



Community Justice Centre

Annual Report

2015-16

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

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1. Access to CJC Services

General Inquiries / Freecall:	1800 000 473
Email:	cjc.doj@nt.gov.au
Web:	www.cjc.nt.gov.au
Facsimile:	08 8999 6226
Visit in person at:	1st Floor, Zone B, Darwin Local Court Nichols Place, Darwin NT 0800
Postal address:	GPO Box 1722, Darwin NT 0801

Interpreter services



The Northern Territory Government is committed to providing accessible services to Territorians from all culturally and linguistically diverse backgrounds. If you have difficulty in understanding the annual report, you can contact us on 1800 000 473 and we will arrange an interpreter to effectively communicate the report to you.

2. Background

The Northern Territory's Community Justice Centre (CJC), has provided mediation and conflict resolution services since 2003. The CJC provides services to Territorians relating to a broad range of issues; across diverse populations and geographical locations throughout the Northern Territory. Services include conducting mediations, providing training and accreditation services, assisting with community education and professional development and delivering strategic advice on conflict management.

The CJC is a statutory body which is established pursuant to the *Community Justice Centre Act 2005* (NT). It is situated within the Northern Territory Government's Department of the Attorney-General and Justice. The CJC has developed their 5 Year Strategic Plan 2014 -19 to align with that of the Department of the Attorney-General and Justice Strategic Plan 2013 - 2016. The Attorney-General and Justice Strategic Plan 2013 - 2016 has been extended on an interim basis to allow for the recent change of government.

3. Strategic Goals

CJC's vision

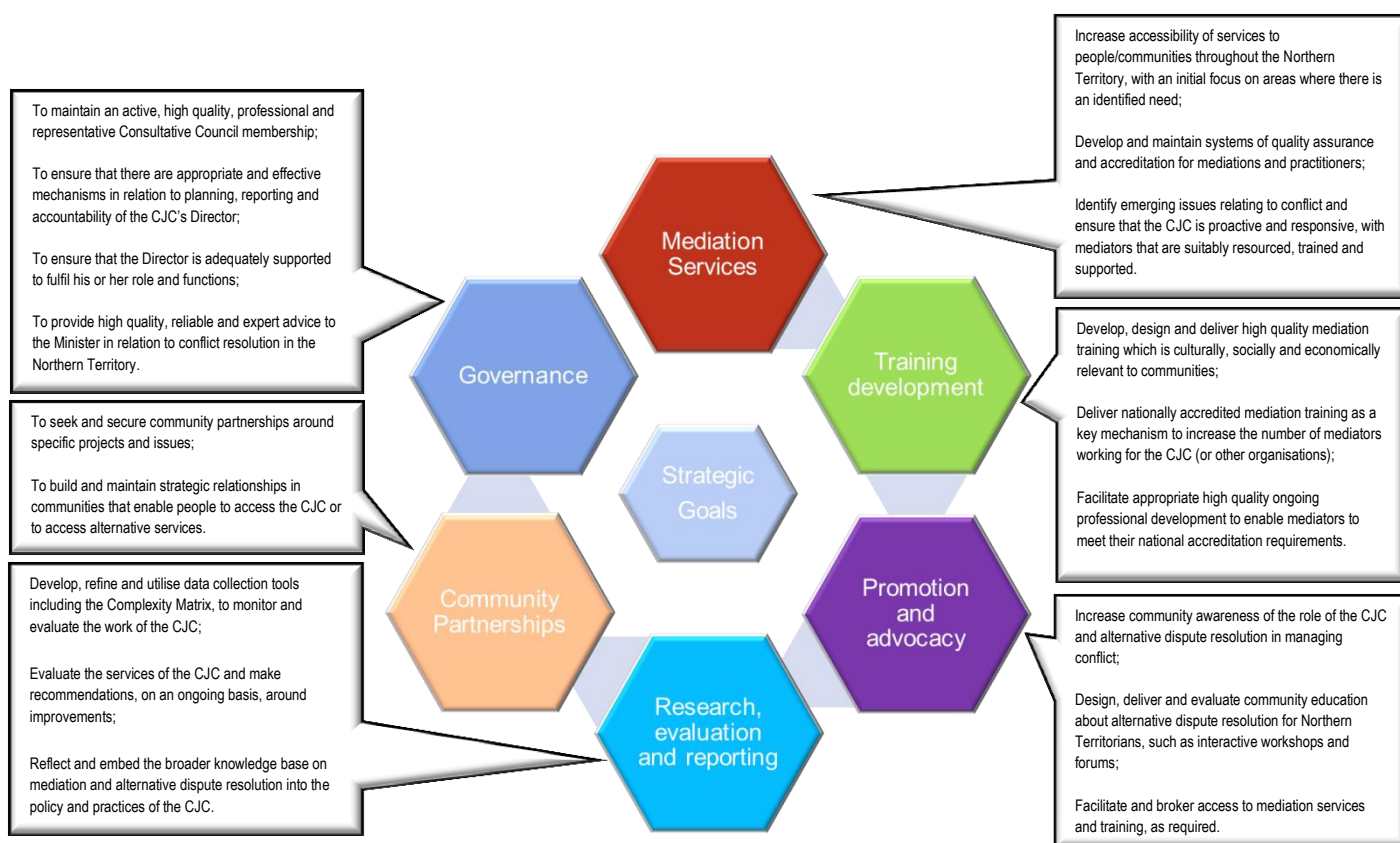
The CJC's vision is for Northern Territory communities to find healthy ways of negotiating and managing conflict or disputes to reach and maintain peace.

