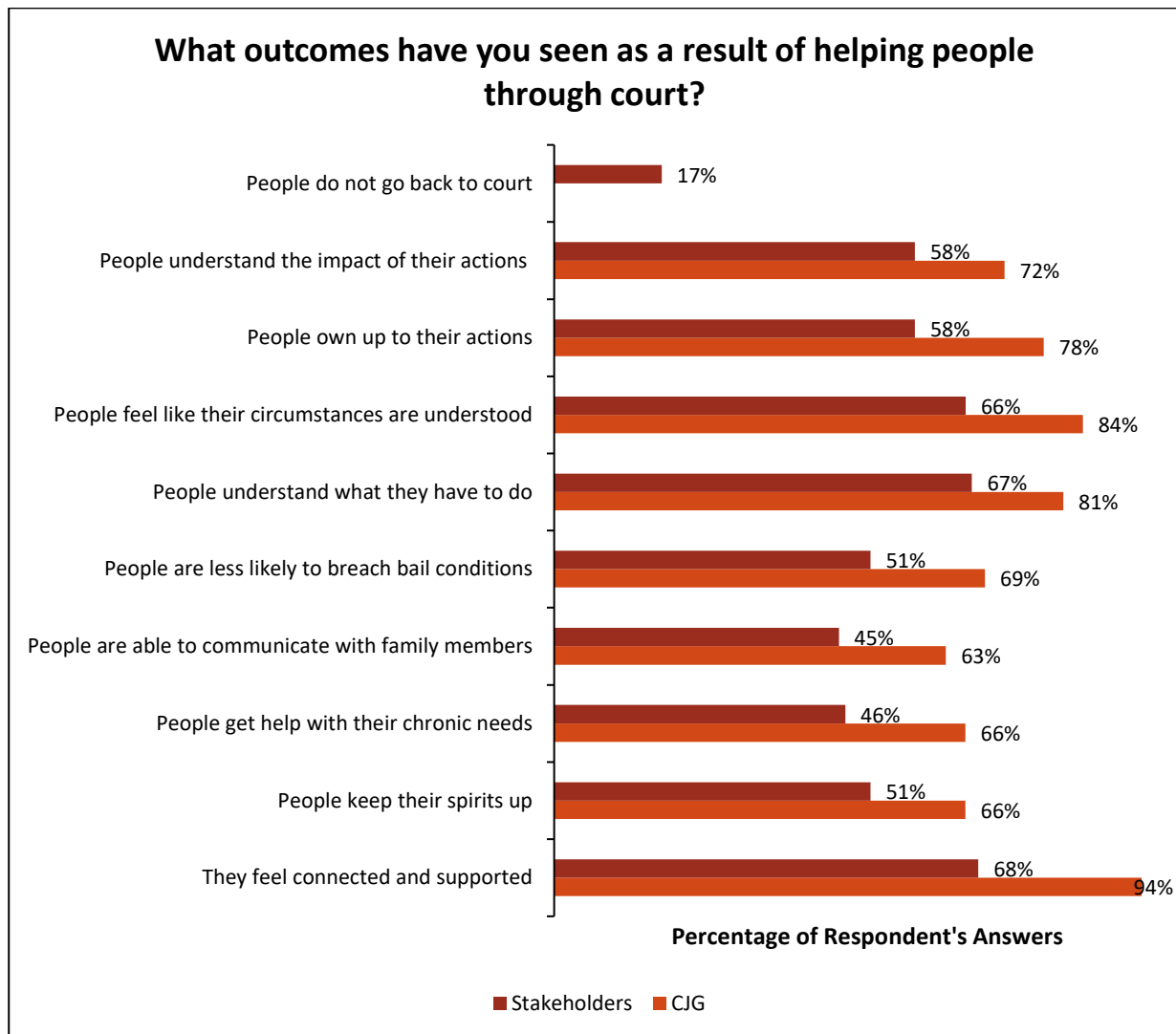


Figure 47. Survey of judicial officers, 2023 (n = 20)

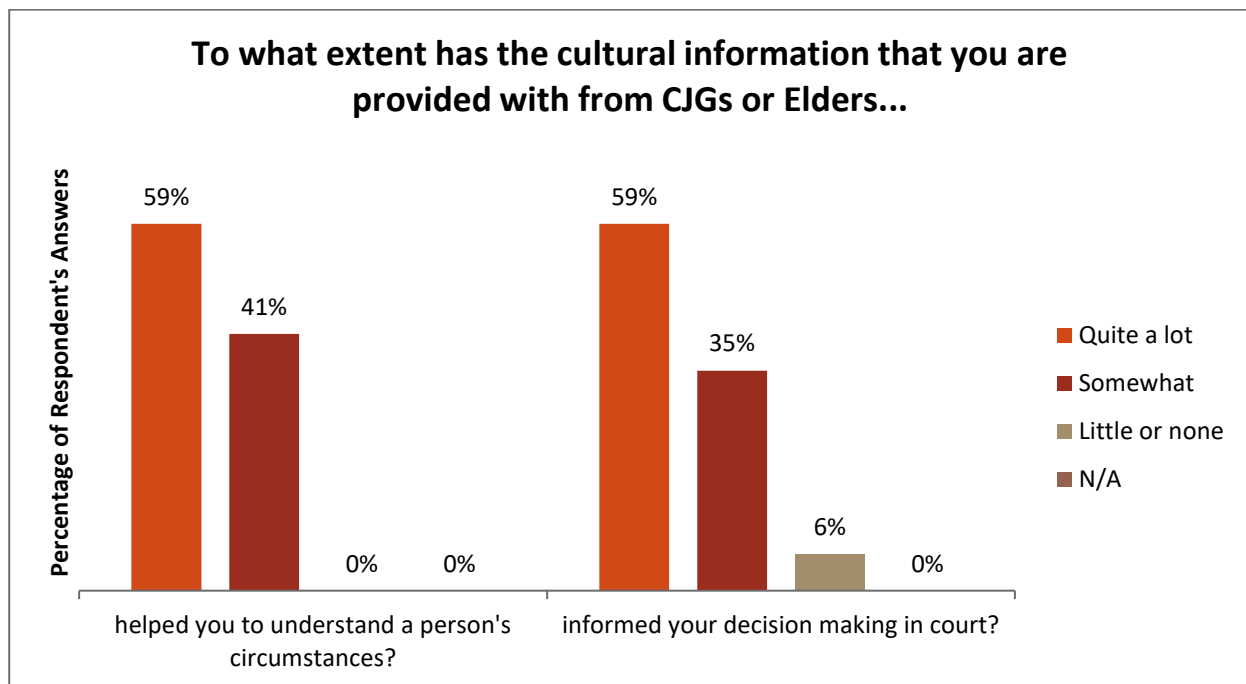


Figure 48. Survey of Stakeholders (Government, non-government and Community), 2023 (n = 91)

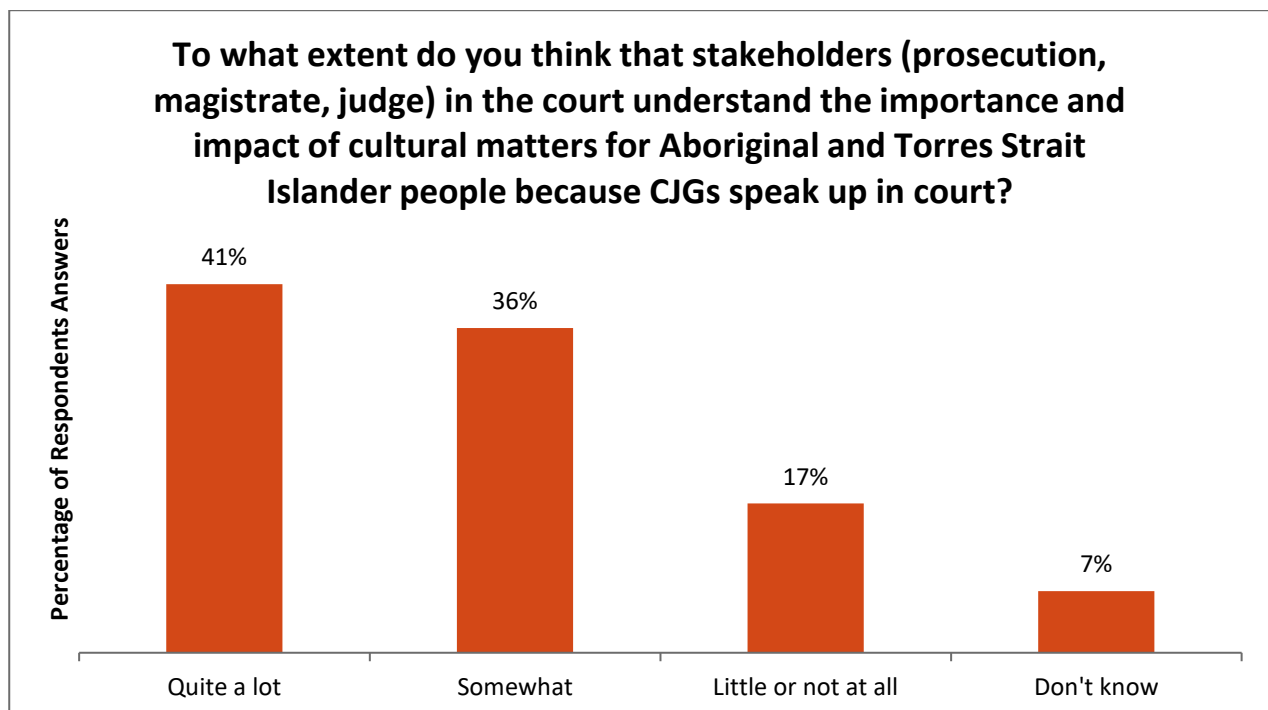


Figure 49. Survey of Stakeholders (Government, non-government and Community), 2023 (n = 102)

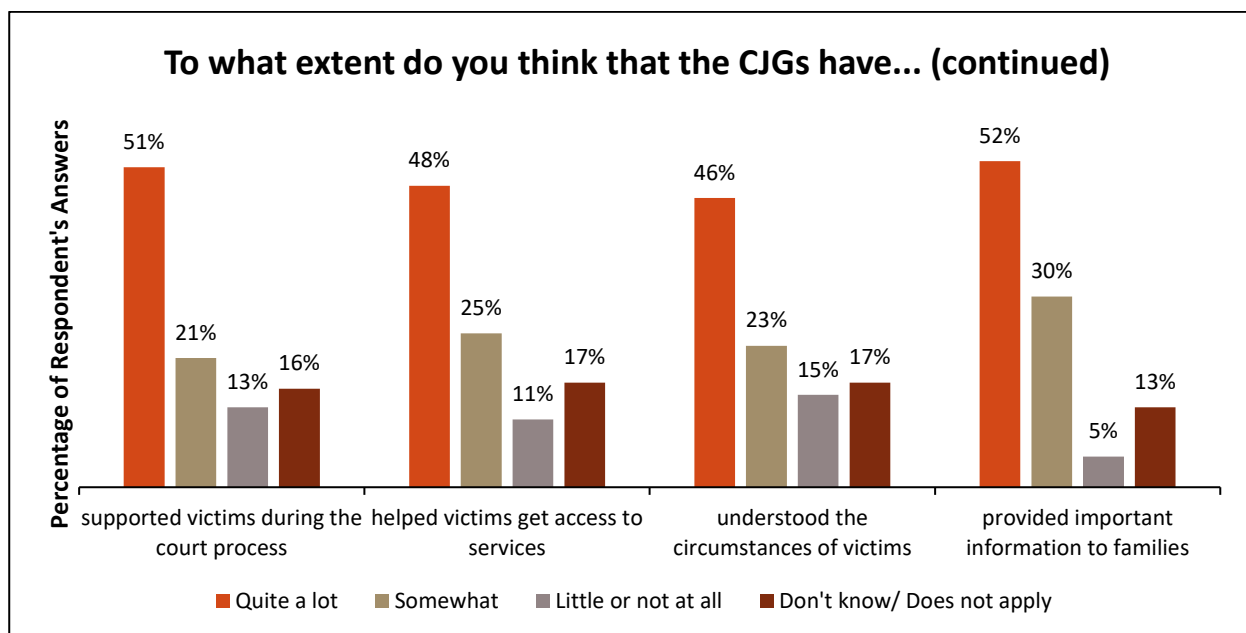
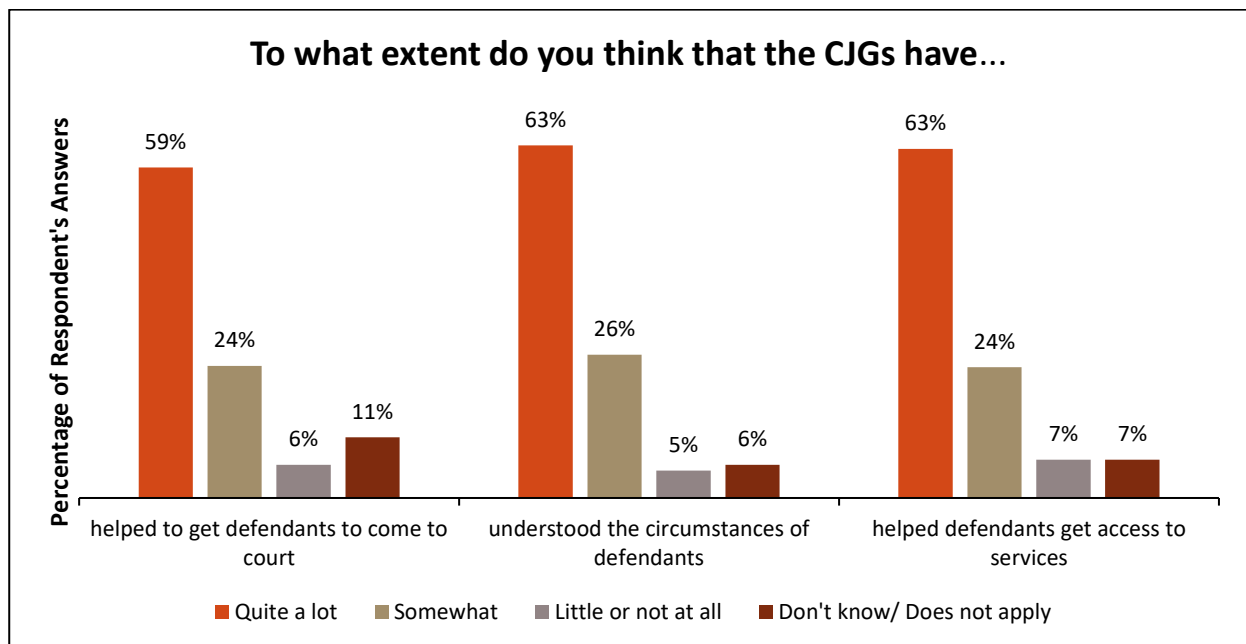


Figure 50. Survey of judicial officers, 2023 (n = 17)

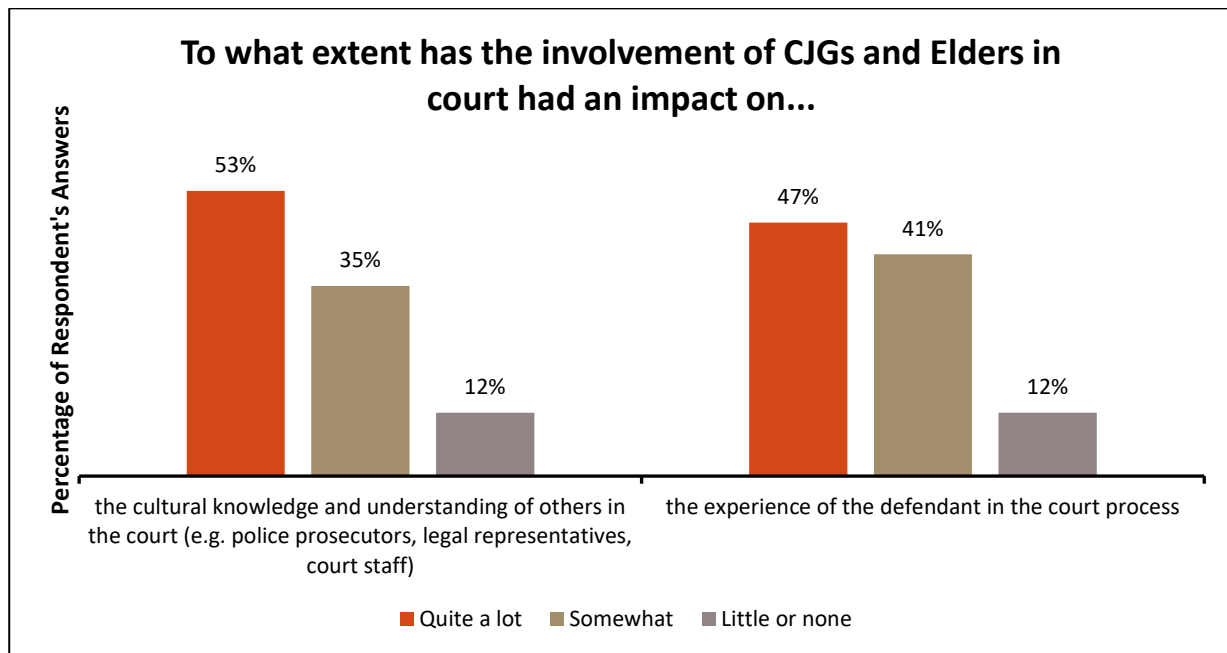


Figure 51. Survey of CJGs, 2023 (n = 32)

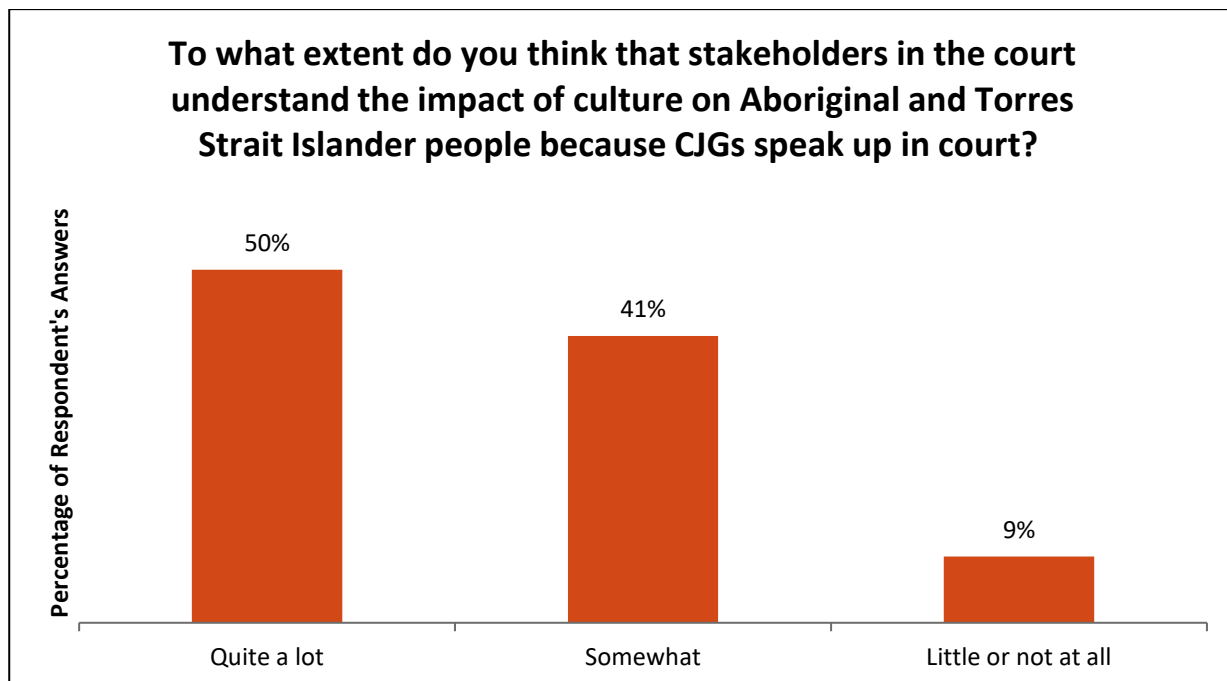


Figure 52. Survey of judicial officers, 2023 (n = 17)

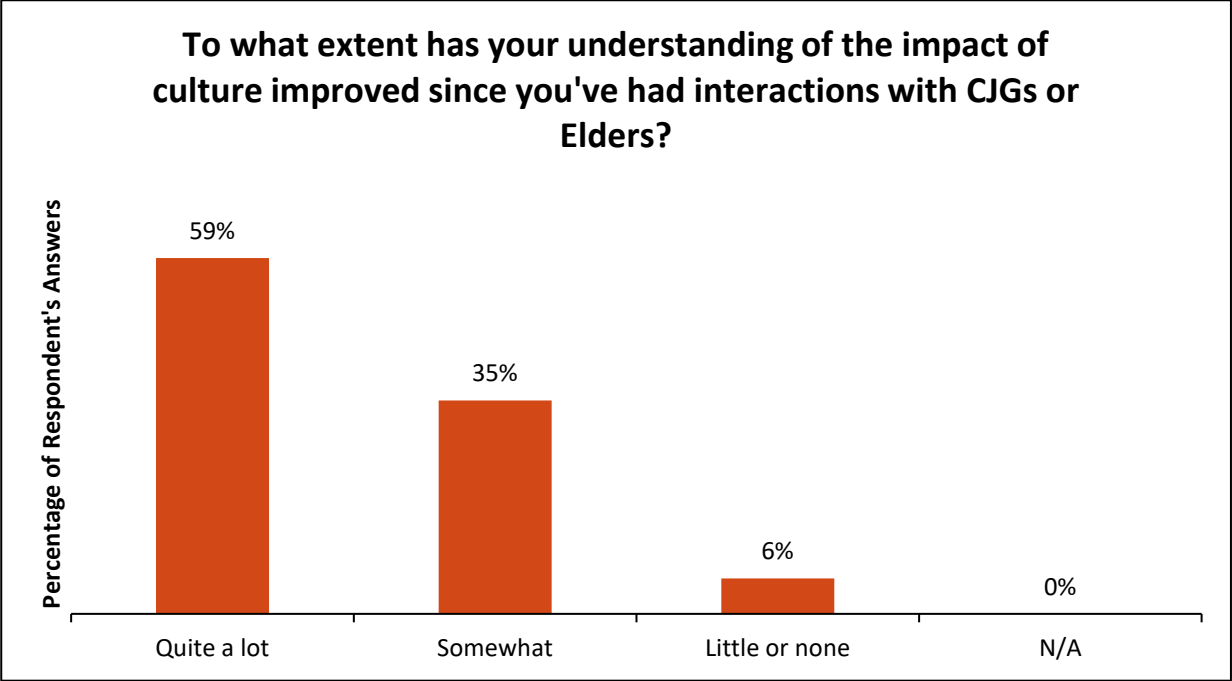


Figure 53. Survey of CJGs, 2023 (n = 32)

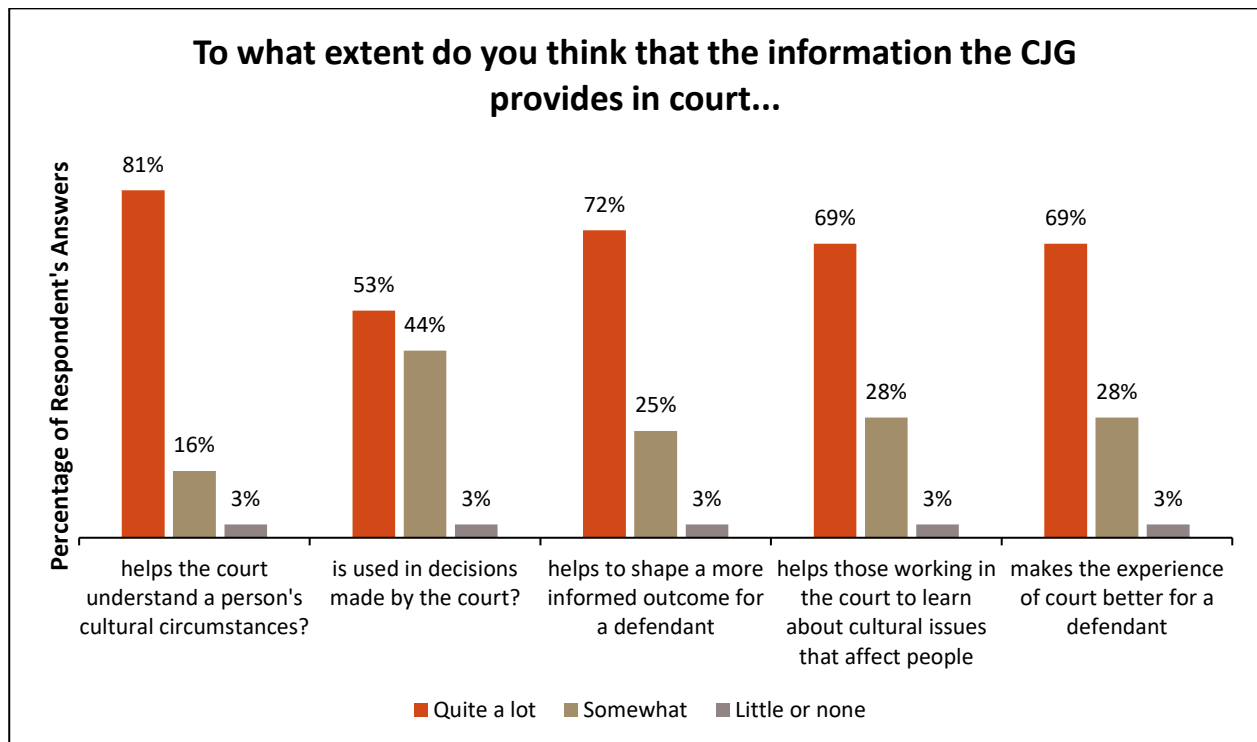


Figure 54. Survey of Stakeholders (Government, non-government and Community), 2023 (n = 99)

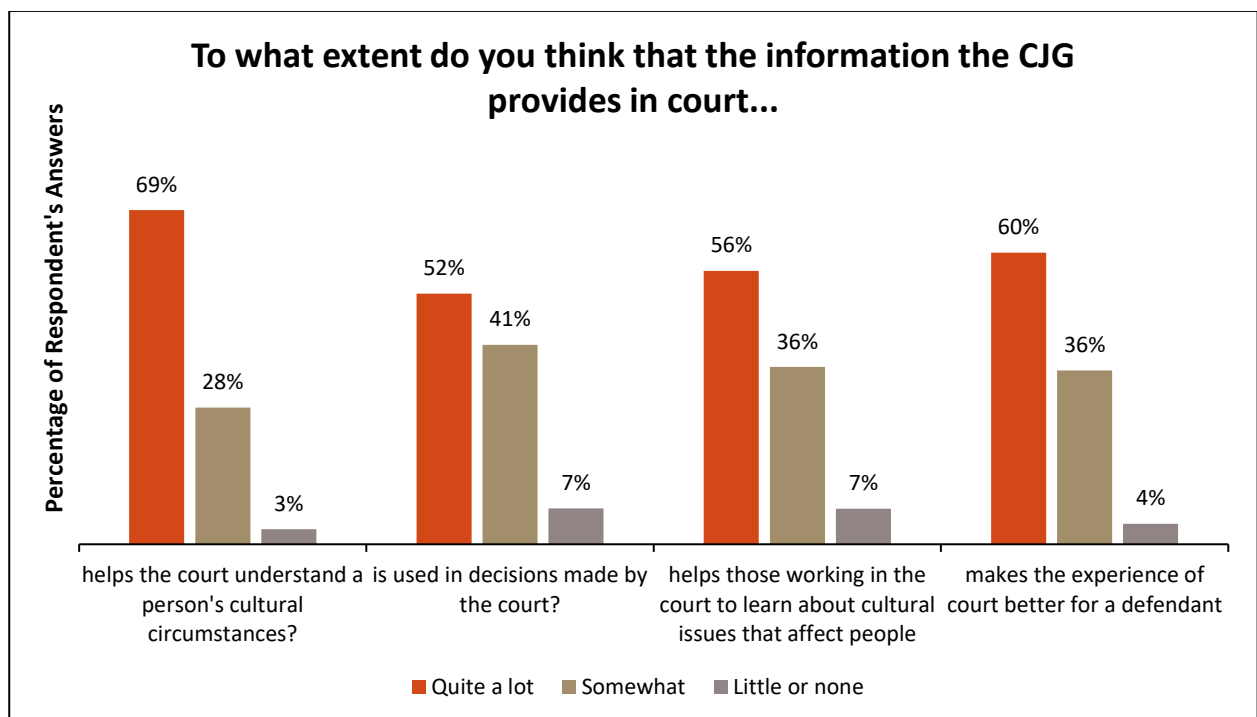


Figure 55. Survey of Stakeholders (Government, non-government and Community), 2023 (n = 91)

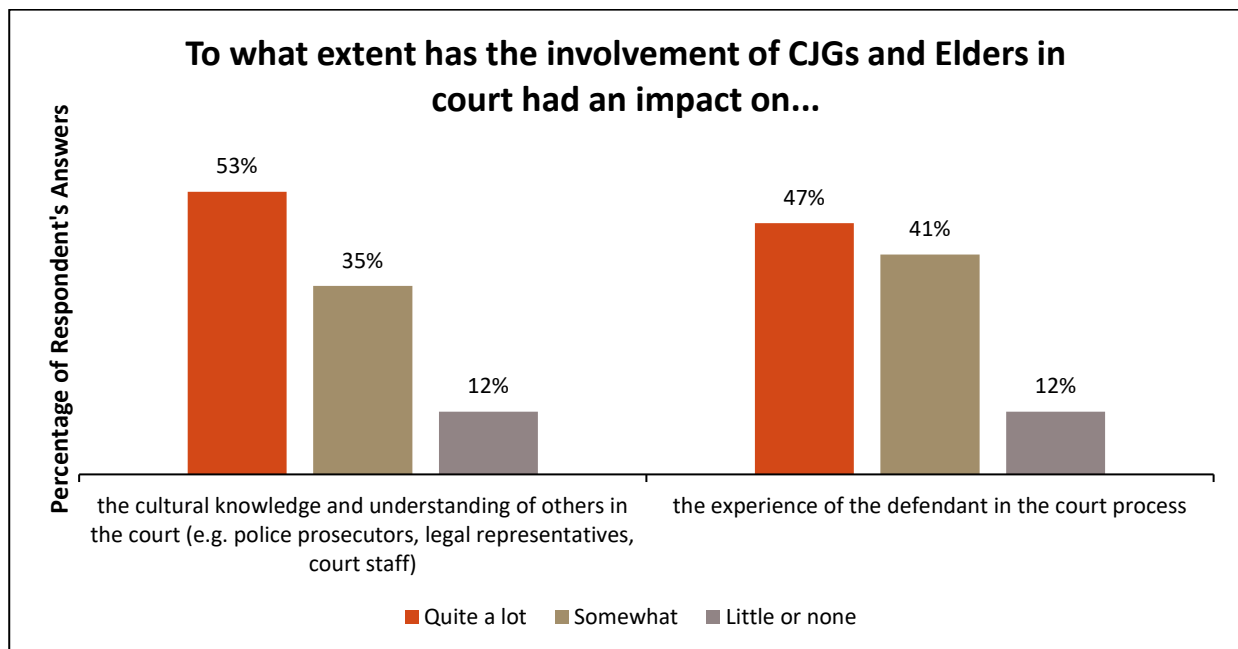


Figure 56. Survey of CJGs, 2023 (n = 32)

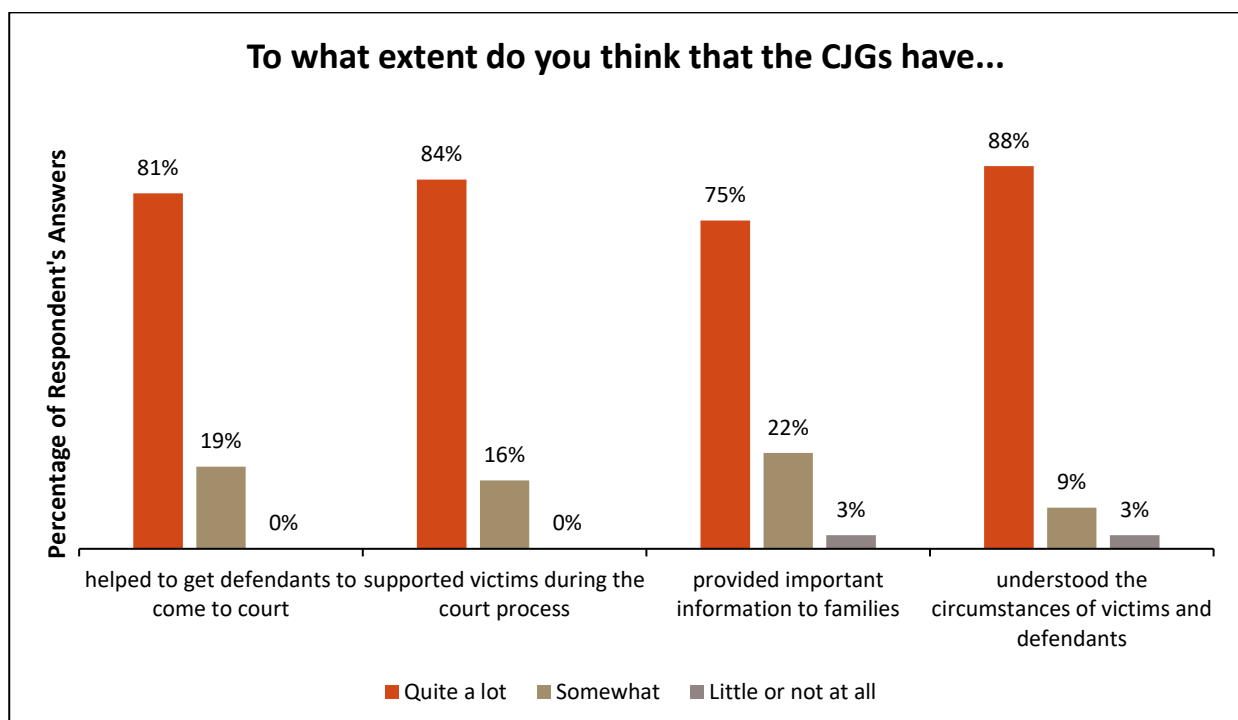


Figure 57. Survey of CJG, 2023 (n = 32)

