



Magistrates Court of Queensland

RECONCILIATION ACTION PLAN

STRETCH RECONCILIATION PLAN 2018-2021



ABOUT THE DESIGN



The Magistrates Court of Queensland Reconciliation Action Plan design constructed by Indigenous creative and digital design agency, Ingeous studios depicts the practical steps that the magistrates court is implementing to working with Aboriginal and Torres Strait Islander communities throughout Queensland to ensure five pillars of reconciliation Unity, Race Relations, Equality and Equity, Institutional Integrity and Historical Acceptance.

This is achieved through the Magistrates Court of Queensland's connectivity to individuals, family and communities through Queensland in a continued effort to improve relationships with the Aboriginal and Torres Strait Islander community.

The outer contemporary elements of the design depict the connections to communities that the Magistrates Court of Queensland is enhancing through localise engagement of local elders, leaders and justice groups, in particular these motifs depict the interweaving of these through the Murri Courts and magistrates courts throughout Queensland.

This is a connectedness represented throughout the state with true connectivity to communities and individuals as represented in the inner motif that depict individuals, families and communities.

As a main focus point of the design is the depiction of a healing embrace which represents the being journey of healing and understanding between Aboriginal and Torres Strait Islander peoples throughout Queensland and the Queensland Justice system.

ABOUT THE DESIGN AGENCY

Ingeous studios is a full service Indigenous graphic design and digital creative agency based in Cairns which specialises in creating unique and impactful experiences for both new and existing brands. Established in 2000 Ingeous studios works locally, nationally and international throughout the design, digital creative and innovation spaces.

ACKNOWLEDGEMENT

The Magistrates Court of Queensland acknowledges Traditional Owners of Country throughout Australia and recognises the continuing connection to lands, waters and communities. We pay our respect to Aboriginal and Torres Strait Islander cultures; and to Elders both past and present.

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ACRONYMS	
DJAG	Department of Justice and Attorney General
MCQ	Magistrates Court of Queensland
QLD	Queensland
RAP	Reconciliation Action Plan
RWG	RAP Working Group
MCS	Magistrates Court Services



MESSAGE FROM RECONCILIATION AUSTRALIA



Reconciliation Australia congratulates the Queensland Magistrates Court on its commitment to reconciliation as it implements its inaugural Reconciliation Action Plan (RAP).

The implementation of a Stretch RAP signifies that the Queensland Magistrates Court is a leading advocate for reconciliation, dedicated to delivering justice to the people of Queensland with a focus on fair and equitable services for Aboriginal and Torres Strait Islander peoples. This RAP sees the Queensland Magistrates Court well placed to make progress across the three pillars of reconciliation – Relationships, Respect and Opportunities.

The Queensland Magistrates Court's RAP displays its commitment to developing mutually beneficial relationships with Aboriginal and Torres Strait Islander peoples, organisations and communities, through its aim for magistrates and registrars to meet with Indigenous Elders and/or respected community members within 30 days of commencing work in a new court location.

The Queensland Magistrates Court takes a tailored approach to displaying respect for Aboriginal and Torres Strait Islander peoples, histories and cultures. This is exemplified by its aim to develop and implement an Aboriginal and Torres Strait Islander cultural awareness and responsiveness training strategy for its magistrates and staff that defines continuous cultural learning needs of employees.

By committing to increase its Aboriginal and Torres Strait Islander employee figures to 3.5%, the Queensland Magistrates Court is driving reconciliation by positioning itself as an employer of choice, and promoting an inclusive workforce for Australia's First Nations peoples.

On behalf of Reconciliation Australia, I commend the Queensland Magistrates Court on its inaugural RAP, and look forward to following its ongoing reconciliation journey.

A handwritten signature in blue ink, appearing to read "Karen Mundine".

Karen Mundine
Chief Executive Officer
Reconciliation Australia

MESSAGE FROM THE CHIEF MAGISTRATE



As Chief Magistrate, I am pleased to lead the development of the Magistrates Court of Queensland's first Reconciliation Action Plan (RAP).

In developing the RAP we identified practical steps to build and maintain strong and respectful relationships with, and improve access to justice for Aboriginal and Torres Strait Islander peoples. We must acknowledge past hurts and learn from our differences to achieve a better future for all. The RAP strongly focuses on the three themes of relationships, respect, and opportunities. I believe the RAP will assist us to develop stronger relationships, greater awareness, respect and understanding of Aboriginal and Torres Strait culture and embed processes to give Aboriginal and Torres Strait Islanders opportunities to contribute to and be a part of Queensland Magistrates Courts.

To ensure diverse input into the development of the RAP, a comprehensive governance framework was established. At the centre of this framework is the RAP Working Group, comprised of Magistrates and senior court staff. This group had the primary responsibility of developing the RAP for the Magistrates Court.

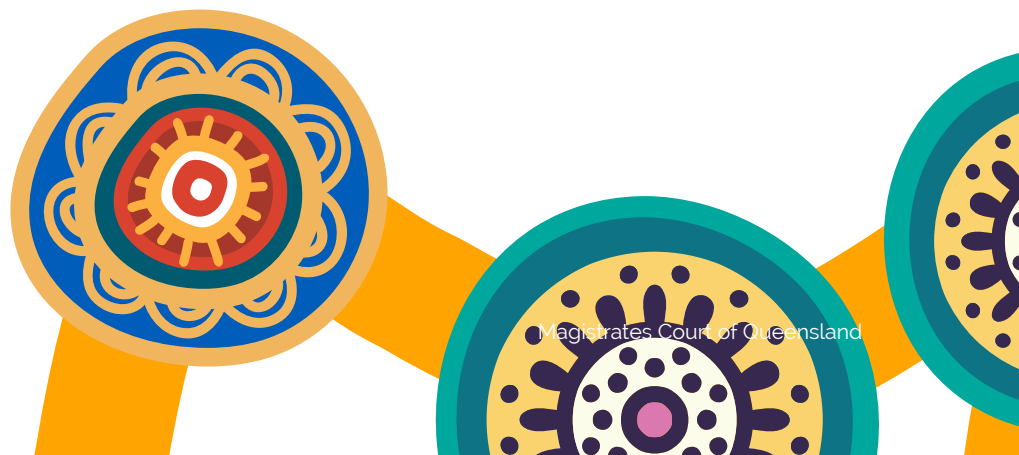
It was very important to me that the RAP was informed by voices of Aboriginal and Torres Strait Islander people so I also established an Aboriginal and Torres Strait Islander Cultural Advisory Group. The advice and assistance from the Cultural Advisory Group to the Working Group has been invaluable and I hope to continue working with this group to guide our work into the future. To support the work of the RAP Working Group, a Stakeholder Advisory Group and a Staff Advisory Group were also established. I thank all of these groups for their invaluable contribution to our RAP.