The CJC's mission

The mission of the CJC is to provide an alternative dispute resolution service that is effective, flexible, useful, accountable and respectful of diversity.

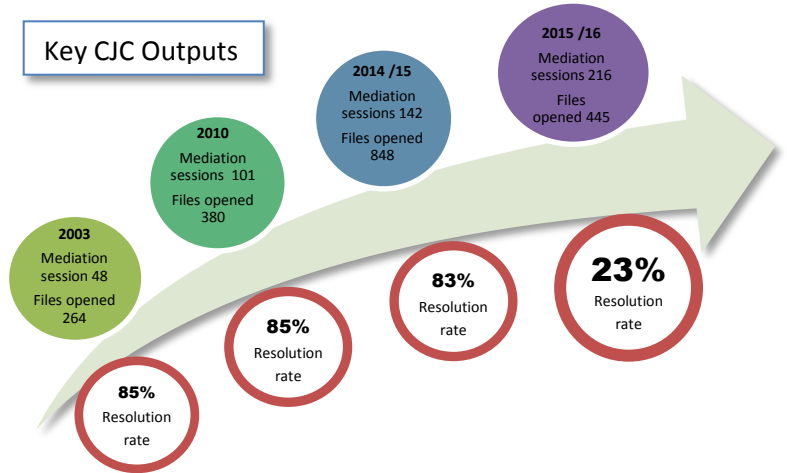
The CJC's values

Trust; Honesty; Integrity; Respect; Impartiality; Transparency and Self-determination.



4. Snapshot 2015-16

- 445 dispute resolution files opened
- 216 mediations conducted
- 23% mediation resolution rate¹



Referrals to the CJC



Courts & Tribunals
12%



Police
18%



Government Agencies
10%



Community Groups or Legal Services
9%



Councils
13%



Self-refer
20%



SupportLink
10%



Other
8%

How did we perform?



91% indicated very satisfied or satisfied with CJC service (post-mediation survey).

0% Complaints lodged under section 27 of the *Community Justice Centre Act* regarding the conduct of mediators.

36 participants in total completed the mediation intensive workshop over five days for both Darwin and Alice Springs; resulting in 8 new National Mediation Accreditation System (NMAS) accredited mediators being certified by the CJC following the formal video assessment process being taken.

23 Presentations and 28 Community Education and Awareness session delivered throughout the Territory.

¹ For the purposes of the CJC Annual Report for 2015/2016, the mediation resolution rate is indicative of a full or partial written or verbal agreement reached by parties as a result of a mediation session having been conducted.

5. From the Director

The Community Justice Centre continues to contribute to the de-escalation of conflict across a wide spectrum of community disputes throughout the Northern Territory; thereby providing substantial relief in terms of the costly burden such conflicts have on the justice system.

The CJC's business model, including staffing ratio and resource structure, has remained unchanged since inception. This has had, and continues to impact on, the ability of the CJC to maintain a consistent profile within the wider community that aligns with the functions and expected capacities specified in the *Community Justice Centre Act*. In addition to the above challenges, the CJC has undergone a complete staffing turnover since the end of the reporting period; with all new staff now appointed or being recruited to, the three permanent positions allocated within the Centre. Notwithstanding these constraints, the CJC continues to receive positive feedback from the community and stakeholders who understand the present complexities encountered by the Centre.

Much of the quality of the CJC service can be attributed to the CJC's panel of mediators; though the panel is presently subject to review in relation to accreditation status under the National Mediation Accreditation System. Maintenance of the panel has been intermittent in the 12 month reporting period; however the CJC continues to ensure only accredited mediators are contracted through the Centre to provide targeted services to the community. This commitment to providing NMAS accredited mediators for specific types of dispute resolution preserves consumer confidence that the mediation service available to them is consistent and effective.

During the year, the CJC continued to maintain and strengthen partnerships with a number of organisations and community groups throughout the Northern Territory in order to collaboratively promote de-escalation of conflict. The CJC delivered a total of 51 presentations, community education and awareness sessions and information / share knowledge sessions during the reporting period; both at the request of stakeholders and of the Centre's own initiative.

The significant enhancements to administrative, case management and mediator database system that the CJC underwent at the beginning of the reporting period has enabled a more robust mechanism for collation of key performance indicators of the CJC. However; as with any new system, opportunities for enhancing the quality and breadth of data input into the system have been identified for implementation in the next reporting period. As a result of the Resolve Case Management system going live from the beginning of this reporting year, the CJC possesses a comprehensive means of administering information regarding parties, practitioners, training and presentations associated with or delivered by the Centre.