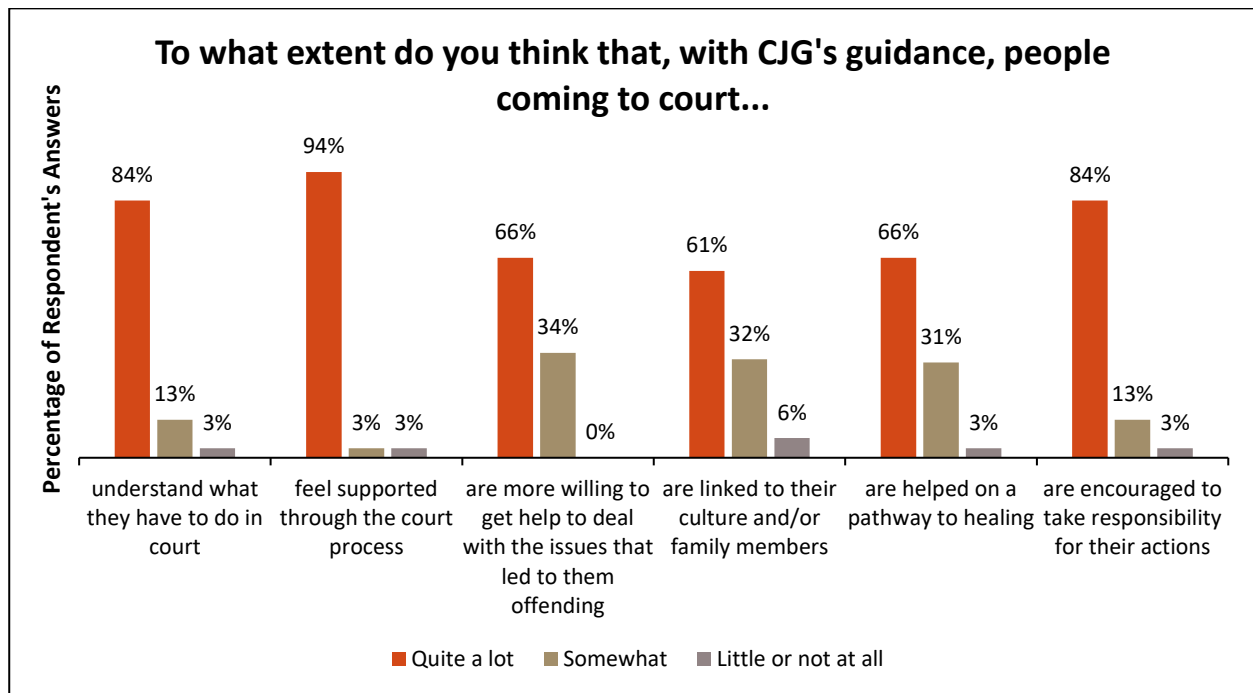


Figure 58. Survey of Stakeholders (Government, non-government and Community), 2023 (n = 100)

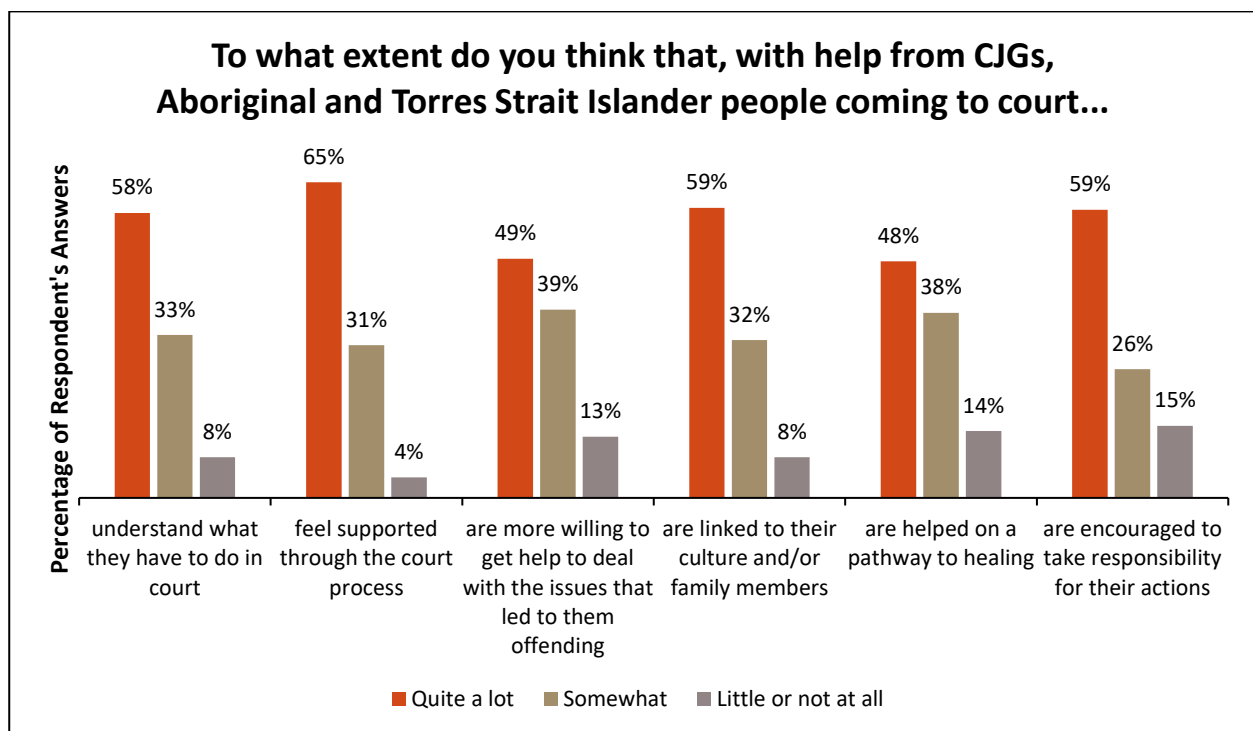


Figure 59. Survey of CJGs, 2023 (n=32)

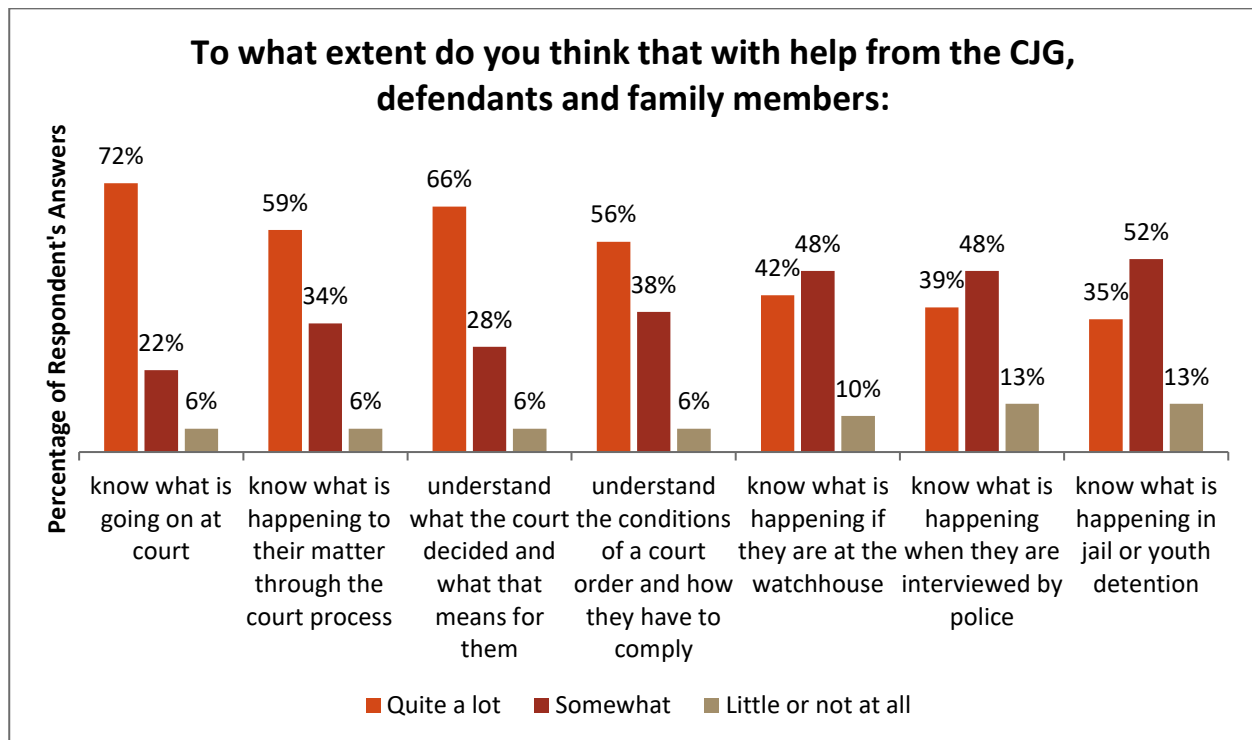


Figure 60. Survey of Stakeholders (Government, non-government and Community), 2023 (n = 99)

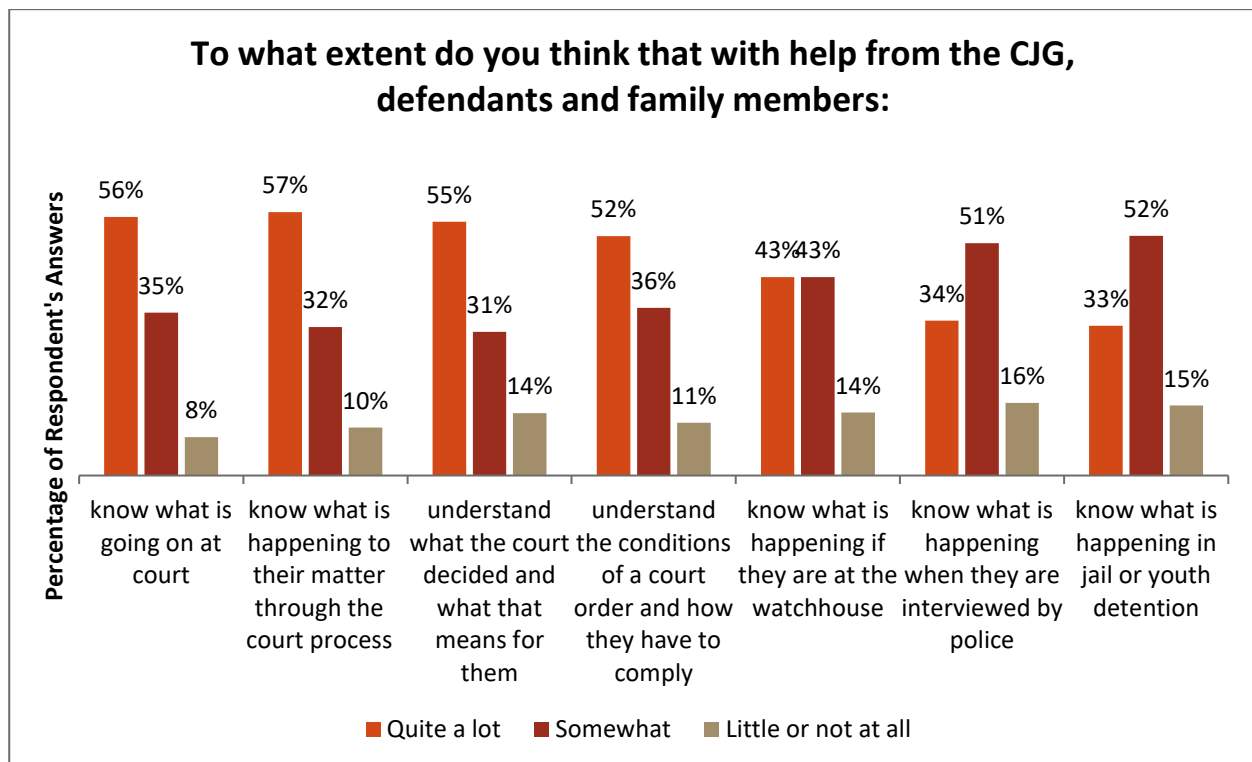


Figure 61. Survey of CJGs, 2023 (n = 32)

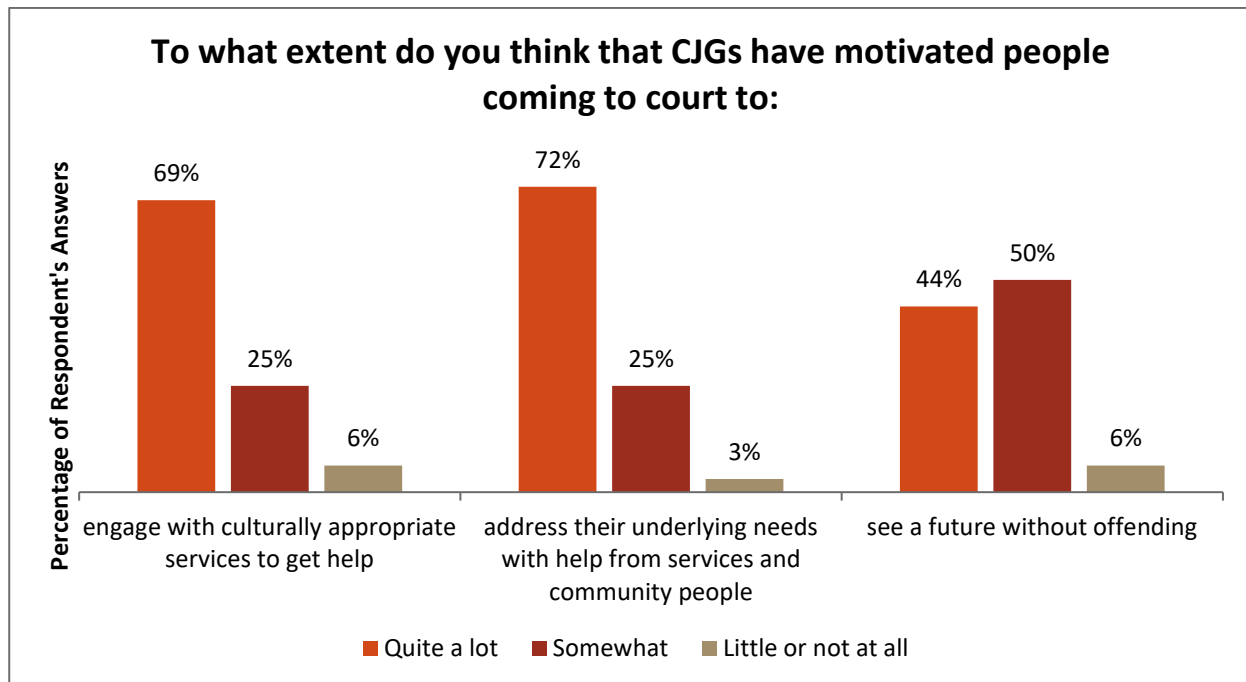


Figure 62. Survey of Stakeholders (Government, non-government and Community), 2023 (n = 99)

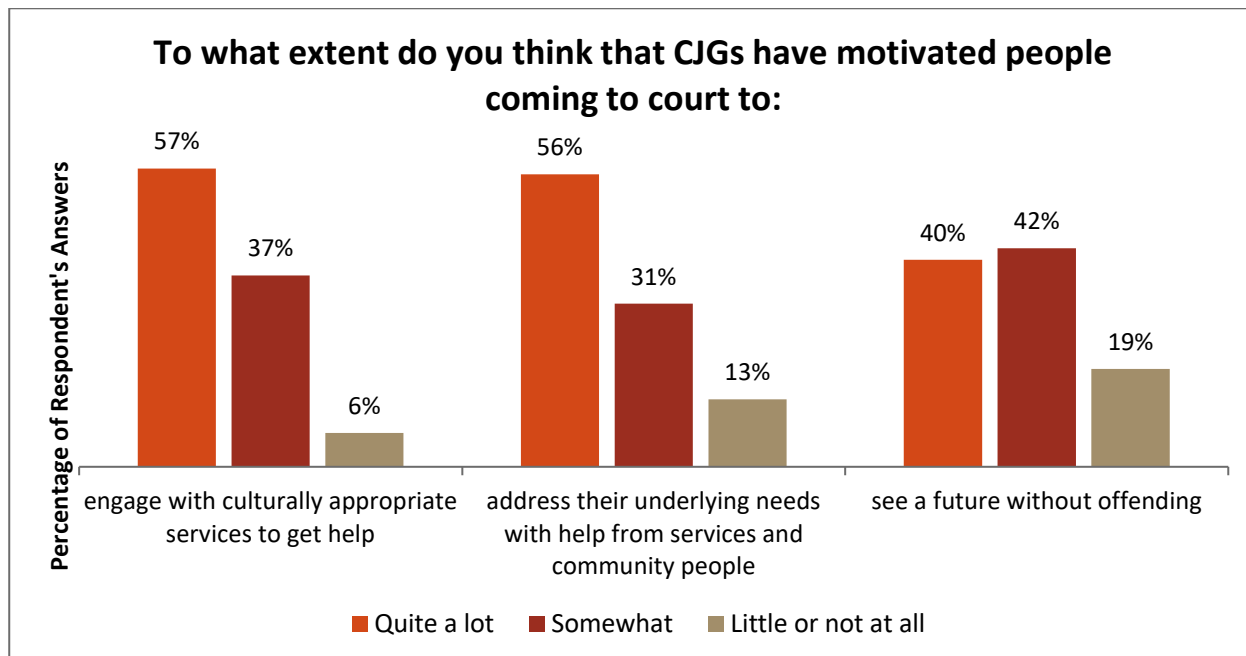


Figure 63. Survey of judicial officers, 2023 (n = 17)

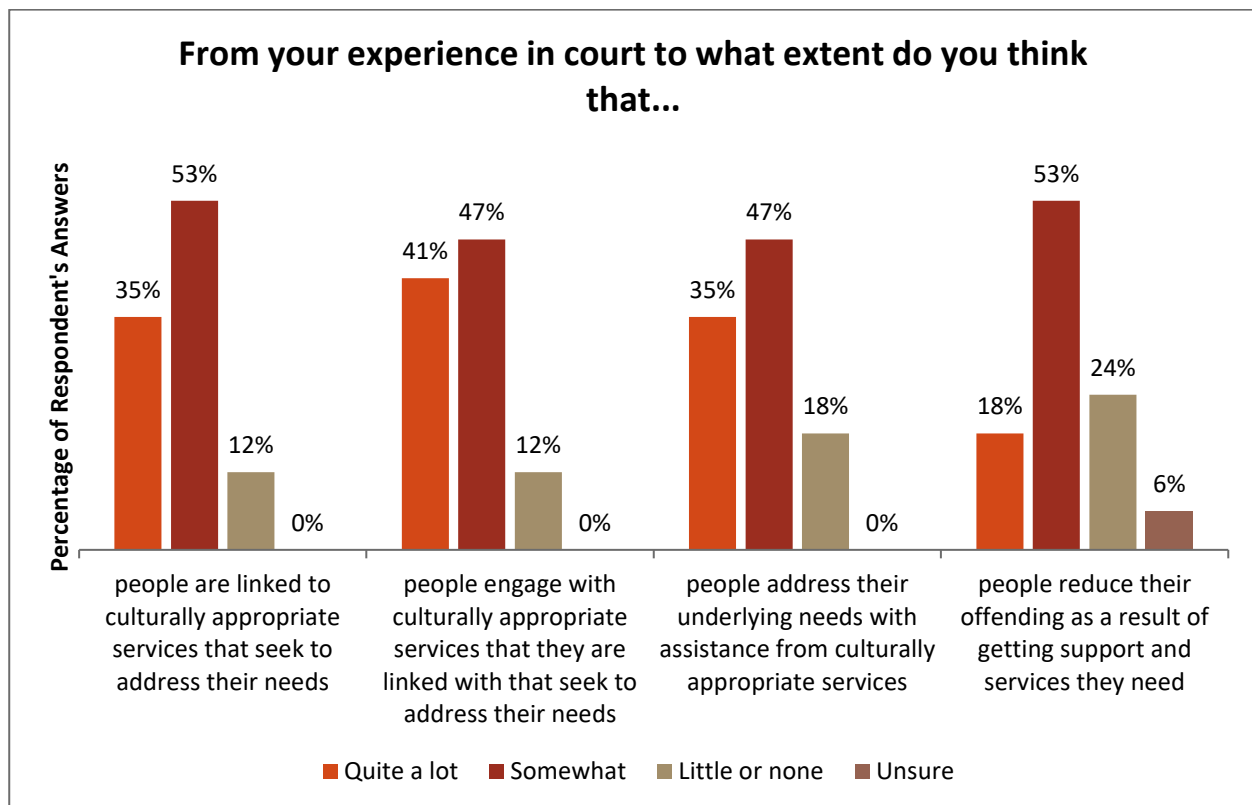


Figure 64. Survey of judicial officers, 2023 (n = 17)

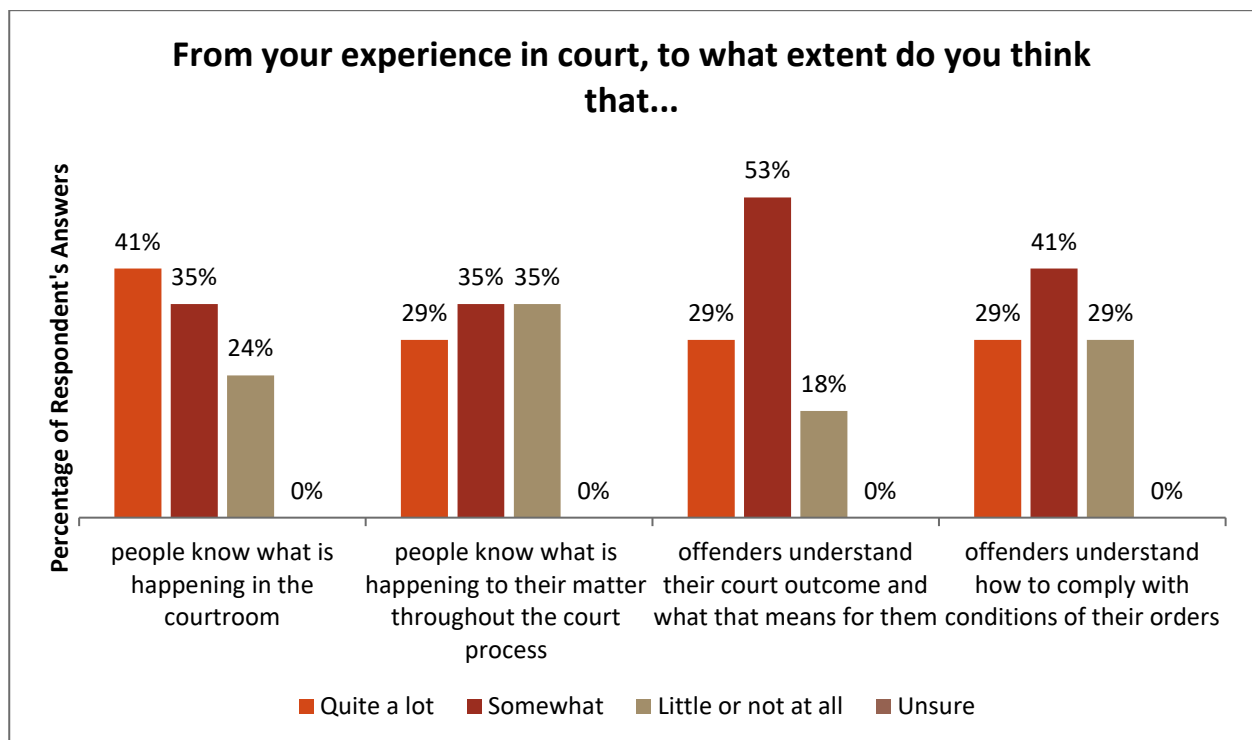
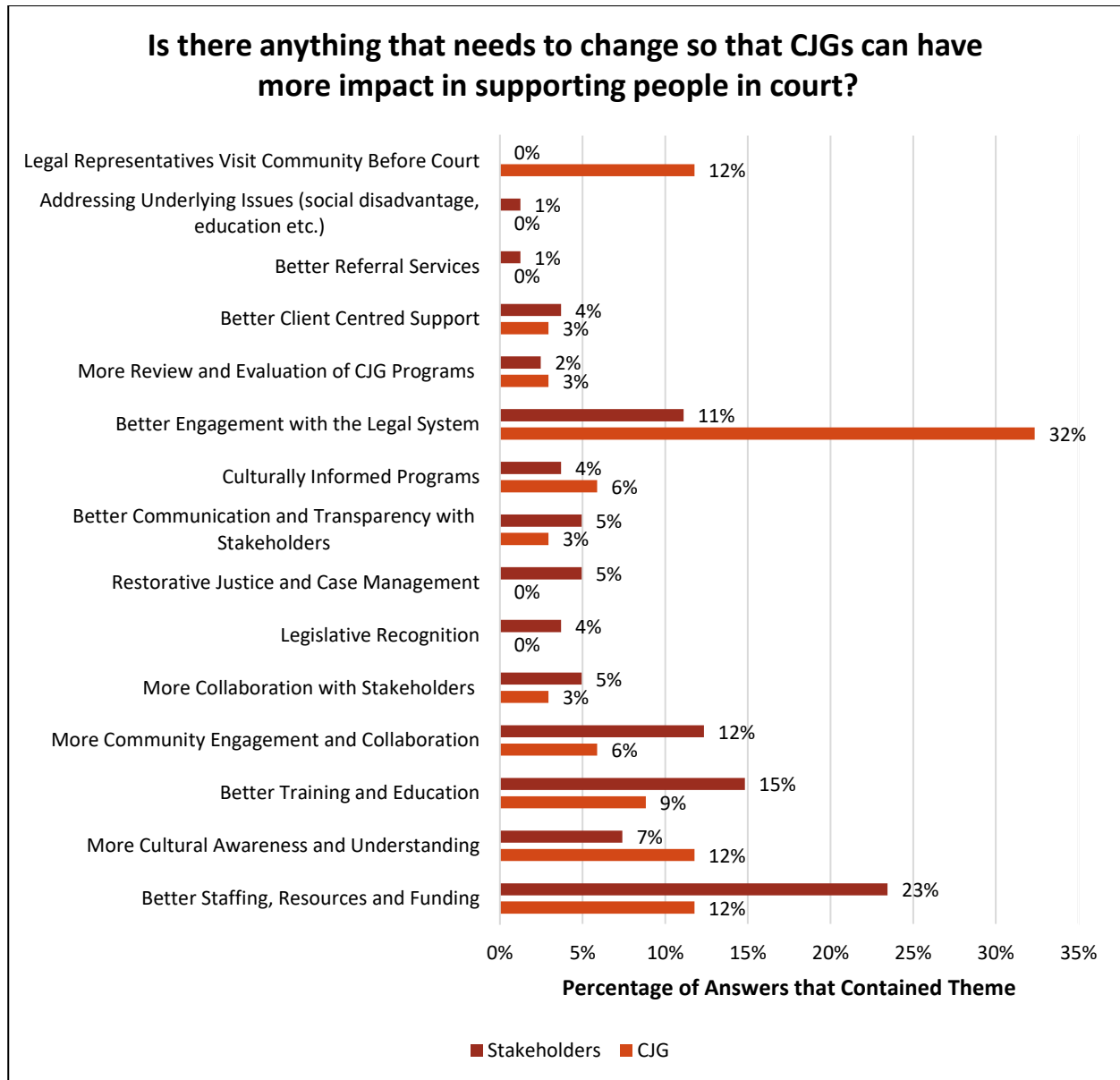


Figure 65. CJGs and Stakeholders (combined) 2023, (n = 109)



CJG outcomes – In custody and returning from custody

Figure 66. Survey of CJGs, 2023 (n = 30)

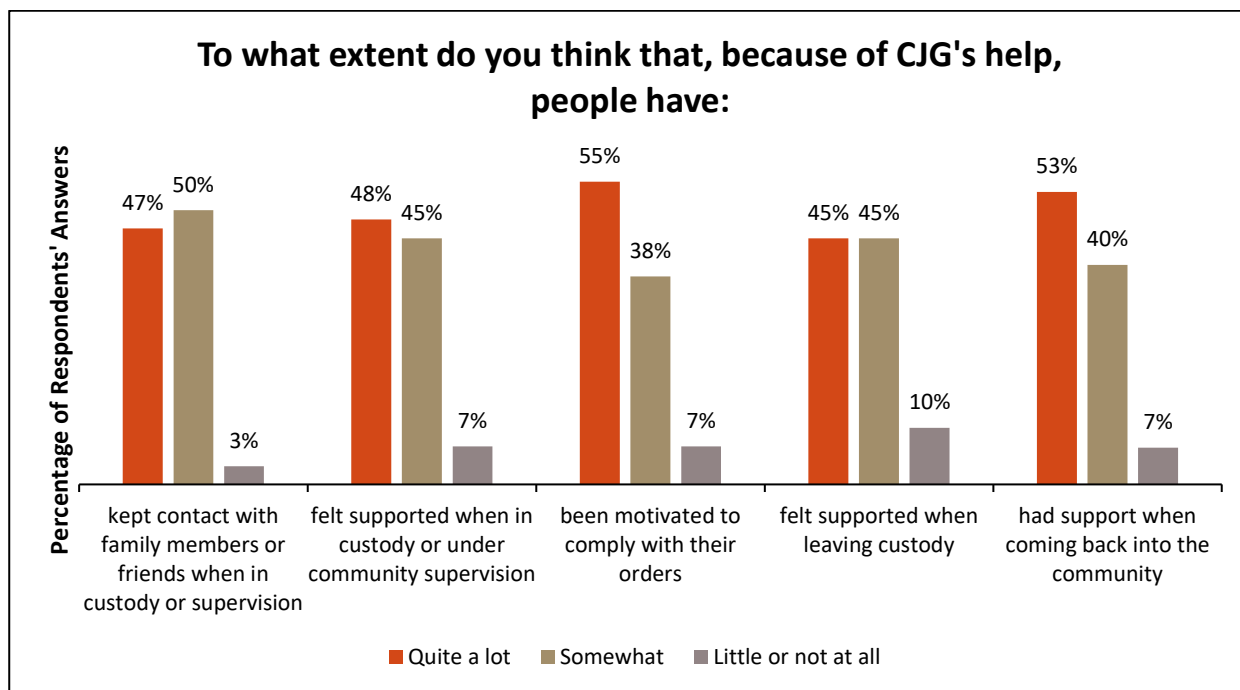


Figure 67. Survey of stakeholders, 2023 (n = 90)

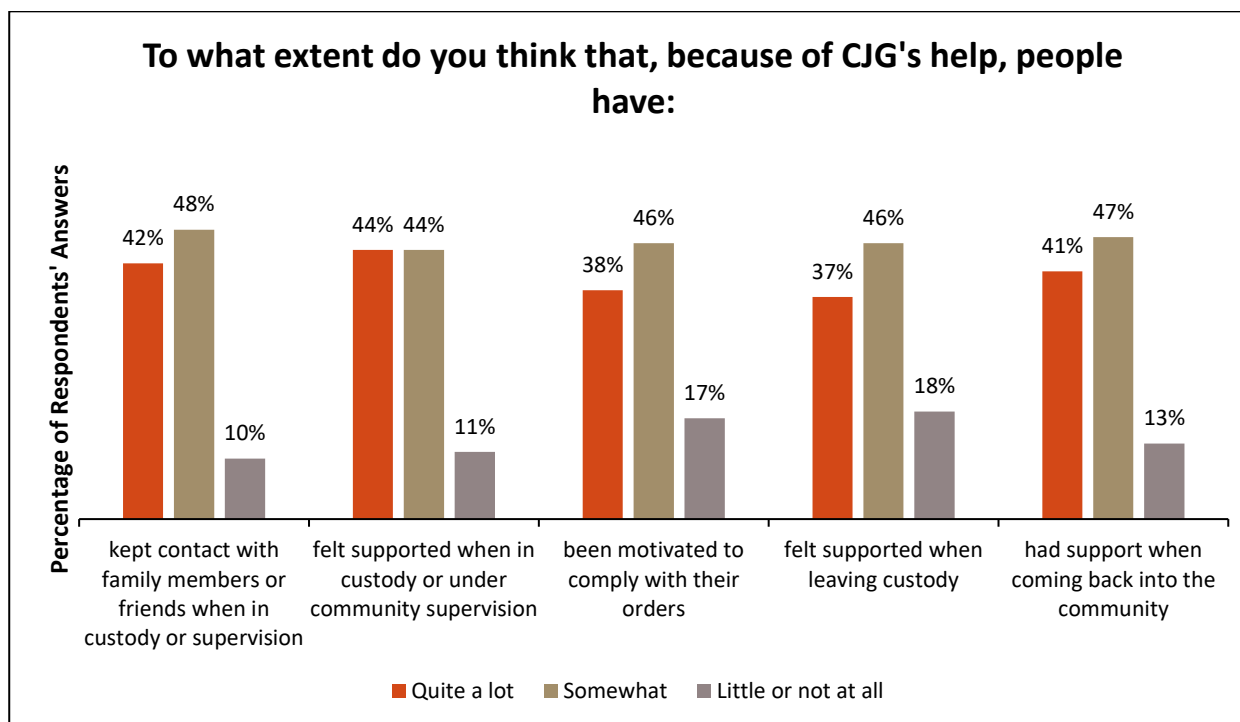


Figure 68. Survey of stakeholders, 2023 (n = 84)

