



Community Justice Centre

Annual Report

2012-13

**Report to the Attorney-General under section 39 of the
*Community Justice Centre Act***

Contents

1. Access to CJC services
2. Vision and mission statement
3. Key objectives
4. Highlights 2012 -13
5. From the Director
6. Consultative Council
7. National Mediator Accreditation
8. Regional Highlights
9. Summary of CJC's activities
 - a. Marketing
 - b. Mediator panel
 - c. Committees
 - d. Education and training
 - e. Culturally Effective Mediations
 - f. Correctional Centre Conferencing
 - g. Future
 - h. Staffing
10. Guidelines, policies and procedures
11. Statistics
 - a. Operating Performance Measures
 - b. Client satisfaction
 - c. Mediation file numbers
 - d. Mediation files in time units
 - e. Mediation Complexity Matrix
 - i. Volume
 - ii. Average
 - f. Referral Breakdowns
 - g. Dispute Types
 - h. Intensity of mediated matters
 - i. Presentations
 - j. Personal Violence Restraining Order Mediations

1. Access to CJC services

General inquiries freecall:	1800 000 473
Email:	cjc@nt.gov.au
Web:	www.cjc.nt.gov.au
Facsimile:	08 8999 6226
Visit in person at:	1st floor, Zone B Darwin Magistrates Court Nichols Place, Darwin
Postal address:	GPO Box 1722, Darwin NT 0801

2. Vision and mission statement

The CJC's vision

The CJC envisages a community that embraces it as an accepted avenue for dispute resolution.

The CJC's mission

To provide a fair, accessible, accountable, informed and effective dispute resolution service that meets the diverse needs of Territorians.

3. Key objectives

The following are the CJC's key objectives:

- a. provide an efficient, accountable, impartial, accessible and confidential dispute resolution service that meets the diverse needs of Territorians;
- b. assist and empower Territorians to be responsible for the resolution and outcome of their own disputes;
- c. provide a speedy, informal and effective dispute resolution service as an alternative to legal action;
- d. promote and inform the community about alternative dispute resolution practices and services available through the CJC; and
- e. provide a flexible and responsive alternative dispute resolution service that meets the changing needs of the community and is consistent with, and meets, industry standards.

4. Community Justice Centre Highlights 2012-13

- Relocation of the CJC office provide better client access via a dedicated shopfront
- 153 mediations delivered (1.3% increase from last reporting period).

Year to 30 June	Mediations Provided
2008-09	101
2009-10	131
2010-11	144
2011-12	151
2012-13	153

- 806 Mediation Advice (Intake) from Territorians seeking professional dispute resolution advice (60% increase from last reporting period).

Year to 30 June	Mediation Advice (Intake) Provided
2008-09	381
2009-10	524
2010-11	530
2011-12	505
2012-13	806

- Whilst 17% represents the proportion of CJC's total mediation files created in Central Australia¹; due to the complexity of Indigenous intra-family mediations requiring expert mediators, 37% of the CJC's mediation operations were dedicated to the region. The new mediation complexity matrix weighted the average complexity of Central Australia mediations rated 16/20 whilst Top End mediation file was rated 7/20².
- 27% of the mediations conducted during the reporting period were direct Court referrals, mostly under Personal Violence Restraining Order applications referred pursuant to section 86 of the *Justices Act*. 63%³ of the matters mediated reached an agreement.
- 34% of the CJC's mediations delivered during the reporting period were in non-urban communities⁴. Mediations matters included victims and offenders though the Correctional Centre Conferencing program at Berrimah prison that reduces the risk of recidivism and facilitating intra-family mediations that affect extended families across a number of non-urban communities and town camps throughout the Territory.
- Delivered 27 Mediator Professional Developmental workshops including 5 day Nationally Accredited Mediation Workshops in Darwin, Gunbalanya and Katherine (over 300 participants)⁵.

¹ Page 22 Complexity Matrix

² As above

³ Page 27 Personal Violence Restraining Order (PVRO) Mediations

⁴ Page 19 Mediation matters in time units

⁵ Page 13 Continuing Mediation Development Workshops

5. From the Director

To meet the continued growth in demand for our mediation services, this reporting period the saw the relocation of the CJC office to new premises that includes a 'shop front' that provides better access and privacy for clients to seek professional advice on how they can resolve disputes through our mediation services.

Along with the physical aspects to our relocation, we enhanced our internal systems this reporting period to future proof and to better capture the data that provides useful information for ongoing planning. Accordingly, in addition to our usual reporting figures, this report now incorporates intensity and complexity data that put a weighting on the work delivered by the CJC.

The CJC remains the only organisation based in the Territory that maintains Recognised Mediation Accreditation Body (RMAB) status under the National Mediation Accreditation System (NMAS). Accordingly, this reporting period continued to see an increase in demand and participation at CJC professional development workshops and training in both urban and non-urban communities. This reporting period the CJC proudly graduated two Indigenous trainers from our 'train the trainer' program further enhance our ability to deliver culturally inclusive training.

I am pleased to report that positive feedback from stakeholders and users of the CJC service continues to remain very strong; and the feedback overwhelmingly supports the view that Territorians can expect timely, professional mediation advice, high quality training and comfortable to recommend our service to others.

I would like to thank all members of the Community Justice Consultative Council for their support this year; CJC team for ensuring clients receive the best possible service whilst managing the increase in demand for our services; our panel mediators, trainers and cultural consultants for their dedication for their courage and professionalism.

Finally, I would like to take the opportunity to thank all the individuals and organisations who continue to support and collaborate with the CJC to promote resolution of conflict without violence. Much of the long-standing intra-family conflict that affected a number of non-urban communities across the Territory may still be paralysed with violence if it were not for the solid support provided for the CJC mediators and community based mediators trained through the CJC.

Ippei Okazaki

Director

6. Consultative Council

Upon establishment, it was considered that the Consultative Council would provide the key role of constructing guidelines, establishing strategic principals and regulating the provision of mediation services by the Director. Furthermore, it would be responsible for dealing with any complaints made about the provision of services.

Section 25 of the *CJC Act* sets out functions of the Consultative Council including:

- a. developing guidelines under section 26;
- b. dealing with complaints made under section 27;
- c. revising policies and procedures; and
- d. reporting to, and making recommendations on, any matters the Consultative Council considers appropriate, to the Minister.

On 30 June 2013 members of the Consultative Council, were as follows:

- Ippei Okazaki
- Olga Havnen
- Justine Davis
- Michael O'Donnell
- Dr Catherine Holmes
- Darryl Saunders
- 1 x Vacant

During the reporting period the Consultative Council met on a monthly basis, dedicated time for Strategic Planning for the CJC and reported to the Minister.

No complaints were received by the Council this reporting period.

7. National Mediator Accreditation System

The National Mediator Accreditation System (NMAS) commenced on 1 January 2008. The CJC maintained Recognised Mediation Accreditation Body (RMAB) status and membership to the National Mediator Standards Body (MSB)⁶ that underpins the Approvals Standards and Practice Standards (the Standards).

All mediators contracted to the CJC are NMAS Accredited.

8. Regional Highlights

Top End

The NT Police remains the largest referrer to the CJC, with the majority of matters relating to nuisance related matters between neighbours. The CJC continued to provide training at induction workshops for police auxiliary who are often the front line contact for people in conflict.