Whilst relatively new to the role, I would like to express my appreciation to the staff, mediators and supporters of the CJC as the service undergoes a significant and intensive transitional phase. The Centre will undoubtedly emerge from this phase advanced in all aspects pertaining to current core functions and future service delivery aspirations; as we continue to expect increases in the demand for solid alternative dispute resolution services across the Territory.

Ann Lewis
Acting Director

6. Consultative Council

Section 25 of the *Community Justice Centre Act* sets out functions of the Consultative Council including:

- i. developing guidelines under section 26;
- ii. dealing with complaints against mediator conduct made under section 27;
- iii. revising policies and procedures; and
- iv. reporting to, and making recommendations on, any matters the Consultative Council considers appropriate, to the Minister.

On 30 June 2016 members of the Consultative Council, were as follows:

- Michael O'Donnell
- Louise Samways
- Catherine Holmes
- Daniela Mattiuzzo
- Linx MacPherson
- Maureen Abbott
- Philip Brown

No complaints were received by the Council regarding mediator conduct this financial year.

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 Board (MSB),² who is the industry body that determines the Approval and Practice Standards (the Standards).

To date, most Courts, Tribunals, Bar Associations and Law Societies across Australia have been granted RMAB status. Currently, the CJC is the only RMAB permanently based in the Territory and as such, actively promotes the NMAS to the community, whilst also educating clients and stakeholders on the importance of using accredited mediators across the Territory to mitigate risk.

Mediators contracted to the CJC are required to be NMAS Accredited to ensure quality assurance, measurable competence, compliance with the *Community Justice Centre Act* and guidelines. Furthermore, it provides consumer confidence for both participants undertaking CJC training and clients attending mediations; that CJC mediators are benchmarked against recognised standards.

The MSB conducted a thorough review of the standards; with the revised standards enacted as at 1 July 2015. The CJC provided advice and feedback on the new version of NMAS and has implemented the amended provisions in the day-to-day operations of the Centre as at the date of enactment.

² Mediation Standards Board www.msb.org.au also maintains the authoritative list of NMAS Accredited mediators

8. Regional Highlights

Top End

This year the CJC experienced a 100% increase in self-referrals from the previous reporting period, with clients approaching the CJC directly to initiate service provision. Traditionally, Darwin and Palmerston City Council and NT Police were individually the largest referrers to the CJC. Of the referrals from the Councils, majority of disputes related to fences, trees and animal nuisance matters between neighbours.

30% of the dispute resolution files opened involved conflict over Noise, Trees, Fences & Dogs in the community

The CJC accepted and provided an outcome report to 100% of the referrals under s14(1) of the *Personal Violence Restraining Orders Act* (formerly Part 6 of the *Justices Act*) from the Local Court where parties are provided an opportunity to resolve their issues before the Personal Violence Restraining Order application is set for a Court hearing. Of the matters that proceeded to mediation, 20% resulted in an agreement.³

This reporting period saw a small but steady increase in referrals from all referral sources; though a significant decrease of 6% for referrals from local Councils is evident.

Case study – Neighbourhood Dispute

A dispute between residents of adjoining suburbs over noise was causing physical and emotional distress on both sides and was escalating due to the inability of parties to identify key persons from within each suburb with which to raise their concerns. Initial investigation by the CJC determined that of the 100+ persons believed by parties to be involved in the noise dispute, only three persons were central to participating in the conduct of mediation. The dispute was settled within 5 weeks from first contact with the CJC, with parties able to repair and build on community relationships for the benefit of their respective neighbourhoods.

Central Australia

For the first time since introducing the complexity matrix⁴ the average dispute resolution file opened in Central Australia attained a complexity score on par with those recorded in the Top End⁵. Notably higher complexity scores were still recorded by Central Australian files for a number of months, which is directly attributed to:

- High volatility, numbers of parties, geographic dispersion, language and capacity issues between the parties
- A need to appoint expert mediators with advanced knowledge, skills and ethical understandings to create a physically, emotionally and culturally safe place for the parties (and themselves) in the absence of a permanent office in Alice Springs.

³ page 17 Personal Violence Restraining Order Mediations

⁴ Page 19 Complexity Matrix

⁵ Page 15 Comparison of Complexity Between Regions

- The need for high levels of understanding pertaining to:
 - Specific cultural knowledge such as kinship structure and cultural obligations
 - The historical profiles, including lateral violence⁶ matters affecting the parties, such as social media abuse
 - Additional factors including pending legal matters and incarceration of extended family that affect the situation
 - Communication barriers
 - The need for multi-agency collaboration
- Higher cost due to travel from Darwin office.

Case Study – Organisational / Community Dispute

A community was in dispute with local organisations over changes to services, while the organisations were simultaneously in dispute regarding removal of funding grants. Upon mediation being conducted, all representative parties were able to clear up the misunderstandings that had been perpetuating over a number of years regarding programs, funding allocation and which providers were now delivering specific types of services. The dispute was resolved within 6 weeks of initial contact with the CJC; as there were investigations to be conducted about who were the appropriate persons to participate in mediation and where a mutual venue for mediation could be sourced.