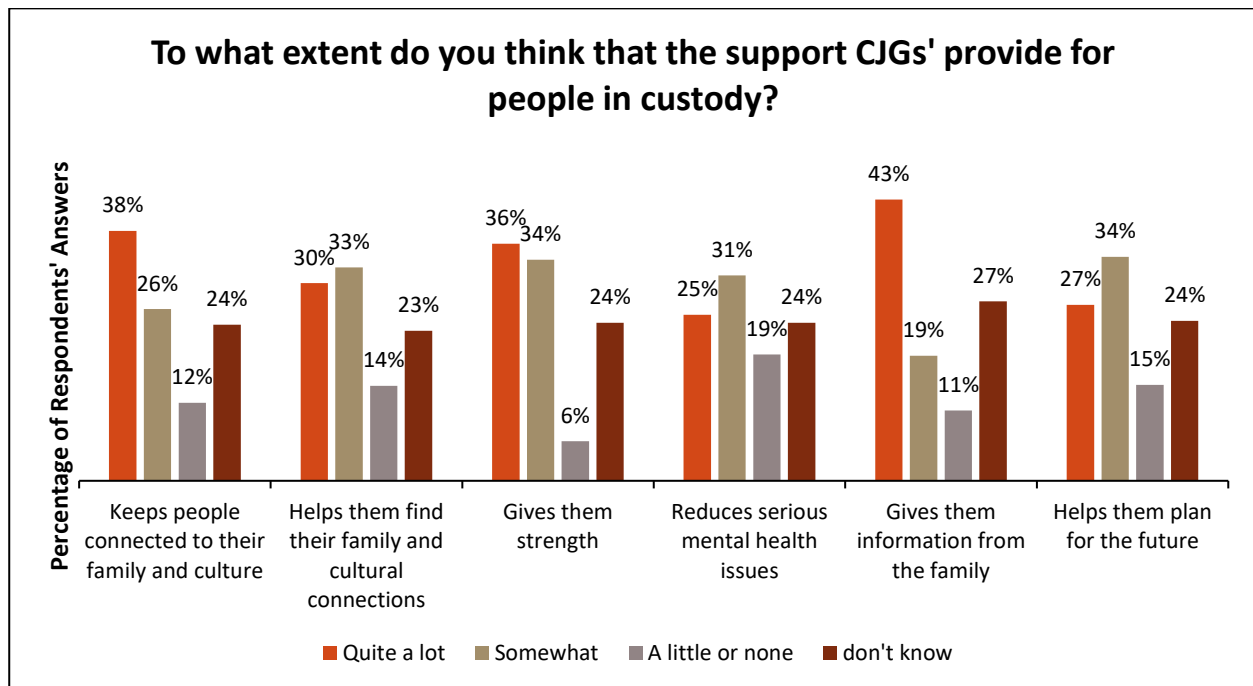


Figure 69. Survey of stakeholders, 2023 (n = 85)

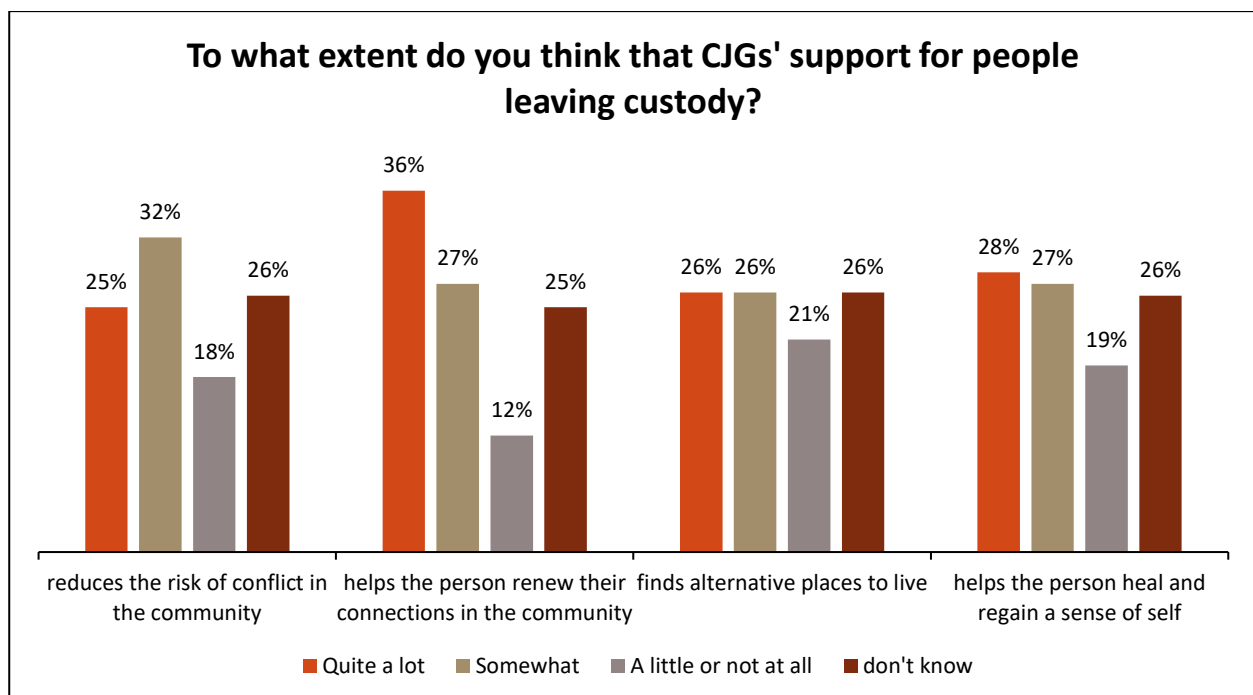
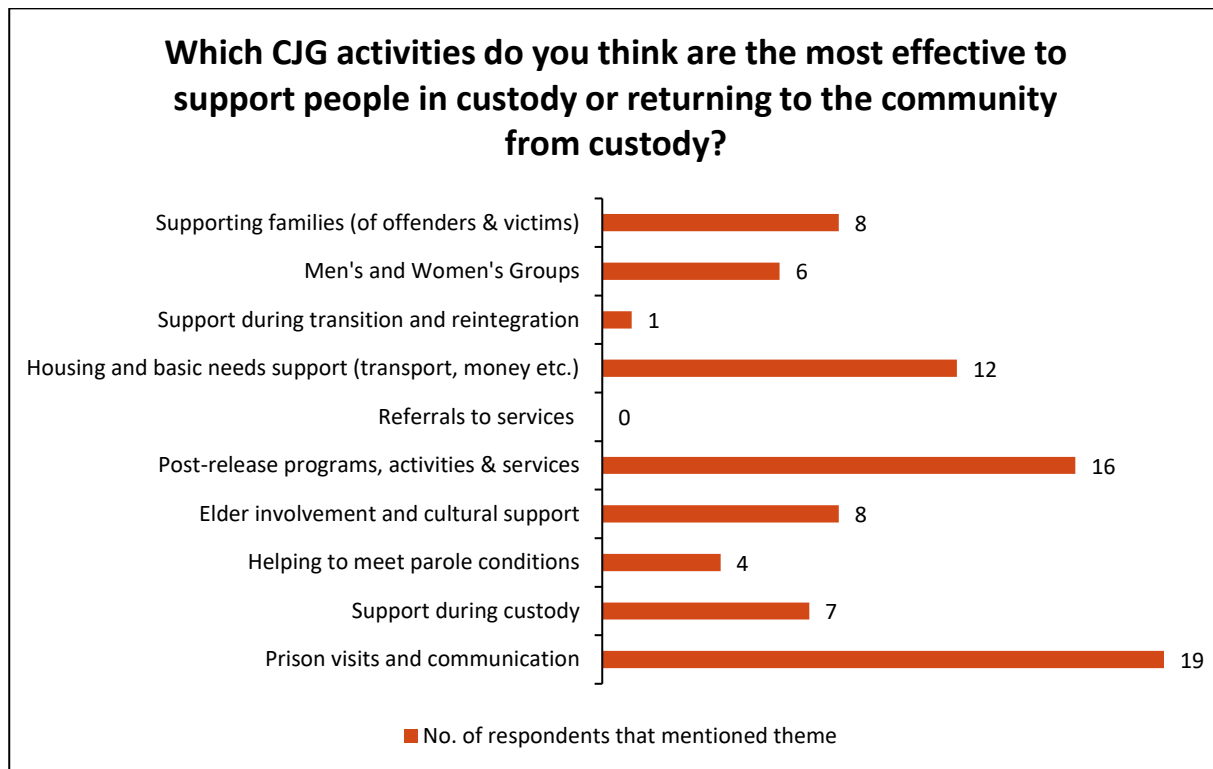
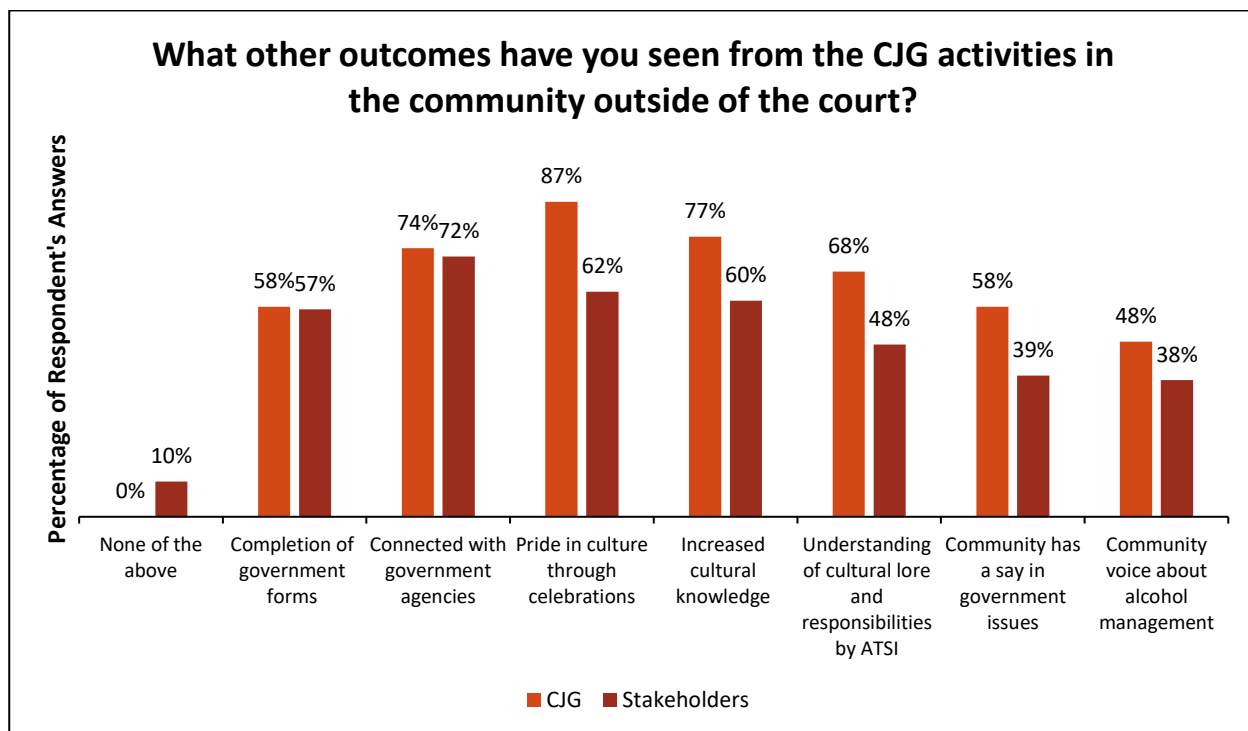


Figure 70. Survey of stakeholders, 2023 (n = 71)



CJG outcomes – In the community

Figure 71. CJGs and Stakeholders (combined) 2023, (n = 109)



CJG outcomes – Supporting Government and non-government stakeholders

Figure 72. Survey of stakeholders, 2023 (n = 70)

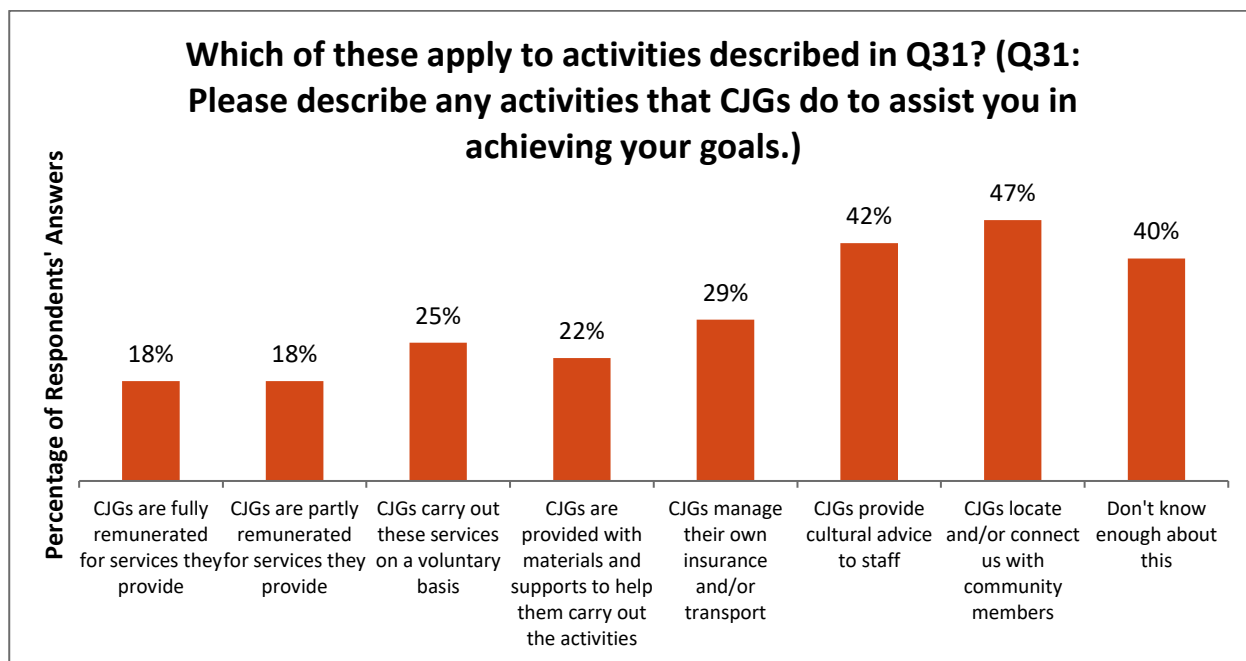


Figure 73. Survey of stakeholders, 2023 (n = 82)

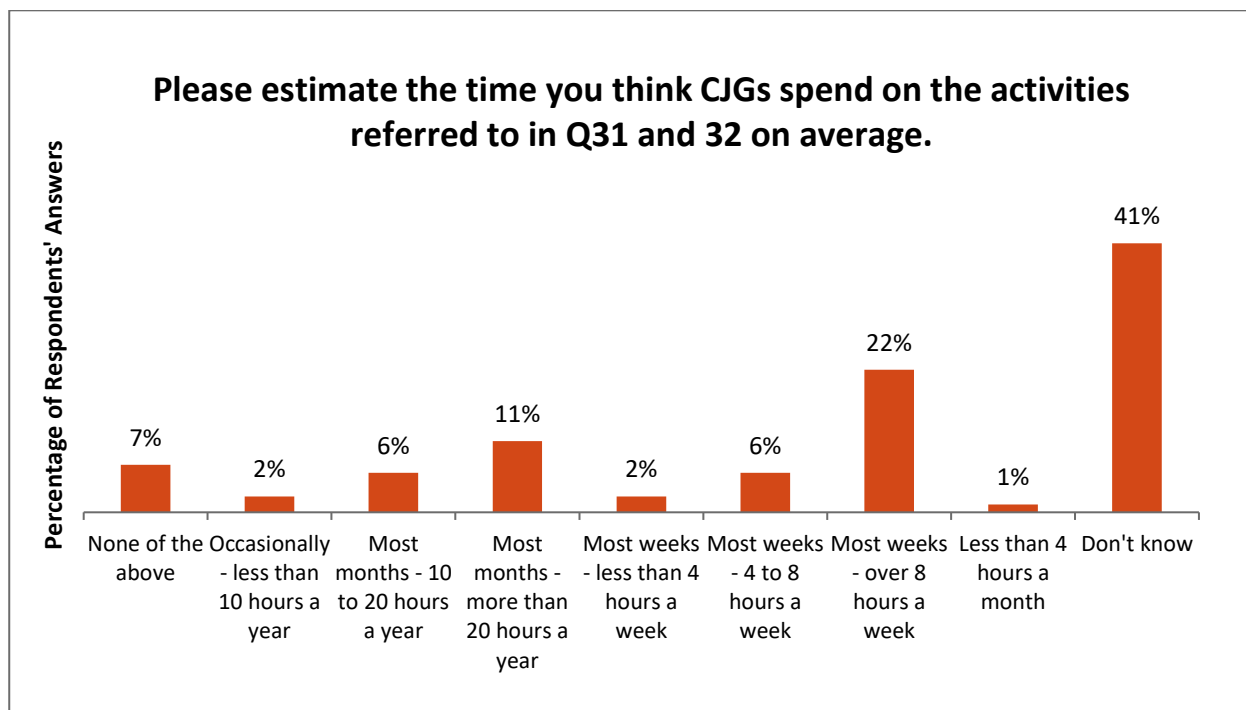
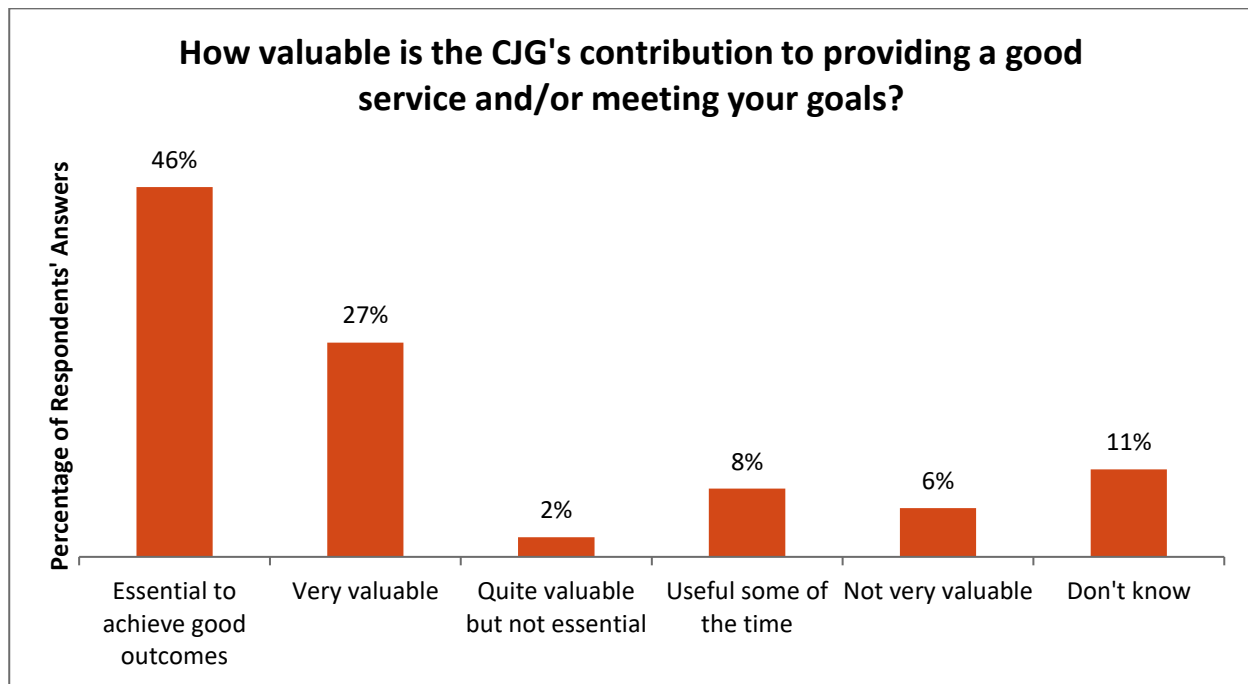


Figure 74. Survey of stakeholders, 2023 ($n = 83$)



CJG outcomes – DFV

Figure 75. Survey of judicial officers, 2023 (n = 12)

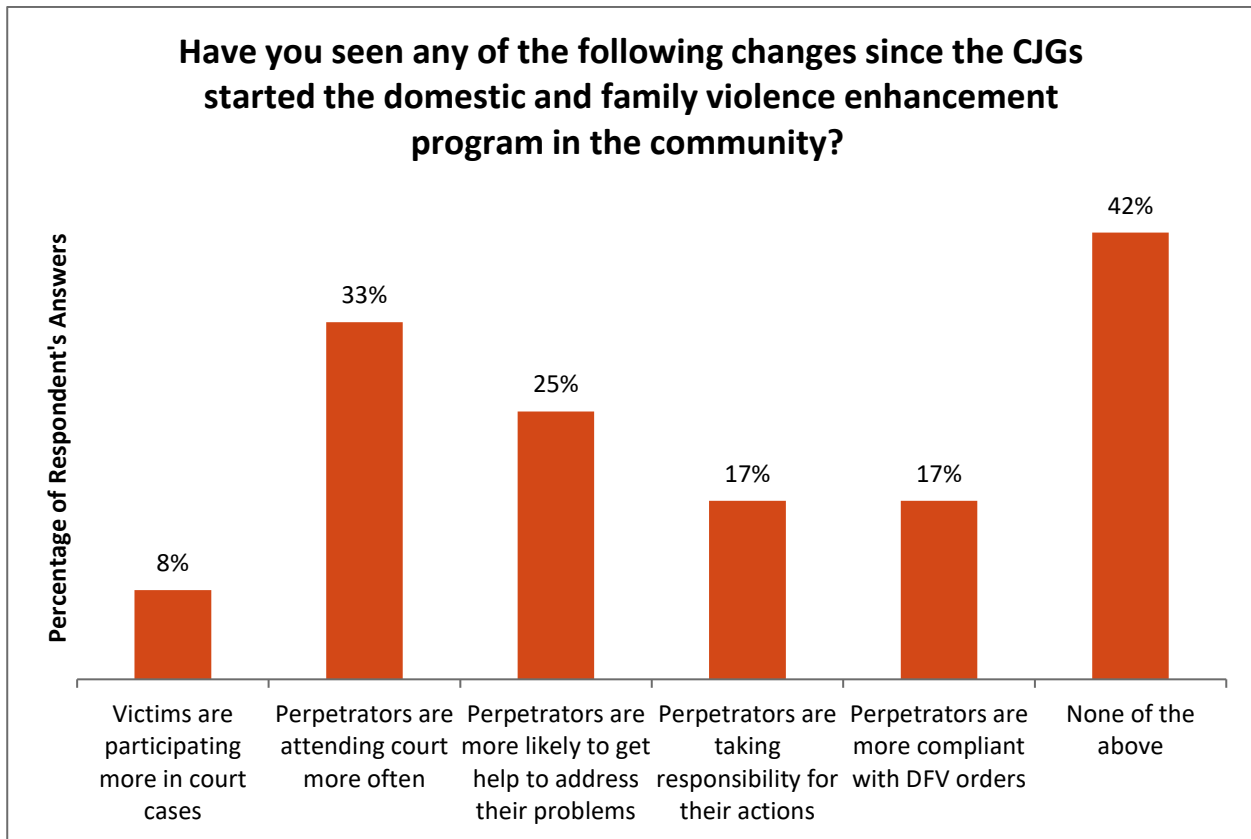
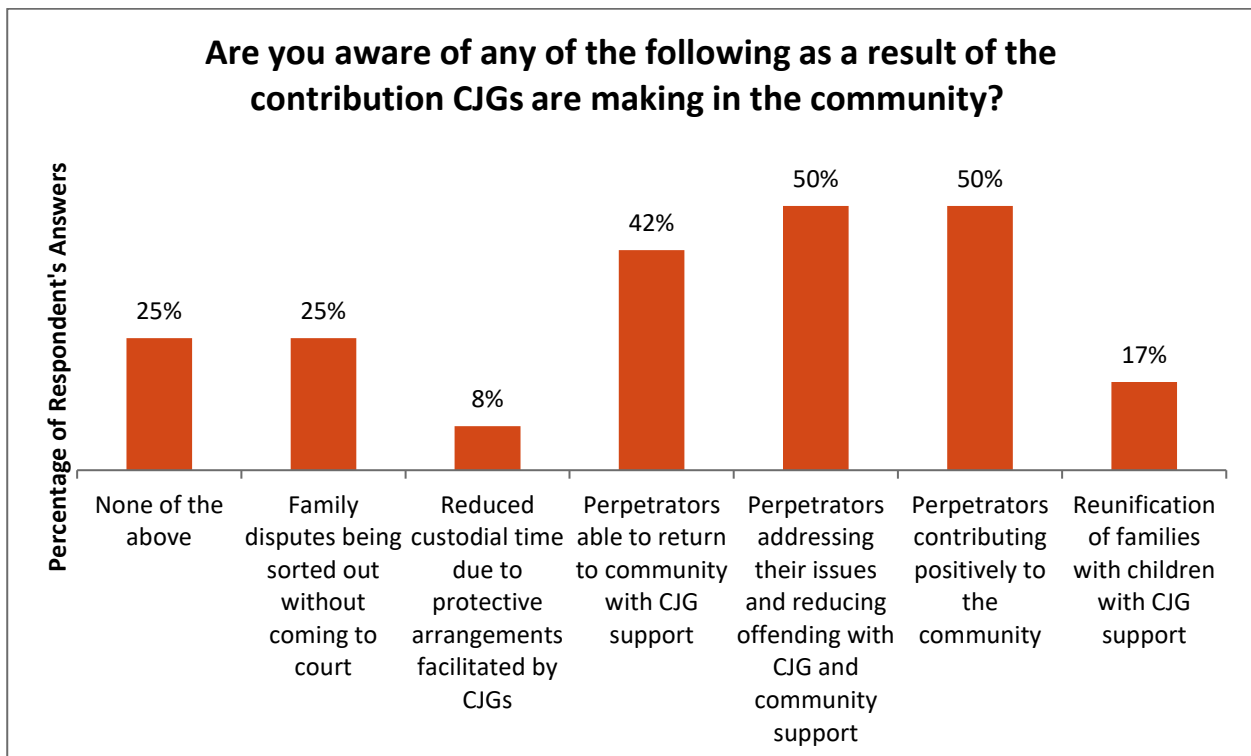


Figure 76. Survey of judicial officers, 2023 (n = 12)



CJG outcomes – Overall

Figure 77. CJG and Stakeholders Surveys (combined), 2023, (n = 128)

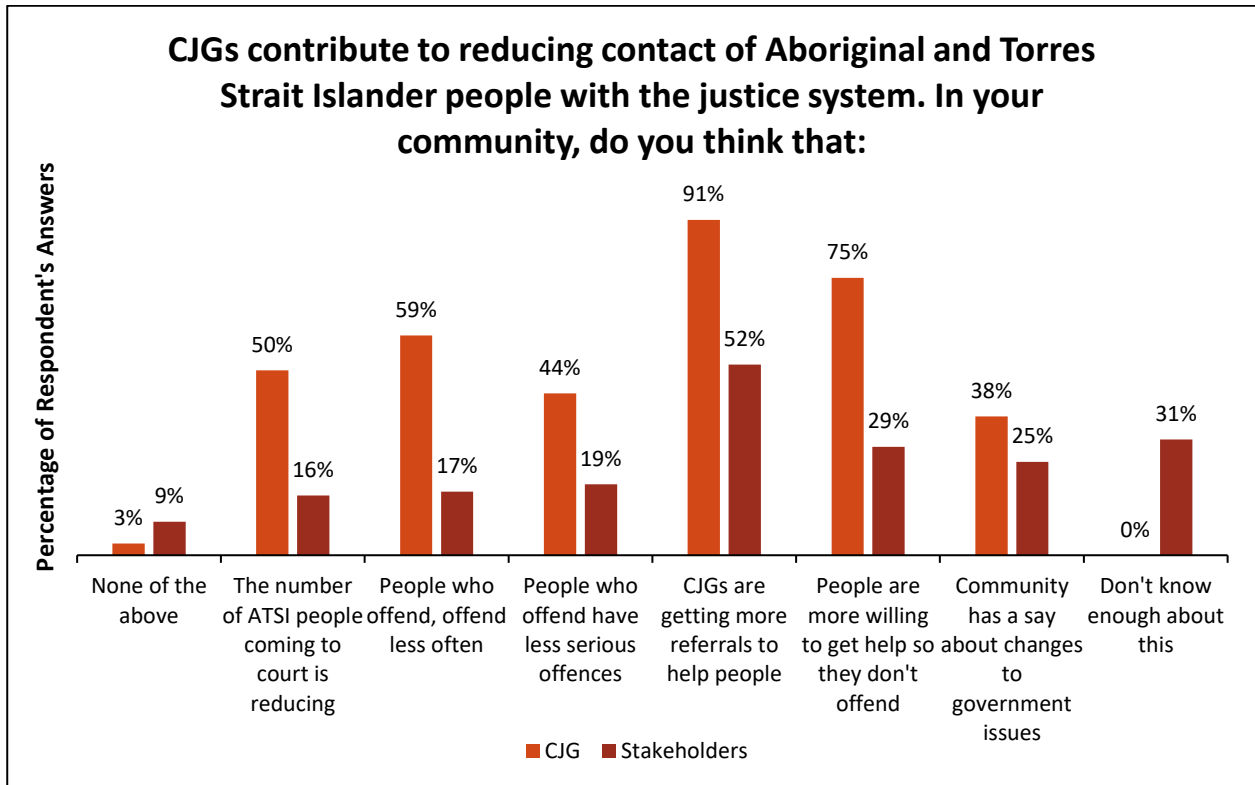


Figure 78. Survey of CJGs, 2023 (n = 32)

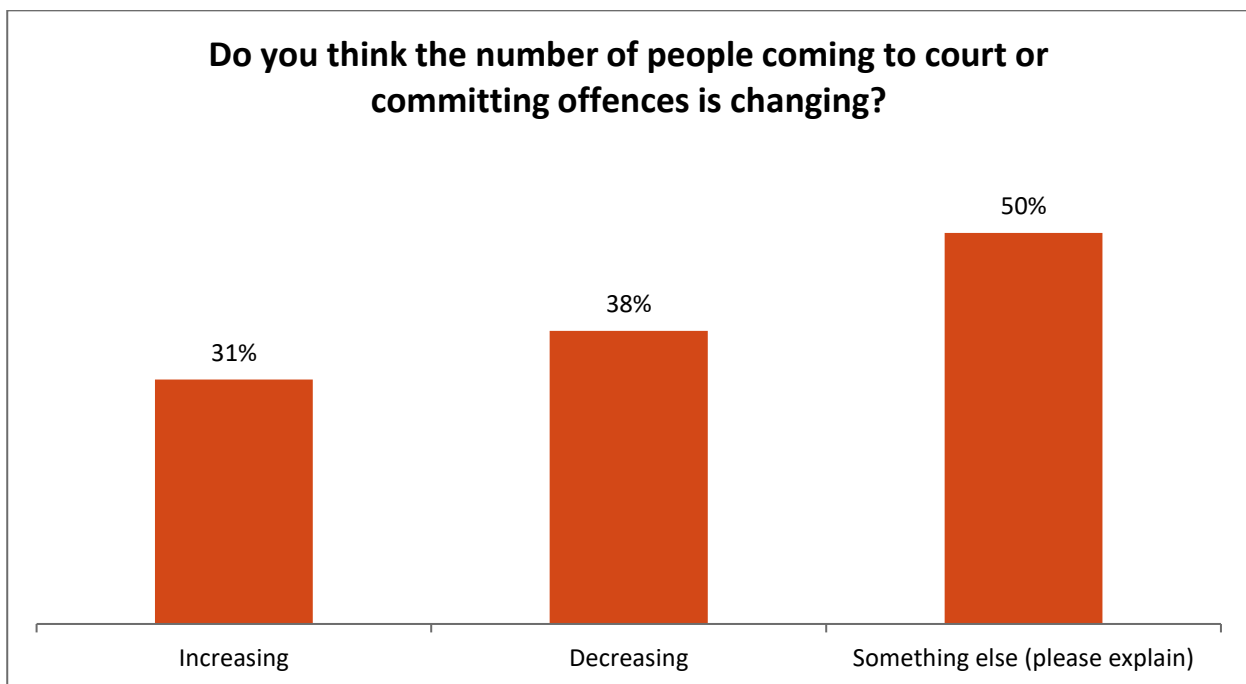


Figure 79. Survey of CJGs, 2023 (n = 31)

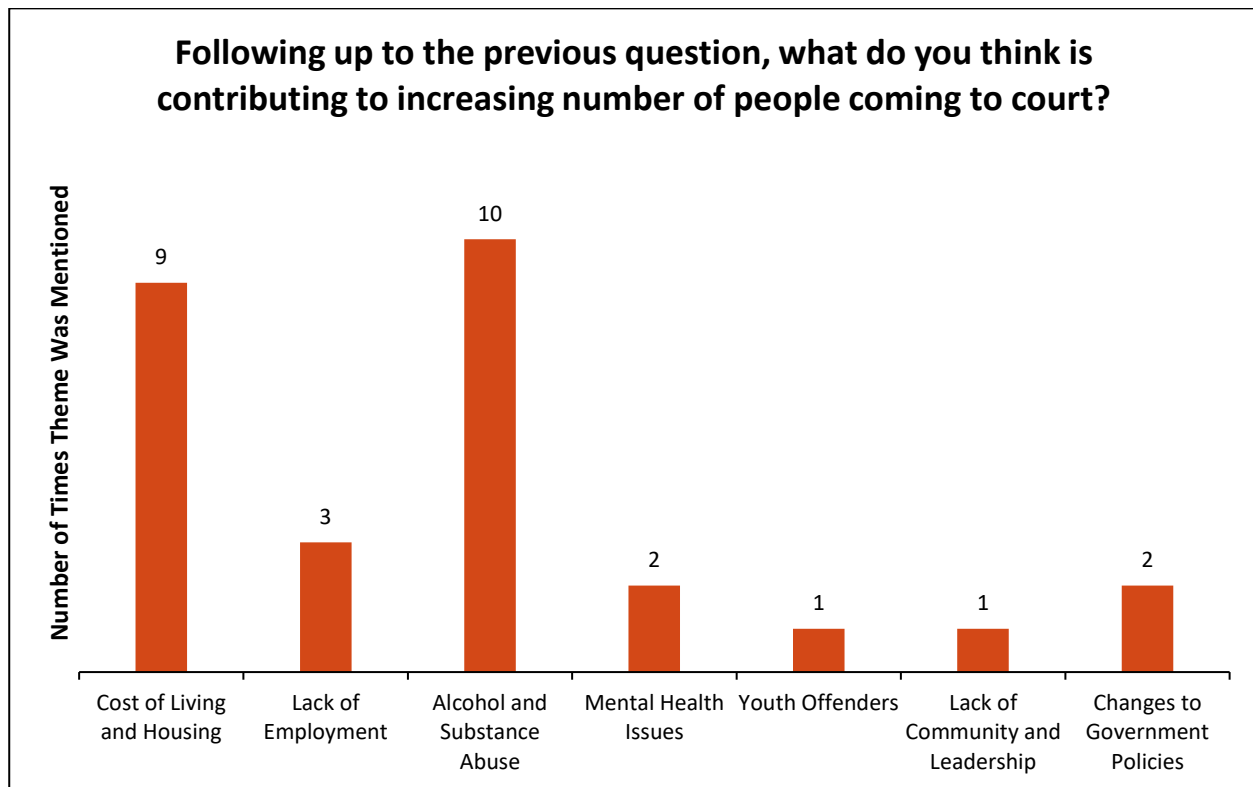


Figure 80. Survey of Stakeholders, 2023 (n = 56)