The CJC accepted 100% of the referrals under Part 6 of the *Justices Act* where parties are provided an opportunity to attend mediation to resolve issues before the application for a Personal Violence Restraining Order is set for a Court hearing. 63% of the matters where the matter progressed to mediation resulted in an agreement.⁷

This reporting period saw a steady increase in referrals from agencies and Legal practitioners regarding Special interest Groups/Associations (committee disputes), Building Advisory Services (water damage, fences) and neighbours (noise, dogs, parking).

Overview of Top End programs

- Delivery of Nationally Accredited Mediation workshop in Darwin in March to increase the capacity of the CJC to deliver mediation.
 - ~ 27 participants including Night Patrol, Legal Practitioners, Educators, CDU Staff, Refugee Advocates, Senior Administration Offices, Australian Defence Force and Psychologists attended the Darwin workshop in March. 5 participants travelled from Yuendumu
 - ~ Satisfaction rate for the workshops averaged 96% Satisfied or Extremely Satisfied with the content, delivery and materials provided.
- The CJC partnered with NAAJA through funding from the Healing Foundation to deliver nationally accredited mediation training in Gunbalanya, Tiwi Island, Lajamanu and Katherine this financial year. The aim of the project was to

⁶ Mediation Standards Board www.msb.org.au

⁷ page 27 Personal Violence Restraining Order mediation

promote greater awareness of mediation as a way of responding to conflict and build practical skills in mediation to complement and support traditional dispute resolution mechanisms. Whilst communities that were identified by the Foundation for training were based on established relationships in the community and elders, the CJC conducted extensive community engagement was conducted before a formal invitation to deliver the training was received.

- The Gunbalanya training involved delivering 9 days of training over 3 separate trips in September, October and November. The retention of participants was excellent as the Gunbalanya project was able to retain 9 participants from the original 13.
- The Lajamanu project involved delivering 2 days of introductory training for 12 community members and continuing professional development for community members who had already attained their accreditation. The Night Patrol was well represented, as were the Kurdiji (the Law and Justice Group comprising of senior leaders and elders) in Lajamanu who sent 7 representatives each day.
- The Katherine Project involved a 5 day intensive training workshop that was attended by police officers, YMCA staff, corrections staff and participants who travelled from Timber Creek and as far as Yuendumu community. Of the 12 participants who attended the Katherine workshop 8 have successfully passed their video assessment to become nationally accredited. The training team consisted of 2 Senior Indigenous trainers and was supported by Katherine based mediators who assisted with personalised coaching.
- The Tiwi training was held over 3 separate 2 day visit in Wurrumiyanga and Milikapiti communities and that averaged 15 participants conducted over 3 workshops that included members of Catholic Care, Child Protection Workers, Night Patrol, Men's Safety House, Tiwi Shire, Corrections Staff, Youth Diversion Program and elders. The training was to support ongoing accreditation of the "Ponki" Mediators who completed their original training in 2009. Two of the senior Ponki mediators took a leading role with the training and shared their experiences. The training was supported by local organisations including the Shire, the (then) Department of Children and Families and Catholic Care that assisted with the venue, transport and logistics.

Central Australia

During the reporting period, the complexity matrix⁸ identified that the average mediation delivered in Central Australia attained a complexity score more than double recorded in the Top End⁹ in terms of ensuring physically, emotionally and culturally appropriate and safe space to conduct mediations that required:

- Higher expertise with mediators with delivering multiparty mediation in a cross cultural setting with high volatility between the parties
- High level of understanding of Lateral Violence¹⁰ and the impact of social media has on fanning conflict.
- Ability to collaborate within a multi-agency task force including Police, Corrections, Courts, Housing, Shires, FaCHSIA, Schools and other community based mediation groups over a wide geographic area without a local CJC office for support.
- Dedicating resources to gather reliable intelligence to scaffold the mediation including:
 - historical and background profiles, including current lateral violence matters affecting the parties including abuse of social media,
 - possible legal matters that may impact the mediation,
 - cultural advice on kinship structure and ceremonial issues,
 - incarceration status of prisoners,
 - current effects of lateral violence such as social media, and
 - mapping out the travel logistics and finding venues to create a safe environment for parties to be able to attend mediation.

Overview of Central Australian Programs

Intra-family conflict

The CJC broadly assisted complex mediation involving extended Warlpiri family members dispersed over a large geographic area including Alice Springs Town Camps, Lajamanu, Willowra, Ali Curung, Tennant Creek, Nyirappi, Katherine, Alice Springs Correctional Centre and interstate.

The CJC provided mediation logistics, advice and training to the Yuendumu Mediation and Family Violence mediation team funded by the Central Desert Shire and worked collaboratively with community elders, police, Courts, Corrections, legal practitioners and Government and non-government organisations in Central Australia and beyond. CJC also reported known (and fake) accounts that made continuous, serious threats on social media that had the potential to incite hatred and violence. The intensive work resulted in Yuendumu community being able to maintain peace with no serious violence recorded over 12 months and continues to date.

This reporting period also saw a sharp spike in demand for mediations within town camps surrounding Alice Spring regarding visitors.

⁸ Page 20 Complexity Matrix

⁹ Page 22 Comparison of Complexity between Alice Springs and Darwin

¹⁰ Chapter 3 and 4 Social Justice Report 2011, Australian Human Rights Commission <http://www.humanrights.gov.au/publications/social-justice-report-2011>

9. Summary of CJC activities

a. Marketing

1. Presentations

The CJC conducted 35 presentations during this reporting period. Presentations were made to a range of different audiences including community groups, police, NGO's and law students at Charles Darwin University. Presentations are made with the aim of promoting the work of the CJC and increasing community awareness of mediation as a form of dispute resolution and establish referral pathways.

2. Mail outs

The CJC continued to send letters and emails to various stakeholders, community groups and organisations. Items enclosed within that letter may include the following:

- (1) CJC brochures;
- (2) Posters;
- (3) "Preparing for Mediation"; resource to better prepare parties to resolve disputes;
- (4) CJC Fact Sheets which outline:
 - (i) the mediation process;
 - (ii) what to expect when attending a mediation;
 - (iii) the CJC's process in organising mediations; and
 - (iv) case studies.

The mail outs also invite services to contact CJC and arrange for CJC to deliver presentations and workshops about CJC services, mediation training and associated skill sets.

Mail outs have been sent to police stations, sporting and social clubs, neighbourhood watch, multicultural groups and special interest organisations, law firms, real estate agents, body corporate management companies, schools, electorate offices, Shire councils, local government and child care centres.

b. CJC mediator panel

Detailed below are the number, experience and location of mediators currently on the CJC mediator panel:

	Darwin	Katherine	Alice Springs	Non Urban	Total	%Increase this reporting period
Experienced	28	6	8	9	51	88.9%
Trained*	108	13	24	34	179	4.7%

**Trained* - those trained in mediation with no or limited experience.

c. Committees

The CJC continues to be involved on several committees involving mediation and alternative dispute resolution generally. They are:

- National Dispute Resolution Network;
- Indigenous Mediator network; and
- Mediator Standards Board.

d. Education and training

CJC Nationally Accredited Training

CJC delivered 2 Nationally Accredited Training workshops in Katherine and Darwin this reporting period.

The CJC Nationally Accredited training was developed to ensure compliance with the National Mediator Accreditation Approval Standards 2007 that sets out the minimum training and assessment requirements.

Origin & rationale for mediation training across the Territory

As a Recognised Mediator Accreditation Body the CJC is regularly approached by police, Government agencies, legal service providers, community members and others to provide mediation services and training in regional and remote communities across the Territory. The CJC attempts to respond by providing local, community based training where graduates are empowered with dispute resolution skills and able to provide culturally effective mediations in their own community.