9. Summary of CJC Activities

a) Promotion

i. Presentations / Community Education & Awareness Sessions

The CJC conducted 51 Presentations / Community Education & Awareness Sessions during this reporting period. These were made to a range of different audiences including community groups, police, NGO's and members of the public.

The CJC was also involved with the Supreme Court Open Day and co-presented at other social events organised with the aim of promoting safety and harmony within the community.

Presentations and Community Education & Awareness Sessions were delivered with the aim of promoting the work of the CJC, increasing community awareness of mediation as a form of dispute resolution and to establish referral pathways.

ii. Mail outs

The CJC continued to maintain an extensive mailing and emailing list to various stakeholders, community groups and organisations. Items enclosed may have included the following:

1. CJC brochures;

⁶ Chapter 3 and 4 Social Justice Report 2011, Australian Human Rights Commission <http://www.humanrights.gov.au/publications/social-justice-report-2011>

2. Posters;
3. Fridge magnets;
4. Pens;
5. CJC Fact Sheets which outline:
 - a. the mediation process;
 - b. how to prepare for mediation - a resource to better prepare parties to resolve disputes;
 - c. case studies.

The mail outs also invite services to contact CJC and arrange for the Centre to deliver presentations and workshops regarding the services and mediation training available to the community.

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, residential body corporate managers, schools, electorate offices, councils, local government and child care centres.

b) Mediator Panel

Detailed below are the number and location of mediators currently on the CJC mediator panel. The CJC also conducted mediation via teleconference and video conference. The transient nature of the Territory population impacts the fluctuation of panel numbers:

	Darwin	Katherine	Alice Springs	Other Non-Urban	Total
CJC Panel mediators	30	2	9	2	43

c) Committees

During the reporting period, the CJC has actively participated as a member of several committees involving mediation or other alternative dispute resolution processes; whereby the CJC provided expertise and appropriate guidance as necessary. They are:

- National Dispute Resolution Network consisting of all Government and non-Government State and Territory based peak community mediation organisations;
- National Mediator Standards Board;
- Member of the Youth Justice Forum in the area of Court processes where Youth Justice and Family Group Conferencing options have been strongly promoted;
- Contribution towards Elders Visiting Program and associated conferences conducted in Darwin and Alice Springs;
 - The City of Palmerston Safe Communities Committee and Community Safety Sub-Committee.

d) Education and Training

iii. Intensive Mediation Training Workshops

CJC delivered 3 Intensive Mediation Training Workshops; two in Alice Springs and one in Darwin this reporting period.

The CJC training was developed to comply with the National Mediator Accreditation Standards (NMAS) that sets out the competencies in regards to training and assessment requirements. Of the eight new National Mediation Accreditation System (NMAS) accredited mediators certified by the CJC following the training and formal video assessment process being taken, six joined the CJC panel of mediators.

iv. Promoting NMAS Accreditation

NMAS accreditation addresses the following objectives:

- The need to enhance the quality and ethical practice of mediation.
- The need to protect consumers accessing mediation services.
- Enable the recognition of competencies in cross-jurisdictions.
- Build the capacity and coherence of the mediation field.

As a Recognised Mediation Accreditation Body (RMAB) the CJC adopts NMAS training and assessment criteria as part of our curriculum and assessment processes. The CJC employs NMAS accredited mediators and also provides access to continuing professional development (CPD) opportunities.

v. Quality Assurance

The CJC continues to facilitate professional development workshops designed to offer support, networking and training hours through Continuing Mediation Development (CMD) Workshops and Group Practice Sessions (GPS) in Darwin, Alice Springs and Katherine. Opportunities for professional development meet NMAS requirements.

vi. Non-Accredited Training

Non-Accredited training was provided throughout the reporting period with the aim of empowering participants through the delivery of tailored programs that accounted for the particular individual, organisational or community needs for dispute resolution options. In total 39 participants from the following groups and organisations benefited from the training provided:

- Ponki Mediators
- Elders Visiting Program Forum
- Law Society
- Catholic Care
- SFNT Continuing Professional Development Committee
- Central Desert Regional Council

vii. Continuing Mediator Development (CMD) Workshops

The CJC CMD Workshops are approved activities for NMAS Accredited Mediators which ensure ongoing practice experience in accordance with National Accreditation requirements. NMAS Accredited Mediators must undertake 20 hours per two year cycle of CMD's; with CMD's also providing a secondary benefit of being an approved activity for ongoing legal practitioner CPD requirements. Group Practice Sessions (GPS) are conducted as an effective way of enhancing mediation skills through simulated role plays that may include 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.