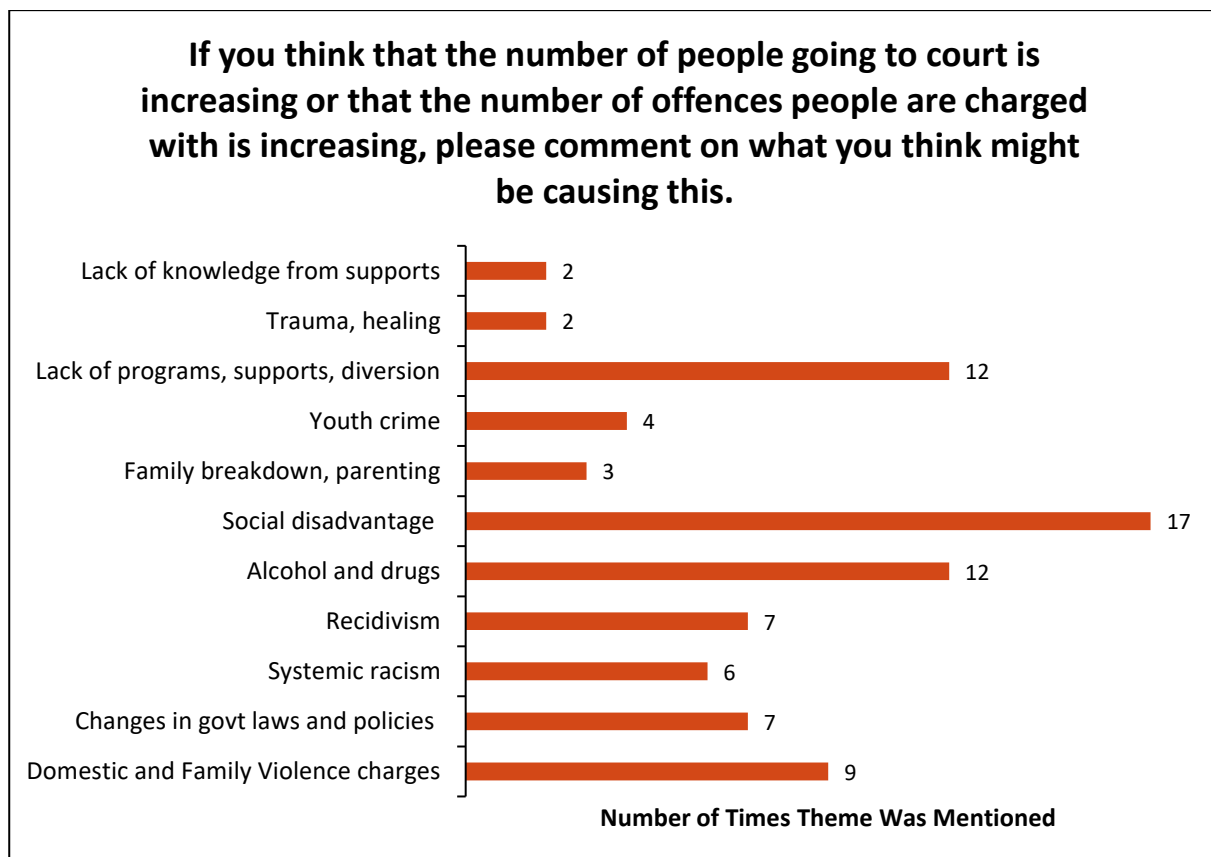
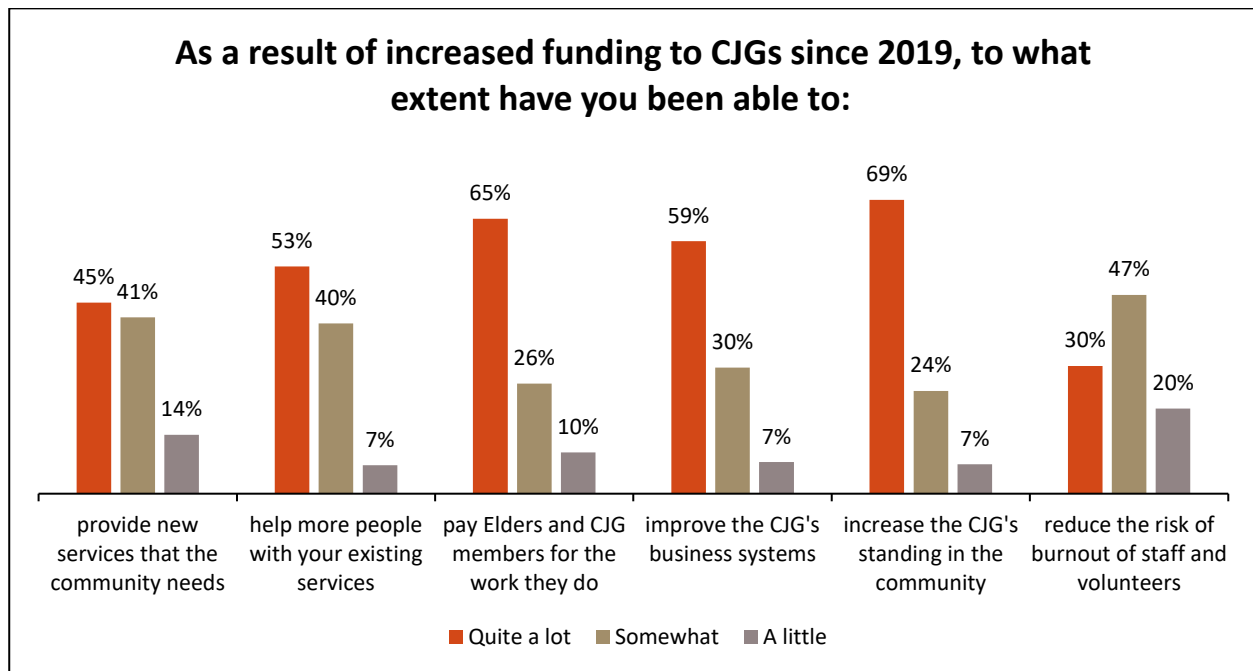


Figure 81. Survey of CJGs, 2023 (n = 31)



APPENDIX 2. SURVEYS OF COMMUNITY MEMBERS AT CJG SITES

Introduction

The collation of survey responses contained within this appendix are built from a collection of participating communities consulted throughout the three-year period of the evaluation. A total of 453 survey responses were collected between 2021 and 2023 at the following cross-section of communities served by CJG: Northern Peninsula Area (39 responses), St George (54), Cloncurry (30), Townsville (65), Aurukun (45), Bayside (7), Tablelands (12), Normanton (7), Mt Isa (16), Mossman (22), Goondiwindi (21), Doomadgee (16), Coen (26), Cherbourg (49), Wujal Wujal (24) and Mackay (16).

In terms of demographics, 271 women and 178 men participated across a range of age groups in the community (see Figures 82 and 83).

For the responses to the open-ended questions in the survey, this appendix includes data clouds that chart high-frequency descriptors, as well as a list of themes derived from analysis of the free text responses.

Figure 82. Age breakdown for community survey

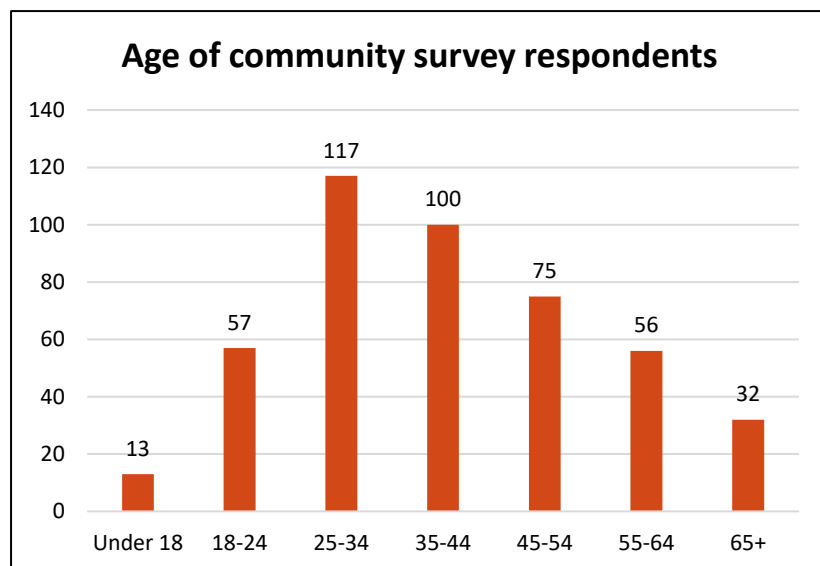


Figure 83. Gender breakdown for community survey

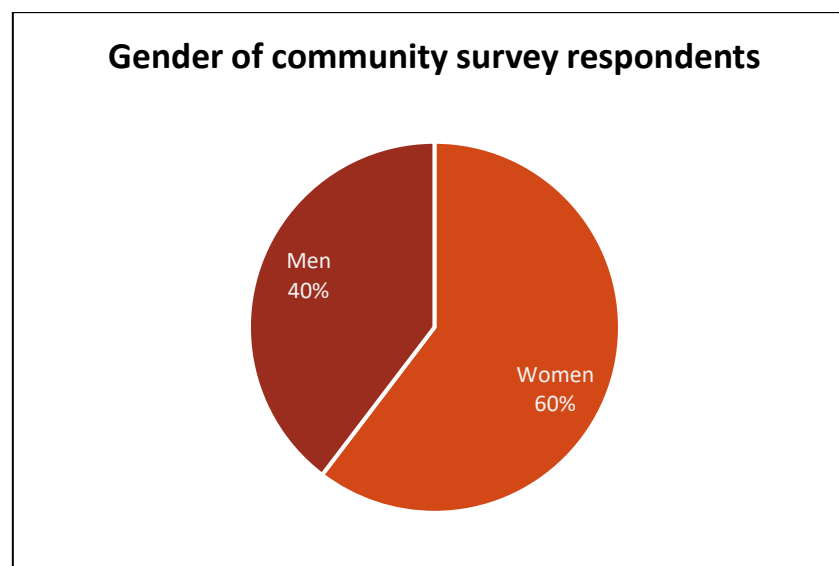
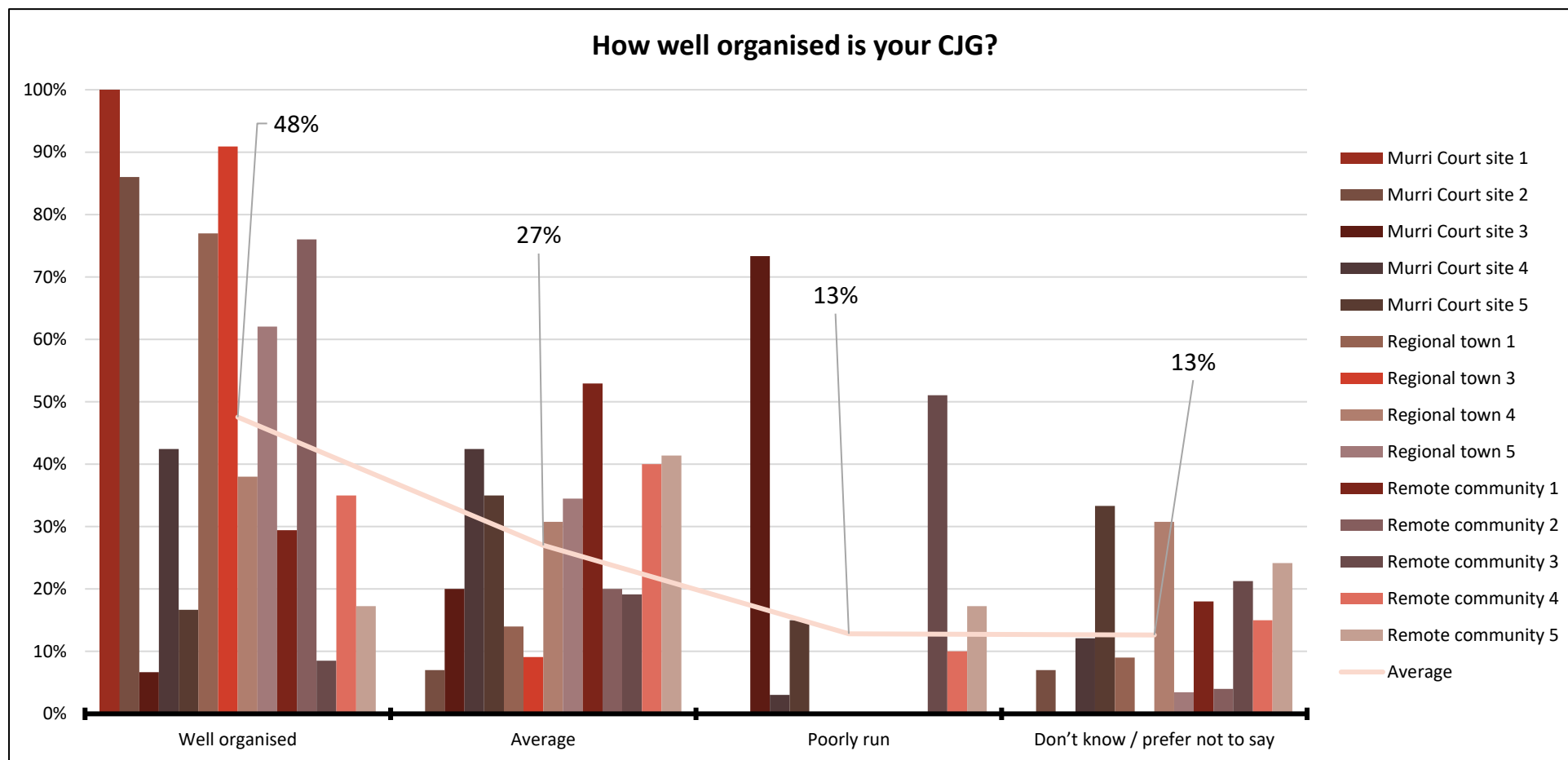


Figure 84. Responses from surveys of Indigenous community members to the question: “How well organised is your CJG?”



The following data-cloud examines freestyle responses to the question “How Well Organised is Your CJG?” and is generated from frequently occurring terms and phrases. The sidebar contains selected survey responses to illustrate the feedback.



"My needs were met - I was always informed and updated and so was my family."

"They informed me of the referral services to assist me to break the cycle of the same behavior."

"Bring us all together and supporting the community. bringing cultural side of things back to community - elders, knowledge and traditional education - values, moral and respect"

"Support and caring and understanding."

"Doesn't matter the situation, justice group helps above and beyond."

Thematic analysis: How well organised do you think the Justice Group is?

1. **Lack of Awareness and Information:**
 - Many respondents express a lack of knowledge about the services and activities of the Justice Group in their region, indicating the need for better communication, promotion, and awareness.
2. **Support and Positive Impact:**
 - Several respondents acknowledge that the Justice Group has a positive impact on the community, providing support, assistance with court-related matters, and programs that help individuals and families.
3. **Community Engagement and Mediation:**
 - The Justice Group is commended for its role in community engagement, mediation, and promoting unity within the community.
4. **Efficiency and Organization:**
 - Some responses praise the Justice Group for being well-organised, efficient, and proactive in their work.
5. **Cultural Connection and Youth Support:**
 - The group's efforts to reconnect community members with their cultural heritage and support youth are highlighted as positive aspects.
6. **Challenges and Areas for Improvement:**
 - Several responses acknowledge the ongoing challenges within the community, such as high incarceration rates, and express the need for more support, engagement, and cultural sensitivity to address these issues.
7. **Mixed Opinions:**
 - A few responses offer mixed opinions, mentioning both positive and negative experiences with the Justice Group's support.
8. **Role in Court and Legal Matters:**
 - The Justice Group is recognized for assisting individuals with court-related matters, mediation, and providing support before and after court proceedings.
9. **Need for More Local Staff and Engagement:**
 - Some responses highlight the need for additional local staff, more community engagement, and culturally sensitive approaches to better serve the community's needs.

Figure 85. Responses from surveys of Indigenous community members to the question: “How much do you know about what the Community Justice Group does?”

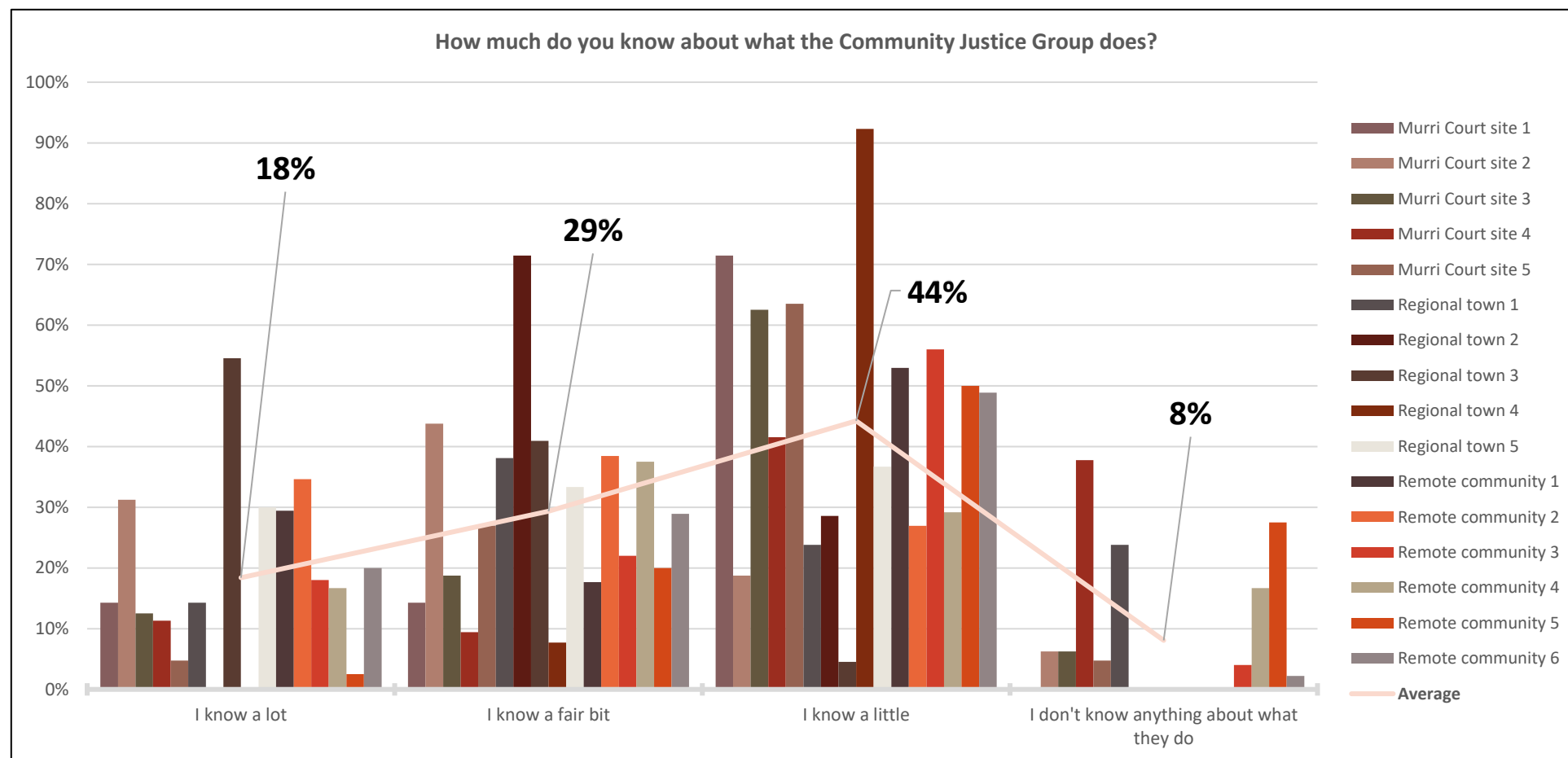
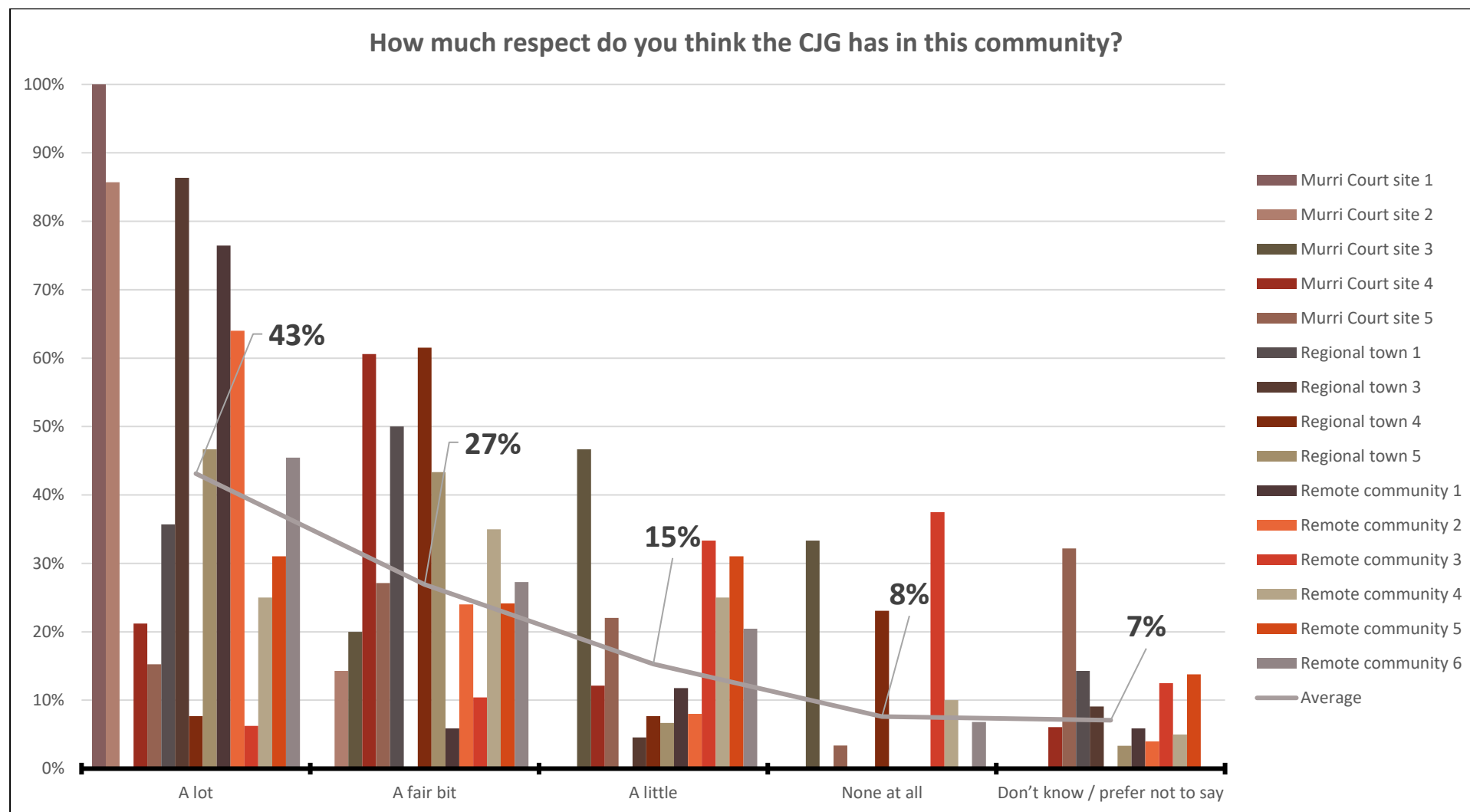


Figure 86. Responses from surveys of Indigenous community members to the question: “How much respect do you think the CJG has in this community?”



The following data-cloud examines freestyle responses to the question “How much respect do you think the CJG has in this community?” and is generated from frequently occurring terms and phrases. The sidebar contains selected survey responses to illustrate the feedback.



"Looking after and respecting families in community."

"I believe they have built meaningful relationships up at court with community members."

"They are all aware of who to go to, well known in the community, community trust them."

"I know personally I can rely on them to keep me in track of following the rules of how I can live a better life."

"The members I have spoken to are always passionate about helping the community and trying to empower them in any way they can."

Thematic Analysis: How much respect do you think the Community Justice Group has in the local Aboriginal and Torres Strait Islander community?

1. Respect and Support from the Community:

- Many respondents express that the Community Justice Group is respected and supported by the local Aboriginal and Torres Strait Islander community. The reasons for this respect vary, including their role in court support, community involvement, and the fact that they are local community members.

2. Positive Perceptions of the Elders:

- Elders within the Community Justice Group are often mentioned as highly respected figures who play an essential role in the community. Their presence and support are acknowledged as important.

3. Helping and Supporting the Youth:

- The support and respect for the Community Justice Group often extend to the youth in the community. Respondents appreciate the group's role in assisting young individuals in staying out of trouble and making better choices.

4. Community Involvement and Engagement:

- Several respondents highlight the group's community involvement and engagement. They are seen as actively working with the community to address issues and provide support.

5. Lack of Awareness and Promotion:

- A common theme is that not everyone in the community is aware of the Community Justice Group and its services. There is a need for better promotion and awareness to reach more community members.

6. Mixed Perceptions:

- Some responses offer mixed perceptions, with mention of both respect and dissatisfaction, especially in cases where there's a perception of poor communication or a lack of awareness.

7. Communication and Cultural Sensitivity:

- Effective communication and cultural sensitivity are important factors for gaining respect. The local nature of the group and its ability to communicate in Indigenous languages are often mentioned as positive aspects.

8. Court Support and Advocacy:

- The group's role in court support and advocacy is highlighted as contributing to their respect in the community.

9. Family and Community Trust:

- The fact that the Community Justice Group is composed of community members, often including family members, creates a sense of trust and respect.

10. Challenges and Areas for Improvement:

- Some responses express dissatisfaction, mentioning challenges such as the need for more community awareness, improved communication, and greater community engagement.

Figure 87. Responses from surveys of Indigenous community members to the question: “How much do the Justice Group / Murri Court Elders and staff strengthen respect for Aboriginal Lore and Torres Strait custom in the Aboriginal and Torres Strait Islander community?”

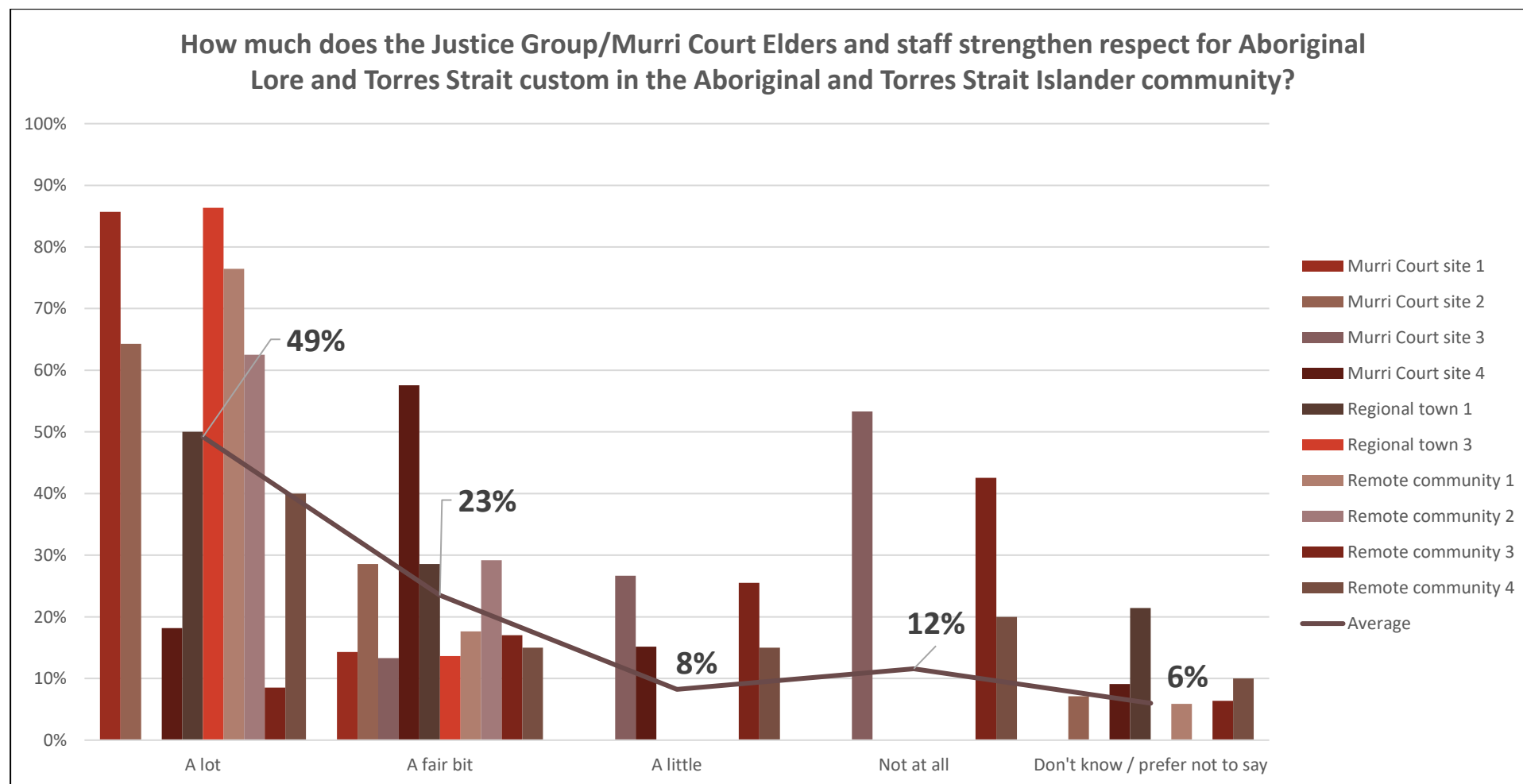
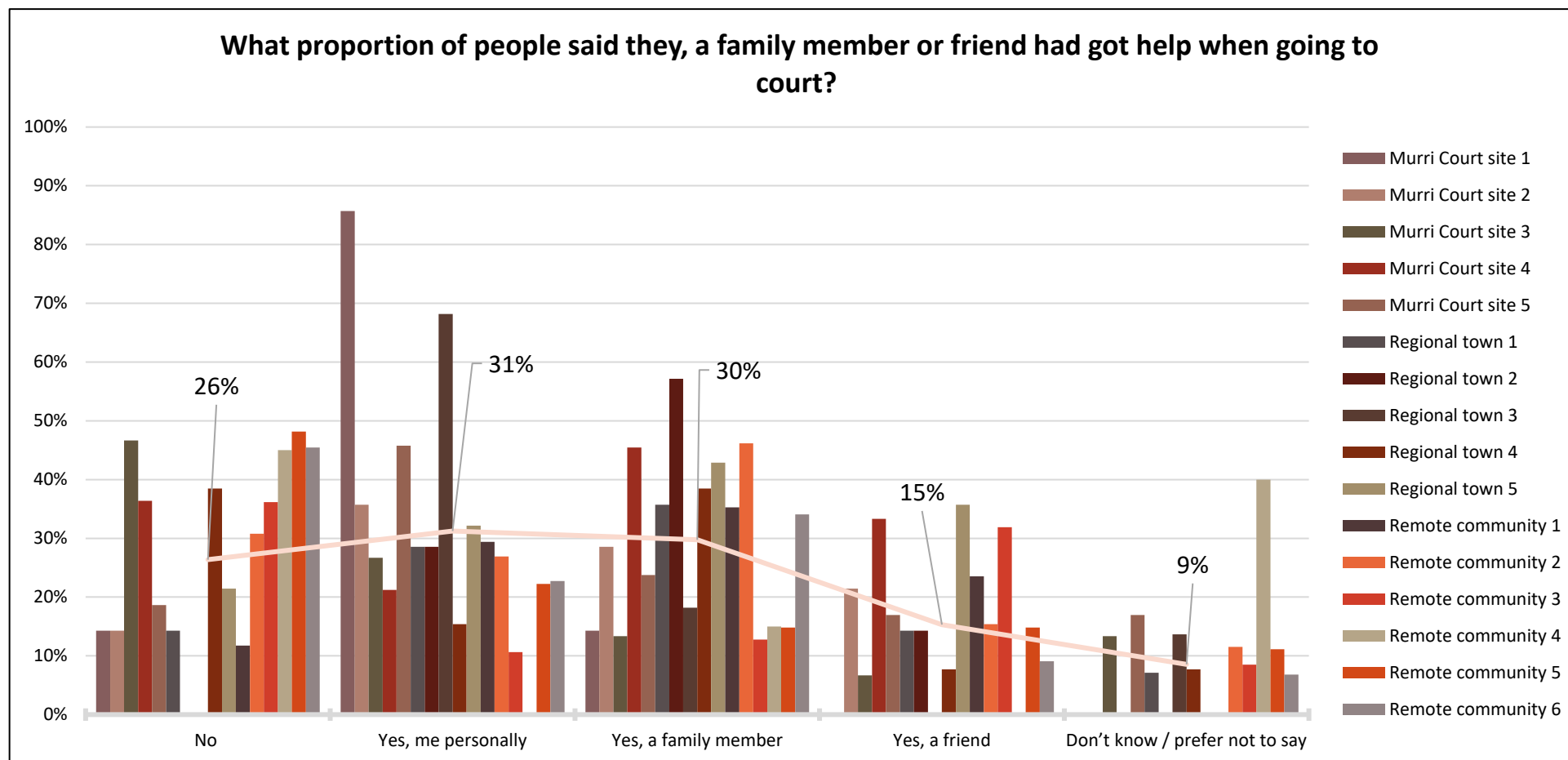


Figure 88. Responses from surveys of Indigenous community members to the question: “What proportion of people said they, a family member or friend had got help when going to court?”