There have been several studies and reports outlining the benefits of increased mediation and dispute resolution skills and services in Indigenous communities and recommending the development and delivery of appropriate and accredited dispute resolution training. These are briefly outlined below:

The National Alternative Dispute Resolution Advisory Council (NADRAC) published a report in January 2006 on Indigenous Dispute Resolution and Conflict Management.¹¹ The report recognised a need for local dispute resolution services that can be flexible, take account of local needs and would be more likely to be utilised than mainstream services provided by non-Indigenous people.

The Federal Court of Australia's '*Solid Work You Mob are Doing*' report¹² examined case studies of Indigenous dispute resolution and conflict management services and the mainstream services that run alongside them. The report recognised that effective dispute management needs to be able to reflect the local circumstances to '*match the unique characteristics of each situation*' and that as a result dispute management will necessarily vary between different cultures, including within different

¹¹ http://www.nadrac.gov.au/about_NADRAC/NADRACProjects/Pages/IndigenousDisputeResolution.aspx

¹² <http://www.nadrac.gov.au/publications/PublicationsByDate/Pages/'SolidWorkyouMobareDoing'Report.aspx>

Indigenous cultures and communities. Considering this need for local knowledge and understanding the report called for the training of *'regional panels of Indigenous practitioners' who are appropriate peacemakers in their community*.

The AIATSIS Indigenous Facilitation and Mediation Project (IFaMP)¹³ which was carried out 2003–06 published a series of reports and research discussion papers on Indigenous facilitation and mediation. The IFAMP recommended the creation of a *'...national fully supported and accredited network of Indigenous facilitators, mediators and negotiators to provide prompt and timely local assistance.'* These 'process practitioners' as they are referred to, would need to be highly trained, skilled, monitored and mentored. The IFaMP referred to the creation of such a network as *'the missing piece of infrastructure in Indigenous agreement-making processes'*.

In this sense, mediation training occurs within the wider context of fostering capacity for local decision making and dispute management processes that provide communities with increased ownership over their decisions provided that they are not inconsistent with key human rights and legal obligations. The CJC continues to pioneer innovative training packages for Indigenous Australians in the non-urban context and provides advice to the National Mediation Standards Board that maintains the registration of NMAS mediators and maintains the National Mediator Approval and Practice Standards.

Promoting NMAS accreditation

NADRAC promotes the NMAS accreditation system to address the following objectives:

- enhance the quality and ethics of mediation practice
- protect consumers of mediation services
- build consumer confidence in mediation services, and
- build the capacity and coherence of the mediation field.

As a Recognised Mediation Accreditation Body the CJC adopts NMAS training and assessment criteria part of curriculum and assessment. The CJC only employs NMAS accredited mediators also provides access to monthly ongoing professional development opportunities.

Whilst there are challenges in developing the curriculum and assessment materials that are culturally relevant and appropriate, whilst satisfying the requirements for NMAS accreditation; there is strong demand for the training to meet NMAS Accreditations. Accordingly, the CJC has developed innovative training materials that are sufficiently robust and flexible to accredit Territorians under NMAS from CALD backgrounds.

Quality Assurance

CJC continues to facilitate professional development workshops designed to offer support, networking and training hours through Continuing Mediation Development

¹³ <http://www.aiatsis.gov.au/ntru/ifamp.html>

(CMD) Workshops and Group Practice Sessions (GPS) in Darwin, Alice Springs, Katherine and Tennant Creek satisfying the professional development requirements under NMAS Accreditation.

Continuing Mediator Development (CMD) Workshops

CJC delivered 27 CMD's with over 300 people attending throughout this reporting period. CJC CMD's are an approved activity for Accredited Mediators to ensure ongoing practice experience with National Accreditation (20 hours per two year cycle) and are an approved activity for ongoing legal practitioner CPD requirements. Group practice sessions are conducted as an effective way of enhancing mediation skills through simulated role plays that includes written feedback from experienced mediators who coach the sessions.

Workshops are streamed via video conferencing providing access for participants from both Alice Springs and Darwin to share their knowledge and interact with fellow practitioners across the Territory.

Date	CMD Topic	Location
25 July	Group Practice Session	Katherine
14 August	Group Practice Session	Darwin
6 September	Group Practice Session	Alice Springs
11-13 September	Intensive Mediation Workshop	Gunbalanya
19 September	Personal Violence restraining Order	Darwin*
28 September	Group Practice Session	Darwin
4-5 October	Intensive Mediation Workshop	Lajamanu
9-11 October	Intensive Mediation Workshop	Gunbalanya
17-18 October	Intensive Mediation Workshop	Tiwi Is
26 October	Group Practice Session	Darwin
7 November	Advanced Mediation Master Class	Alice Springs
14 November	Group Practice Session	Alice Springs
30 November	Group Practice Session	Darwin
20 February	Domestic Violence in Mediation	Darwin*
22 February	Group Practice Session	Darwin
26 February	Advanced Mediation Master class	Darwin
4-8 March	5 Day Mediation Workshop	Darwin
22 March	Group Practice Session	Darwin
27 March	Burial / Funeral Mediations	Darwin*
2 April	Mediation refresher	Darwin
5 April	Mediation refresher	Alice Springs
5 April	Group Practice Session	Darwin
22 April	Group Practice Session	Alice Sprigs
15 May	Managing Power Imbalance in Mediations	Alice Springs*
13-17 May	5 Day Mediation Workshop	Katherine
29 May	Multi Party Mediations	Alice Springs*
18 June	Youth, Social Media and Dispute Resolution	Darwin*

*indicates the CMD's video linked between Alice Springs and Darwin

e. Culturally Effective Mediation (CEM)

CJC continues to adopt the following Culturally Effective Mediation (CEM) strategies to develop best practice in culturally appropriate mediation services that are both effective and sensitive to Indigenous people and communities needs:

1. Researching and utilising local knowledge and building collaborative relations with the community to ensure mediators are invited to assist in resolving disputes.
2. Manage conflicts in negotiation with parties in ways that are congruent with the parties' cultural values, priorities and governance structures – including kinship protocols, respect for Elders and traditional owners, use of ceremony, and approaches to gender without violence and mitigate lateral violence.
3. Use team, co-mediation or panel approaches to:
 - a. better account for the broad range of interests and needs in multi-party disputes;
 - b. offer parties a choice of mediators including Indigenous practitioners that allows for matching their gender, cultural background, and other relevant factors such as logistics; and
 - c. provide practitioners with mutual support and debriefing and offer opportunities for developing the skills of emerging practitioners.
4. Evolve processes and services in response to local needs and issues whilst ensuring physically, emotionally and culturally safe places in which people feel comfortable to express their feelings, including the venting of strong emotions.
5. Solid preparation to consider who should be involved to attend any events or meetings after extensive discussion with parties.

It is expected that the CJC will continue to be involved in an increasing number of Indigenous community disputes. Given the complexity and sensitive nature of these disputes, the CJC is developing coordinated response strategies to ensure CEM is culturally appropriate and will have ongoing relevancies for the communities.

f. Correctional Centre Conferencing Mediation Serious Offenders and their Families Mediation Project (CCC)

The CJC continues to deliver this project, based on a prisoner reintegration Memorandum of Understanding between Larrakia Nation Aboriginal Corporation and Northern Territory Correctional Services (NTCS), which aims to assist people who have been incarcerated to return to their home communities.

