

ATTACHMENT KW 1

This is the attachment marked "**KW 1**" referred to in the witness statement of Kerry Genevieve Mary Walker dated 3 August 2015.



Neighbourhood Justice Centre

Submission to Royal Commission Into Family Violence 2015



Courts **must** look at its building from the user's point of view.

Even the oldest courts can find rooms for women and children.

We closed off space under the main stairs and installed a kiddies playroom.

Opposite the FV overflow room and the security desk, the room is a safe environment that goes a long way to reducing the anxieties children feel when parents are upset and stressed.

Courts **must** resolve the lack of clarity, and tensions, surrounding its role in family law matters.

Our criminal justice system is around 700 years old. Conversely, family violence law has emerged in the last decade or so, and done so spanning civil and criminal codes.

For this reason, the NJC argues **there is a significant lack of clarity around the role of the court in family violence law matters**, and competing tensions risk hindering the maturation of this new and complex area of law.

Traditionally, courts have been independent arbiters between parties, and rightly so. However, as family violence steps out of the shadows, there is strong argument for the court to play an active role in stamping out this social ill.


Unlike the delineations clear in civil law, or 'traditional' criminal law, the debate needs to be had about the role of the court as solely abribitor of the dispute, or also have a supervisory role.

And yet our courts are entering murky legal waters, and serious thought needs to be given to defining its roles before it steps out of its boundaries and impinges on individual lives, or, in an effort to remain independent, does not use its authority to keep those affected by family violence safe.

If the role of the court in family violence law develops without rigorous attention given to recalibrating the tensions currently shaping it – civil and criminal, arbiter or supervisor – the real losers will be the women for whom the court is both a last stand against abuse, and a first step to freedom.

Need protection from family violence?

Safety is one
click closer



Use the Neighbourhood Justice Centre's secure
online intervention form. Apply any time, any place.

Go to njcforms.courts.vic.gov.au

For Yarra residents aged 18+

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NJC is integrating the
online FVIO with Courtlink.

Courtlink integration
will substantially reduce
double-handling.

\$40m pa
estimated savings as
Magistrates' Court Victoria
adopt the form.

Courts **must** engage in user-centred design thinking to achieve better justice outcomes

In an Australian first, the NJC has taken the existing confusing, paper IO form and created a secure, easy to online form. **Apply where and when it suits you.**

Any time, any place

Apply when and where it's suitable. For example at work, a friend's place, even a public library.

- Save the form for up to four weeks and complete it in your own time.

Security

Applicants no longer have to hide a bulky paper application. Our form is:

- Password protected: applicants must come to the court to get a new password. This stops an abusive partner hacking the form.
- 'Quick escape' to close form and goes to an innocuous Google search page.

Giving her a voice

- Uses 'empathetic design' "gives the woman her voice back," says Kerry Walker

Risk alerts for priority service

- Gives Magistrates and court staff flags indicating urgency and severity of risk, which gives courts ability to prioritise applications

Data collection

- In time, aggregated data will give courts insight into the FV landscape, significantly assisting resources allocation and provide trend information to the practitioner field and VicPol.

Courts must provide women with safe passage, rooms and space.

The NJC believes courts must be safe, with secure entry and egress for women who attending FV matters in our courts. As with other courts, the NJC was not purpose-built for FV, but we have made building and practice improvements to provide women with greater levels of security, and confidence to use the court.

Dynamic security at the NJC

- Only court in Victoria with a concierge function built into the security contract
- Only Victorian court to have 'dynamic security' that is, our security guards continually patrol the building and sit with applicants on the court floor. This gives applicants far greater levels of trust and security, and enables Client Services and staff to respond to anti-social behaviour before it escalates.

Safe entrance/exit

- Security guards or staff can escort applicants to and from court/quiet rooms via a security restricted separate entrance

Quiet Room

- Security protected Quiet Room gives women sanctuary. Women can talk to their lawyers while keeping an eye on their children who can play in the adjoining glass-partitioned playroom (see page 14)

Overflow Room

- Security-protected interview room situated at front door.

Changing our building to suit the user



“We created ‘overflow’ room for women in FV matters from a small room we had. Perfectly situated beside the security desk and the front door, adaptation of our building and practices gives women trust in the NJC to keep her safe,”
Cameron Wallace, Client Services Manager.



The time spent preparing for "V" day results in substantially improved Justice services

Court must prioritise time and resources to ensure citizens receive the very best justice delivery

The NJC prioritises time to triage FV clients.

NJC's Senior Registrar, North Yarra Community Health counsellor, and NJC's Mediation Coordinator plan the following week's FV hearing day.

Triage allows Client Services to ensure the required services are on hand to manage the complex psycho-social needs of FV clients.

Triage enables us to flag high risk respondents and matters where the parties are known to the courts. In this way, Client Services, Registry and security know who will need to most protection or supervision on the day.

"The NJC believes that planning prior to family violence hearings should be an essential component of court operations," says Kerry Walker.

Efficient and effective preparation ensures applicants and respondents enter a justice system that is pre-emptive and active.

The overall benefits for handling FV matters strategically ensure the women who require court protection, do so with greater levels of confidence in the system.

Court must find ways to draw on the expertise of, and work with, welfare and treatment agencies.

20 independent treatment agencies have staff located at the NJC. Together this Client Services team provides integrated assessment, treatment and referral services to people referred through the justice process, and Yarra residents who self-refer.