The following data-cloud examines freestyle responses to the question “What proportion of people said they, a family member or friend had got help when going to court?” and is generated from frequently occurring terms and phrases. The sidebar contains selected survey responses to illustrate the feedback.



"My matter was dealt with, they directed me to the right area. I feel they need to promote themselves within the courthouse and in the community, so people in the community are aware of the service they provide."

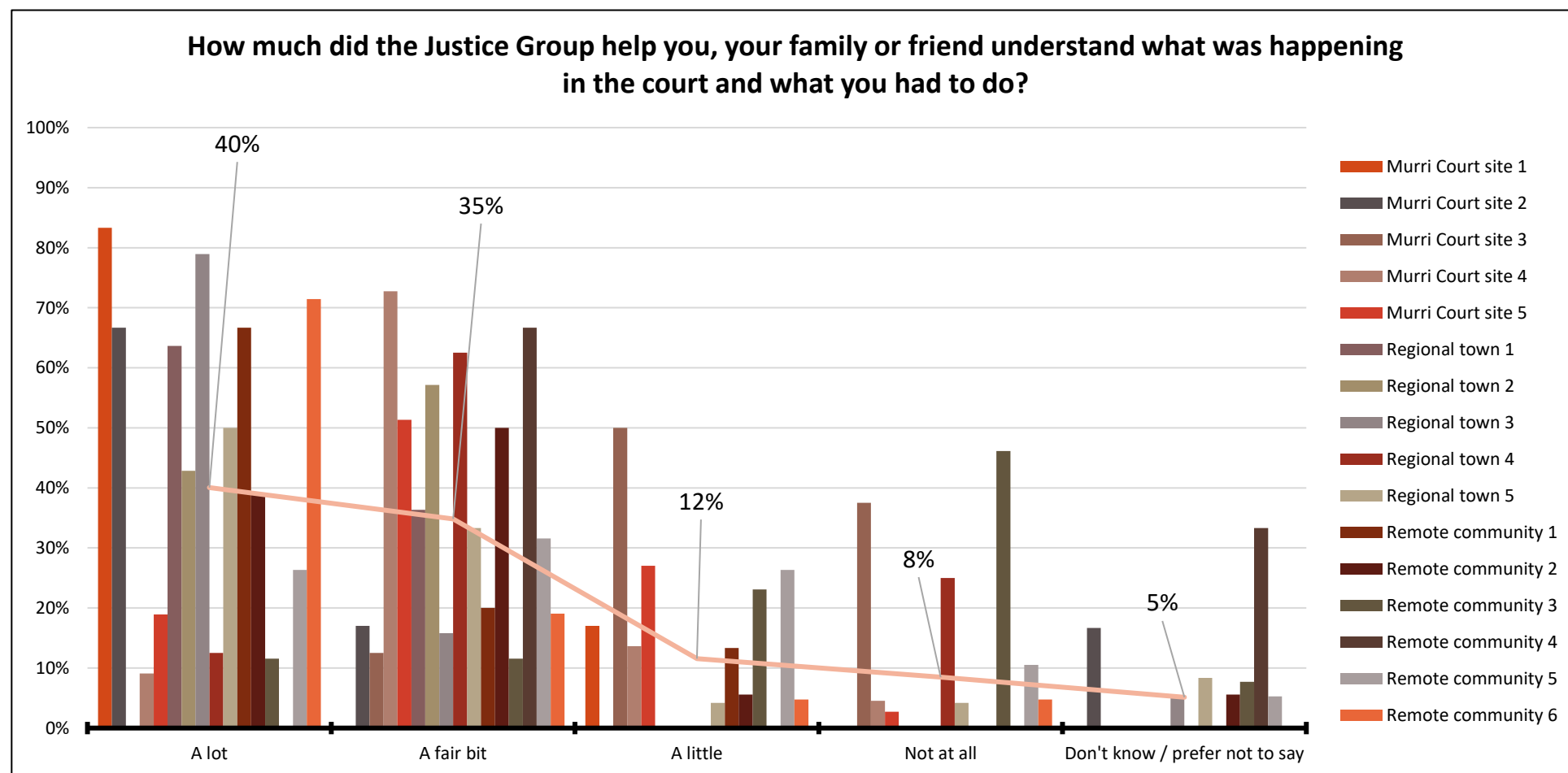
"Had someone to talk to and support me through the situation and refer me onto the right people, could talk on my behalf."

"This service helps our community members with not just legal matters but also a general conversation if needed."

"They sent me to rehab when I needed to be there. Because I got to say my side of the story, when the police wouldn't listen."

"Our Coen justice group have never been more empowering. They bring so much care and respect to their clients and family."

Figure 89. Responses from surveys of Indigenous community members to the question: “How much did the Justice Group help you, your family or friend to understand what was happening in the court and what you had to do?”



The following data-cloud examines freestyle responses to the question “How much did the Justice Group help you, your family or friend understand what was happening in the court and what you had to do?” and is generated from frequently occurring terms and phrases. The sidebar contains selected survey responses to illustrate the feedback.



“Cut down on addictions, broken the cycle - recidivism (cut down a fair bit with getting into trouble - I have supports in place if I feel I am relapsing.”

“Support and knowledge was given at all times, with in-depth conversations outlining the processes and available resources.”

“They help if I don’t understand the court process, understand the requirements etc.”

“Keeping me stay positive for my future.”

“Without certain workers within the system - assisted them to break cycle recidivism (going back to jail), future training, life skills, coping skills, bringing community together - sharing and caring - work together with our mob make a better community for our mob.”

Thematic Analysis: how much the Community Justice Group helped you or your family or friend when going to court?

1. Enhancing Understanding of Court Processes:

- The Community Justice Group (CJG) serves a pivotal role in helping individuals, families, and friends understand the complex procedures and requirements of the legal system. This understanding is vital for navigating the legal process effectively.

2. Cultural Sensitivity and Advocacy:

- Respondents repeatedly highlight the CJG's essential function in explaining cultural issues and sensitizing the court to these matters. This not only fosters cultural respect but also contributes to fairer outcomes in legal cases.

3. Recidivism Reduction and Preventive Services:

- The CJG's support is seen as instrumental in helping individuals stay out of legal trouble in the future. By providing guidance, support, and resources, they aid in breaking the cycle of legal issues, such as addiction and recidivism.

4. Resource and Workload Considerations:

- Many respondents note the significant workload and the need for shared responsibility within the community to assist clients more effectively. Some suggest that the CJG requires additional resources to meet the demands of the community adequately.

5. Importance of Communication and Education:

- The role of the CJG in educating clients about court proceedings, legal requirements, and available resources is highly valued. They are seen as an essential source of information and support, promoting better-informed decisions.

Figure 90. Responses from surveys of Indigenous community members to the question: “How much did the Justice Group make sure that you, your family or friend were treated more fairly?”

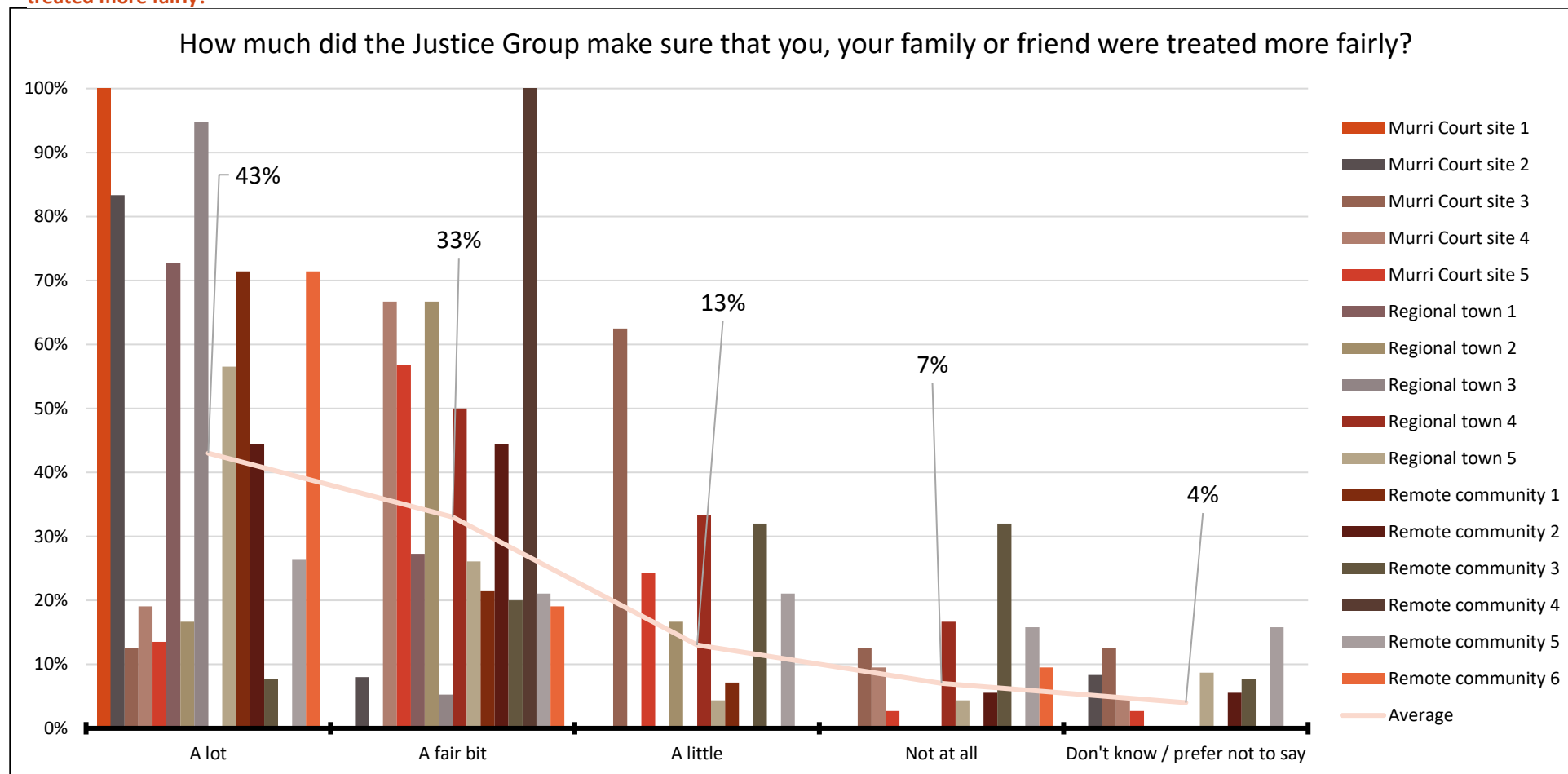
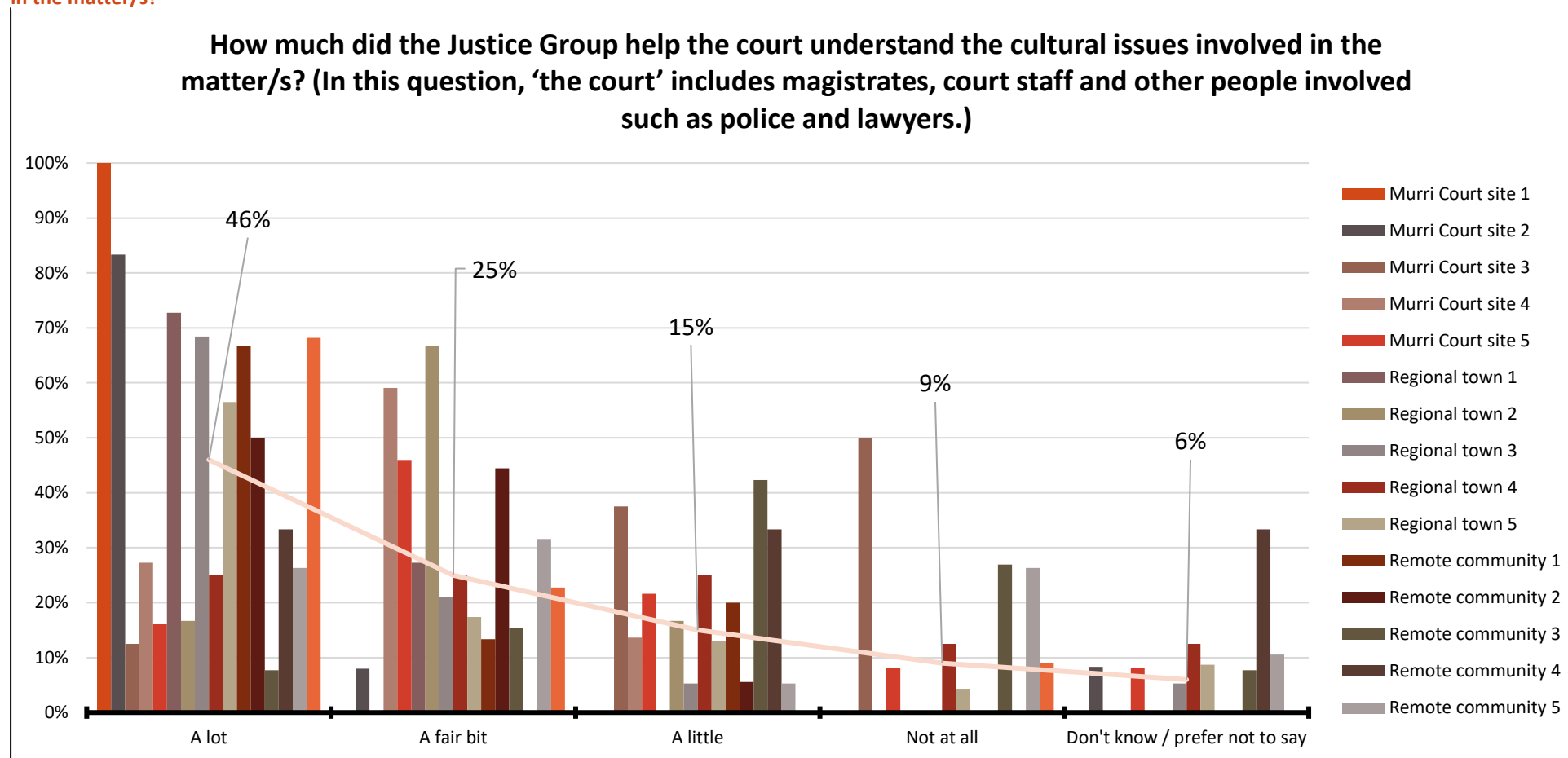


Figure 91. Responses from surveys of Indigenous community members to the question: “How much did the Justice Group help the court understand the cultural issues involved in the matter/s?*



*In this question, ‘the court’ includes magistrates, court staff and other people involved such as police and lawyers.

Figure 92. Responses from surveys of Indigenous community members to the question: “How much did the Justice Group help you, your family or friend to stay out of trouble with the law in the future?”

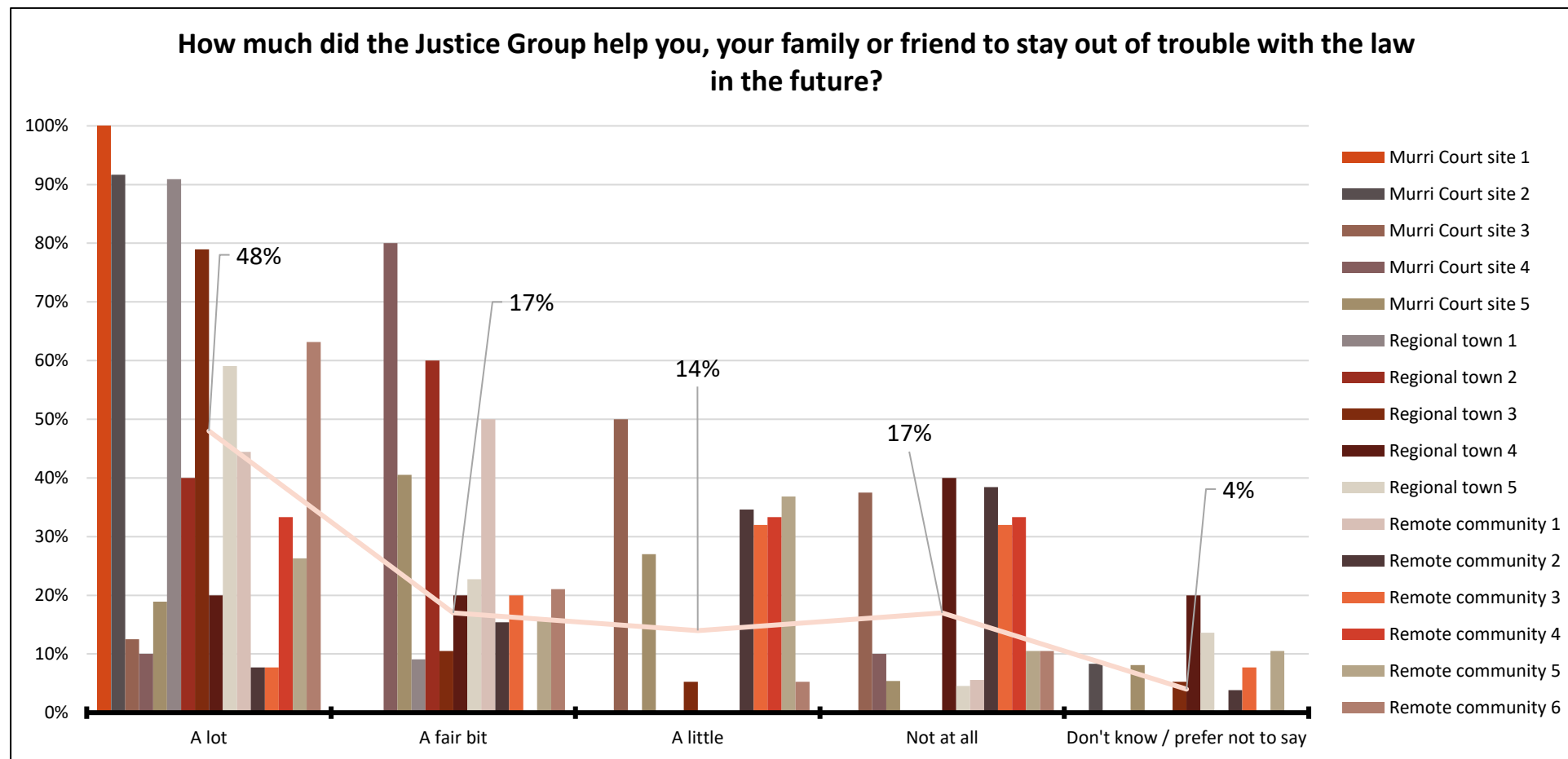
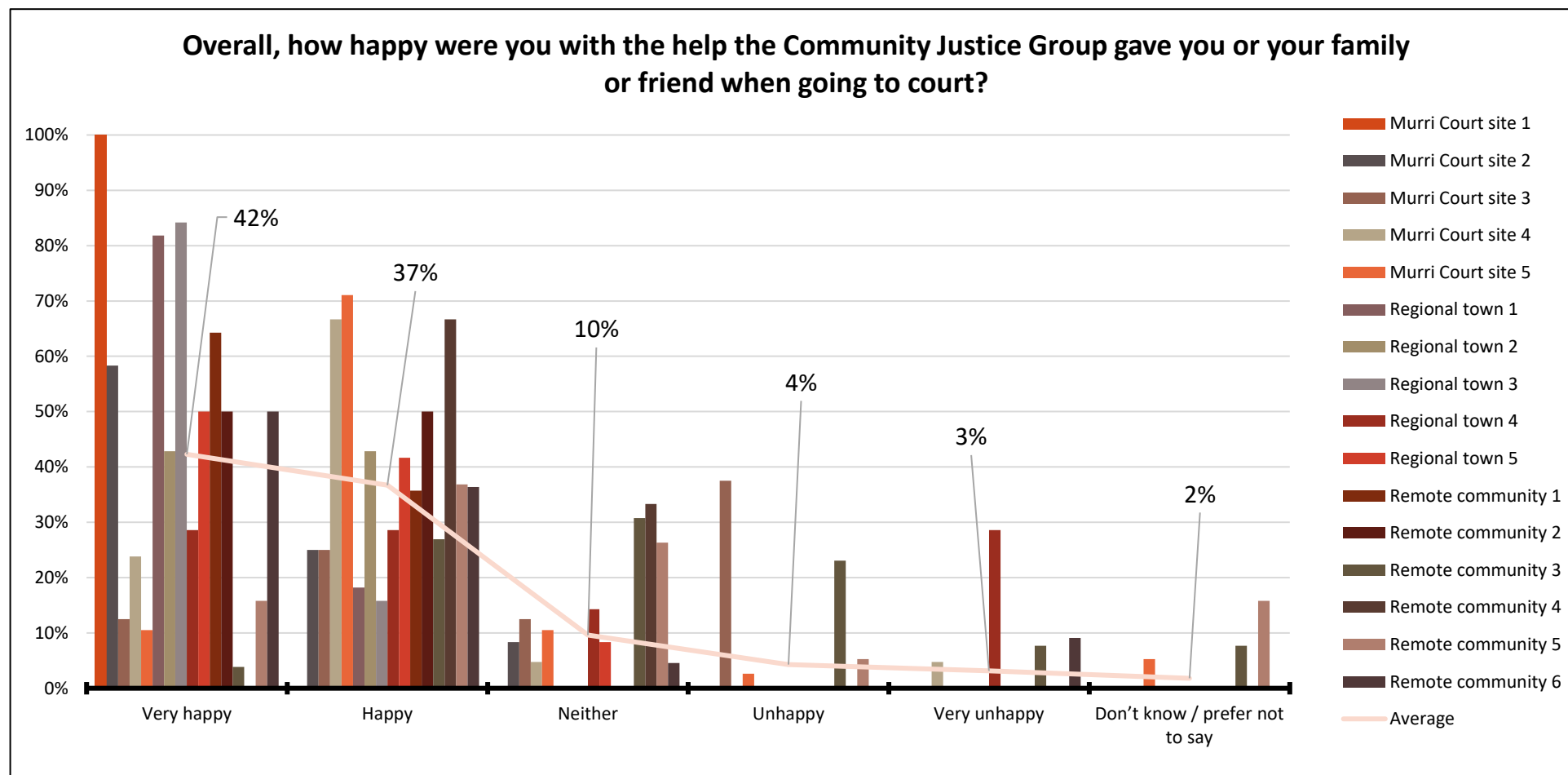


Figure 93. Responses from surveys of Indigenous community members to the question: “Overall, how happy were you with the help the Community Justice Group gave you or your family or friend when going to court?”



Thematic Analysis: Overall, how happy were you with the help the Community Justice Group gave you or your family or friend when going to court?

1. **Positive Experiences and Satisfaction:**
 - Many respondents' express satisfaction and positive experiences with the help provided by the Community Justice Group when going to court. They mention that the support and assistance they received were helpful and effective.
2. **Assistance with Understanding the Legal Process:**
 - Some respondents appreciate the assistance provided by the Community Justice Group in helping them or their family/friends understand the legal court process. They emphasize that this support contributed to their satisfaction.
3. **Cultural Understanding and Support:**
 - Cultural understanding and support are highlighted as factors contributing to satisfaction. Respondents value the Community Justice Group's ability to provide culturally relevant advice and assistance.
4. **Outcome and Resolution:**
 - Several respondents mention that the help they received led to a satisfactory outcome or resolution. They express happiness with the results achieved with the support of the Community Justice Group.
5. **Support for Family and Community:**
 - Some respondents indicate that the support provided extends to their family and community, and this broader assistance is appreciated.
6. **Accessibility and Approachability:**
 - The Community Justice Group is often described as approachable, supportive, and accessible. Respondents appreciate the ability to discuss their issues and concerns.
7. **Critical Feedback and Improvement Suggestions:**
 - Some responses include critical feedback or suggestions for improvement. These may include calls for better promotion, increased funding and resources, and a need for greater community presence.
8. **Supportive Role in Keeping Individuals out of Jail:**
 - In some cases, respondents express that the Community Justice Group's role in helping individuals stay out of jail is significant and contributes to their satisfaction.
9. **Gratitude and Recognition of the Group's Work:**
 - Several respondents express gratitude and recognition of the hard work and support provided by the Community Justice Group.
10. **Mixed Responses:**
 - There are also some mixed responses where individuals express both positive and negative aspects of their experiences with the Community Justice Group.

Figure 94. Responses from surveys of Indigenous community members to the question: “What type/s of help, services or programs did you get from the CJG? (other than help when you went to court)”

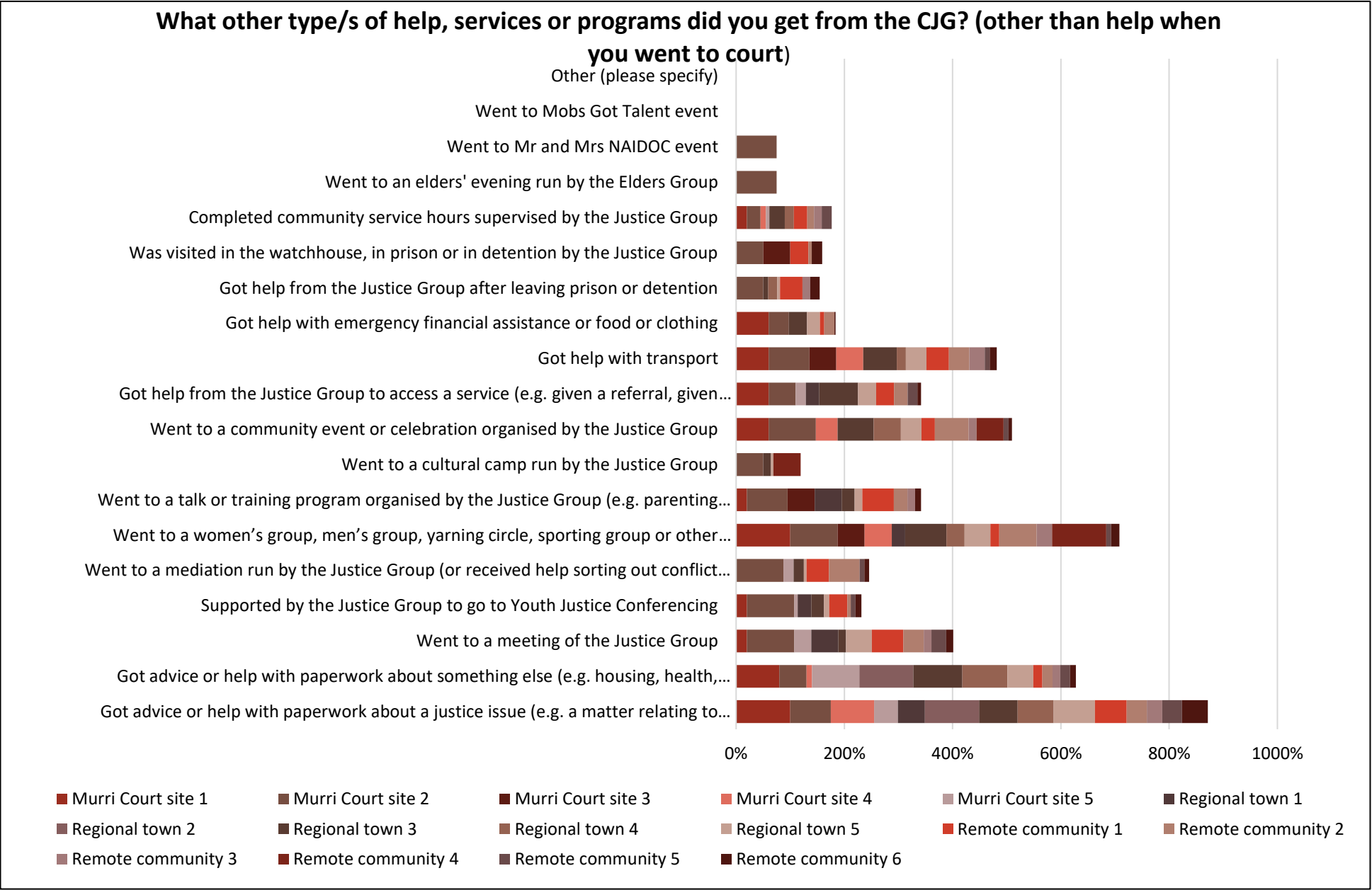


Figure 95. Responses from surveys of Indigenous community members to the question: “Overall, how happy were you with the Community Justice Group’s help or service?”

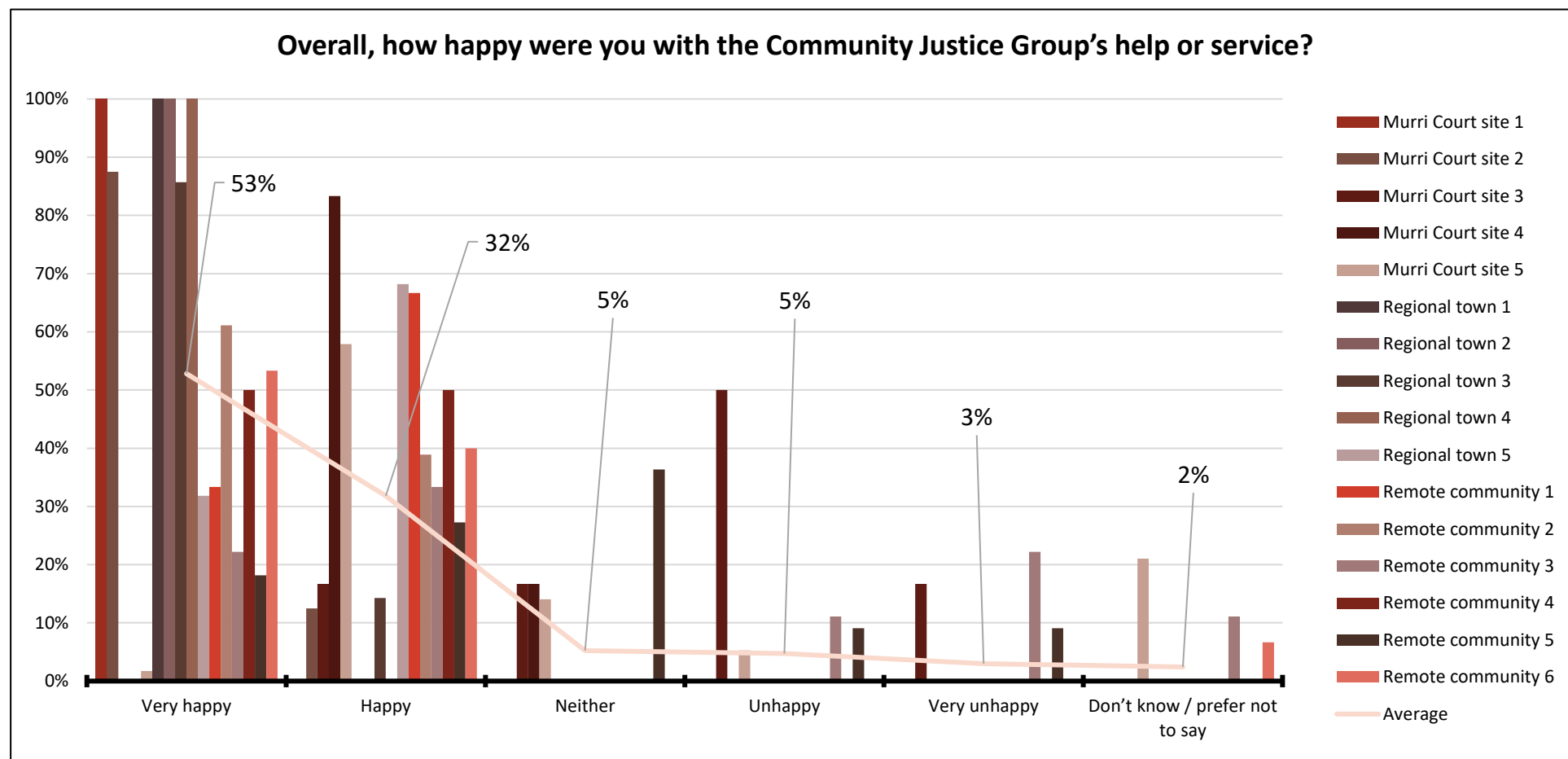
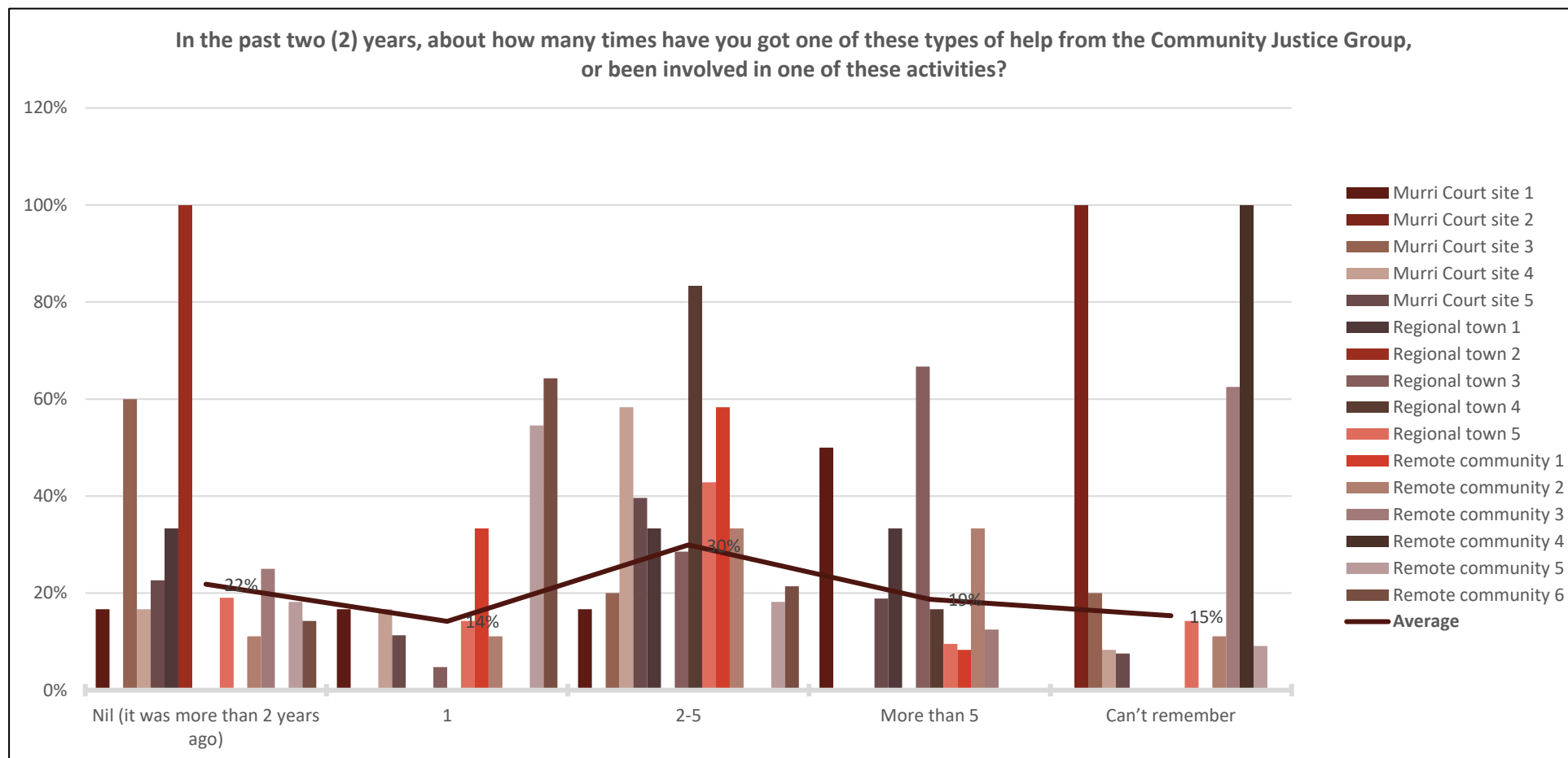


Figure 96. Responses from surveys of Indigenous community members to the question: "In the past two (2) years, about how many times have you got one of these types of help from the Community Justice Group, or been involved in one of these activities?"