The program is designed for offenders who have committed serious crimes, including murder, manslaughter and dangerous act causing death, and the victim and/or family of the victim.

The program is targeted at Indigenous clients and incorporates Culturally Effective Mediation principles including use of appropriate language, thorough understanding of the kinship and obligations and other cultural elements as an essential part of the program.

Recidivism rate of 4% remains the same as the last reporting period as out of 36 former prisoners who have successfully reintegrated back to their communities in the 2 year cycle only one former prisoner has been re-incarcerated.

g. Future

- a. Enhance strategies for mediation delivery, mediation advice and mediation training accessible to Territorians.
- b. Promote a stronger Mediation Community in the Territory.
- c. Maintain quality assurance and capacity through facilitating regular Continuing Mediation Development workshop sessions
- d. Continue to deliver and promote the CCC program;
- e. Contribute to the Mediation Standards Board to develop best practice.

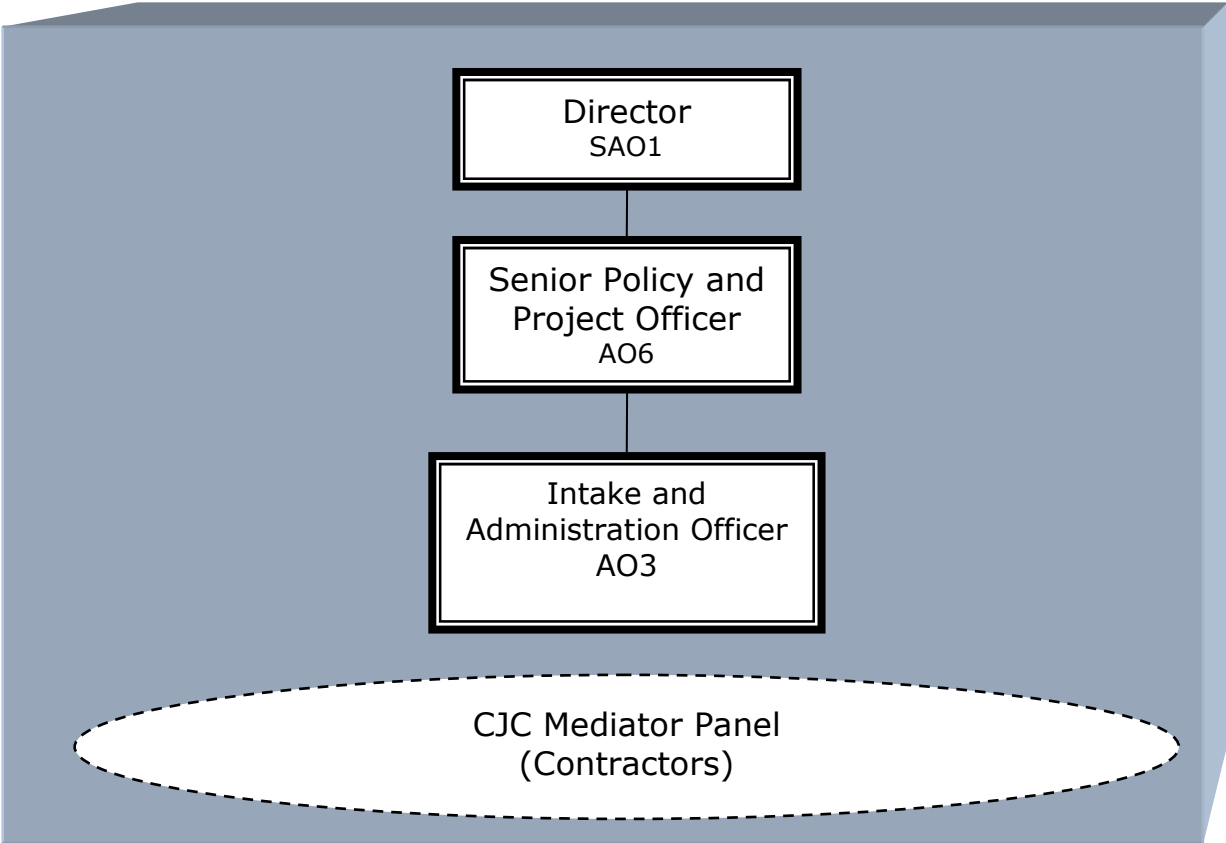
h. Staffing

As at 30 June 2013, the CJC staffing remained unchanged with a staff of three full-time employees:

- Director;
- Senior Project and Policy Officer;
- Intake/Administration Officer.

CJC also supported a Certificate III in Business Candidate as part in the Department of Education. Most mediation matters are delivered by CJC mediation panel members located across the Territory.

**CJC Organisational
Chart**



10. Guidelines, policies and procedures

Guidelines, policies and procedures in relation to arranging and conducting mediations continue to be revisited by the Community Justice Council to keep abreast of national trends and regional needs and keep in line with the CJC's key objectives and mission statement. During this reporting period the complaints handling guidelines were updated.

11. Statistics

a. Operating Performance Measures

Measure	Figure	Target	% to Target
Mediation Advice (Intake)*	807	500	160%
Mediations**	153	150	102%
Presentations	35	30	116%
Stakeholder Satisfaction#	92%	85%	
Timeliness##	95%	95%	

* CJC has no control over the volume of calls received as Mediation advice (formerly Intake)

**The CJC continues to experience a substantial increase in court referred mediations following amendments to the *Justices Act* that resulted in a substantial increase in mediation numbers in the last reporting year.

See customer satisfaction table below

##Timeliness is measured as the percentage of mediations available to parties within seven working days of agreement to mediation from both parties.

	Matter numbers	Time Spent	Variation from previous year
Total Files	960	102196	+40%
Average per month	78	8516	+37%
Non-Urban matters	19% of total mediation		