Promoting access to justice for Aboriginal and Torres Strait Islander peoples in the Magistrates Court is one of my key priorities. Through various court initiatives, we have made significant progress in improving the experience of Aboriginal and Torres Strait Islander peoples when interacting with the courts. However, over-representation of Aboriginal and Torres Strait Islander people as victims, defendants and respondents in the justice system is still at unacceptable rates and there is much more that needs to be done.

The RAP is a partnership with Aboriginal and Torres Strait Islander people to move towards a better future for all. I encourage all Magistrates and court staff to join with me on this journey of reconciliation over the next three years.

A handwritten signature in blue ink, appearing to read 'Orazio Rinaudo'.

Judge Orazio Rinaudo AM
Chief Magistrate
Queensland Magistrates Court



MESSAGE FROM THE EXECUTIVE DIRECTOR



The Magistrates Courts of Queensland have an important role to play in protecting and promoting fairness and equality for Aboriginal and Torres Strait Islander people coming into contact with the justice system.

As the Executive Director, Magistrates Courts Service, it has been an honour to partner with the Chief Magistrate, Judge Ray Rinaudo to develop the RAP.

The Magistrates Courts of Queensland Reconciliation Action Plan 2018 – 2021 was developed in consultation with Reconciliation Australia and our own Cultural Advisory Group, which was established to help guide and inform the RAP's development. We also had significant contributions from staff and government stakeholders. As a result, around 14 actions and 72 deliverables will be implemented over the next three years.

The Magistrates Courts of Queensland RAP complements the Department of Justice and Attorney-General's Cultural Capability Action Plan.

Reconciliation recognises the influence of Aboriginal and Torres Strait Islander cultures and that learning more about each other will lend support to embrace and respect these cultures. We will develop strong and respectful relationships with Aboriginal and Torres Strait Islander people. The RAP will influence our governance structures, decisions, processes and services into the future.

The RAP also provides an opportunity to improve the cultural competency and awareness of court staff and promote Queensland Magistrates Courts as an employer of choice.

I would like to thank all those who participated in developing this RAP and encourage all staff working in Magistrates Courts to embrace reconciliation by getting involved in implementing the RAP over the next three years.

By creating a better future for our Aboriginal and Torres Strait Islander Queenslanders, we will create better Magistrates Courts of Queensland.

A handwritten signature in blue ink, appearing to read 'Brigita'.

Brigita Cunningham
Executive Director
Magistrates Court Service

OUR VISION FOR RECONCILIATION

The MCQ is centred on court users, and focuses on delivering fair, timely and accessible justice solutions to all Queenslanders.

Aboriginal and Torres Strait Islander people continue to be greatly overrepresented within the Queensland criminal justice system and child protection system. To ensure our system is fair, equitable and accessible for all Queenslanders, it is important that we partner with Aboriginal and Torres Strait Islander people to develop initiatives that are culturally appropriate within our courts to work towards reducing their contact with the criminal justice system.

This RAP aims to address the barriers that exist for Aboriginal and Torres Strait Islanders when coming into contact with the MCQ.

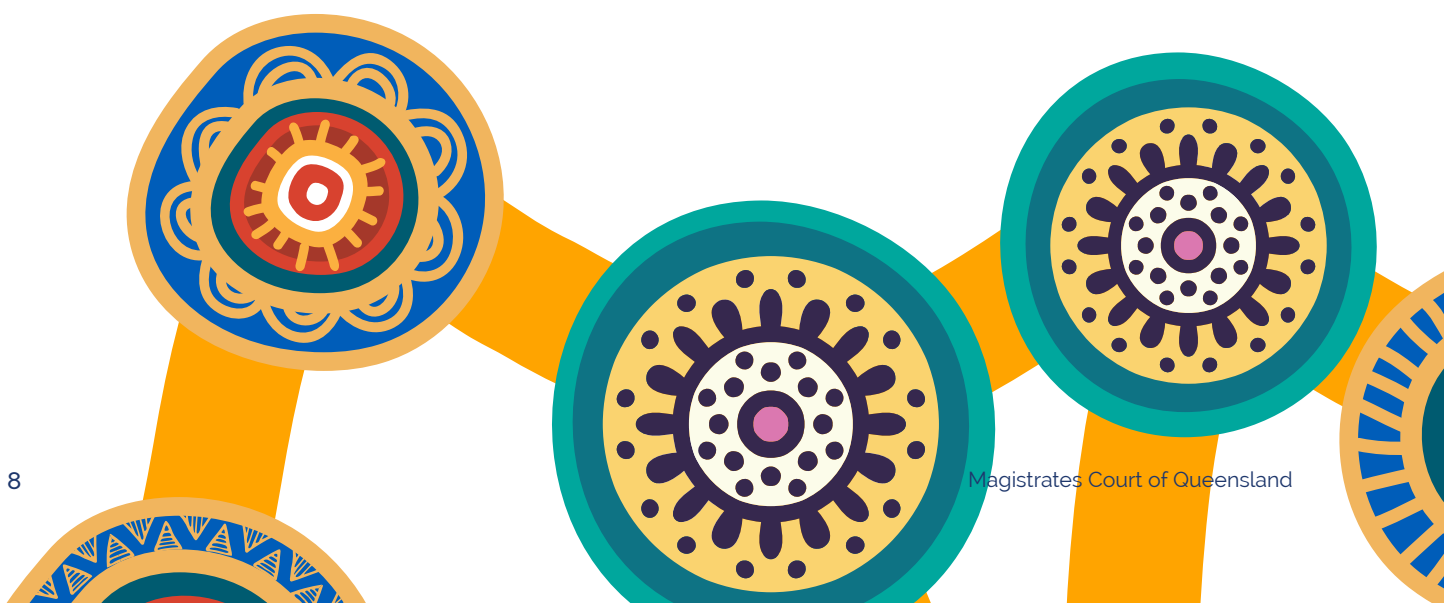
The MCQ acknowledges that a fundamental stage of reconciliation is the change towards a nationwide respect for Aboriginal and Torres Strait Islander people and their culture. Respect for Aboriginal and Torres Strait Islander peoples, their culture and history is important to us because it enables us to cultivate cultural understanding and appreciation for Aboriginal and Torres Strait Islander people.