Integrated services gives:

- ▶ immediate referral of FV applicants and respondents to required services
- ▶ assistance to applicants who requiresupport and protection
- ▶ safety and a calmer ambience of the building (reduces incidents)
- ▶ agencies transferable knowledge to fill service gaps
- ▶ lawyers surety the psycho-social needs of clients are met immediately

NJC victim support strategies

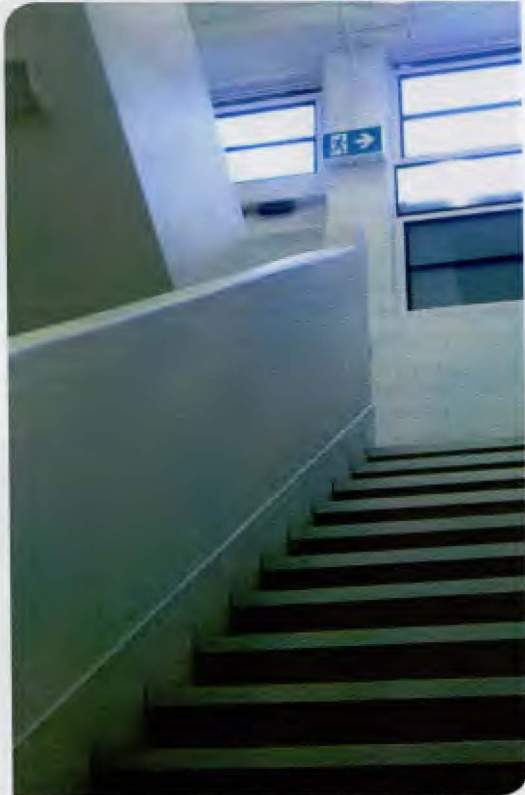
- ▶ Victims Assistance and Counselling Program
- ▶ On-site Berry Street Court Support Worker
- ▶ Intervention Response Team comprising Registry, Dispute Settlement Centre and Client Services
- ▶ On-site Court Network workers and a Salvation Army Chaplain who provide support and information to victims
- ▶ On-site legal advice and advocacy services
- ▶ Newly arrived/refugee victims of trauma support via New Hope Foundation
- ▶ Non-profit run kiosk offering free tea/coffee, and inexpensive meals.

"It made a big difference getting out of this place without him seeing me," 'Jane', applicant.

The NJC uses the staff/fire stairwell to escort women in and out of the court so they do not meet the respondent.

This is simple change to how we use the building makes a huge difference to women already fearful of being here.

Security will escort women to their cars if required.





Male staff need to 'walk the walk'. In collaboration with MFB, male staff lead men from VicPol, Yarra Council and local businesses to take the White Ribbon Day oath. In 2014, 100 men took the oath, and the NJC walked in the march. We are expanding this event.



We ensure women know their rights through our education programs.



And our Collingwood Allstars Soccer Program give the next generation guidance and support.

The NJC recognised the need to have a victims of crime charter.

Composing our Victim's Charter consolidated our thinking around the resources we provide both victims and offenders and provides a framework for innovation.

Victims Charter

Vision

The Victims' Strategy strives to provide effective and equitable justice responses for victims of crime and abusive behaviour.

The Victims' Strategy will improve victims, and the broader community's, confidence in, and access to, the justice system.

Principles

The Victims' Charter Act¹ sets out the principles governing the response to victims of crime by the criminal justice system. Victims have the right to be:

- treated with **courtesy, respect and dignity**;
- given clear, timely and consistent **information** about their rights and entitlements and, if appropriate, be referred to **victims and legal support services**.

A victim-sensitive approach incorporates the victim's perspective into support services' processes and decision-making. This requires considering what is in the best interests of the victim in the particular situation.

The Neighbourhood Justice Centre's ('NJC') community justice model applies therapeutic and restorative approaches to crime, and the social and cultural problems affecting the Yarra community. The model requires engaging with victims in ways that help them piece together a durable sense of emotional, psychological, physical, and where appropriate, financial well-being in the wake of offences committed against them.²

Further, the Victims Strategy is governed by principles that:

- recognise the impact of crime on the victims, including the impact on members of the victims' families, witnesses to the crime and, in some cases, the broader community;³
- minimise the likelihood of secondary victimisation by the justice system;⁴
- ensure the centre remains a safe environment; and,
- strengthen preventative responses to crime and harmful behaviours in the City of Yarra.⁵

"We worked with our partner agencies such as DSRV and Intouch so we knew we fully captured the complex needs of victims of crime, particularly the needs of vulnerable women.

Every court should take time to consolidate its thinking and embed its practices by framing a Victims Charter strategy,"
Director Kerry Walker.



“Working with what we have we created a Quiet Room from an existing room.

We installed a security pass on doors, added toys and blackboard paint, and voila, we now have secure Quiet Room for women needing protection and space to think,” Kerry Walker.

Courts **can** work with justice partners to pro-actively reduce incidents of FV.

Intervention order support for public housing estate residents

Atherton Gardens
Collingwood
Richmond



An innovative approach to integrated services:

IO support for vulnerable parties living in Yarra's public housing estates.

Applicants can advise the NJC to tell the Department of Human Services, Wilson Security and Brotherhood of St Laurence, about an intervention order.

The applicant's local D.H.S.Housing Services Manager will then alert the buildingsecurity/concierge of the conditions of the intervention order.

Wilson Security can then prevent respondents from entering the building.

Neighbourhood Justice Centre | [REDACTED]

Kerry Walker | [REDACTED]

neighbourhoodjustice.vic.gov.au

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Video Submission to the Royal Commission into Family Violence Chapter Listing

No More Silos:
New Approaches to Family Violence

Justice in the Digital Age

Looking Out For Her:
Comfort, Security, Protection

Thinking Clearly:
Clarifying the Courts Role in FV

Triage:
Improving Courts Process for Better
Client Outcomes

Client Services:
A Fresh Approach to Courts

Better Community Outcomes
Through Partnerships

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