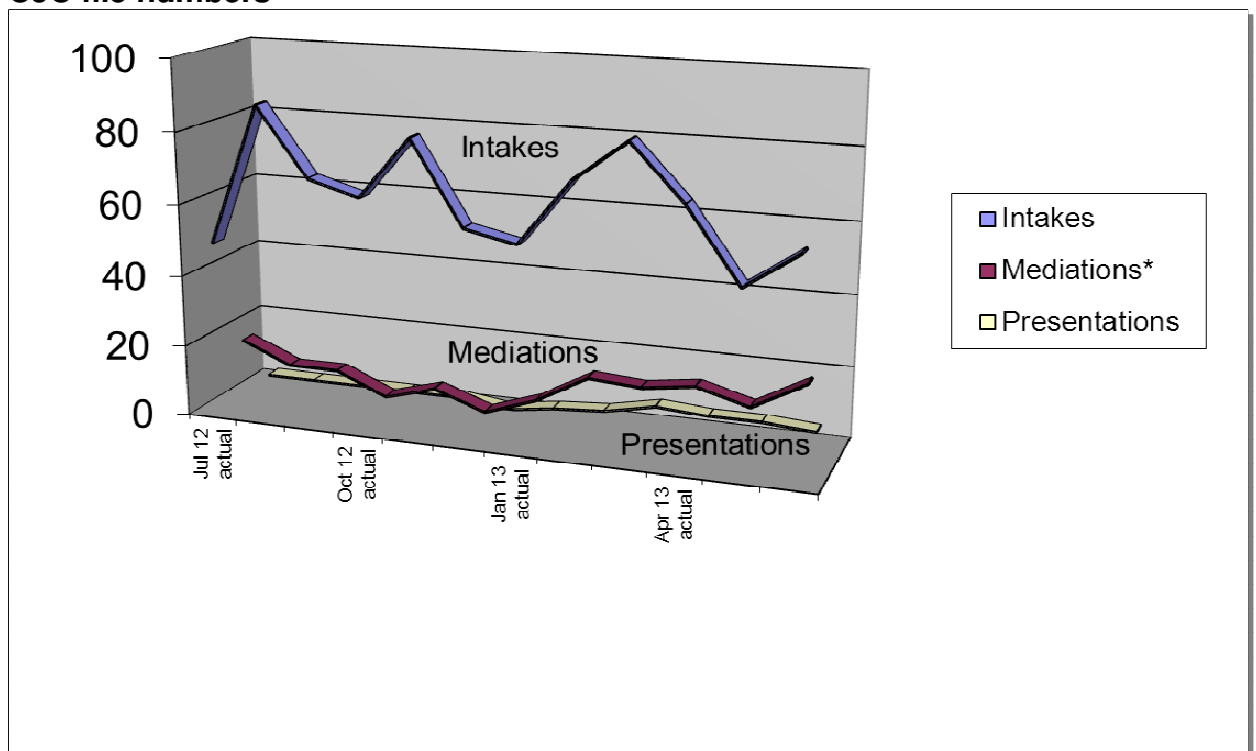
b. Client Satisfaction

Client Satisfaction	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
Was the CJC easy for you to contact and get to?	88%	12%	0%	0%	0%
Were you treated fairly by the CJC?	96%	4%	0%	0%	0%
Were you satisfied with the timeliness of the service (initial contact, mediation and referral) provided?	89%	8%	3%	0%	0%
If a friend was in a similar situation as you, would you advise them to use the CJC?	93%	7%	0%	0%	0%
Were the mediators professional?	89%	11%	0%	0%	0%
Were the mediators neutral?	98%	2%	0%	0%	0%
Average	92%				

c. Mediation file numbers

	Jul 11 actual	Aug 11 actual	Sep 11 actual	Oct 11 actual	Nov 11 actual	Dec 11 actual	Jan 12 actual	Feb 12 actual	Mar 12 actual	Apr 12 actual	May 12 actual	Jun 12 actual	total
Intakes / Mediation Advice	49	88	69	65	82	59	56	74	85	70	50	60	807
Mediations	17	11	11	5	9	4	9	17	16	18	14	22	153
Presentations	2	2	2	2	2	0	2	3	6	5	5	4	35

CJC file numbers

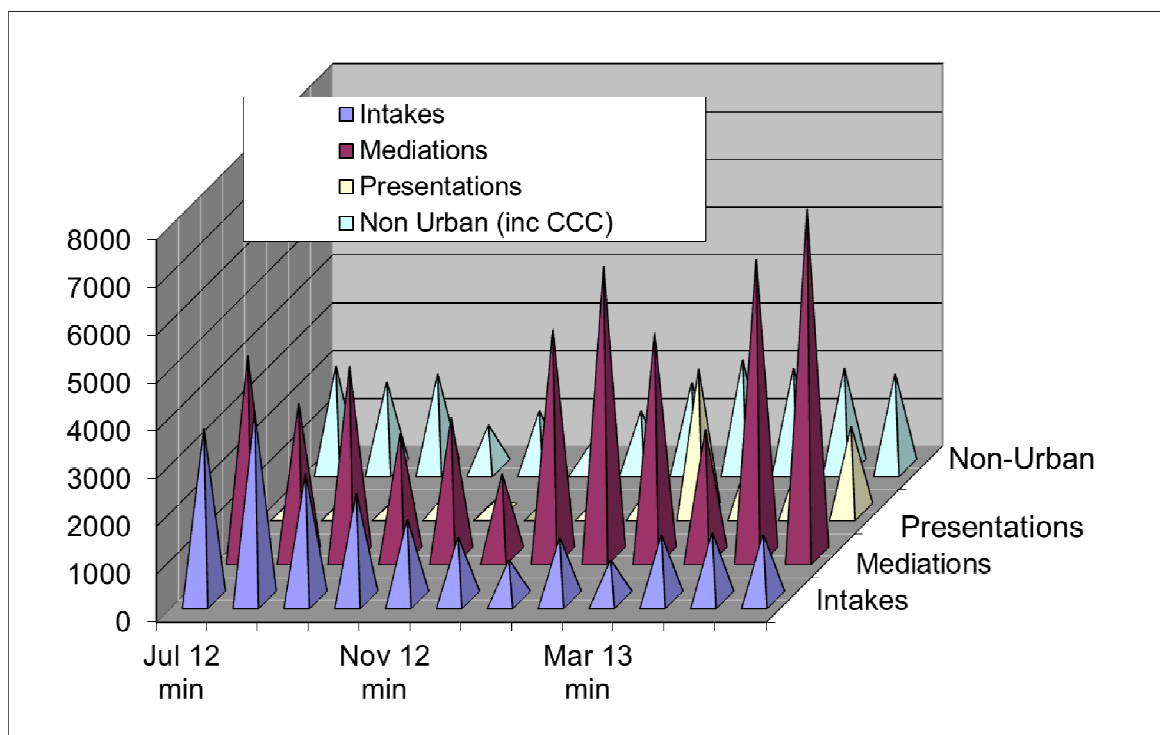


d. Mediation matters in time units

	Jul 11 min	Aug 11 min	Sep 11 min	Oct 11 min	Nov 11 min	Dec 11 min	Jan 12 min	Feb 12 min	Mar 12 min	Apr 12 min	May 12 min	Jun 12 min
Intakes / Mediation Advice	3600	3960	2650	2240	1698	1326	846	1306	840	1362	1420	1380
Mediations	4200	3200	3980	2580	2900	1728	4752	6078	4674	2662	6224	7280
Presentations	240	240	240	360	240	0	300	500	3000	1200	1200	1800
Non Urban (inc CCC)	2140	1810	1980	900	1200	500	1200	1800	2280	2100	2100	1980

**Average monthly time units
spent on mediation service
delivery 8516(7943) min up 7%**

**Total time units spent on
mediation service delivery
102196 (95313) min (up7.2%)**



e. Complexity Matrix

During this reporting period the CJC collected data that broadly illustrates the complexities of the operations of the CJC. This overcomes the fact that whilst some files require a certain level of expertise.

By way of example a mediation that may occur in a non-urban community such as facilitating a mediation in relation to a burial dispute that paralyses the whole community may require appointment of “expert” mediators, who can deal with multiple parties with cultural sensitivities, understands the difficulty in timing the mediation, may need to travel to a remote location where there is little in the way of infrastructure, has had media exposure and may need to engage in the assistance of police due to volatility may ranked as the maximum level of complexity as opposed to a neighbourhood mediation over barking dogs in Palmerston.