We aspire to show respect for, and understanding of, the unique position of Aboriginal and Torres Strait Islander peoples in contemporary Australian society, their achievements and the challenges they face. We will endeavour at all times to translate this into practice and policies within our courts that are effective in promoting access to justice for Aboriginal and Torres Strait people.

Our vision is to be an employer of choice that values and nurtures a culturally diverse workforce. We acknowledge the importance of growing and developing our magistrates and staff. We also recognise the benefits of engaging and working with Aboriginal and Torres Strait Islander businesses and organisations in our everyday business.

The MCQ is committed to reconciliation and the continuation of strong multi-stakeholder partnerships that will bring together government agencies, individuals and communities to tackle the complex social and economic challenges faced by our fellow Queenslanders who identify as Aboriginal and or Torres Strait Islander.

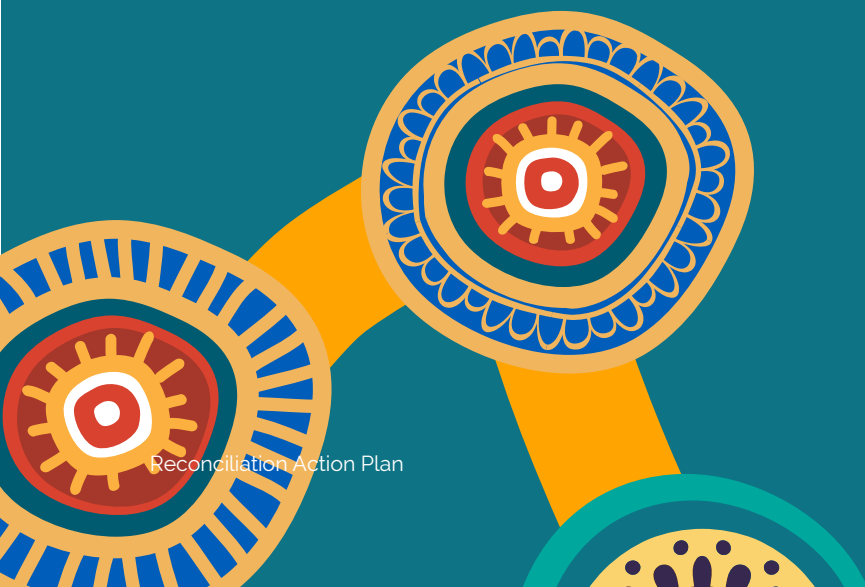
The RAP will build on our current efforts to ensure a culturally appropriate and equal opportunity for Aboriginal peoples and Torres Strait Islander peoples who come into contact with the criminal justice system.





"As an Aboriginal man, reconciliation means to me acknowledging the past, present and future. Working together to achieve respect, trust and equality and an ongoing process that we all need to be committed to."

Darren Bond – Deputy Senior Registrar, Mt Isa



Governance (RAP Working Group)

The RAP Working Group (RWG) led the development of the MCQ Stretch RAP and will oversee the implementation of the RAP. The RWG comprises of judicial officers, program and Magistrate Court staff members. The RWG members are:

- Judge Ray Rinaudo, Chief Magistrate (chair)
- Deputy Chief Magistrate Terry Gardiner (co-chair)
- Magistrate Tina Previtera (co-chair)
- Brigita Cunningham, Executive Director, MCS (co-chair)
- Uncle Bill Buchanan, Reconciliation Queensland Incorporated (RQI) representative
- Magistrate Black
- Magistrate Hackett
- Magistrate Sarra
- Magistrate Payne
- Magistrate Morton
- Angela Moy, Director, Courts Innovation Program
- Rob White, Regional Director, MCS (North Queensland)
- Lisa Nother, Deputy Principal Registrar, MCS
- Renee Kyle, Murri Court Program Manager, Courts Innovation Program.

The Cultural Advisory Group

An external Aboriginal and Torres Strait Islander Cultural Advisory Group has been established to advise and provide guidance to the Chief Magistrate and the Working Group in the development and implementation of the RAP.



From left to right - front row Aunty Carol Willie, Aunty Veronica Ah-Wang, Andrea Kyle, Aunty Estelle Bowen, back row - Renee Kyle, Uncle Bevan Costello, Judge Rinaudo, Uncle Norm Clarke, Stephen Mam, Deputy Chief Magistrate Gardiner, Angela Moy.

ABOUT THE MAGISTRATES COURT OF QUEENSLAND

Our business

The MCQ is established under the Magistrates Courts Act 1921 (Qld) (Magistrates Courts Act) and the Justices Act 1886 (Qld) (Justices Act). It is the first tier of the Queensland courts system and is the busiest of all jurisdictions, averaging 95% of the cases heard in Queensland. The Court deals with a range of offences including minor offences (summary offences) such as shoplifting, traffic infringements or disorderly behaviour. They can also hear more serious offences such as burglary, assault, fraud and drugs related offences. In civil matters, the MCQ deals with cases where the amount in dispute is \$150,000 or less.

The Court also operates a range of specialist programs, including the Murri Court, Drug and Alcohol Court, Coroners Court of Queensland and the Domestic and Family Violence Court.

Our judicial officers and staff

Of the 99 judicial officers appointed in the MCQ, there are three Aboriginal judicial officers and two Torres Strait Islander judicial officers. There are 210 Queensland public servants who support the operation of MCQ across the State, 11 of which identify as Aboriginal and Torres Strait Islander.

Our Aboriginal and Torres Strait Islander clients

Aboriginal and Torres Strait Islander people make up four percent of the Queensland population, with Queensland's population recorded at 4,703,193.¹ In the 2016-17 financial year, 48,246 defendants identifying as Aboriginal and or Torres Strait Islander presented with charges in the MCQ,² making up just over 20 percent of the total court users for MCQ.

The proportion of Queensland defendants who identified as Aboriginal and Torres Strait Islander within the Children's Courts made up almost half the number of total defendants that presented during the 2016-17 period.