The CJC maintains a panel of 35 NMAS Accredited mediators and delivered 6 Continuing Mediator Development Workshops to 38 participants this financial year

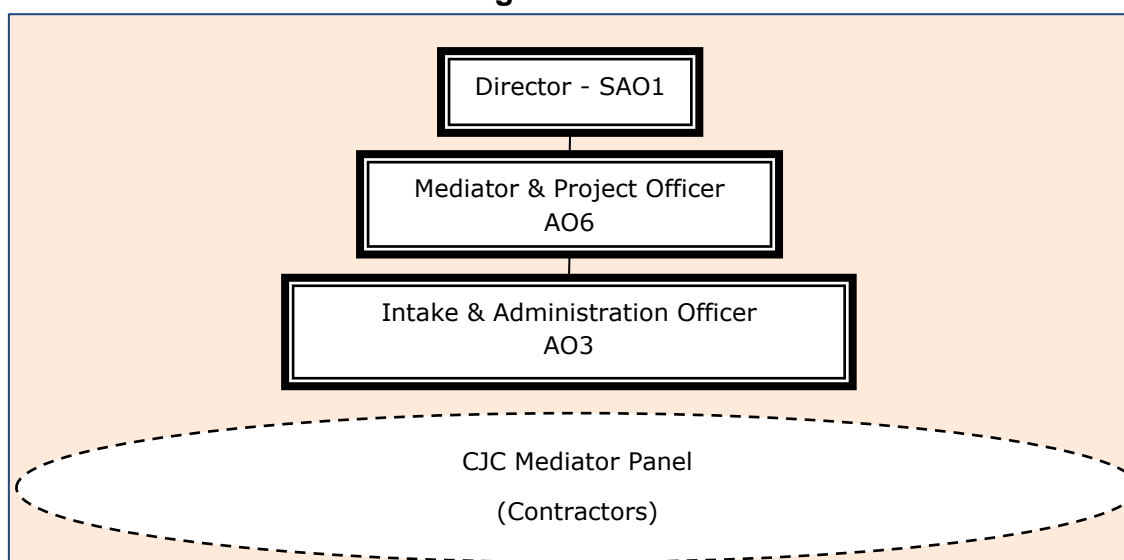
e) Staffing

As at 30 June 2016, the CJC staffing remained unchanged since inception in 2003 with a staff of three full-time employees:

- Director;
- Mediator & Project Officer;
- Intake & Administration Officer.

Most mediation matters are delivered by CJC mediation panel members located across the Territory; however there is provision for a select number of mediations to be conducted by the Director and Mediator & Project Officer employed within the CJC.

CJC Organisational Chart



10. Guidelines, Policies and Procedures

Guidelines, policies and procedures in relation to arranging and conducting mediations continue to be revised by the Community Justice Centre Consultative Council in order that the CJC's key objectives, values and mission statement keep abreast of and are aligned, where necessary, to national trends and regional needs.

11. Statistics

a. Operating Performance Measures

Measure	Figure	Target	
Dispute Resolution Files opened*	445	500	* Files opened include mediation advice and dispute assessment
Mediation sessions**	216	200	**mediation sessions includes any steps taken by a mediator: (a) to arrange for the mediation of a dispute; or (b) for the mediation of a dispute; or (c) for any follow-up for the mediation of a dispute.
Presentations	23	30	# See client satisfaction table below
Stakeholder Satisfaction#	91%	85%	##Timeliness is measured as the percentage of mediations available to parties within seven working days of agreement to mediation from both parties.
Timeliness##	79%	95%	

b. Client Satisfaction

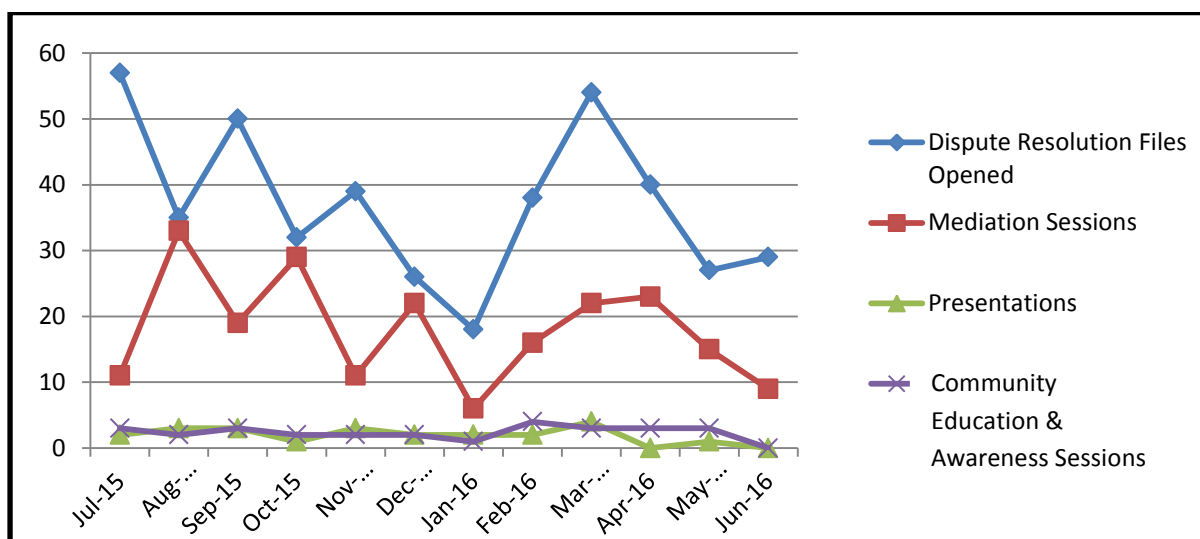
A client satisfaction survey is provided to all parties at the conclusion of the mediation; thereby affording a means of monitoring and reviewing whether satisfactory service provision has been achieved according to the clients.