The following data-cloud examines freestyle responses to the question “Overall, how happy were you with the Community Justice Group’s help or service? What is the main reason for your answer?” and is generated from frequently occurring terms and phrases. In the sidebar, note key quotes also supplied as survey answers. The sidebar contains selected survey responses to illustrate the feedback.



"My needs were met - I was always informed and updated and so was my family."

"They informed me of the referral services to assist me to break the cycle of the same behavior."

"Bring us all together and supporting the community. bringing cultural side of things back to community - elders, knowledge and traditional education - values, moral and respect"

"Support and caring and understanding."

"Doesn't matter the situation, justice group helps above and beyond."

Thematic Analysis: Overall, how happy were you with the Justice Group's help or service?

1. Positive Experiences and Satisfaction:

- Many respondents express satisfaction and positive experiences with the help and services provided by the Justice Group. They describe the support as very helpful and supportive.

2. Support in Legal Matters:

- Respondents indicate that the Justice Group has been instrumental in providing support and assistance in legal matters, including court appearances and paperwork.

3. Cultural Understanding and Sensitivity:

- Cultural understanding is appreciated by several respondents, and the importance of providing culturally relevant services is emphasized.

4. Preventing Incarceration:

- Some responses suggest that the Justice Group's work has helped individuals avoid incarceration or imprisonment.

5. Community Engagement and Support:

- Respondents highlight the role of the Justice Group in supporting the community, addressing community issues, and bringing cultural values and knowledge back to the community.

6. Need for More Resources and Promotion:

- A recurring theme in some responses is the need for additional resources and promotion of the services provided by the Justice Group. Some mention that the group could engage more with the community and expand its services.

7. Mixed Responses:

- There are mixed responses where individuals express both positive and negative aspects of their experiences with the Justice Group.

8. Specific Feedback and Suggestions for Improvement:

- Some respondents offer specific feedback or suggestions for improvement, such as increased funding, improved training for Elders, or more comprehensive advertising of services.

Figure 97. Responses from surveys of Indigenous community members to the question: “How much do you think the CJG is helping to change attitudes to DFV in your community?”

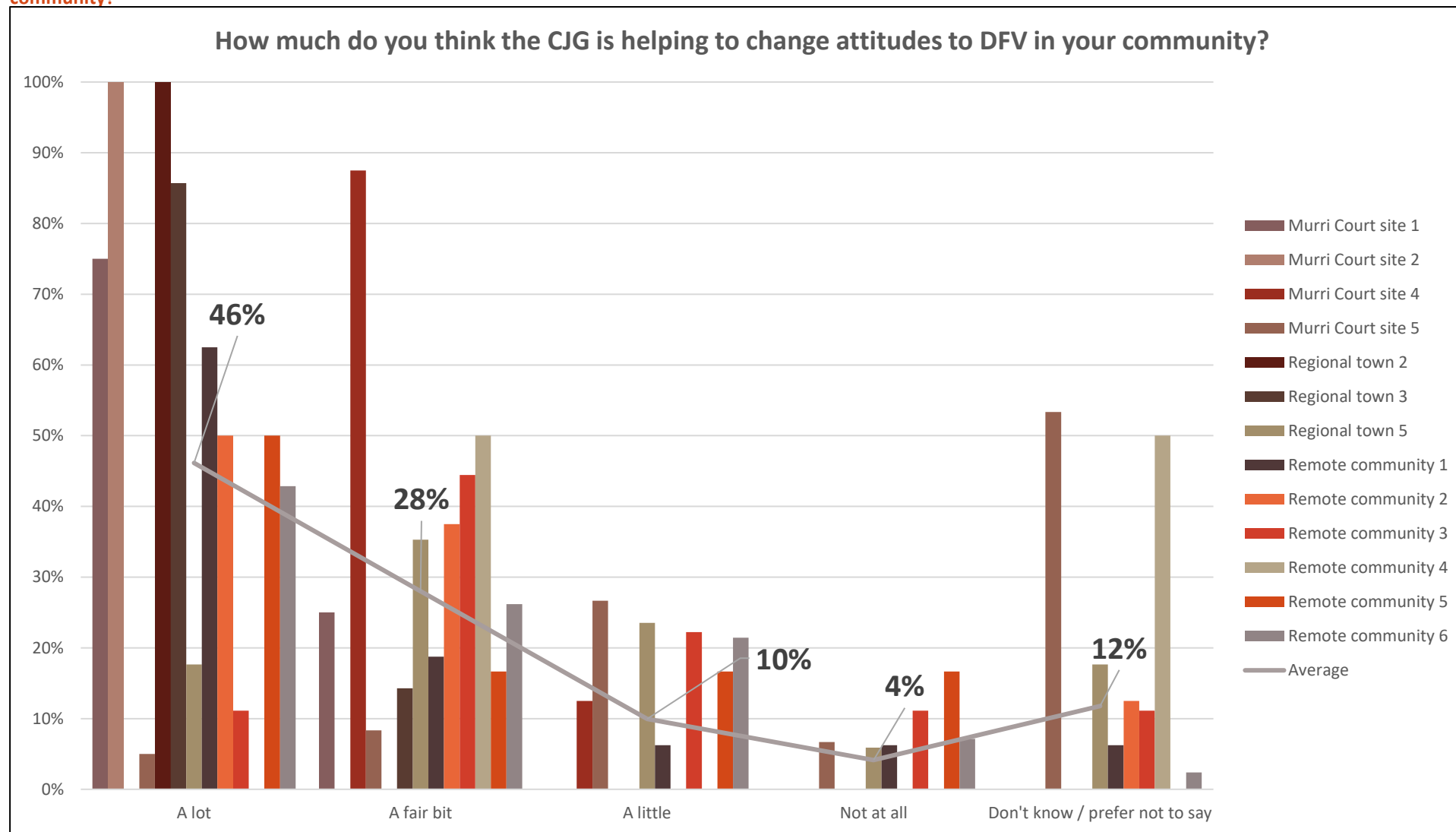


Figure 98. Responses from surveys of Indigenous community members (excluding 6 DFVE sites) to the question: “How much do you think the CJG is helping to change attitudes to DFV in your community?”

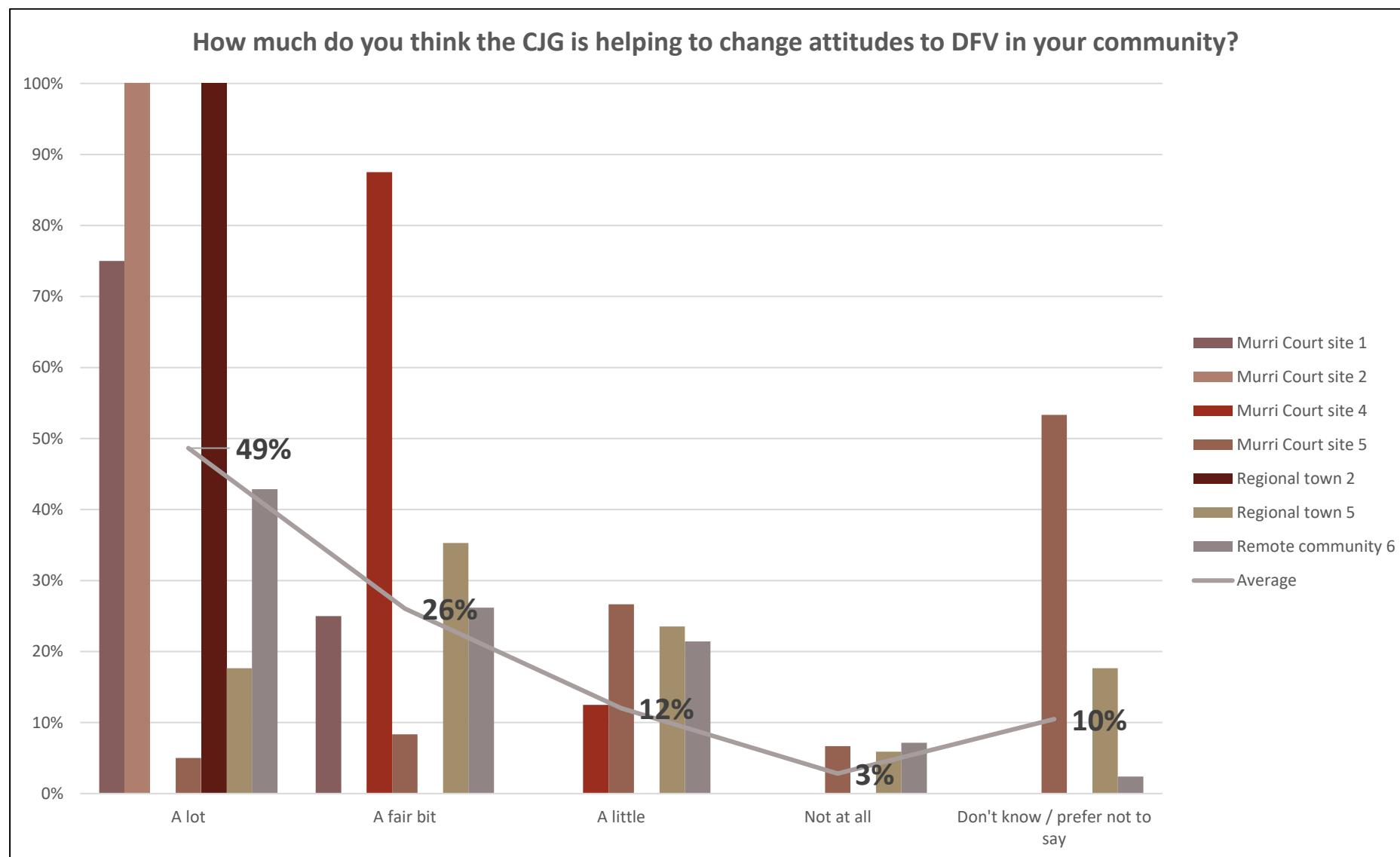


Figure 99. Responses from surveys of Indigenous community members to the question: “How much do you think the CJG is helping to reduce the amount of domestic and family violence in your community?”

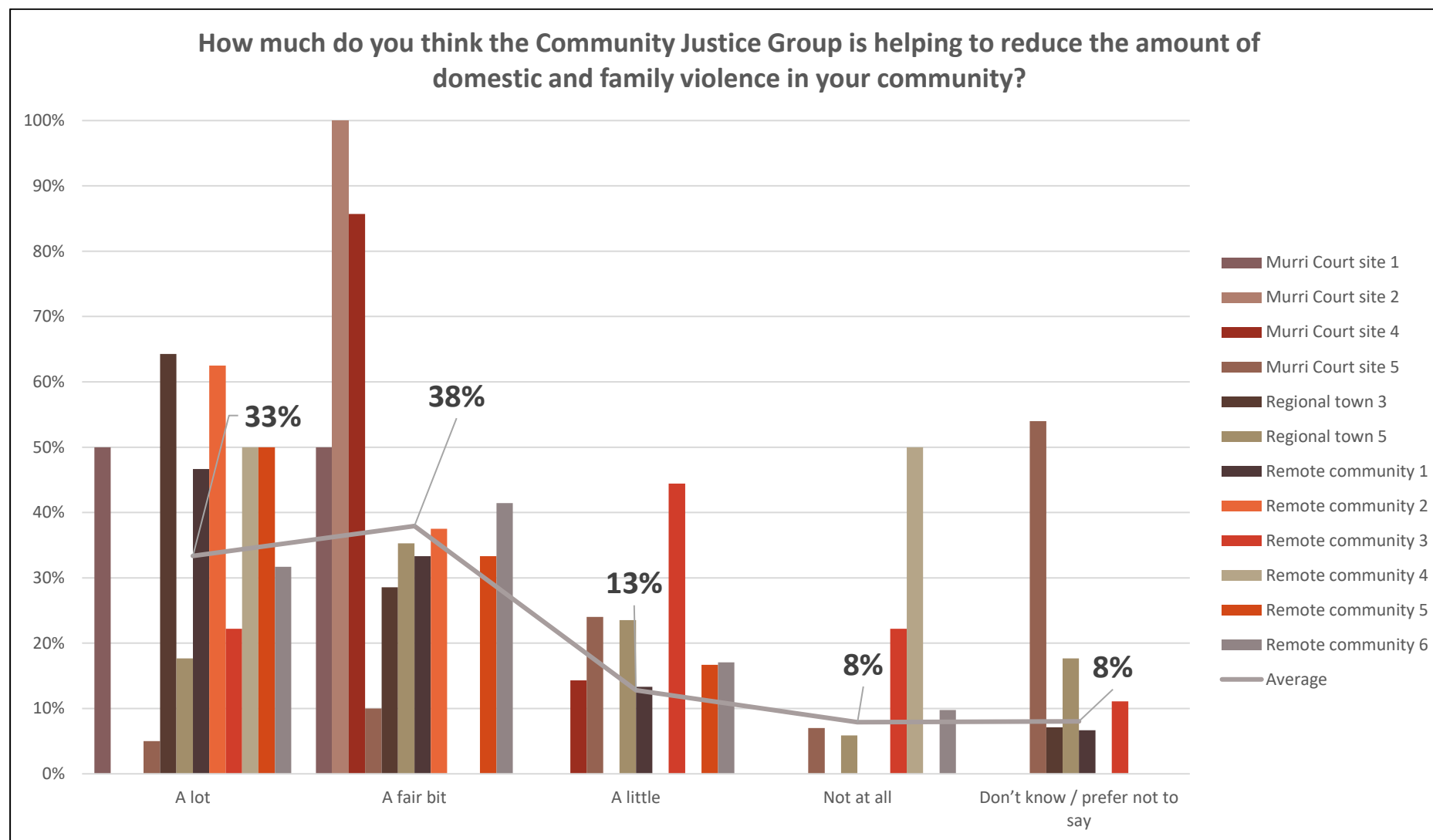


Figure 100. Responses from surveys of Indigenous community members (excluding 6 DFVE sites) to the question: “How much do you think the CJG is helping to reduce the amount of domestic and family violence in your community?”

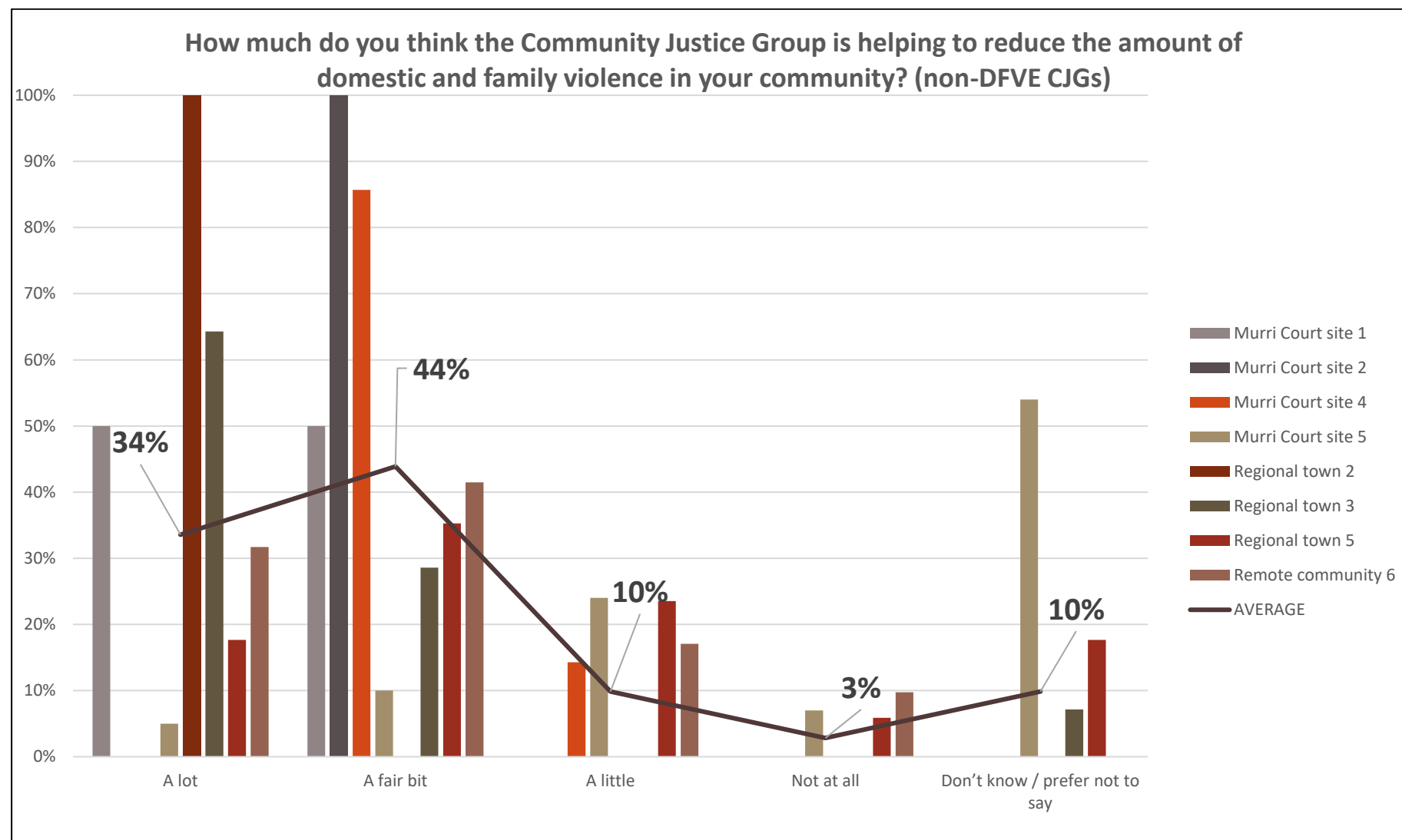
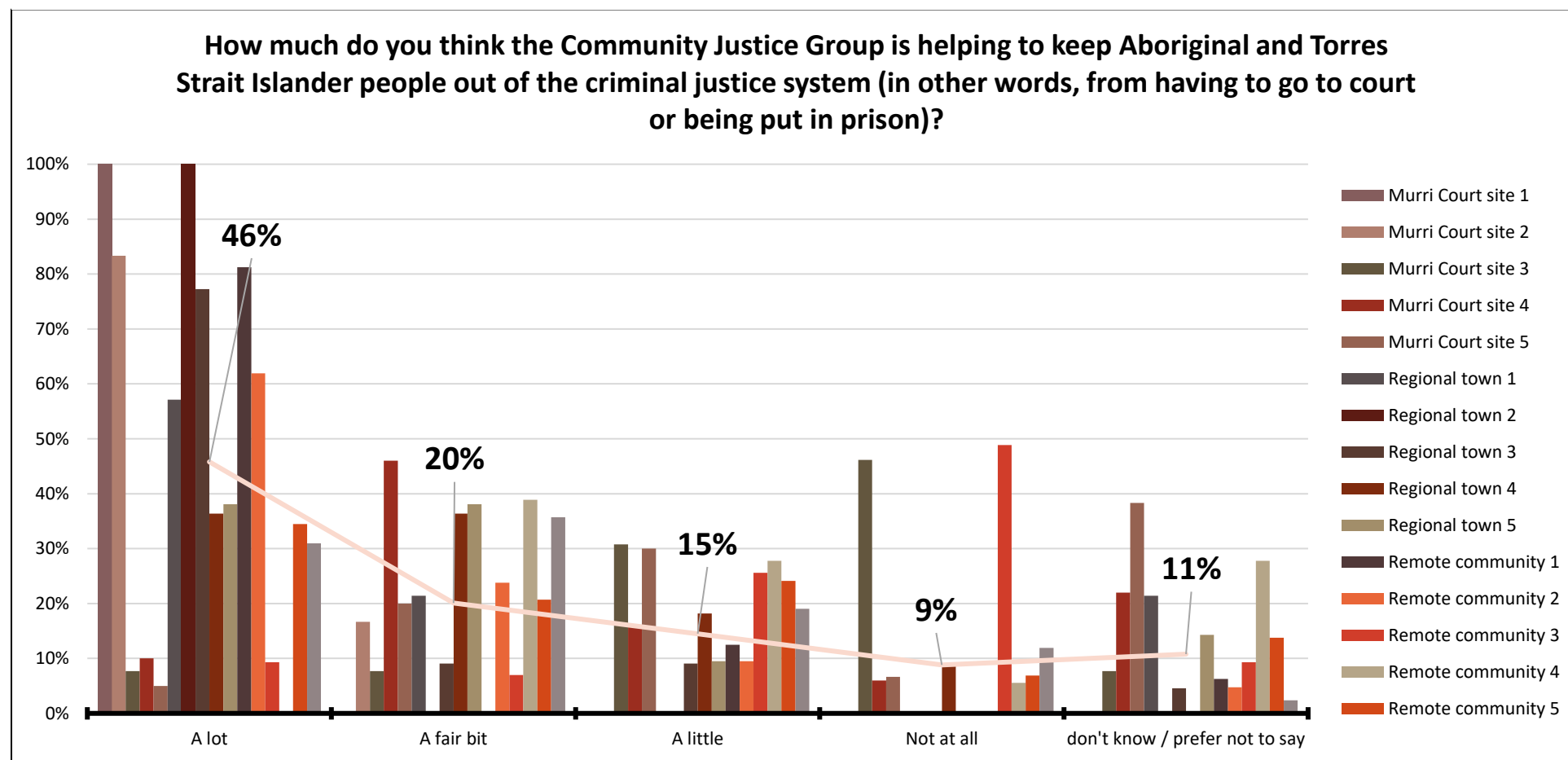
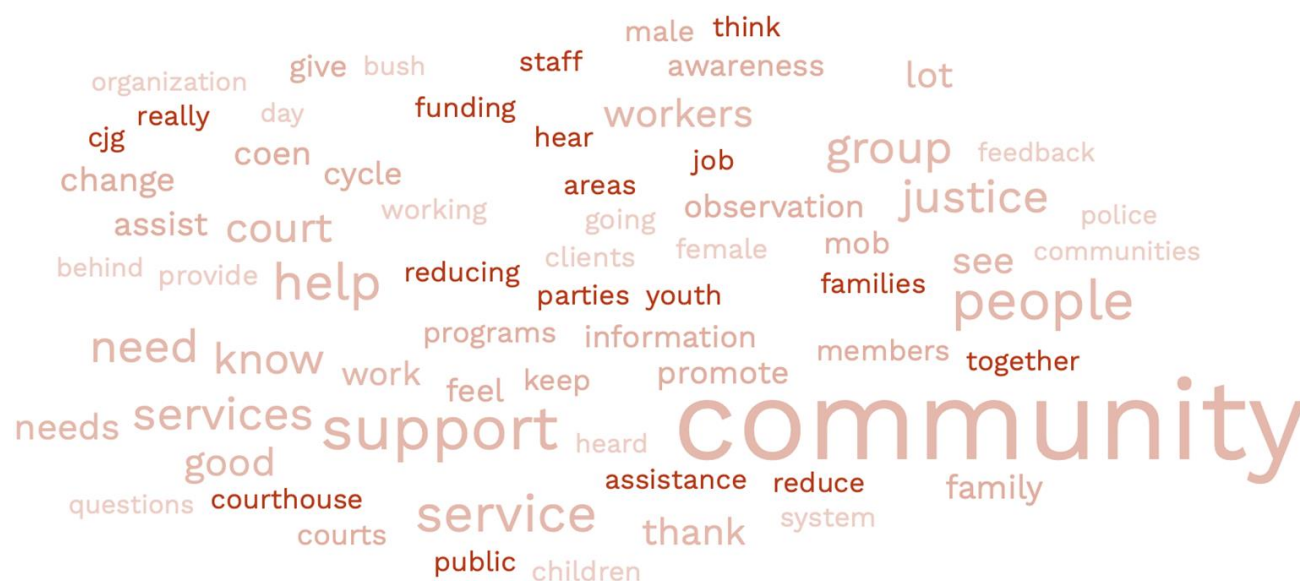


Figure 101. Responses from surveys of Indigenous community members to the question: “How much do you think the Community Justice Group is helping to keep Aboriginal and Torres Strait Islander people out of the criminal justice system (in other words, from having to go to court or being put in prison)?



The following data-cloud examines freestyle responses to the question “Final Comments?” and is generated from frequently occurring terms and phrases. The sidebar contains selected survey responses to illustrate the feedback.



"Keep up the good work. give them more funding to increase their services, need more staff."

"Local justice groups are way under funded for the job they are expected to do in our community there needs to be more training and support for staff and directors and better coordination of services."

"Thanks for all the help given in the community."

"I believe my justice group workers are doing more work than usual. They are volunteering their times after hours and weekends and they need to be recognised for the hard work and contribution they do for our community."

"This is going to help us/youth with our future. Getting in touch, grounded by our Elders with Culture."

Thematic Analysis: Final Comments

Community Appreciation and Support:

- Many respondents express gratitude and appreciation for the work of the Community Justice Groups (CJGs). They see the CJGs as valuable community resources, providing support, guidance, and help.
- Respondents often encourage the CJGs to continue their work, acknowledging the positive impact they have had on individuals, families, and the community as a whole.

Need for Increased Funding and Resources:

- Several respondents suggest that more funding and resources are required to enhance the effectiveness of the CJGs. They emphasize the importance of additional staff and better facilities, especially in remote areas.
- Some respondents believe that with more funding, CJGs could expand their services and have a more significant impact on their communities.

Promotion and Awareness:

- There is a recurring call for CJGs to promote themselves and make their services more visible within the communities they serve. Respondents believe that increased awareness and visibility could lead to greater community utilization of the services.
- Community members express a desire for CJGs to engage more actively with local communities, attend community events, and improve their public outreach to ensure that individuals are aware of the services available to them.

Community Engagement and Cultural Competency:

- The need for greater community engagement is highlighted, emphasizing that CJGs should be more in touch with community members, especially youth, to understand and address their needs.
- There is an emphasis on cultural competency and the importance of CJGs understanding and respecting the cultural values, traditions, and needs of the communities they serve.

Concerns and Criticisms:

- Some respondents express concerns or criticisms related to their CJGs, including issues of corruption, a lack of transparency, and the perception that CJGs may favor their own families or acquaintances.
- In some areas, respondents call for a change in leadership and improved coordination within the CJGs.

APPENDIX 3. COMMUNITY SURVEYS IN SITES WHERE CJGS HAVE DFV ENHANCEMENT FUNDING

Introduction

The charts in this appendix report on the results of questions relating to CJGs' work in responding to Domestic and Family Violence (DFV) in 6 communities that are funded under the CJG Program's DFV Enhancement (DFVE) funding. This funding was rolled out to 18 discrete communities between 2017-18 and 2022-23. The survey responses reported here relate to a subset of the questions contained in community surveys relating to the overall work of CJGs in these communities.

In the 6 communities included in the surveys in this appendix, there were a total of 52 responses: DFV site 1 (8 responses), DFV site 2 (5 responses), DFV site 3 (2 responses), DFV site 4 (14 responses), DFV site 5 (16 responses), DFV site 6 (9 responses). Due to the small sample size, especially in DFV sites 2 and 3, caution should be exercised in interpreting these results.

Figure 102. Responses from community surveys at DFVE sites (n = 178)

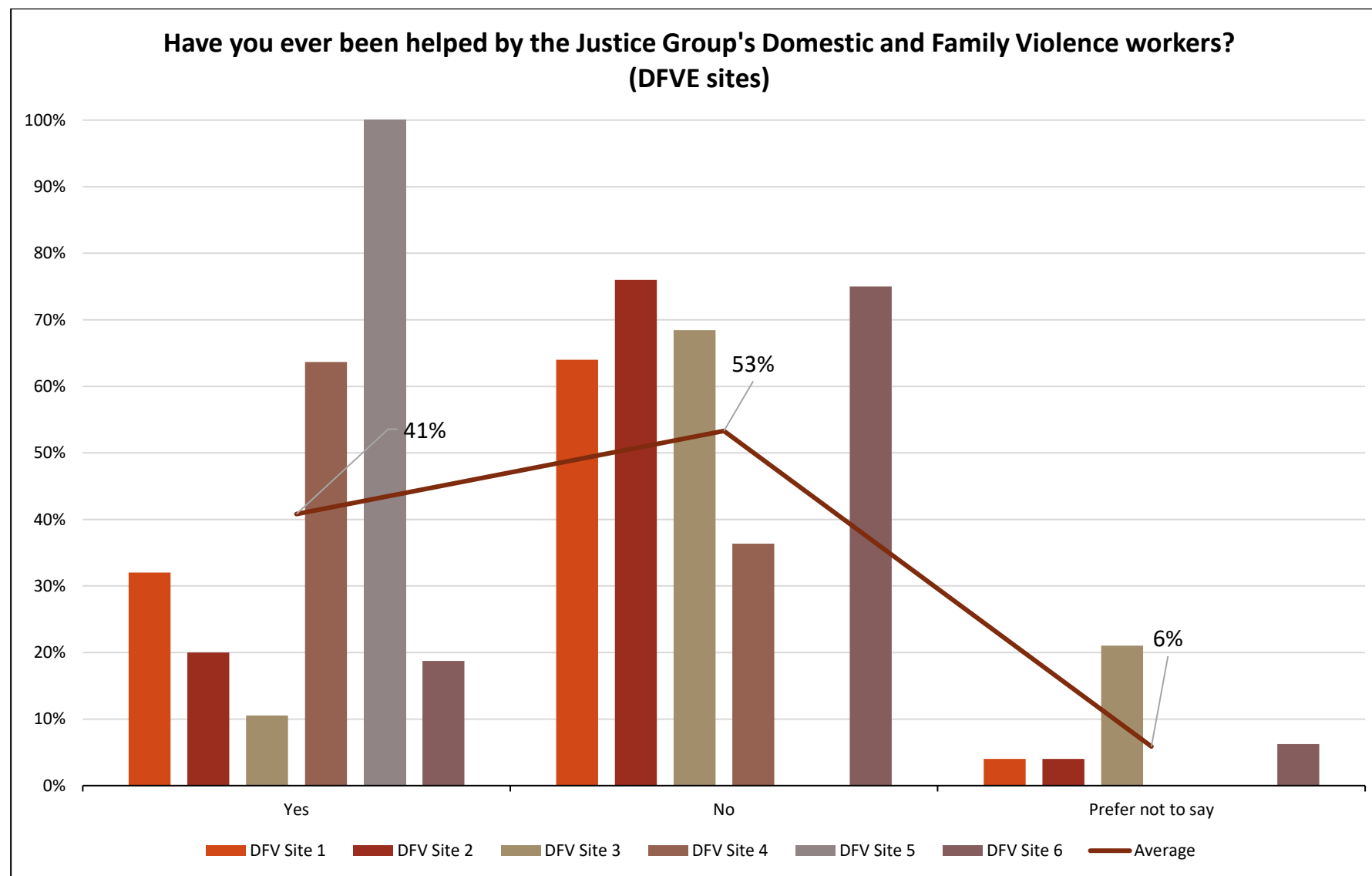


Figure 103. Responses from community surveys at DFVE sites (n = 47)