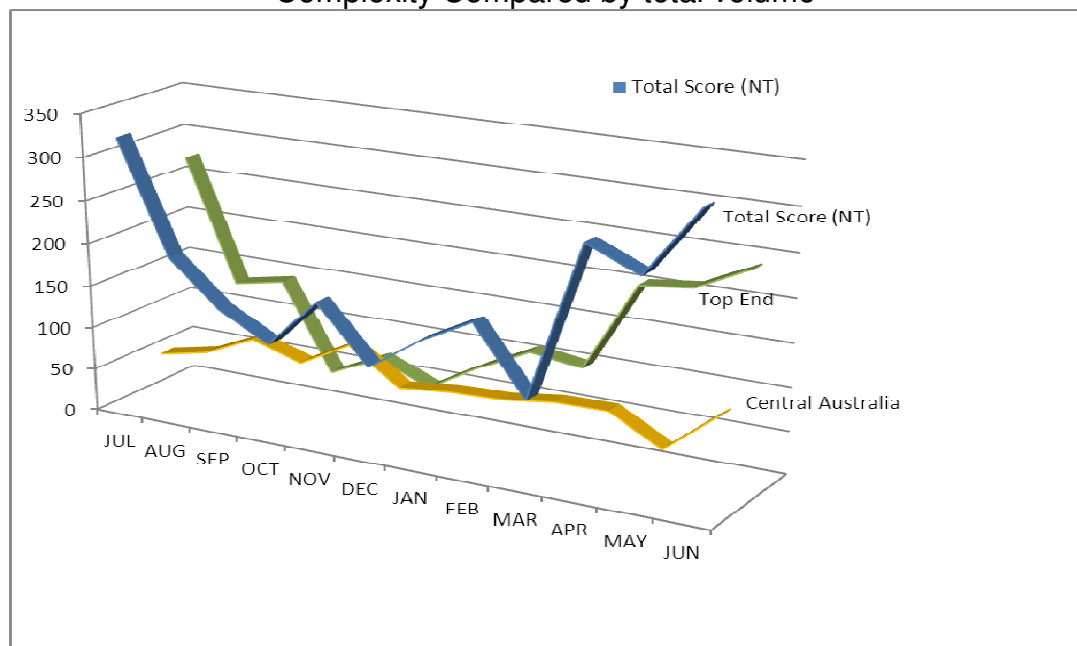
The complexity Matrix provides for each category of Who, When, Where, Volatility and Time hence providing a maximum score out of 20. The complexity matrix captures data for the matters that do not progress to mediation and can measure how the CJC service may have assisted the client to resolve their own disputes.

		LEVEL OF COMPLEXITY			
BROAD CATEGORIES	Variables Matrix (CJC to 'find', 'provide', 'consider' for the purposes of the mediation)	1 Standard All variables can be comfortably dealt with by CJC Intake Officer	2 Moderate All variables can be dealt with by an experienced CJC Intake officer	3 Advanced Most variables can be dealt with Intake Officer with senior CJC Officer	4 Expert To be assigned to Senior CJC Officer with the approval of the Director
WHO	Number of Parties	2 only	more than 2 people involved	Parties have multiple persons More than two parties Parties have factions Less than 30 people involved	Over 30 people involved
	Support person required	no	Yes, support persons required	e.g. Special Interest Group Committee, Body Corporate Clubs, Associations, Child protection up to 30 people involved	Whole Community involving Intra-family
	Appointment of Mediator	Standard Mediator appointed	Standard email EOI 2 x Experienced mediators appointed	Lawyers as support person / Child Advocates Required multiple support person required	More than 2 parties Organisational (e.g. TH) or specialist (e.g. counsellor) advocates as support people
	Cultural/social considerations	Nil	Interpreter required for one or both parties Cultural and social research required	2 x Specialised mediator - direct appointment by CJC Director Mediator replaced due to disqualification by party	Intergenerational trauma Lateral violence
REFERRAL (TO)	Referral	Nil	Explore options, undertake targeted referrals	Need for referral identified at pre-mediation	Need for referral identified during mediation
WHEN	Difficulty in finding time to bring parties together	set up within 7 days	Multiple attempts/methods to set up mediation required Set up over a protracted period	Timing of mediation needs to be informed by mediator More than one pre-mediations per party	
WHERE	Venue location and travel	Local travel only for mediator and parties	Mediator must travel to mediation (air/car) Party must travel to mediation	Parties in multiple communities and mediator must travel Identify culturally appropriate venue Venue cost >\$200	Parties in multiple remote communities and mediator must travel
			Shuttle Mediations outside DRW and ASP Venue hire under \$200	Beyond 20 Growth Towns (air and/or car, 4WD)	No facilities to support process (ie no mobile coverage)
			Assisted travel arrangements for parties not by CJC	Travel arrangements for parties by external agent	Parties required to travel from multiple non-urban communities
VOLATILITY	Safety Risk	Argument / Harassment	PVRO Abusive behaviours	Threats of violence including suicide Property damage/theft Suspected behavioural/health issues Correctional Centre Conferencing/Child protection matters Youth Justice Conferencing	Actual History of Violence
TIME		<600 mins	600 - 1499 mins	1500 - 2499 mins	2500 + mins

i. Mediation Complexity by total Volume

Northern Territory Total	Actual Mediation Score	Intake Score	Total Score (NT)	Mediation numbers (NT)	Intake numbers	Average NT Mediation File	Average NT Intake File
JUL	189	134	323	17	49	11	3
AUG	148	44	192	11	88	13	1
SEP	86	55	141	11	69	8	1
OCT	52	58	110	5	65	10	1
NOV	96	72	168	9	82	11	1
DEC	43	61	104	4	59	11	1
JAN	90	54	144	9	56	10	1
FEB	105	70	175	17	74	6	1
MAR	57	41	98	16	85	4	0
APR	110	170	280	18	70	6	2
MAY	144	110	254	14	50	10	2
JUN	245	88	333	22	60	11	1
Total	1365	957	2322	153	807		
					Average	9	1
					SD	3	1