During the 2016-17 financial period, 1,594 child respondents named in a child protection application before MCQ, identified as Aboriginal and or Torres Strait Islander. This made up 37 percent of the total number of child respondents name in child protection applications lodged in the MCQ.³

In the 2016-17 financial period, 5,596 aggrieved identifying as Aboriginal and or Torres Strait Islander lodged a DFV application in the MCQ, making up 18 percent of the total number of aggrieved lodging DFV applications in MCQ.⁴ During this time, 5,762 Aboriginal and or Torres Strait Islander people were named as respondents in DFV applications, making up 18 percent of the total number of respondents in DFV applications in MCQ.⁵

1. Australian Bureau of Statistics, 2016 data – 186,482 people identified as Aboriginal and or Torres Strait Islander. [http://www.censusdata.abs.gov.au/CensusOutput/copsub2016.nsf/All%20docs%20by%20catNo/Data-in-pictures/\\$FILE/qldER.html](http://www.censusdata.abs.gov.au/CensusOutput/copsub2016.nsf/All%20docs%20by%20catNo/Data-in-pictures/$FILE/qldER.html)

2. Of the total number of court users (239,366) 5.4% (12,886 people) did not specify whether they were of Aboriginal and Torres Strait Islander identity or not.

3. Of the total number of child respondents (4320) 7.2% (310 people) did not specify whether they were of Aboriginal and Torres Strait Islander identity or not.

4. Of the total number of aggrieved (31,042) 20.2% (6,258 people) did not specify whether they were of Aboriginal and Torres Strait Islander identity or not.

5. Of the total number of respondents (31,616) 20.3% (6,423 people) did not specify whether they were of Aboriginal and Torres Strait Islander identity or not.

Court Locations

MCQ services are available in 120 locations throughout the state.



Source: Queensland Courts website - <http://www.courts.qld.gov.au/contacts/courthouses>

Current initiatives

The MCQ supports specialist programs designed to aid and decrease the number of Aboriginal and Torres Strait Islander people coming into contact with the criminal justice system. These include:

The Community Justice Group program

The Community Justice Group (CJG) program was originally formed in 1993 as part of the Queensland Government's response to the recommendations of the Royal Commission into Aboriginal Deaths in Custody. The purpose of the CJG program is to work towards reducing the over-representation of Aboriginal and Torres Strait Islander offenders and victims within the criminal justice system.

CJGs aim to achieve this through the delivery or referral to culturally appropriate support services to improve quality of life and to increase cultural understanding in the courts and the wider criminal justice system.

Funding is provided to 39 Aboriginal and Torres Strait Islander CJGs to develop strategies within their communities for dealing with justice related issues, decreasing the number of Aboriginal and Torres Strait Islander people involved in the justice system; and to provide general support to defendants and victims. A further ten CJGs located in the outer Islands of the Torres Strait receive a small amount of funding to assist in convening the circuiting Magistrates Courts.

There are two types of CJGs; non statutory CJGs and statutory CJGs formed under the Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984. Statutory Community Justice Groups have additional responsibilities, such as providing advice regarding alcohol management and assisting applicants with dry place declaration applications.

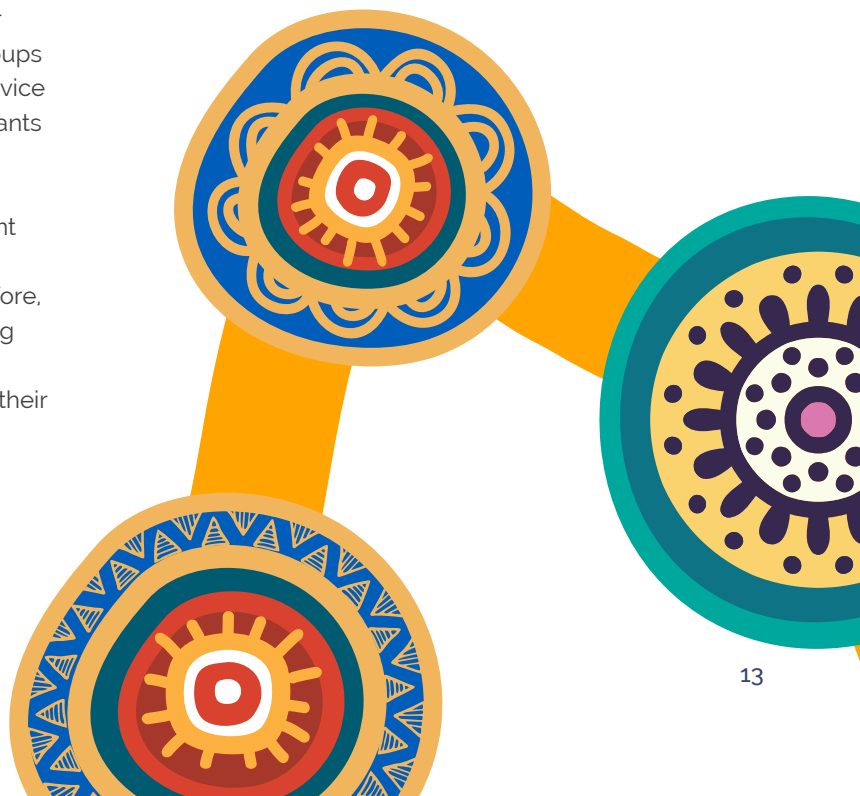
It is acknowledged that each community has different needs and issues in relation to reducing crime and engagement with the criminal justice system. Therefore, each Community Justice Group delivers the following key tasks in a slightly different way to ensure their service meets the needs of individuals, families and their community.

The key tasks include:

- preparation and presentation of bail submissions to the court;
- preparation and presentation of sentencing submissions to the court;
- attend court sittings when Aboriginal and Torres Strait Islander offenders and victims are attending;
- support victims and offenders through court processes;
- pro-actively refer victims and offenders to support and legal services; and
- attend meetings and community events to provide advice on cultural issues and communicate community views on justice related issues.

In *R v SCU* [2017] QCA 198, an order to record three convictions was set aside on appeal and a sentence substituted on the basis that the court did not have sufficient regard to, among other things, the presentencing submission of the CJG. This demonstrates the authority and regard given to CJG presentencing submissions in court processes.