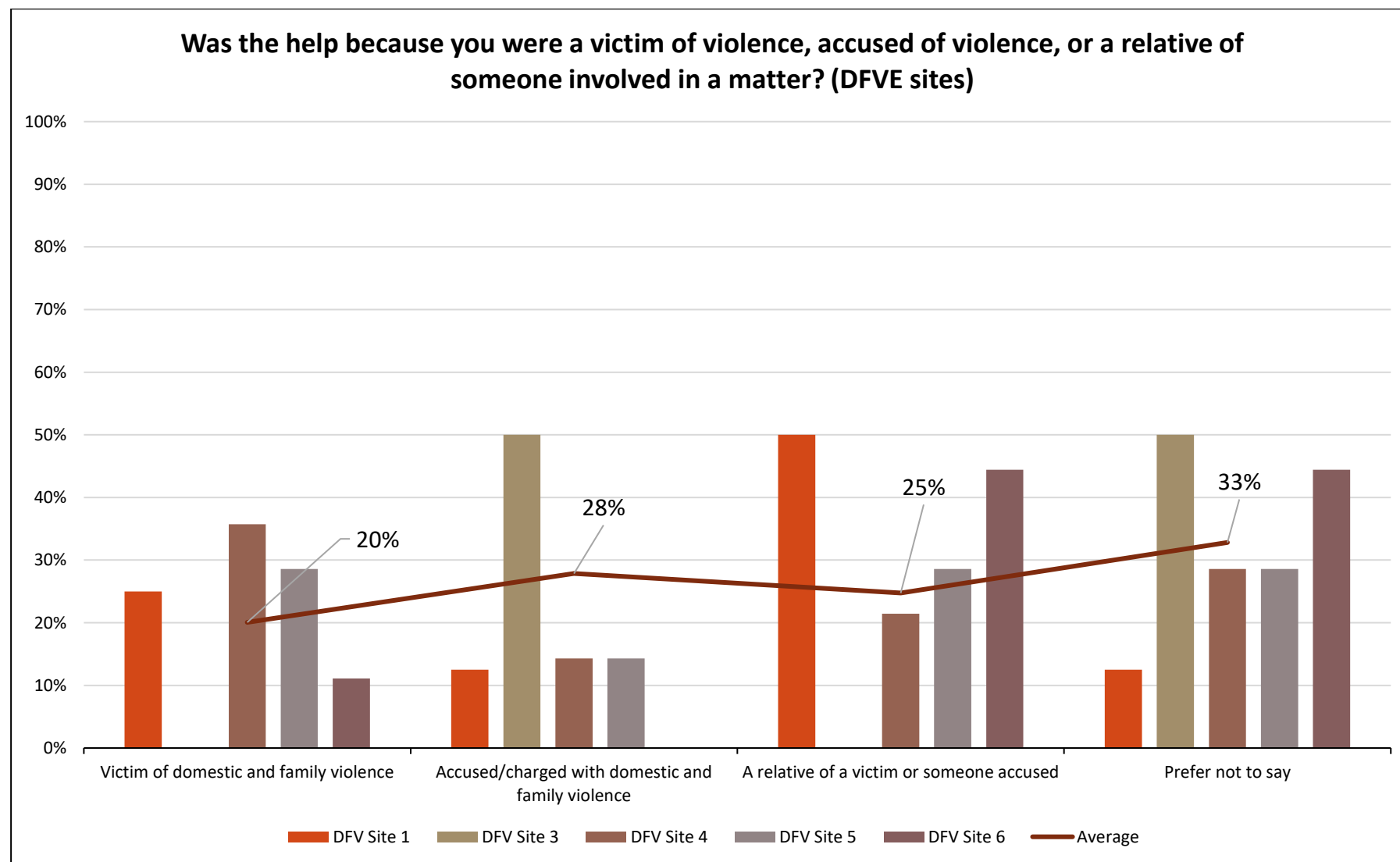


Figure 104. Responses from community surveys at DFVE sites (n = 52)

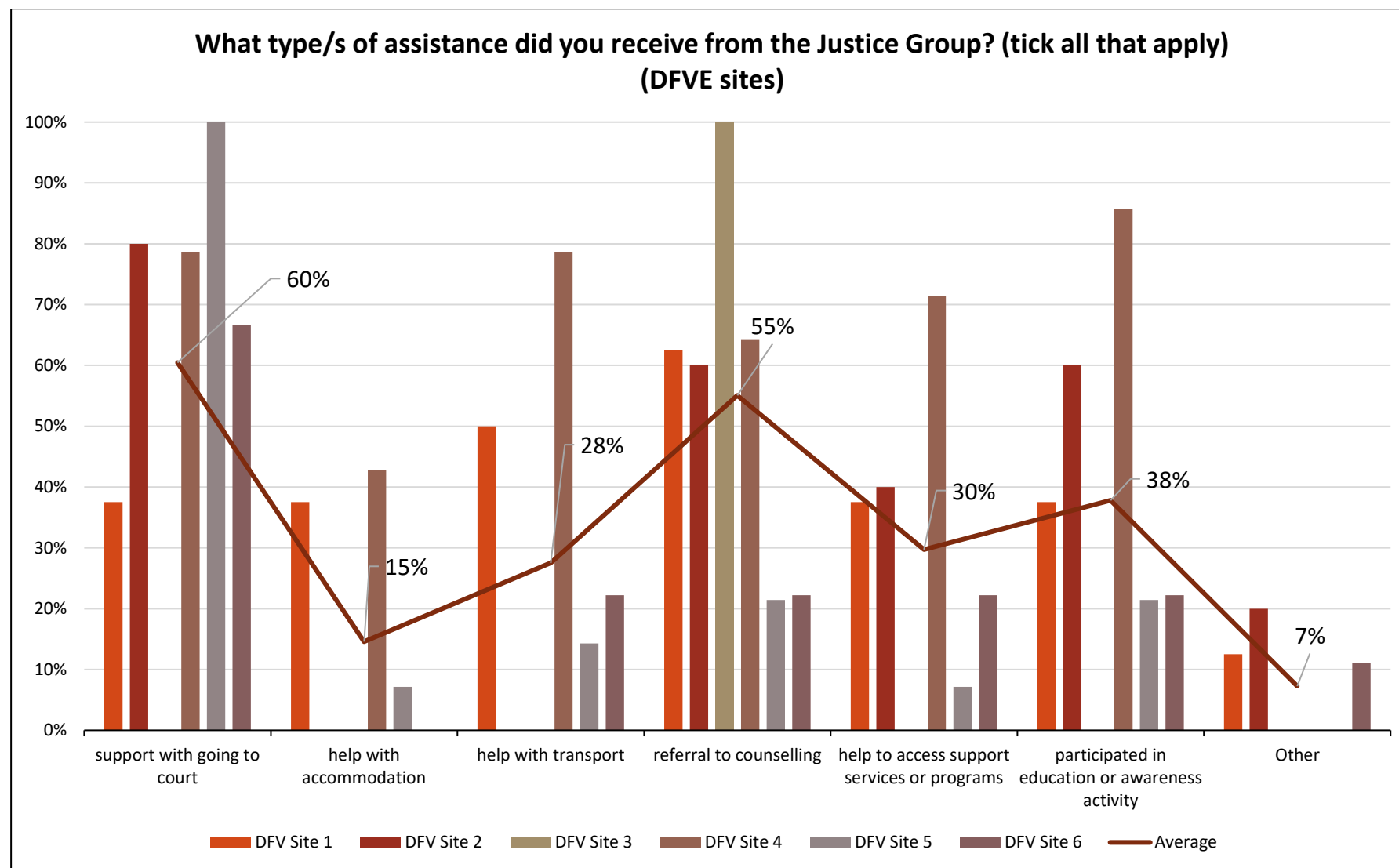


Figure 105. Responses from community surveys at DFVE sites (n = 53)

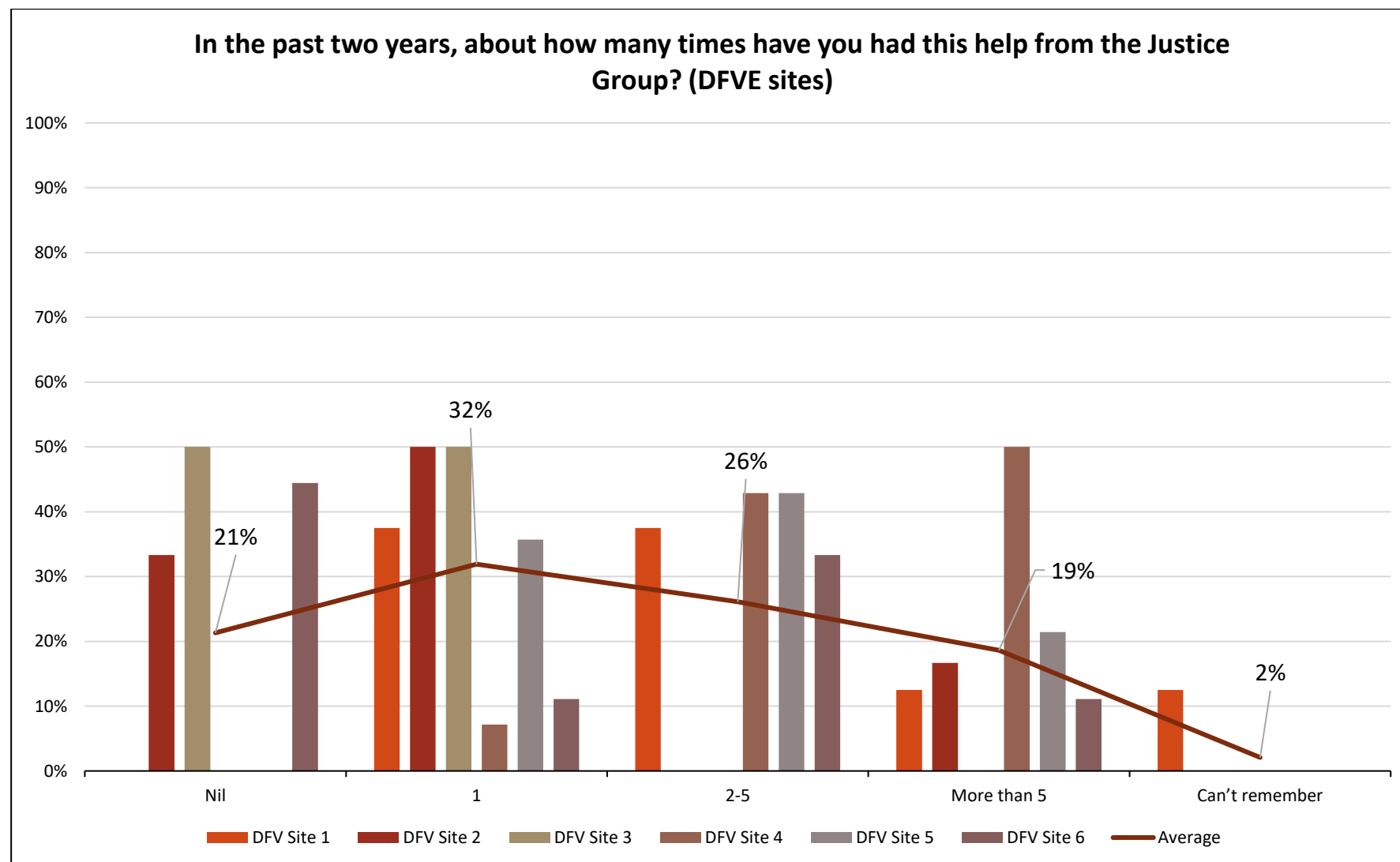


Figure 106. Responses from community surveys at DFVE sites (n = 52)

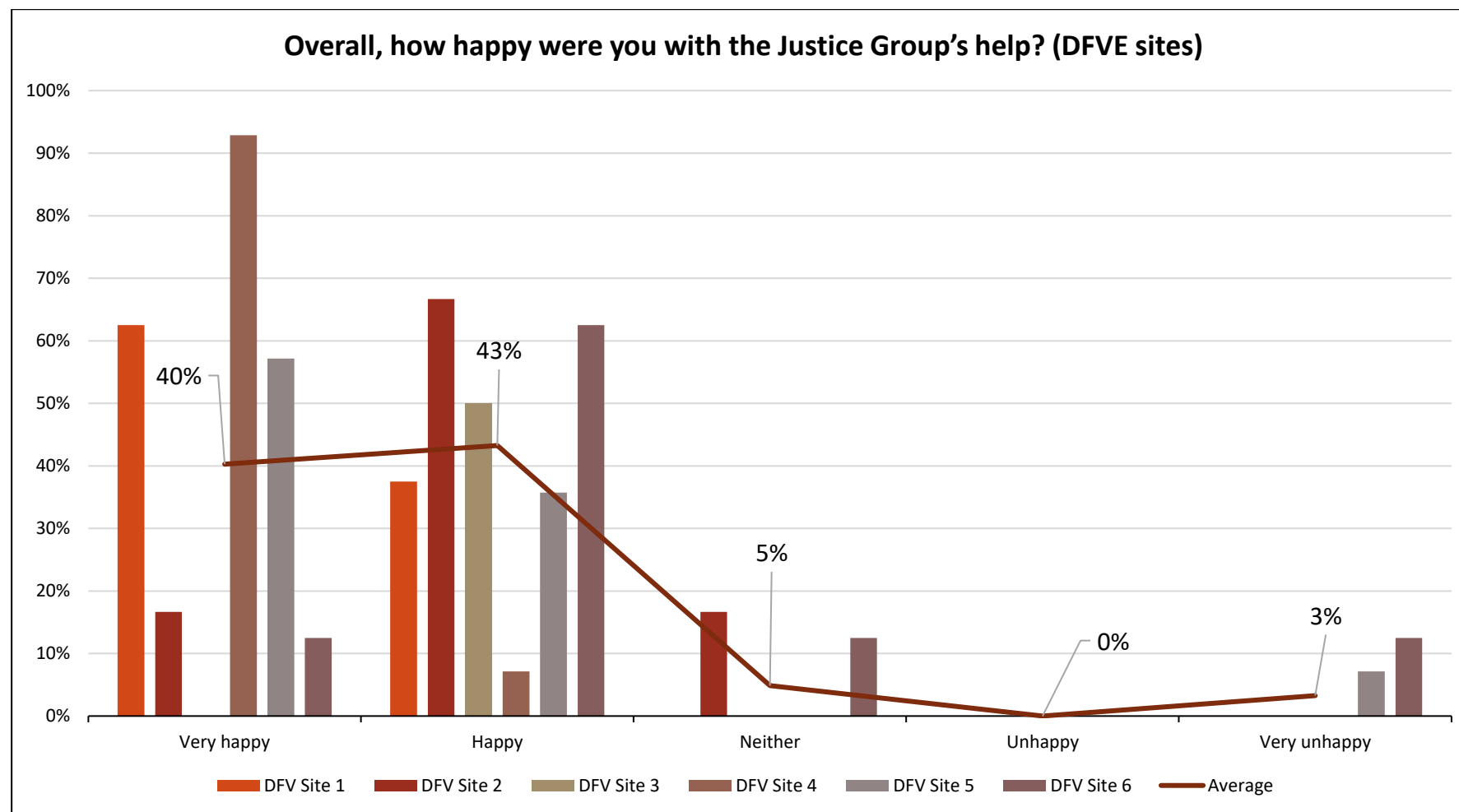


Figure 107. Responses from community surveys at DFVE sites (n = 55)

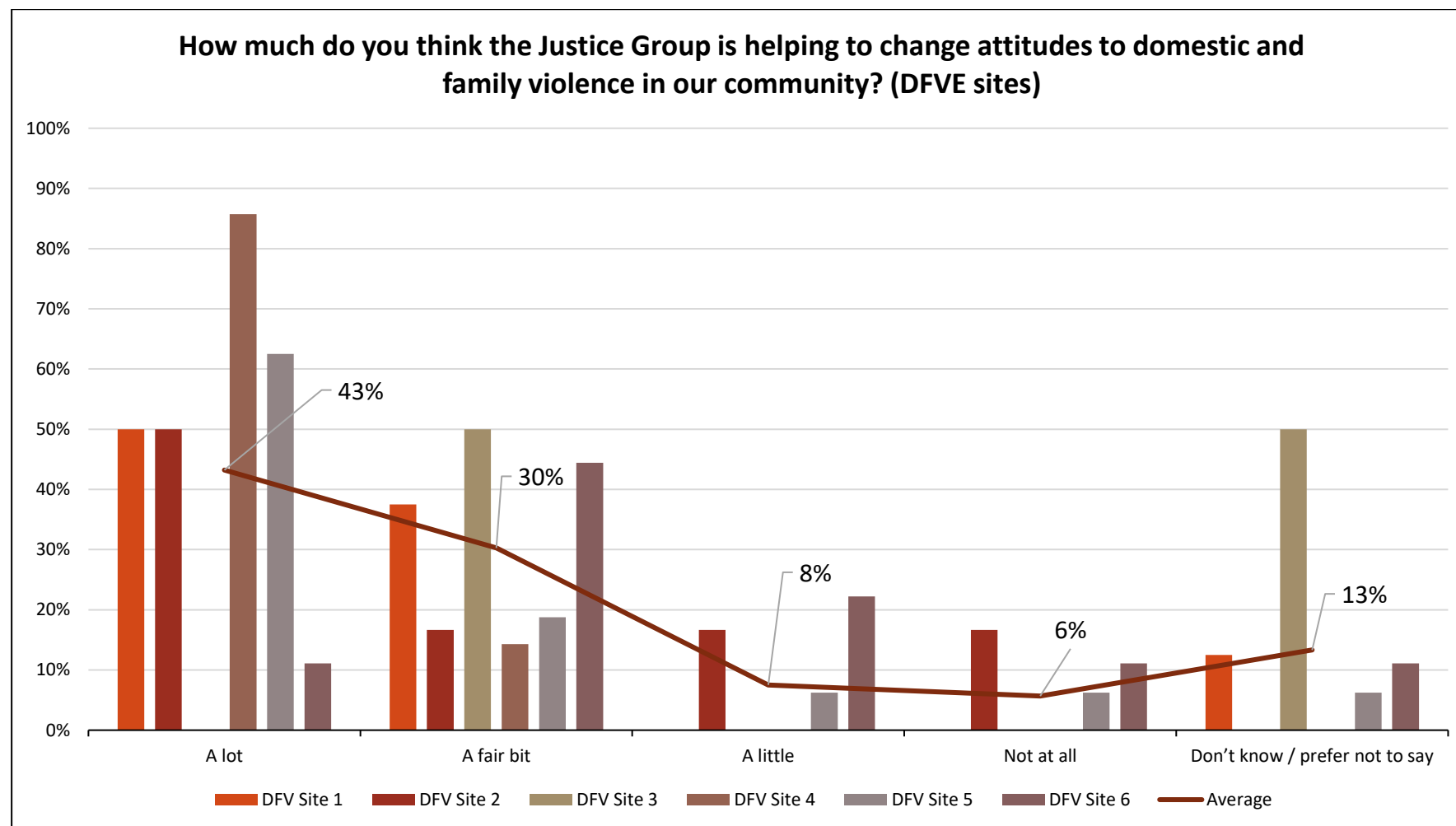
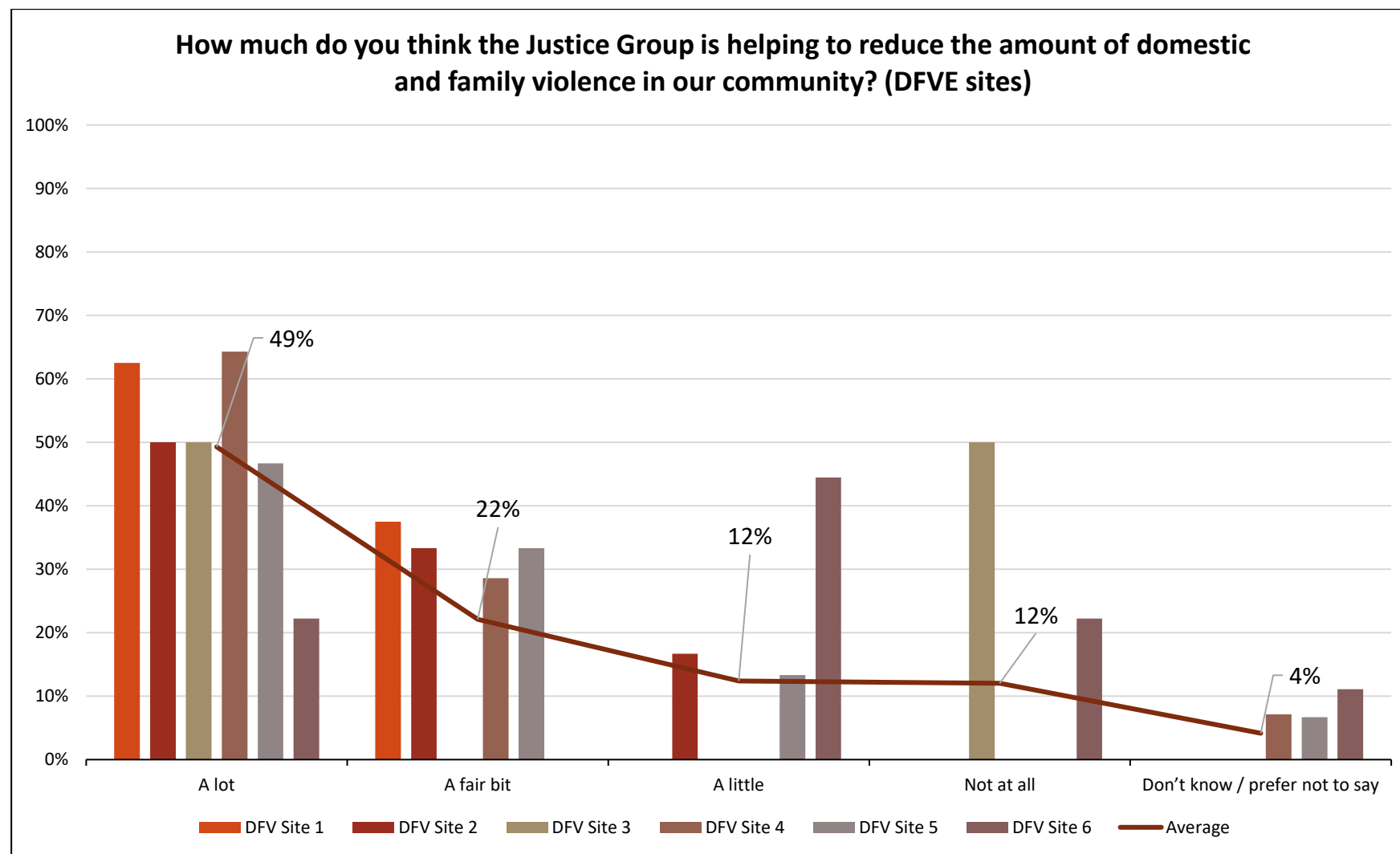


Figure 108. Responses from community surveys at DFVE sites (n = 54)



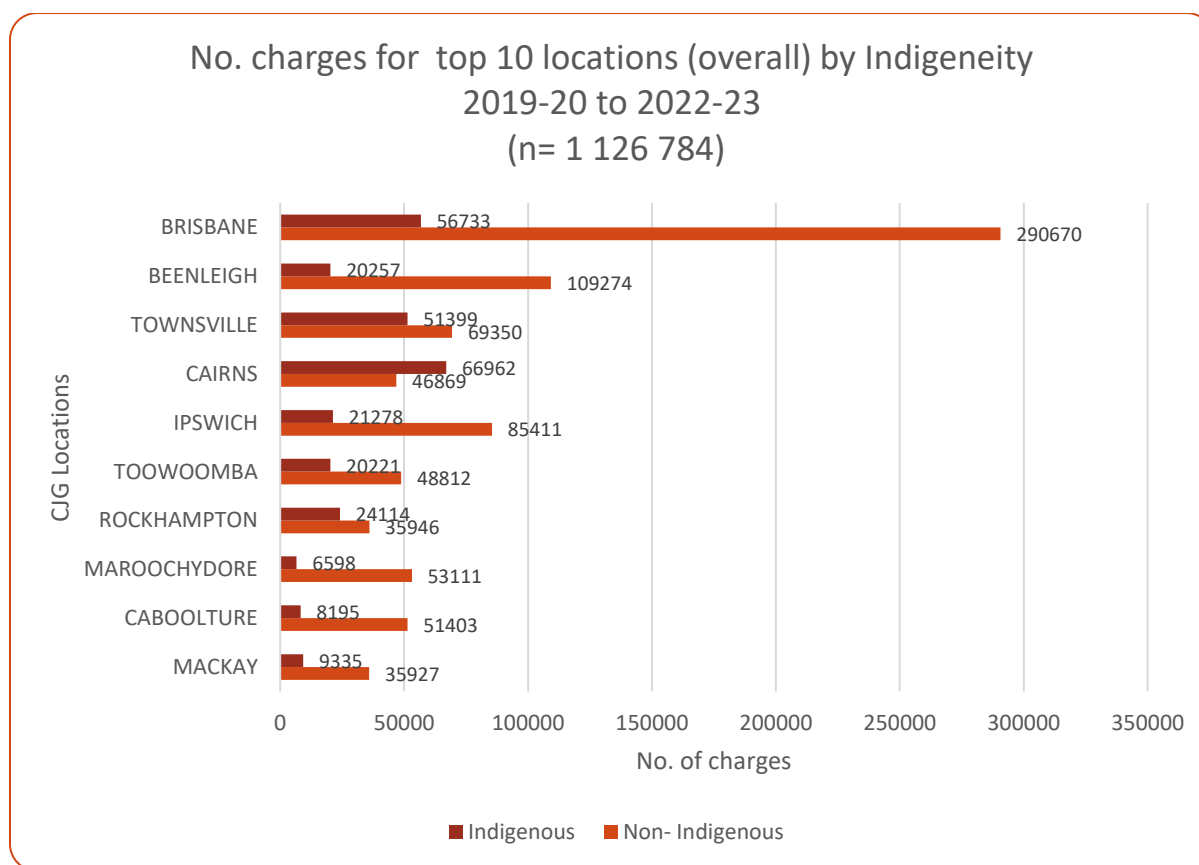
APPENDIX 4. COURTS DATA ABOUT INDIGENOUS CONTACT WITH THE JUSTICE SYSTEM

Introduction

This appendix contains selected information from an analysis of data relating to Aboriginal and Torres Strait Islander persons' contact with courts at locations where CJGs operate across the State. The source of the data is the Queensland-Wide Interlinked Courts (QWIC) Criminal Lodgement dataset for the period 1/7/2019 to 30/6/2023. Data were accessed for 52 court locations where CJGs operate, including 11 Torres Strait Islands which support Court Circuit visits. A narrative description of these data is contained in [Part 3.2](#) of this report.

Contact with courts in CJG locations across Queensland

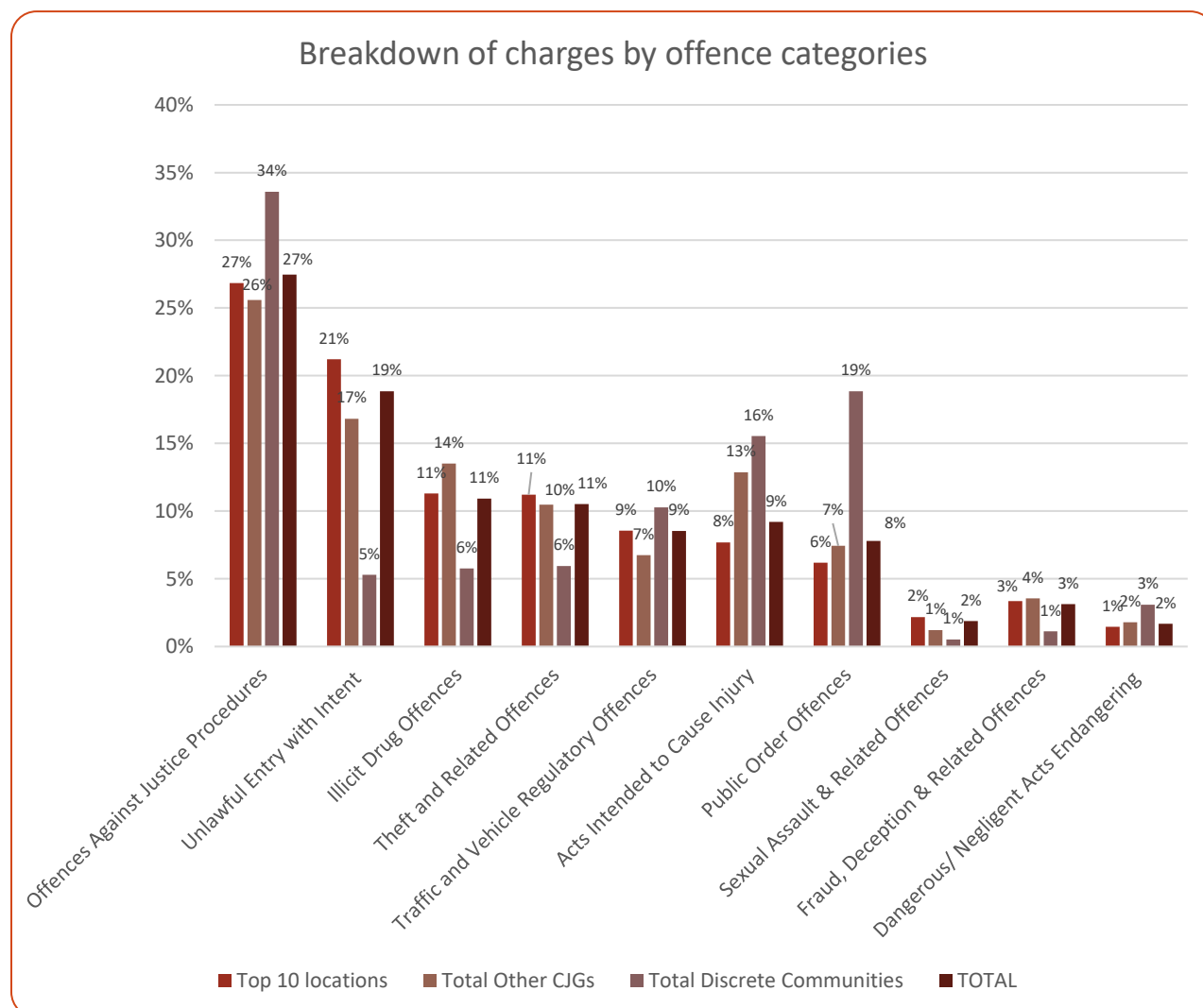
Figure 109. Number of charges lodged for top 10 CJG court locations overall 2019-20 to 2022-23



Notes:

1. Count includes criminal charges lodged in 10 Queensland court locations with CJGs in the period. Each charge is counted once only, on lodgement.
2. Indigeneity of the defendant is not recorded for 2.6% of charges. A person's indigeneity is recorded at the time of lodgement and may be recorded differently over time causing a small error rate (estimated <1%)
3. The top 10 locations are based on the total number of charges and aligns with the Non-Indigenous top 10 locations whereas Indigenous top 10 includes Mount Isa and Richlands but not Caboolture and Maroochydore. The remaining locations had 23% charges lodged.
4. 52 locations include 11 Torres Strait Islands which support the Court Circuit visits. Charges were <1% of total.

Figure 110. Percentage of charges for Indigenous people across offence categories in courts at CJG locations by location type, 2019-20 to 2022-23



Notes:

- Count includes charges lodged in 52 Queensland court locations in top 10 Divisions in the Australian Standard Offence Classification (Queensland). Excluded due to very small numbers: Abduction, Harassment; Weapons and Explosive Offences; Robbery, Extortion; Property damage; Homicide; and related offences for each one (<5%)
- Top 10 locations (highest number of charges) comprise: Brisbane, Beenleigh, Townsville, Cairns, Ipswich, Toowoomba, Rockhampton, Maroochydore, Caboolture and Mackay.
- 18 discrete communities comprise: Aurukun, Palm Island, Murgon (covers Cherbourg), Mornington Island, Cooktown (covers Hope Vale and Wujal Wujal), Doomadgee, Yarrabah, Woorabinda, Mossman, Weipa (covers Napranum and Mapoon), Kowanyama, Bamaga, Pormpuraaw, Thursday Island, Lockhart River, Coen. Other CJG locations comprise: Mareeba, Caboolture, Maroochydore, Hervey Bay, Cleveland, Normanton, Wynnun, Atherton, Maryborough, St George, Goondiwindi, Cunnamulla, Cloncurry.

Changes in offences over time

Table 4. Total charges in courts at CJG locations, comparing Indigenous and Non-Indigenous (excludes unknown)

	2019-20 and 2020-21	2021-22 and 2022-23	Change
Indigenous people	185777	205462	+ 19685 + 10.6%
Non-Indigenous people	503743	455708	- 48035 - 9.5%
Indigenous proportion of total	26.9%	31.1%	

Notes:

1. Count includes charges lodged for Indigenous and Non-Indigenous people in 52 Queensland court locations. Charges where Indigeneity is not recorded have been excluded.

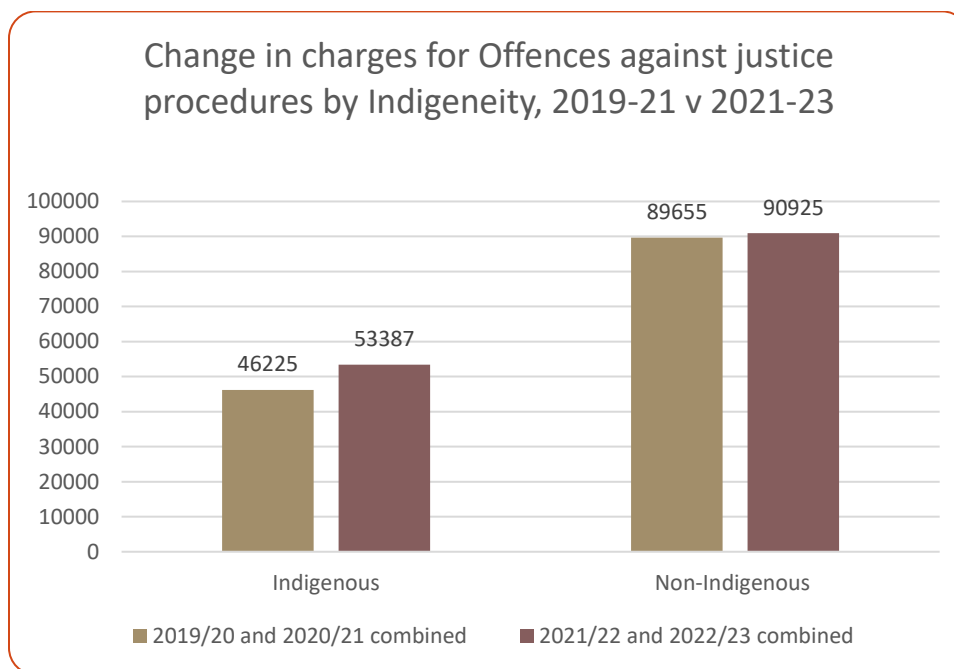
Table 5. Change in type of charges against Indigenous people at 52 courts where CJGs operate

Offence category	% Change in total no. of charges for the two years 2021-22 and 2022-23 compared with the two years 2019-20 and 2020-21	
	Indigenous	Non-Indigenous
Unlawful entry	+43%	+5%
Acts intended to cause injury	+34%	+18%
Theft	+29%	-7%
Sexual assault (and related)	+27%	+9%
Robbery	+25%	-10%
Offences against justice procedures	+16%	+1%
Drug offences	-21%	-23%
Public order offences	-16%	-18%
Property damage	-4%	-6%
Traffic offences	-7%	-20%
Total	+11%	-10%

Notes:

1. Offences are classified by QASOC Divisions
2. % change is measured as the difference in offences from 2019-21 to 2021-23 for the Indigenous cohort and non-Indigenous cohort separately.