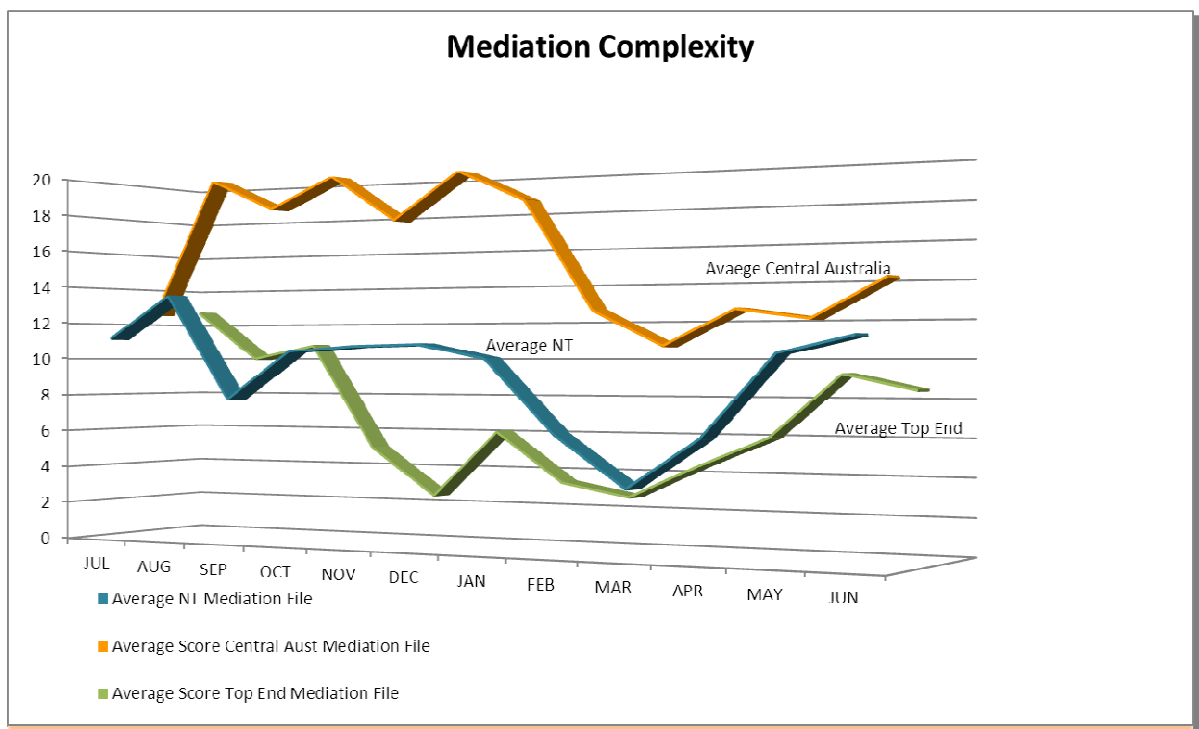
Complexity Compared by total volume



ii. Average Complexity of the Mediations

Central Australia	Actual Mediation Score	Intake Score	Complexity Score Central Australia	Mediation numbers	Intake numbers	Average Score Central Australia Mediation File	Average Score Central Australia Intake File
JUL	25	25	50	2	3	13	8
AUG	40	22	62	2	7	20	3
SEP	55	33	88	3	5	18	7
OCT	40	30	70	2	6	20	5
NOV	35	66	101	2	5	18	13
DEC	20	41	61	1	5	20	8
JAN	55	12	67	3	2	18	6
FEB	25	44	69	2	6	13	7
MAR	32	45	77	3	3	11	15
APR	25	53	78	2	5	13	11
MAY	12	33	45	1	8	12	4
JUN	42	53	95	3	8	14	7
Total	406	457	863	26	63		
					Average	16	8
					SD	4	4

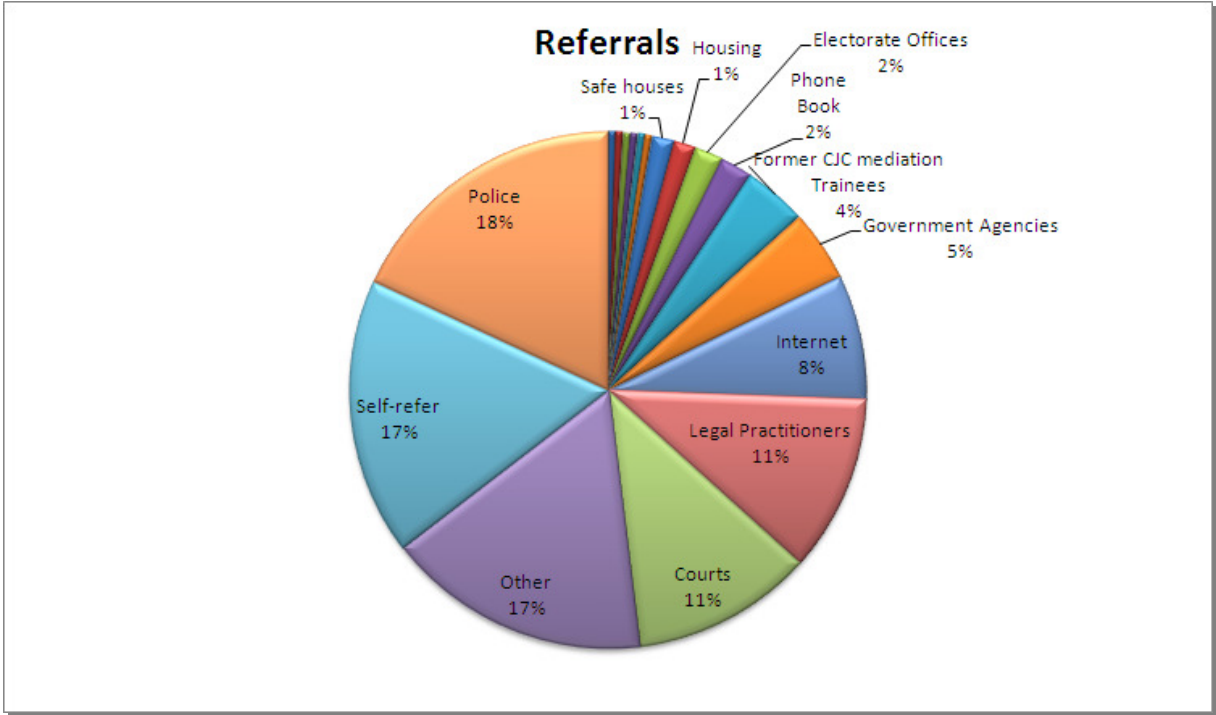
Top End	Actual Mediation Score	Intake Score	Complexity Score Top End	Mediation numbers	Intake numbers	Average Score Top End Mediation File	Average Score Top End Intake File
JUL	190	83	273	15	46	13	2
AUG	90	40	130	9	81	10	0
SEP	86	55	141	8	64	11	1
OCT	15	25	40	3	59	5	0
NOV	17	50	67	7	77	2	1
DEC	18	25	43	3	54	6	0
JAN	20	57	77	6	54	3	1
FEB	40	66	106	15	68	3	1
MAR	57	41	98	13	82	4	1
APR	95	107	202	16	65	6	2
MAY	120	89	209	13	42	9	2
JUN	160	78	238	19	52	8	2
Total	908	716	1624	127	744		
					Average	7	1
					SD	3	1



f. Break down of source of referrals for all inquiries

The NT Police continues to be the major source of referral for clients. However, other sources of referral include the following (some referrals are a combination of several referrers):

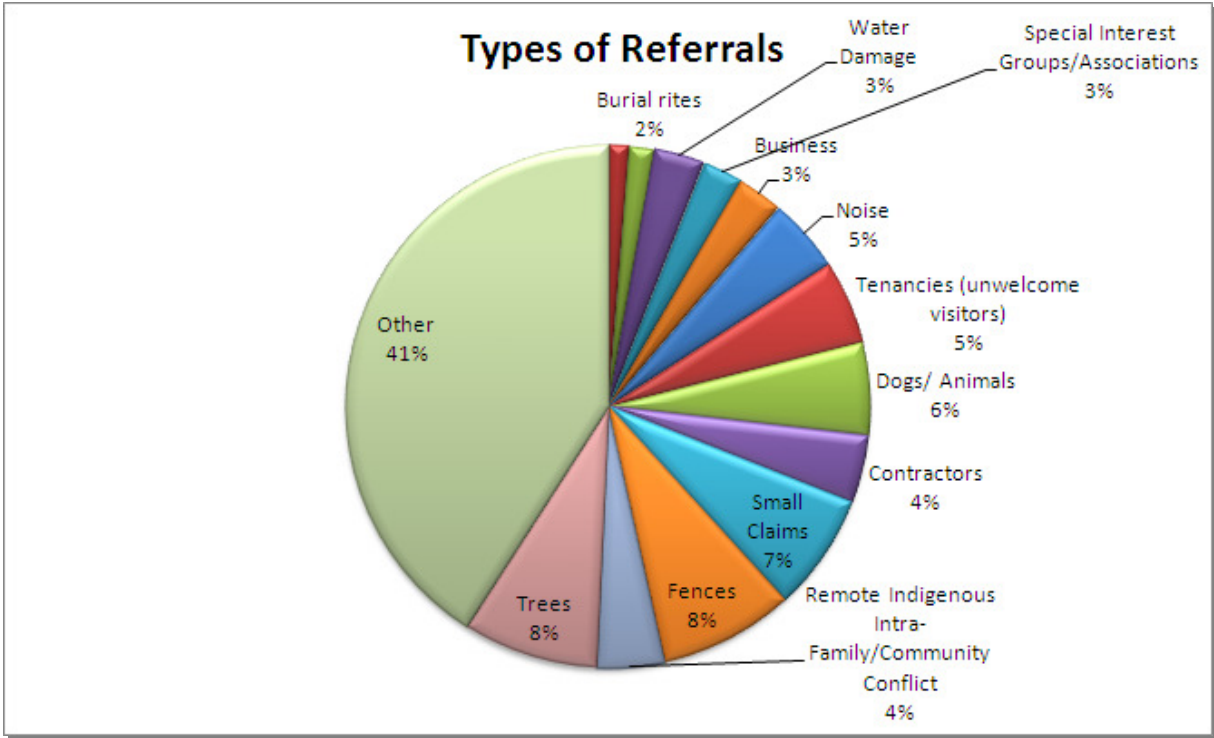
Schools	4
Anti-Discrimination Commission	4
Support and Equity Services	4
Anglicare / Catholic Care	4
Councils	4
Melaleuca Refugee Centre	4
Safe houses	12
Housing	12
Electorate Offices	16
Phone Book	18
Former CJC mediation Trainees	35
Government Agencies	40
Internet	69
Legal Practitioners	98
Courts	101
Other	146
Self-refer	153
Police	160