CJGs work together with a range of stakeholders to ensure the program outcomes are met. The stakeholders include, court staff, judiciary, Queensland Corrective Services, Queensland Police Service, Youth Justice Services, Aboriginal and Torres Strait Islander Legal Service, Legal Aid Queensland and support services and community groups.



The Remote Justice of the Peace Program (MCQ)

The Remote Justices of the Peace Program was initiated by the Queensland Government in 1993 as a component of its response to the recommendations of the Royal Commission into Aboriginal Deaths in Custody 1991. The Remote Justice of the Peace Court Program seeks to assist Aboriginal and Torres Islander peoples in overcoming the disadvantages they may face in coming into contact with the criminal justice system. The program offers Aboriginal and Torres Strait Islander community members, Elders and Respected Persons opportunities to play positive roles within the justice system. This program allows for constitution of a Magistrates Court to be undertaken by community members to hear and determine charges for simple or regulatory offences in the absence of a Magistrate upon a plea of guilty. The Remote Justices of the Peace can hear:

- offences against local laws
- summary offences (including minor liquor offences, public nuisance, contravene direction)
- grant adjournments
- bail applications
- issuing Temporary Protection Orders (TPO)

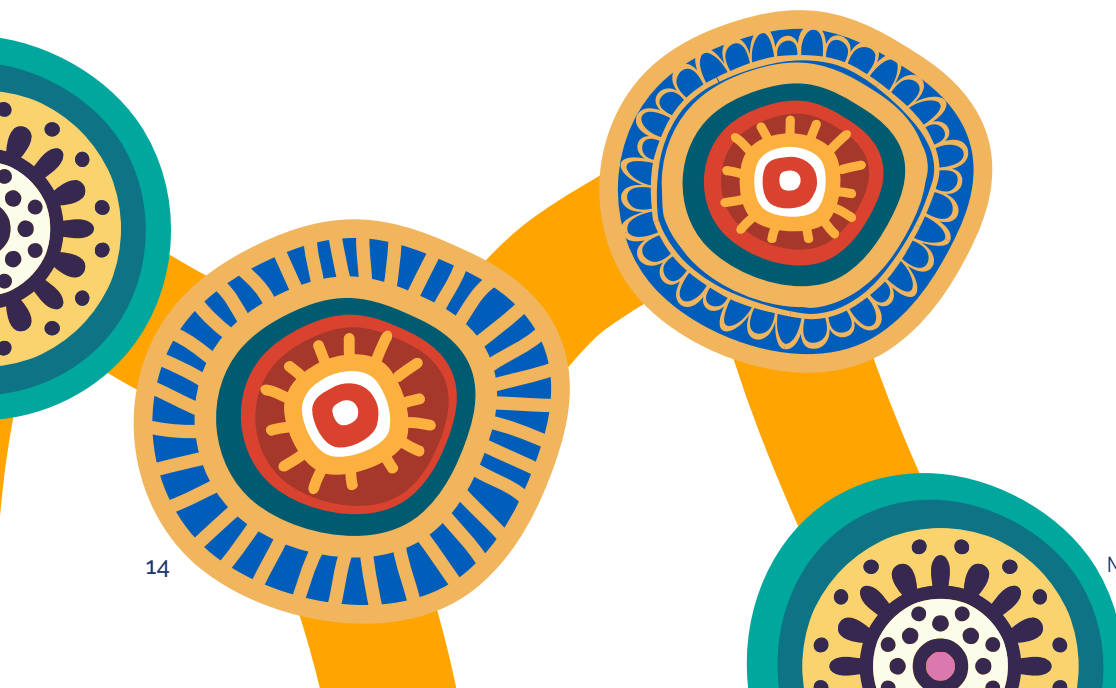
This program is currently available in Bamaga, Cherbourg, Kowanyama, Lockhart River, Mornington Island and Pormpuraaw.

The Murri Court

The Queensland Murri Court commenced operation in Brisbane in August 2002. Murri Court is a culturally appropriate bail based court process. It includes support from Elders or Respected Persons in court to help the Magistrate understand the lives and culture of Aboriginal and Torres Strait Island people.

Murri Court encourages participants to take responsibility for offending behaviour with participants meeting with Elders to address their offending through referral to treatment and support services and participation in cultural activities, such as yarning circles, and Men's and Women's Groups.

Murri Court is currently operating in 14 locations across Queensland: Cairns, Cherbourg, Caboolture, Townsville, Mount Isa, Mackay, Maroochydore, Rockhampton, Brisbane, Wynnum, Cleveland, Richlands, Toowoomba and St George.



OUR RECONCILIATION ACTION PLAN

What is Reconciliation and who is Reconciliation Australia?

Reconciliation is about union and respect between Aboriginal and Torres Strait Islanders and non-Indigenous Australians. It is about respect for Aboriginal and Torres Strait Islander heritage and valuing justice and equity for all Australians.

Reconciliation Australia was launched in 2001 and are the lead organisation responsible for reconciliation across the country. Reconciliation Australia are an independent, not-

for-profit organisation who strive to promote and assist reconciliation through fostering relationships, respect and trust between the wider Australian community and Aboriginal and Torres Strait Islander peoples. Their goal is to empower all Australians to contribute to the reconciliation of the nation. Reconciliation Australia have developed a five dimensional framework for reconciliation which was informed by a review of reconciliation in Australia and internationally.

The five elements that make up the framework are –

UNITY

An Australian society that values and recognises Aboriginal and Torres Strait Islander cultures and heritage as a proud part of a shared national identity.

HISTORICAL ACCEPTANCE

All Australians understand and accept the wrongs of the past and the impact of these wrongs. Australia makes amends for the wrongs of the past and ensures these wrongs are never repeated.

RACE RELATIONS

All Australians understand and value Aboriginal and Torres Strait Islander and non-Indigenous cultures, rights and experiences, which results in stronger relationships based on trust and respect and that are free of racism.

INSTITUTIONAL INTEGRITY

The active support of reconciliation by the nation's political, business and community structures.

EQUALITY AND EQUITY

Aboriginal and Torres Strait Islander people participate equally in a range of life opportunities and the unique rights of Aboriginal and Torres Strait Islander peoples are recognised and upheld.



Background

The Queensland Government developed an Aboriginal and Torres Strait Islander Cultural Capability Framework (the Framework) to enhance the quality, level and delivery of government services to Aboriginal and Torres Strait Islander people in Queensland. The Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) and the Public Service Commission lead this piece of work, under the leadership of the Cultural Agency Leaders (CAL) committee. The CAL committee is made up of Senior Executives representing all Queensland Government departments.