Information on how to make a complaint is provided to parties during the intake phase by the CJC. Complaints not related to the outcome of mediation are forwarded to Consultative Council pursuant s27 of the *Community Justice Centre Act*.

Client Satisfaction	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
Was the CJC easy for you to contact and get to?	86%	10%	4%	0%	0%
Were you treated fairly by the CJC?	94%	4%	2%	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?	84%	12%	4%	0%	0%
Were the mediators professional?	93%	7%	0%	0%	0%
Were the mediators neutral?	100%	0%	0%	0%	0%

c. Mediation File Numbers

	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	TOTAL
Dispute Resolution Files Opened	57	35	50	32	39	26	18	38	54	40	27	29	445
Mediation Sessions	11	33	19	29	11	22	6	16	22	23	15	9	216
Presentations	2	3	3	1	3	2	2	2	4	0	1	0	23
Community Education & Awareness Sessions	3	2	3	2	2	2	1	4	3	3	3	0	28



d. Complexity Matrix

During this reporting period the CJC collected data that captures the complexities of the matters dealt with by the CJC.

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. The Complexity Matrix appears at Fig. 1 in the Schedule.

Example - Applying the complexity matrix:

Mediation in a non-urban community in relation to a 'burial dispute' (2 family groups in conflict over where the deceased should be laid to rest) can paralyse the whole community and may require appointment of "expert" mediators, who are acceptable to the parties and who have the knowledge, skills and experience:

- To manage multiparty situations with cultural sensitivities
- To gather people together in a safe environment and manage potential volatility
- To deliver mediation in remote locations where there is little in the way of infrastructure or mobile coverage

The above example would score very highly (16/20) by applying the complexity matrix as opposed to neighbourhood mediation over barking dogs in the CBD (4/20).

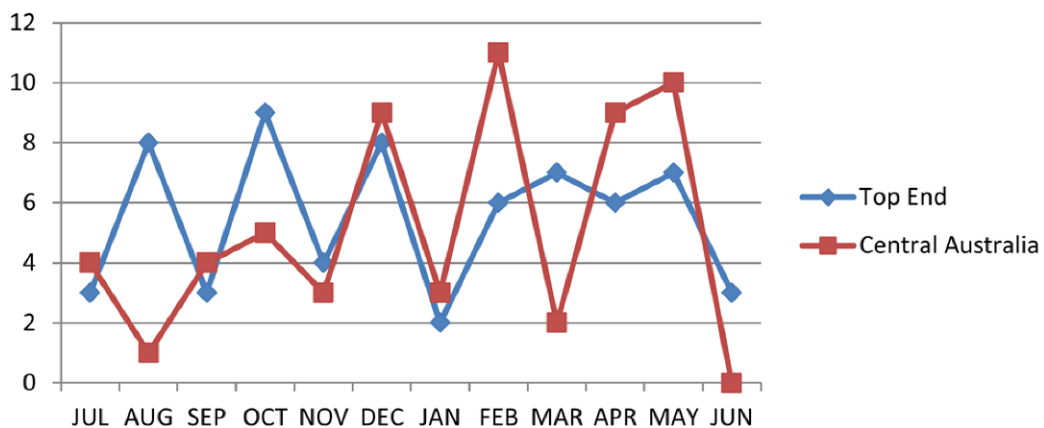
i. Complexities of Dispute Resolution Files by Region

Central Australia (Inc. Alice Springs)	Complexity Score	Average Complexity per File
Jul-15	23	4
Aug-15	7	1
Sep-15	40	4
Oct-15	27	5
Nov-15	7	3
Dec-15	9	9
Jan-16	14	3
Feb-16	21	11
Mar-16	29	2
Apr-16	36	9
May-16	21	10
Jun-16	0	0