g. Dispute types

Communities experience a wide range of disputes and although not all are suitable or appropriate for mediation, they can include the following issues:

Issue	Numbers	% increase this reporting period
Body Corporate	12	0%
Burial rites	15	25.0%
Water Damage	30	66.7%
Special Interest Groups/Associations	24	33.3%
Business	27	50.0%
Noise	44	100.0%
Tenancies (unwelcome visitors)	50	127.3%
Dogs/ Animals	55	111.5%
Contractors	40	42.9%
Small Claims	70	141.4%
Fences	80	150.0%
Remote Indigenous Intra-Family/Community Conflict	40	8.1%
Trees	80	95.1%
Other	393	106.8%

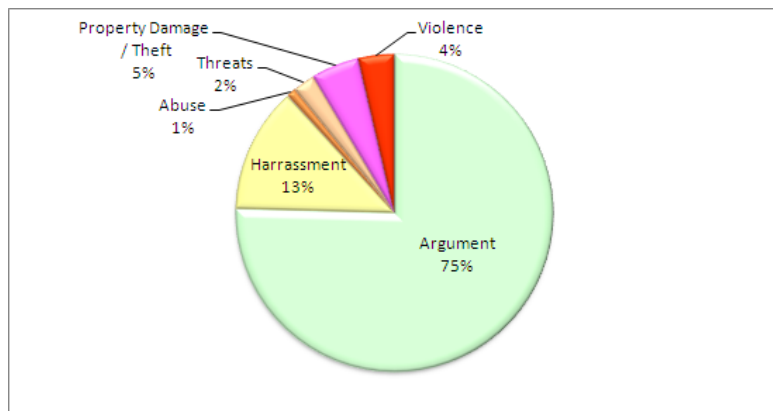
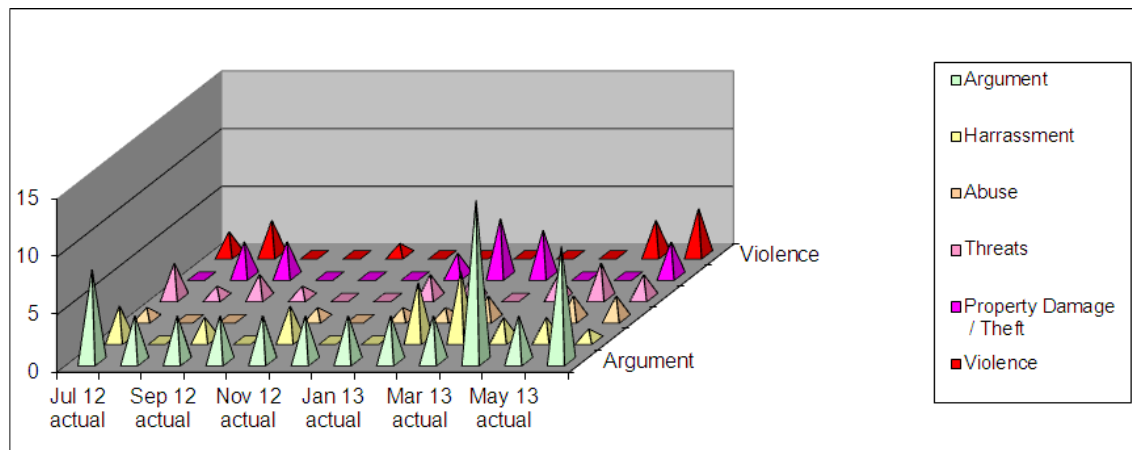


h. Intensity of mediated matters

For consistency CJC uses categories developed and used by CJC (NSW).

Category 1 Argument – parties are unable to reach agreement or unable to communicate
Category 2 Harassment – Involves repeated attempts to embarrass /annoy
Category 3 Abuse – includes heated and repeated arguments ending in insults or written abuse
Category 4 Threats – include threats of violence or property damage, threats of legal action
Category 5 Property damage / theft includes deliberate damage to property / alleged theft, accidental damage with no intention to repair
Category 6 Violence - there has been a violent act against a person / Correctional Centre Conferencing (prison mediations)

	Jul 11 actual	Aug 11 actual	Sep 11 actual	Oct 11 actual	Nov 11 actual	Dec 11 actual	Jan 12 actual	Feb 12 actual	Mar 12 actual	Apr 12 actual	May 12 actual	Jun 12 actual	total
Argument	8	4	4	4	4	4	4	4	4	14	4	10	68
Harassment	3	0	2	0	3	0	0	5	6	2	2	1	24
Abuse	1	0	0		1	0	1	1	2		2	2	10
Threats	3	1	2	1	0	0	2	2	0	2	3	2	18
Property Damage / Theft	0	3	3	0	0	0	2	5	4	0	0	3	20
Violence	2	3	0	0	1	0	0	0	0	0	3	4	13



i. Presentations

Presentations and workshops were delivered to the following agencies/organisations.

- Police
 - ~Auxiliary Squads
 - ~Stations
 - ~Neighbourhood Watch
- Charles Darwin University
- Anglicare
- Territory Housing / Affordable Housing / Public Housing Safety Officers
- Private and public legal service providers
- School Principals
- Ethnic Community Organisations
- Consumer Affairs
- Special Interest Groups / Sporting Clubs and Associations
- Local Councils
- Court Staff
- MLA and Electorate Office Staff
- Body Corporate Agencies
- Youth Justice Unit

j. Personal Violence Restraining Order (PVRO) Mediations

PVRO mediations are referred to the CJC pursuant to s86 *Justices Act* where a Magistrate may refer the matter to attempt mediation through the mediation to resolve conflict before it is set down for a hearing. An outcome report is provided to the Court following the referral before the next mention date.

This reporting period saw 73 referrals from the Court and 51 matters progressed to mediation. The mediation resulted in 63% agreement rate.

	Jul 12	Aug 12	Sep 12	Oct 11	Nov 11	Dec 11	Jan 13	Feb 13	Mar 13	Apr 13	May 13	Jun 13
Referalls	12	10	6	4	4	0	7	7	5	8	6	4
Mediations	9	8	4	2	2	0	3	6	3	6	4	4
Agreement Reached	4	8	1	1	0	0	1	2	3	4	4	4