This Framework underpins all Queensland Government actions aimed at ensuring Aboriginal and Torres Strait Islander Queenslanders experience the same social and economic opportunities as non-Indigenous Queenslanders. The Framework is to ensure that Government policies, program and services meet the needs of Aboriginal and Torres Strait Islander people.

Each agency is responsible for developing their own measures and seeking suitable training to improve their organisational cultural capability in line with the Framework's guiding principles. The DJAG Aboriginal and Torres Strait Islander Cultural Capability Action Plan provides an outline for how DJAG will implement the Framework to realise our vision.

The DJAG Action Plan aligns with the Framework's five key principles of:

1. Valuing culture
2. Leadership and accountability
3. Building cultural capability to improve economic participation
4. Aboriginal and Torres Strait Islander engagement and stronger partnerships
5. Culturally responsive systems and services

This plan will also work alongside the Queensland Government RAP.

Who developed this plan

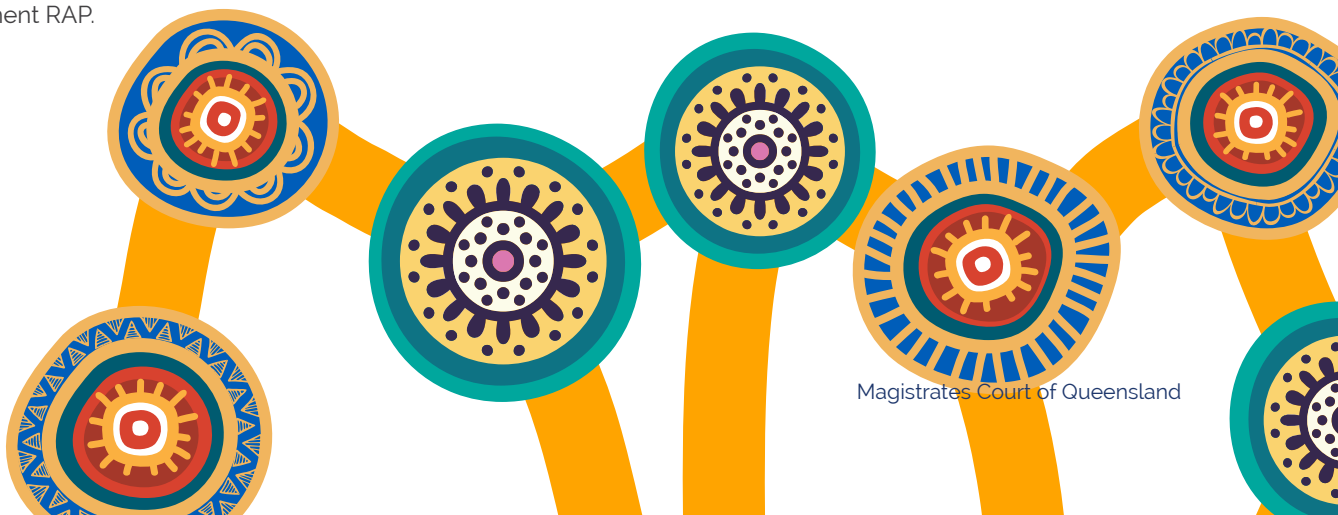
The RWG was established in April 2017. The RWG sought advice and assistance from an internal staff advisory group and an external stakeholder group made of executive leaders from relevant government and non-government organisations.

An external Aboriginal and Torres Strait Islander Cultural Advisory Group was established to advise and provide guidance to the Chief Magistrate and the RWG in the development of the RAP. This group is made up of Aboriginal and Torres Strait Islander Elders and Respected Persons from all over Queensland.

Developing this plan

In developing this plan, the MCQ RAP Working Group has:

- Developed actions under the guidance of the Reconciliation Australia's Stretch RAP Minimum Elements.
- Aligned actions with the Queensland Whole-of-Government RAP and the Department of Justice and Attorney-General's Cultural Capability Framework.
- Established an external Aboriginal and Torres Strait Islander Cultural Advisory Group.



Our People

"When I became a Magistrate in 1999, I considered that I had a fair understanding of the issues facing Aboriginal and Torres Strait Islanders coming to Court as defendants, primarily from my experience of being ATSIL's agent in Goondiwindi and St George courts for a decade or so. But it wasn't until I teamed with Carolyn Willie, who was forming a Community Justice Group in Rockhampton in 2002, and the ensuing 10 years of the Murri Court we created together, that I really began to learn and experience reconciliation.

I will always be grateful for the opportunity to work with the CJG, the Fitzroy Basin Elders and Indigenous community organisations, especially Milbi Inc and Lloyd Willie's team – it was one of the most significant experiences of my life, not just professionally. The members of Aboriginal, Torres Strait Islander and Australian South Sea Islander communities that I worked with and came to know well were nothing short of inspirational, committed, warm, interested, accepting and beautiful people.

Reconciliation has been stated to mean "the restoration of friendly relations", "bringing back together again" and "the action of making one view or belief compatible with another". All of those concepts were fulfilled in my experience in Rockhampton (and Woorabinda). Compatibility, friendly interaction, working together and forming a harmonious team were all benefits of the Murri Court and QIADP (Queensland Indigenous Alcohol and Drug Program) processes for the Indigenous community members, court staff and other government agencies and service providers.

Aunty Edna Alley commented to me at an early Murri Court planning meeting that the Elders "had been waiting for fifty years to be invited in (to Court) to help our people". The humility, respect for the Court and patience with the shortcomings of the system over time, evident in that remark made me feel instantly guilty for those shortcomings, though that certainly was not Aunty Edna's intention. If any additional motivation was needed to improve the criminal justice system for Indigenous clients, those words would certainly have provided it.

The dedication of the Elders and Community Justice Groups and their commitment to offender rehabilitation, healing and reconnection to community, alongside their condemnation of the offending behaviour and the

negative impacts of same on the victims and Indigenous community were ever-present and instructive to the traditional actors in the criminal justice system. We were seeing therapeutic jurisprudence "Murri style" in action (refer my articles published in Qld Lawyer and AIJA TJ publication).