Figure 111. Charges for 'Offences Against Justice Procedures' in courts at CJG locations, 2019-20 and 2020-21 vs 2021-22 and 2022-23



Notes:

- Count excludes charges where Indigeneity is not recorded.
- Offences against Justice Procedures include breaches of bail (including bail conditions), failure to appear, breaches of violence orders.
- Charges for Indigenous people increased by 15% and 1% for non-Indigenous people.
- The proportion of charges for Offences against Justice Procedures for Indigenous people increased from 34% to 37% in the period.

Table 6. Changes in bail offences for Indigenous people in courts at CJG locations by location, 2019-20 and 2020-21 vs 2021-22 and 2022-23

	Indigenous				Non-Indigenous			
	2019-20 and 2020-21	2021-22 and 2022-23	Change	%	2019-20 and 2020-21	2021-22 and 2022-23	Change	%
Remote	3917	3950	33	0.8%	485	568	83	17.1%
Urban	5923	6018	95	1.6%	24427	22882	-1545	-6.3%
Rural	8864	9572	708	8.0%	11664	10866	-798	-6.8%
	18704	19540	836	4.5%	36576	34316	-2260	-6.2%

Notes:

- Charges for bail offences increased by 4.5% for Indigenous people and decreased by 6% for non-Indigenous people.
- The rate of increase for Indigenous people was higher in rural locations.
- The proportion of charges for bail offences for Indigenous people increased from 34% to 36% in the time period.

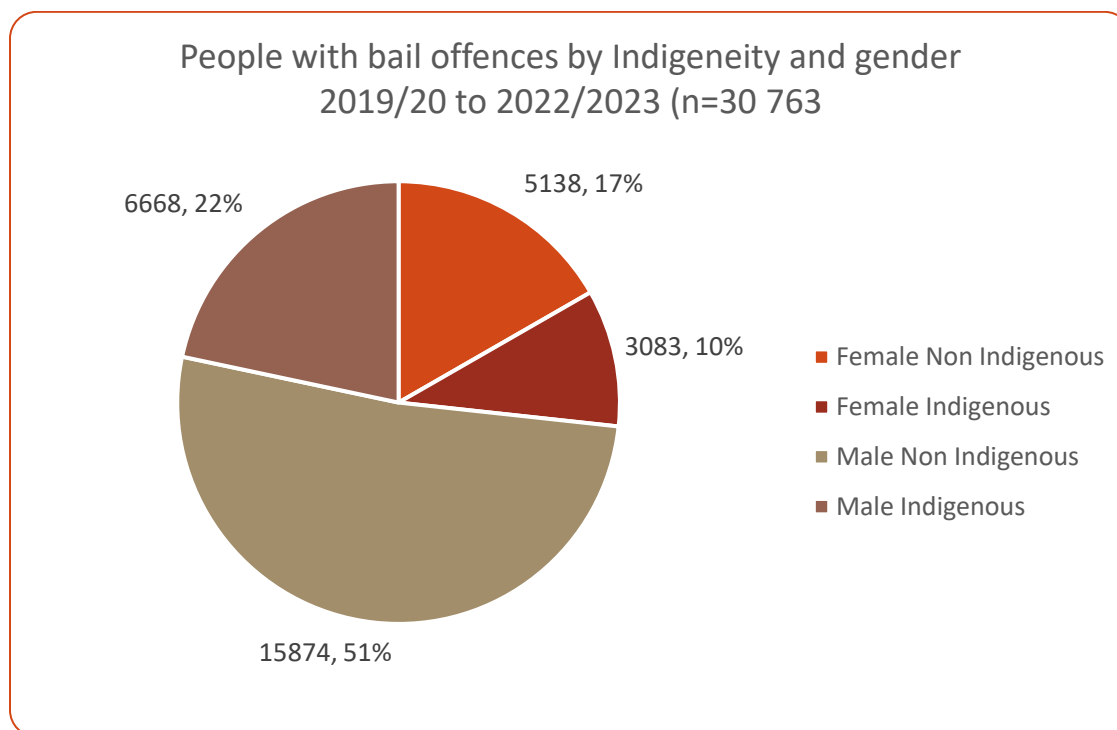
Table 7. Breakdown of bail offence charges against Indigenous people at courts at CJG locations, 2019-20 to 2022-23

QASOC classification	Females	Males	Total	Indigenous % of total breaches	% of breach type for Indigenous people
15231 (Failure to appear)	6471	10332	16803	33.9%	43.9%
15239 (Breach of bail conditions)	5677	14103	19780	36.3%	51.7%
15311 (Breach of violence order)	59	89	148	49.5%	<1.0%
15699 (Offences against justice procedures, nec (remainder))	20	1515	1535	32.7%	4.0%
Total	12227	26039	38266	35.1%	100%

Notes:

1. Total excludes numbers where gender 'Unknown'
2. Over half (51.7%) the breaches for Indigenous people are breaches of bail conditions. 44% are failure to appear.
3. Breach of violence order relates only to bail breaches in this table.

Figure 112. Number of people with bail offences by Indigeneity and gender 2019/20 to 2022/23 (n=30763)



Notes:

1. Over half the breaches for Indigenous people are breaches of bail conditions. 44% are failure to appear.
2. Breach of violence order relates only to bail breaches in this table.

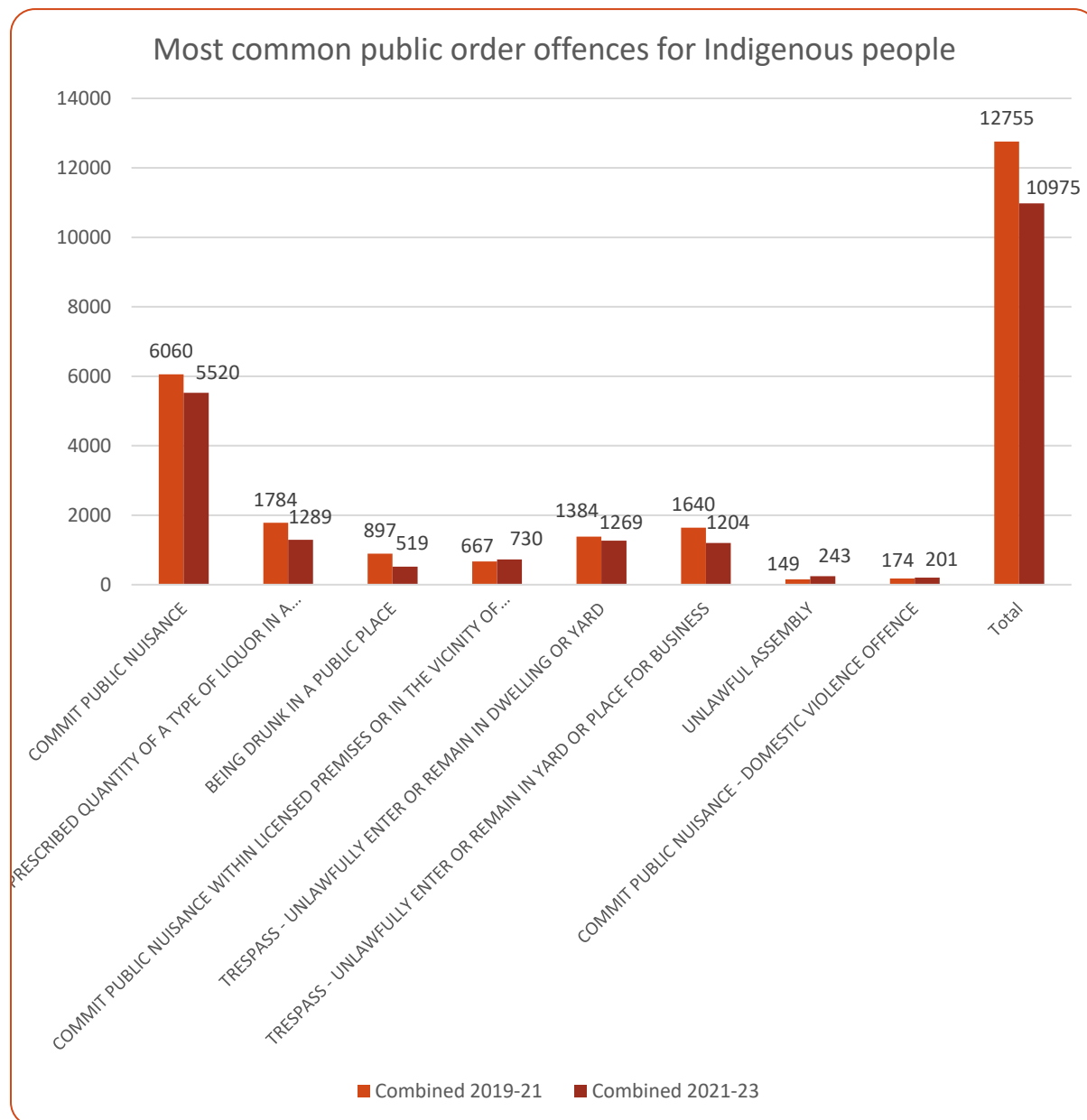
Table 8. Most frequent public order charges for Indigenous people at courts at CJG locations, 2019-20 to 2022-23

No. 10 most frequent Public Order Charges for Indigenous people by gender					
<i>Public Order Sub-Divisions</i>	Male	Female	Total	% of that charge	% Indigenous Public Order charges
Commit public nuisance*	6999	4580	11579	51%	41%
Possess More Than the Prescribed Quantity of a Type of Liquor in a Restricted Area Without a Permit	1822	1250	3072	97%	11%
Trespass – Unlawfully Enter or Remain in Dwelling or Yard	2178	475	2653	41%	9%
Trespass – Unlawfully Enter or Remain in Yard or Place for Business	1099	541	1640	40%	20%
Being Drunk in A Public Place	977	439	1416	51%	5%
Commit Public Nuisance Within Licensed Premises or in the Vicinity of Licensed Premises*	1046	351	1397	33%	5%
Unlawful assembly	282	110	392	99%	1%
Commit public nuisance – domestic violence offence*	209	166	375	73%	1%
Attempt To Enter Relevant Restricted Area in Possession of More Than the Prescribed Quantity of a Type of Liquor for the area	225	140	365	97%	1%
Affray	191	117	308	45%	1%
Total for Top 10 Offence sub-divisions			23197		

Notes:

1. Count excludes data where Indigeneity (7%) and gender (1%) were not recorded
2. Count is based on 305 Charge Titles in Division 13 Public Order Offences of the Australian Standard Offence Classification (Queensland extension) (QASOC). The top 10 charges account for 82% of charges for Public Order offences against Indigenous people.
3. 49% of all top 10 Public Order charges (47 776) were for Indigenous people (32% male, 17% female)
4. Commit Public Nuisance charges were 47% of Public Order charges for Indigenous people

Figure 113. Change in charges for public order offences for Indigenous people at courts in CJG locations, 2019-20 and 2020-21 vs 2021-22 and 2022-23 (8 most common public order charges)

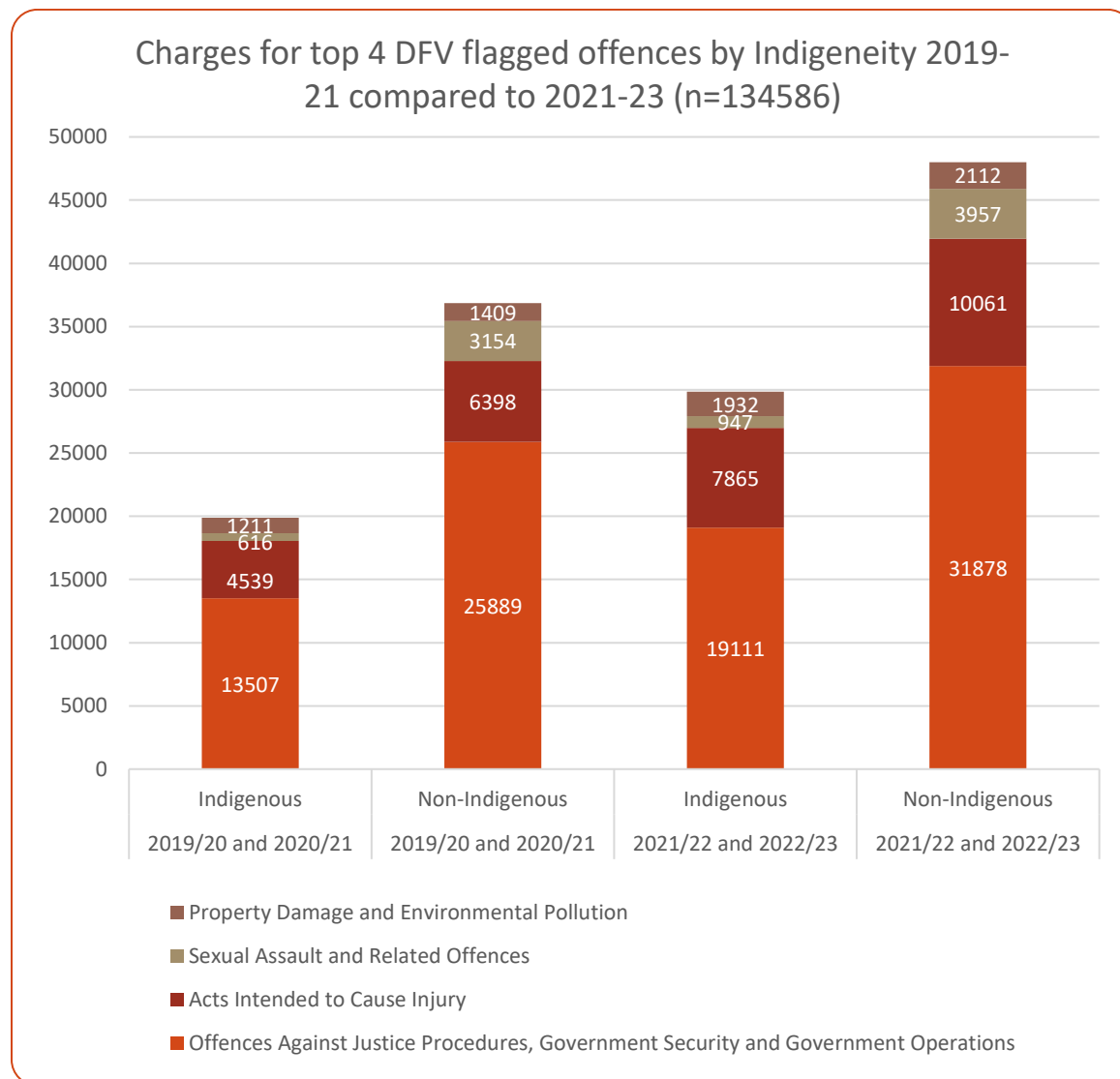


Notes:

1. Commit Public Nuisance offences were half (50%) of Public Order charges against Indigenous people in 2021-23.
2. Total charges for Public Order offences for Indigenous people fell by 14% for the two financial years from 2021-22 to 2022-23, compared to the previous two financial years.

Changes in DFV offences

Figure 114. DFV-flagged offences at courts in CJG locations, 2019-20 & 2020-21 vs 2021-22 & 2022-23



Notes:

1. Count excludes data where Indigeneity is not recorded
2. Top 4 charges account for 95% of all Flagged DFV charges.

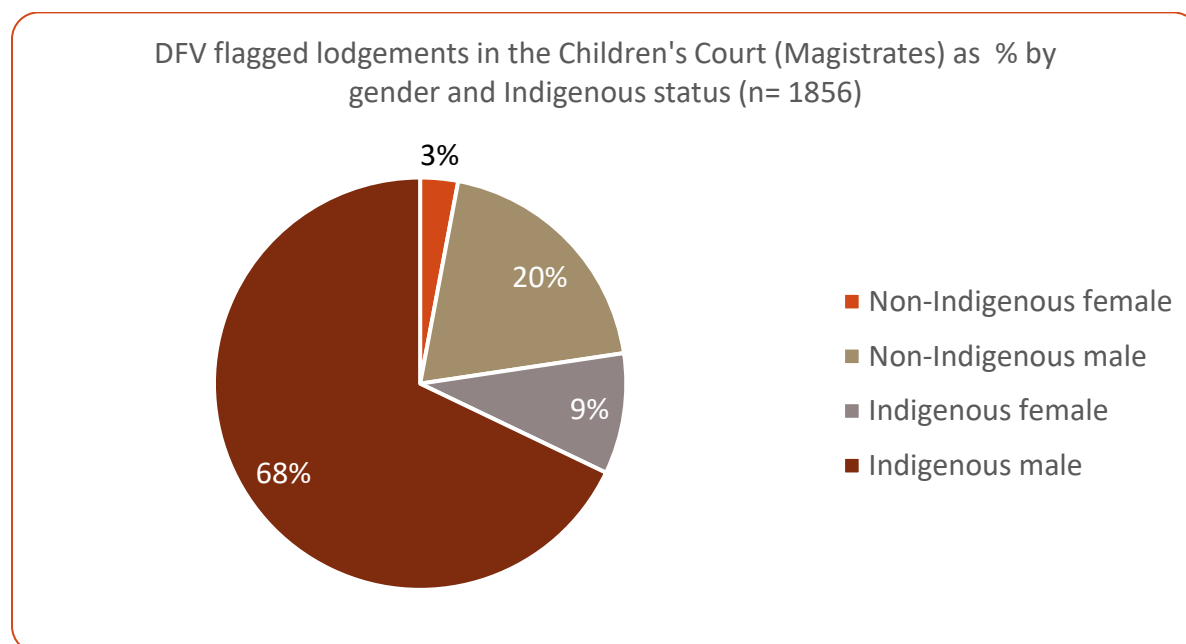
Table 9. Increase in DFV-flagged offences at courts in CJG locations, 2019-20 & 2020-21 vs 2021-22 & 2022-23, by indigeneity

% increase in number of charges from 2019-21 to 2021-23		
Type of DFV-flagged offence	Indigenous	Non-Indigenous
Offences Against Justice Procedures, Government Security and Government Operations	41.5%	23.1%
Acts Intended to Cause Injury	73.3%	57.3%
Sexual Assault and Related Offences	53.7%	25.5%
Property Damage and Environmental Pollution	5.3%	2.7%
Overall increase for top 4 offence types	50.2%	30.3%

Notes:

1. These top 4 charge types (accounting for 95% of all charges for DFV-flagged offences) increased by 50% for Indigenous people and 30% for non-Indigenous people.
2. *Offences against Justice Procedures* (mostly breaches of DVOs) increased by 41% for Indigenous people and 23% for non-Indigenous people. Charges against Indigenous people for this category increased from 34% to 37% of the total charges.
3. *Acts Intended to Cause Injury* increased by 73% for Indigenous people and 57% for non-Indigenous people. Charges against Indigenous people for this category increased from 41% to 44%.

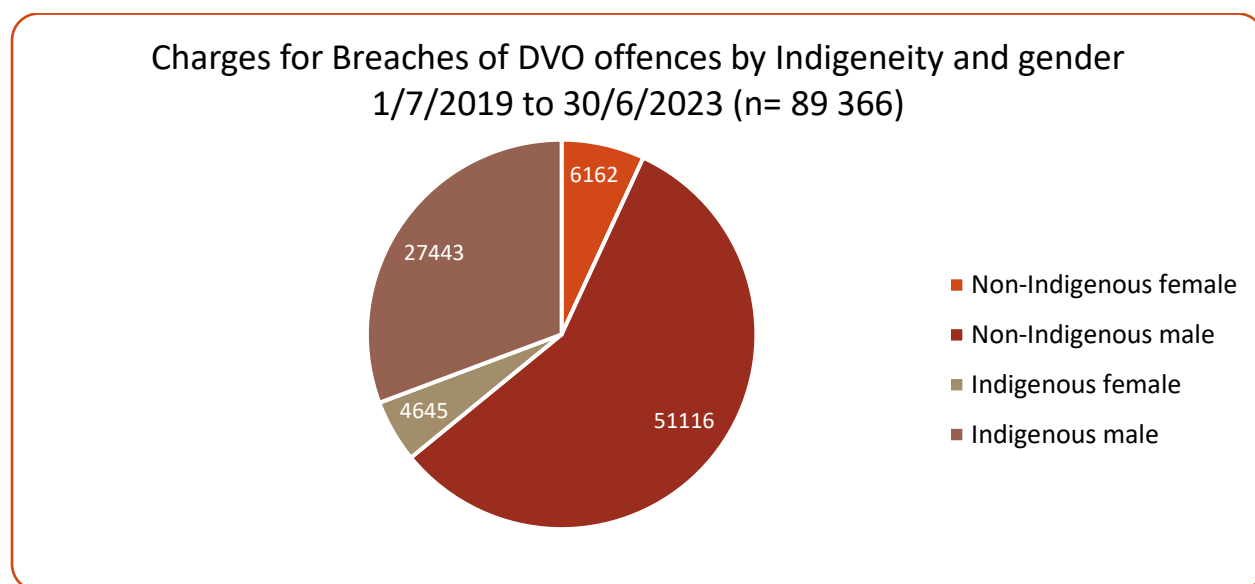
Figure 115. DFV flagged lodgements in the Children's Court at CJG locations, 2019-20 to 2022-23



Notes:

1. Flagged DFV Charges against Indigenous young people are 77% of the flagged DFV lodgements in the Children's court (Magistrates) (68% males and 9% females).
2. Charges for Offences against Justice Procedures form half of the flagged DFV charges.

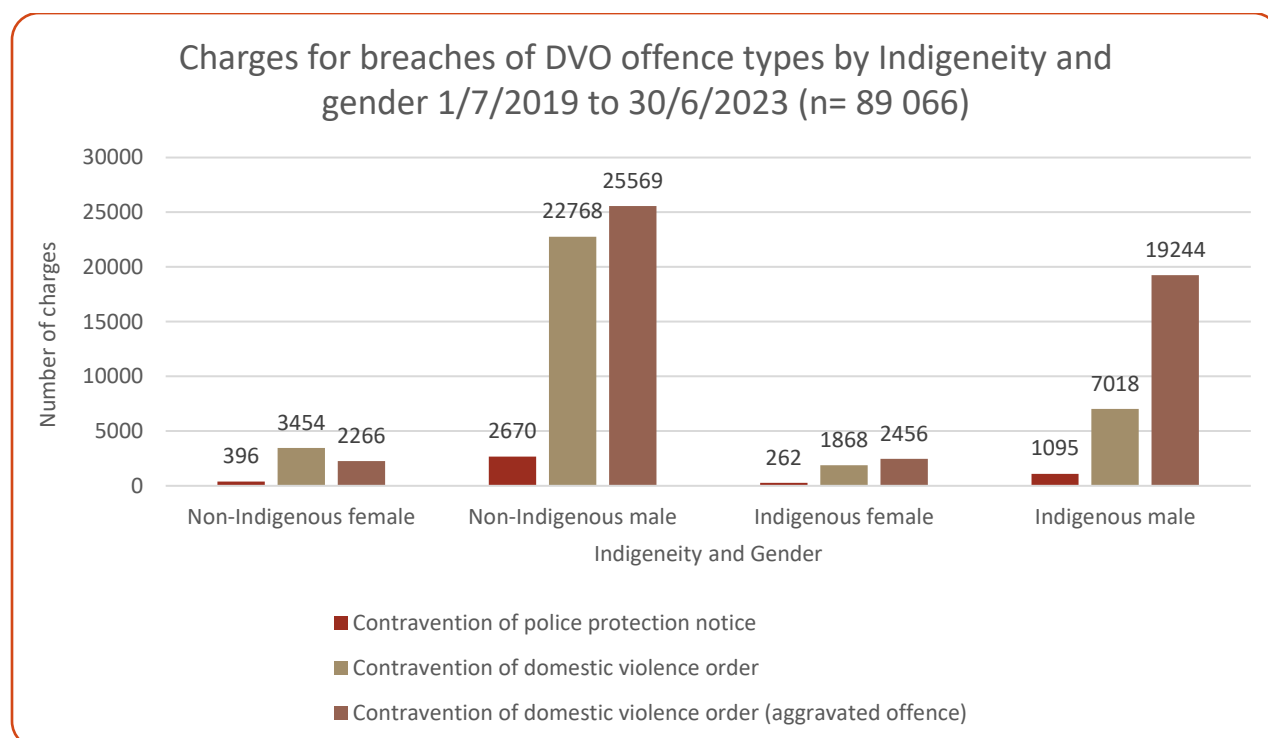
Figure 116. Charges for Breach of DV Order offences for courts at CJG locations, 2019-20 to 2022-23



Notes:

1. Excludes 300 charges for Contravention of release condition (QPS)

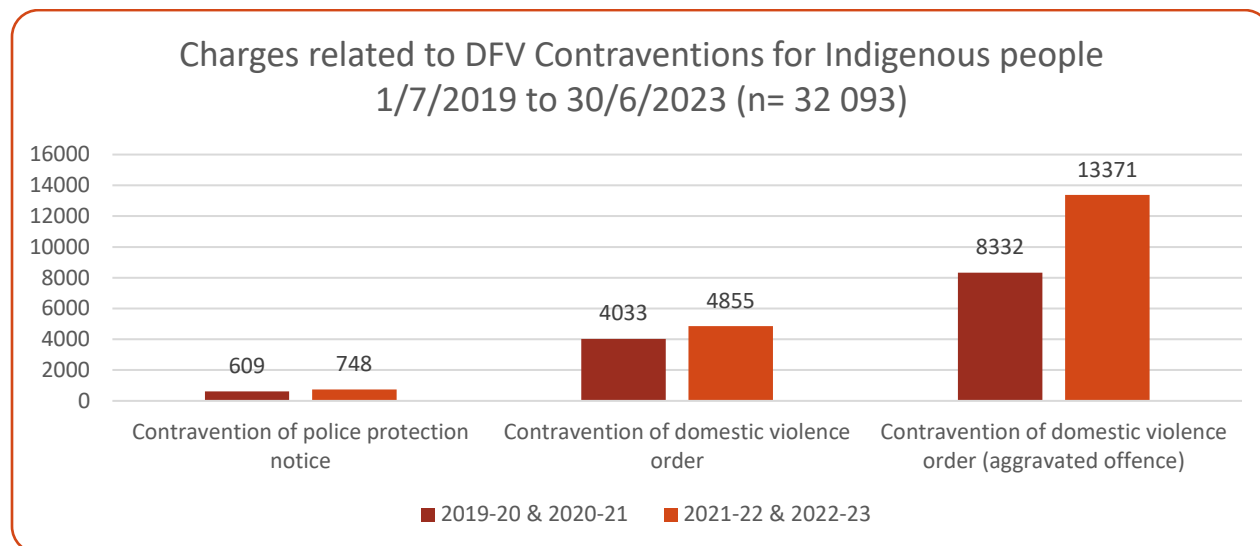
Figure 117. Charges for Breach of DVO offences in courts at CJG locations by offence type, 2019-20 to 2022-23



Notes:

1. Excludes 300 charges for Contravention of release condition (QPS)
2. Note that 'a circumstance of aggravation' occurs 'if within 5 years before the commission of an offence the respondent has been previously convicted of an offence under this part' (DFV Protection Act 2012, s177(2)(a)). This includes a previous breach of a DVO.

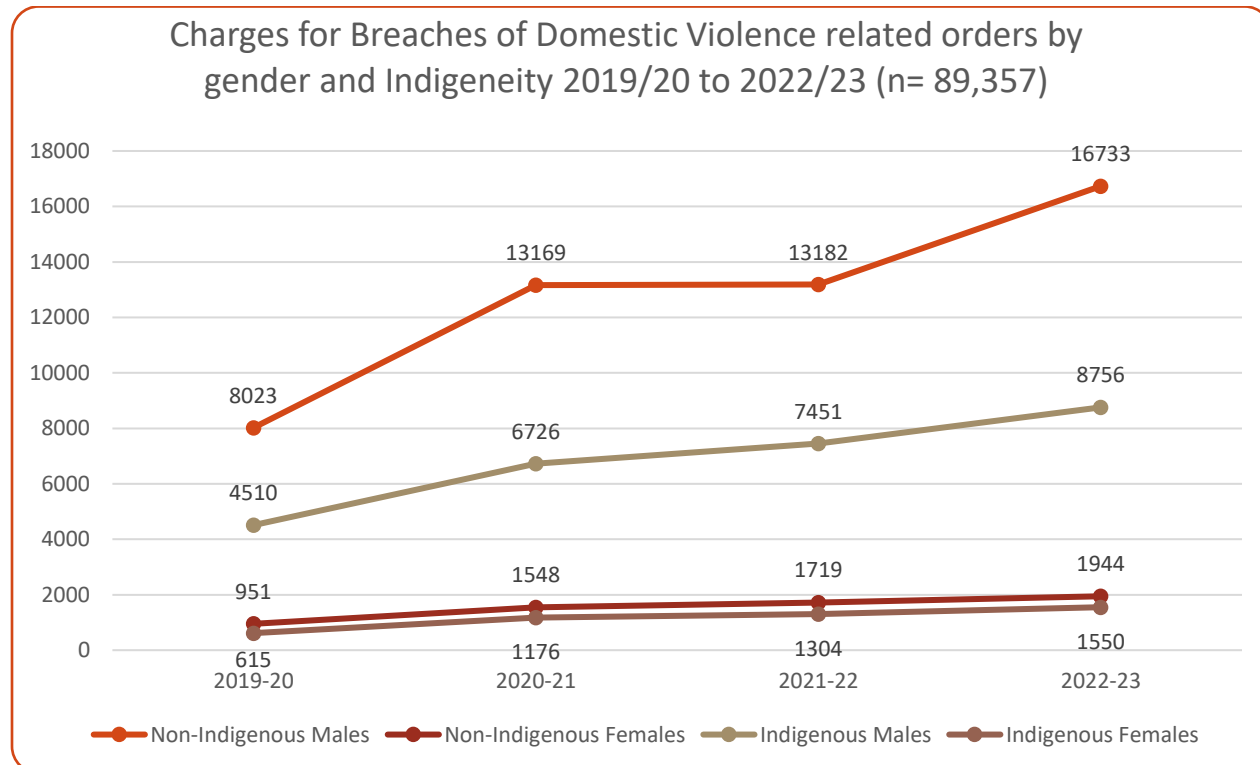
Figure 118. Changes in types of DFV contraventions for Indigenous people at courts at CJG locations, 2019-20 & 2020-21 vs 2021-22 & 2022-23



Notes:

1. Contraventions of DVOs (aggravated offence) increased by 62%. Note that ‘a circumstance of aggravation’ occurs ‘if within 5 years before the commission of an offence the respondent has been previously convicted of an offence under this part’ (*DFV Protection Act 2012*, s177(2)(a)). This includes a previous breach of a DVO.
2. A Police Protection Notice is in place until a temporary protection order has been made by the court.

Figure 119. Increase in charges for breach of DV orders 2019 to 2023



Sentence outcomes for Indigenous offenders

Table 10. Sentence outcomes for Indigenous offenders in courts at CJG locations, 2019-20 to 2022-23

Order Type Combined	Indigenous Total	% of total Indigenous orders	Non Indigenous Total	% of total non-Indigenous orders
Committal Order/Process	4728	2.4%	18393	3.2%
Community Based Order	10108	5.1%	23323	4.0%
Imprisonment/Custody	40951	20.6%	82377	14.2%
No Order Made	12145	6.1%	41848	7.2%
Minor	13087	6.6%	28839	5.0%
Monetary Order	115030	57.9%	371187	63.9%
Good Behaviour Order	2692	1.4%	14837	2.6%
Total	198741	100%	580804	100%

Notes:

1. A higher proportion of Indigenous offenders received a custodial sentence in this period (21%) than non-Indigenous offenders (14%)

Table 11. Finalised orders for Indigenous people (excluding 'unknown') made at courts at CJG locations, 2019-20 to 2022-23

Sentence outcome	2019-20	2020-21	Combined 2019-2021	2021-22	2022-23	Combined 2021-2023	Difference 2019-21 to 2022-23	Percentage change 2019-21 to 2022-23
Committal Order/ Process	1541	1781	3322	1623	1148	2771	-551	-16.6%
Community Based Order	3302	4387	7689	4106	2721	6827	-862	-11.2%
Imprisonment/ Custody	10633	11590	22223	11670	8152	19822	-2401	-10.8%
No Order Made	4221	5212	9433	4880	3332	8212	-1221	-12.9%
Minor	3738	4925	8663	4986	3725	8711	48	0.6%
Monetary Order	26429	37095	63524	30562	21264	51826	-11698	-18.4%
Good Behaviour Order	578	825	1403	784	512	1296	-107	-7.6%
Diversion	242	278	520	192	140	332	-188	-36.2%
TOTAL	50684	66093	116777	58803	40994	99797	-16980	-14.5%

Notes:

1. The number of sentencing orders decreased by 14.5% from 2019/21 to 2021/23 and in each sentencing category.

Domestic Violence civil matters

Table 12. Applications for DV orders at courts at 41 CJG locations, 2015-16 to 2022-23

	2015-16 to 2018-19 aggregate	2019-20 to 2022-23 aggregate	Total	Change in last 4 years vs previous 4 years
Applications for Indigenous aggrieved	21999	19488	41487	-13%
Applications for non-Indigenous aggrieved	66311	83894	150205	21%
TOTAL applications	102631	104731	207362	2%

Source: QWIC Civil DV application dataset 1/7/2015 to 30/6/2023

Notes:

1. Excludes applications where Indigeneity was not recorded (ranged from 23% in 2015/16 to 1% in 2022/23).
2. Includes Initiating Applications.
3. Includes Intimate partner relationship, Family relationship and Carer relationship (see Figure 119).
4. The percentage of Indigenous aggrieved applications decreased from 22% in 2015/16 to 18% in 2022/23.

Figure 120. Type of relationship subject of DV applications for Indigenous aggrieved in courts at CJG locations from 2015-16 to 2022-23

*When initiating applications are for **Indigenous** Aggrieved (30 640):*

- . 89% of Family relationships have an Indigenous respondent
- . 77% of Informal Care relationships have an Indigenous respondent
- . 77% of Intimate Personal relationships have an Indigenous respondent

Overall 81% of these initiating applications are both Indigenous

Applications with Indigenous respondents are:

- . 59% Intimate Personal relationships
- . 41% Family relationships
- . <1% Informal Care relationships

Applications with non-Indigenous respondents are:

- . 77% Intimate Personal relationships
- . 22% Family relationships
- . <1% Informal Care relationships