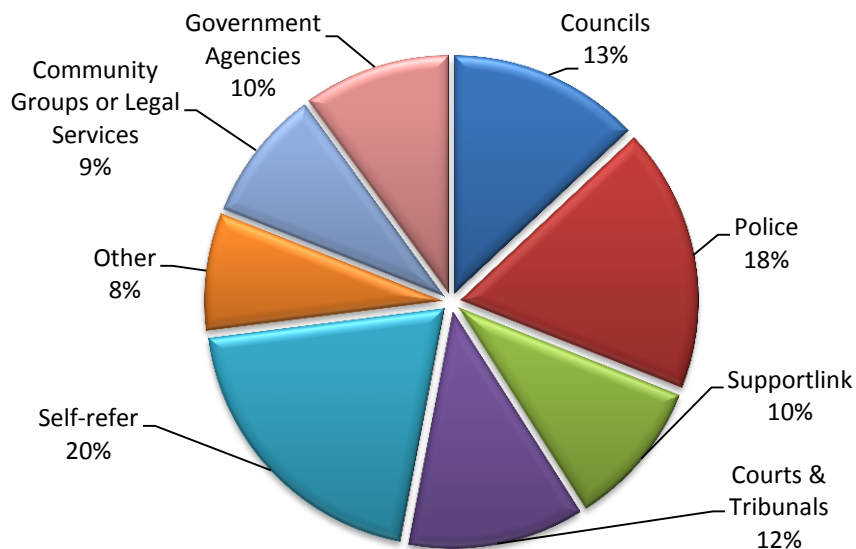
Top End (Inc. Darwin)	Complexity Score	Average Complexity per File
Jul-15	198	3
Aug-15	230	8
Sep-15	131	3
Oct-15	237	9
Nov-15	175	4
Dec-15	215	8
Jan-16	24	2
Feb-16	227	6
Mar-16	324	7
Apr-16	195	6
May-16	114	7
Jun-16	46	3

Comparison of Complexities by Regions

Central Australian matters comprise 16% of the CJC dispute resolution files. The average complexity score for all files opened in Central Australia (5) has decreased from (12) as detailed in the last reporting period. The average complexity score for Central Australian matters this reporting period is on par with the complexity of dispute resolution files opened in the Top End (5).

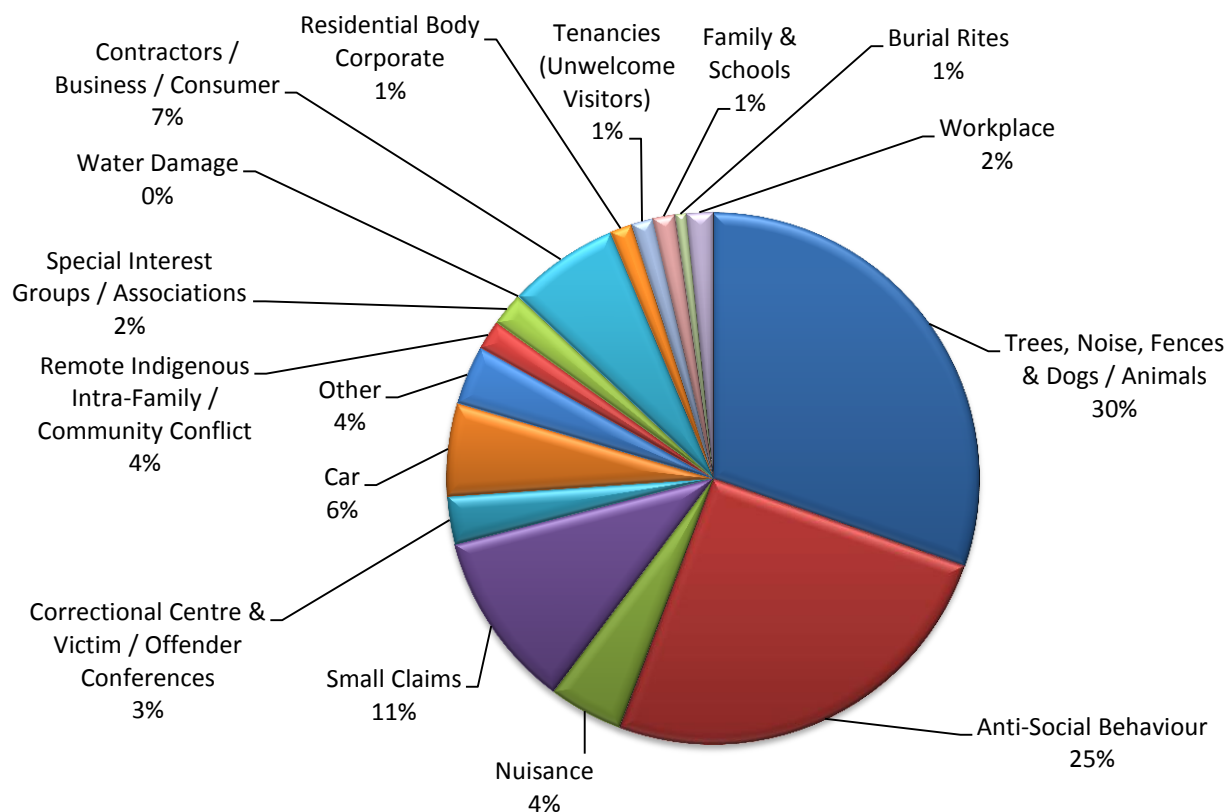


e. Source of Referrals



f. Dispute Types

Communities experience a wide range of disputes and although not all are suitable or appropriate for mediation, they have included the following issues this reporting period:



g. Presentations

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

- Police Auxiliary Squads
- Charles Darwin University
- Anglicare / Resolve NT
- Territory Housing / Public Housing Safety Officers
- Private and public legal service providers
- Special Interest Groups / Sporting Clubs and Associations
- Local Councils
- Body Corporate Agencies

h. Personal Violence Restraining Order (PVRO) Mediations

PVRO mediations are referred to the CJC pursuant to s14(1) of the *Personal Violence Restraining Orders Act* where a Local Court Judge may refer the matter before it is set down for a hearing. Following the receipt of a referral, an outcome report is provided to the Court before the next scheduled hearing date. All PVRO mediations are dealt with ensuring physical safety for the parties and the mediators is paramount and, where necessary, 'shuttle mediation' may be used to conduct the mediations.