The culture of the Murri Court team was to value each person's contribution in discussions and, in particular, recognize that the wisdom dwelt with each of us, informing the whole team's direction despite our disparate responsibilities.

One CJG member, a young proud Aboriginal woman who was then a Police Liaison Officer, sidled up to me at the Murri Court launch celebration and said "so how does it feel to be different?" and for the first time in my life, it felt right!"

*Magistrate Annette Hennessy,
Brisbane Magistrate Court.*

"Reconciliation is crucial as it is about the acknowledgement of Australia's history and those unspeakable times that impacted and continues to impact many Aboriginal and Torres Strait Islander people. We need to make changes to better the future for our younger generations that seek guidance and inspiration as our future leaders. What better leaders they will become when justice, peace and equality is recognised for all.

Reconciliation means to understand, respect and embrace another's culture, reflecting on one's own actions and then taking lead to implement change. This process is the key to building a stronger, dependable and united nation.

The RAP is a foundational document to ensure that the same opportunities, programs and services are delivered to all of our First Nations people's whether they live remote or mainstream. My hope for this RAP is that it will guide and assist those involved in the representation of Aboriginal and Torres Strait Islander people in the justice system."

*Vanita Ah Kit,
Normanton Magistrates Court.*

Relationships

FOCUS AREA: Customer focus - safeguarding equal justice and access to justice for all court users



We value relationships with Aboriginal and Torres Strait Islander people. We acknowledge that Aboriginal and Torres Strait Islander peoples are still over-represented in many aspects of the court system (particularly in the criminal justice system and child protection) and under-represented in others (civil jurisdiction). To ensure our system is fair, equitable and accessible for all Queenslanders it is important that we partner with Aboriginal and Torres Strait Islander people to develop approaches that are culturally appropriate within our courts.

Action	Deliverable	Timeline	Responsibility
1. RAP Working Group (RWG) actively monitors RAP development and implementation	a) Oversee the development, endorsement and launch of the RAP	June 2018	RWG
	b) Review membership and the terms of the RWG	Each year by 30 June	Chair of RWG
	c) Meet at least four times per year to monitor and report on RAP implementation	January, April, July, October	
	d) Appoint an internal RAP Champion(s) who is from a senior officer level.	July 2018	
	e) Establish an external Aboriginal and Torres Strait Islander Cultural Advisory Group (CAG) to provide cultural advice and guidance to the RWG and the Chief Magistrate	Review Terms of Reference and membership by October 2018	
2. Celebrate National Reconciliation Week (NRW) to strengthen and maintain relationships between Aboriginal and Torres Strait Islander staff and other staff	a) Organise at least one internal NRW event in each of the four court administration regions each year.	27 May – 3 June each year	Executive Director, Magistrates Courts Services/ Chief Magistrate
	b) Register all NRW events via Reconciliation Australia's NRW website.		
	c) Encourage staff and magistrates to participate in external events to recognise and celebrate NRW.		
	d) Ensure our RAP Working Group participates in one external NRW event each year.		
	e) Invite Aboriginal and Torres Strait Islander community members into our office to connect and share experiences.		

3. Maintain and leverage mutually beneficial relationships with Aboriginal and Torres Strait Islander peoples, communities and organisations to support positive outcomes	a)	Develop and implement an engagement strategy to work with our Aboriginal and Torres Strait Islander stakeholders	December 2019	Executive Director, Magistrates Courts Services/Chief Magistrate, Director, Courts Innovation Program and Regional Directors
	b)	Meet with all Community Justice Groups (CJG) and other local Aboriginal and Torres Strait Islander organisations to develop guiding principles for future engagement	December 2019	Deputy Chief Magistrate/ Director, Courts Innovation Program
	c)	Create an induction booklet for new magistrates including relevant excerpts from the Equal Treatment Benchbook and information on how to work and engage with the local Aboriginal and Torres Strait Islander community in each location (recognising that different induction booklets will be required to ensure relevance for different communities)	June 2019	Deputy Chief Magistrate
	d)	Magistrates and registrars (or other relevant court staff) to meet with Elders and Respected Persons and other Aboriginal and Torres Strait Islander organisations within 30 days of commencing work in a new court location and at least quarterly thereafter	Ongoing – to commence February 2018	Magistrates and registrars
	e)	Continue to support the CJG grants program enabling justice agencies and communities to have improved cultural understanding and positive outcomes for victims, offenders and the wider community	Fund 39 CJGs from 2017-2020 ensuring the timely quarterly release of funding in accordance with the terms of Service Agreements	Director, Courts Innovation Program
	f)	Work with 18 discrete communities to co-design and fund domestic and family violence service models in each community that prioritise the safety of victims and ensure community ownership and cultural appropriateness.	18 discrete communities by June 2020 (reports on progress to be provided by 30 June each year)	Director, Courts Innovation Program
4. Raise internal and external awareness of our RAP to promote reconciliation across our business and sector	a)	Work with the Communication Services Branch, DJAG to develop and implement a strategy to communicate our RAP to all internal and external stakeholders.	December 2018	Director, Courts Innovation Program
	b)	Promote reconciliation through ongoing active engagement with all stakeholders	Review effectiveness of engagement strategies by June 2019	Executive Director, Magistrates Courts Services/Chief Magistrate
	c)	Engage our senior leaders in the delivery of RAP outcomes	January 2019	Executive Director, Magistrates Courts Services
	d)	Develop a RAP information hub for the DJAG and magistrates' intranet	September 2018	Executive Director, Magistrates Courts Services/Chief Magistrate
	e)	Source artwork for the RAP from an Aboriginal and a Torres Strait Islander artist that will appropriately connect with both Aboriginal and Torres Strait Islander communities	June 2018	RWG

Respect

FOCUS AREA: Customer focus - developing our people



We acknowledge that fundamental to the issue of reconciliation is the change towards a nationwide respect for Aboriginal and Torres Strait Islander people and their culture. Respect for Aboriginal and Torres Strait Islander peoples, their culture and history is important to us because it enables us to cultivate cultural understanding and appreciation for Aboriginal and Torres Strait Islander people. We will show respect for, and understanding of, the unique position of Aboriginal and Torres Strait Islander peoples in contemporary Australian society, their achievements and the challenges they face. We will endeavour at all times to translate this into practice and policies within our courts that are effective in promoting access to justice for Aboriginal and Torres Strait people.