The CJC processed 100% of the 23 the referrals and provided an outcome report within the required timeframe to the Court. Of the 15 matters that progressed to mediation, 20% reached an agreement.

j. Youth Justice (Pre-sentence) & Family Group Conferences

The CJC received three referrals for Conferencing under section 84 of the *Youth Justice Act 2005*. All three proceeded to Conferencing, with one conducted at the Don Dale youth detention centre, one at the CJC office and the other at an electoral office in Palmerston.

Each of the conferences was attended by multiple parties which included several, if not all, of the following persons:

- Victims and their various support people
- Legal representatives
- Police and / or Prosecutions
- Youth workers
- Family and community members of the Youth

Feedback provided at the end of each conference typically indicated a high level of satisfaction by the victims, young people and the other participants with both the process and outcomes. Reports on each of the Conferences were provided to the Courts for consideration in sentencing.

k. Pre-Release Conferences (Corrections)

The CJC received five referrals for Conferencing from the Through-Care Coordinator based within the Department of Corrections. The referrals are made by the Coordinator at the request of an offender who is subject to a parole hearing. The outcomes of any conferences are provided to the Parole Board via a report, to assist them if appropriate with making determinations under s4B(3) of the *Parole Act*; specifically in the case of offenders serving life imprisonment for murder.

Conferences can be requested between the offender and the victim's family, the offender's own family and the community the offender identifies with and seeks to return to on their release; in order to repair the harm caused by crime.

Of the five referrals received from the Through-Care Coordinator, two have proceeded to conferencing, whilst the remaining three referrals remained ongoing at the end of the reporting period. Conferences were conducted at either the Darwin Correctional Centre at Holtz or at various locations within the offender or victim's community; depending on the purpose of the conference and who the attending participants were. Participants to conferences are usually inclusive of legal representatives, victims and their various support people, parole officers and family and community members.

Reports for each of the Conferences held by the CJC were provided to the Parole Board for consideration.

l. Promoting Research and Development

The CJC is committed to enhancing better community quality and knowledge of Alternative Dispute Resolution and to that extent, contributes to data collection, research, evaluations, presentations to academia and feedback to authors preparing journals to promote innovative mediation and dispute resolution practices globally.

The CJC contributions to global innovation to mediation and dispute resolution during the reporting period included:

- National Mediation Standards Board Review (the former CJC Director is a board member)
- Guest presentations at CDU Law School
- Coaching at Lawyers Engaged in Alternative Dispute Resolution workshops

12. SCHEDULE

a. Fig. 1 – Complexity Matrix

		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 by an Intake Officer with Senior a CJC Intake Officer	4 Expert To be assigned to Senior CJC Officer with the approval of the Director
WHO	Number of Parties	2 only		Parties have multiple persons More than two parties Parties have factions Less than 30 people involved e.g. Special Interest Group Committee, Body Corporate, Clubs, Associations, Childprotection up to 30 people involved	Over 30 people involved Whole Community More than 2 parties
	Support person required		Yes, support persons required	Support person as lawyers	Organisational (e.g. TH) or specialist (e.g. counsellor) advocates as support people
	Appointment of Mediator	Standard email EOI 1 x Experienced + 1 x Accredited Mediator	Standard email EOI 2 x Experienced mediators appointed	2 x Specialised mediators - direct appointment by CJC Director. Mediator replaced due to disqualification by party	More than 2 x specialised (including culturally accepted) mediators - direct appointment by CJC Director
	Cultural / social considerations	Basic	Interpreter required for one or both parties Cultural and social research	Interpreter required for multi-parties Cultural Advisor required Moderate level specialised cultural knowledge	Intergenerational trauma and / or Lateral violence High level specialised cultural knowledge Operate with solid understanding of alternative cultural dispute resolution processes Management of third party non-mediation process interest (i.e. political, media)
REFERRAL (TO)		Explore options, undertake standard referral	Explore options, undertake targeted referrals	Pre-mediation referral	Mediation-based referral
WHEN	Difficulty in finding time to bring parties together		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	Mediation-based referral
WHERE	Venue location and travel	Local travel only for mediator and party	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
		Arranging after hour access	Shuttle Mediations outside DRW and ASP	Beyond 20 Towns (air and/or car, 4WD)	No facilities to support process
		Shuttle mediation Catering required	Venue under \$200 Travel arrangements for parties 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 Violence Police and/or security services required
TIME		<600 mins	600 - 1499 mins	1500 - 2499 mins	2500 + mins