Action	Deliverable	Timeline	Responsibility
5. Increase knowledge and understanding of Aboriginal and Torres Strait Islander cultures, histories and achievements	a) Develop, implement and review an Aboriginal and Torres Strait Islander cultural awareness and responsiveness training strategy for our magistrates and staff that defines continuous cultural learning needs of employees in all areas of our business, considers various ways cultural learning can be provided (online, face to face workshops or cultural immersion) and considers ways to ensure wherever possible training is location specific to take into account varying cultural protocols	June 2021	Executive Director, Magistrates Court Services/DJAG HR
	b) All newly appointed magistrates to attend cultural awareness and responsiveness training as part of their induction within 30 days of commencing in the role	December 2019	Deputy Chief Magistrate/ Executive Director, Magistrates Court Services
	c) Magistrates to undertake cultural diversity learning activities as part of their ongoing professional development	December 2020	Chief Magistrate
	d) All new staff to undertake online cultural learning activities within 30 days of commencing in Magistrates Court Services and at least every three years thereafter	June 2019	Executive Director, Magistrates Court Services
	e) All RAP Working Group members to undertake cultural learning activities at least every three years	December 2018	RWG
	f) All senior officer level staff to undertake cultural learning activities at least every three years	December 2020	Executive Director, Magistrates Court Services
	g) Promote the Reconciliation Australia's Share Our Pride online tool and other free learning opportunities to all magistrates and staff	September 2018	Executive Director, Magistrates Court Services/Chief Magistrate
	h) A cultural awareness Key Performance Indicator is embedded in all staff performance plans	December 2020	Executive Director, Magistrates Court Services
	i) Investigate options to develop and implement a cultural mentoring program for staff	December 2019	Executive Director, Magistrates Court Services

6. Demonstrate respect to Aboriginal and Torres Strait Islander peoples and communities by embedding cultural protocols as part of the way our organisation functions	a)	Develop, implement and communicate a cultural protocol document for Welcome to Country and Acknowledgement of Country for use by magistrates and staff.	December 2018	Director, Courts Innovation Program
	b)	Invite a local Traditional Owner to provide a Welcome to Country or a local Elder to provide an acknowledgement to country at least five significant events each year, including the Courts NAIDOC Week Flag Raising Ceremony and the Magistrates conference.	June 2019	Executive Director, Magistrates Court Services/Chief Magistrate
	c)	Magistrates and staff to provide an Acknowledgement of Country at all other significant events and meetings.	Commence June 2019	Executive Director, Magistrates Court Services/Chief Magistrate
	d)	Maintain and review a list of key contacts for organising Traditional Owners to provide a Welcome to Country in consultation with the Department of Aboriginal and Torres Strait Islander Partnerships and local Elders.	December 2018	Director, Courts Innovation Program
	e)	Investigate options to name rooms of court buildings and/or court rooms (such as the Ceremonial Court) using traditional Aboriginal and Torres Strait Islander language after seeking advice from Traditional Owners and CJGs.	June 2021	Executive Director, Magistrates Court Services/Chief Magistrate
	f)	All Murri Courts to be named using Aboriginal or Torres Strait Islander language after seeking advice from Traditional Owners and CJGs.	December 2019	Executive Director, Magistrates Court Services/Chief Magistrate
	g)	At least seven (50%) Murri Courts will begin one sitting per month with a story about an Elder, or something of cultural significance (for example, language, country or artefacts) to create a culture of respect and a sense of ownership in the court process.	June 2019	Murri Court Magistrate, Murri Court Program Manager
	h)	All Murri Courts to display artwork created by Aboriginal or Torres Strait Islander or South Sea Islander (Mackay and Rockhampton) artists.	June 2018	Murri Court Program Manager
	i)	Review court forms in order to make them more culturally appropriate and written in plain English (also translated into other languages where possible).	June 2021	Executive Director, Magistrates Court Services/Chief Magistrate
	j)	Develop and implement policy and guidelines for the remuneration of Aboriginal and Torres Strait Islander Elders and cultural service providers for their products and intellectual property such as Traditional Owners conducting Welcome to Country.	June 2021	Executive Director, Magistrates Court Services

7. Celebrate NAIDOC Week and provide opportunities for Aboriginal and Torres Strait Islander staff to engage with culture and community during NAIDOC Week	a)	Review HR policies and procedures to ensure there are no barriers to magistrates and staff who wish to participate in NAIDOC Week	July 2018	Executive Director, Magistrates Court Services/Chief Magistrate
	b)	Provide opportunities for all Aboriginal and Torres Strait Islander staff to participate in community NAIDOC Week events	Annually – first week in July	
	c)	Support all staff and magistrates to participate in NAIDOC Week events in the local community	Annually – first week in July	
	d)	In consultation with Aboriginal and Torres Strait Islander peoples, hold at least one internal and one external NAIDOC Week event each year	Annually – first week in July	
	e)	In consultation with the relevant head of jurisdiction, and where possible, fly Aboriginal and Torres Strait Islander flags at all court locations throughout the entirety of NAIDOC Week	Annually – first week in July	
	f)	Promote NAIDOC Week events on the magistrates intranet and DJAG intranet	Annually – first week in July	
	g)	Senior staff and magistrates to acknowledge NAIDOC Week and its importance	Annually – first week in July	Senior staff and magistrates
	h)	Senior staff and magistrates to lead celebration and recognition of Aboriginal and Torres Strait Islander dates of significance	December 2018	Senior staff and magistrates
8. Develop culturally appropriate court processes that respect and acknowledge Aboriginal and Torres Strait Islander cultures	a)	Continue to strengthen Murri Court to ensure culturally appropriate court processes that respect and acknowledge Aboriginal and Torres Strait Islander cultures	Annual report by 31 July each year on number of defendants accessing the Murri Court	Director, Courts Innovation Program
	b)	Consult with Community Justice Groups and other Elders and Respected Persons prior to making changes to policies and procedures in relation to Murri Court and other matters of relevance to Aboriginal and Torres Strait Islander court users, for example, Drug and Alcohol Court and other mainstream court processes	December 2019	Director, Courts Innovation Program/Magistrates
	c)	Develop a culturally appropriate justice response for Aboriginal and Torres Strait Islander people who are involved in domestic and family violence (DFV) proceedings in magistrate's courts, as part of the rollout of the specialist DFV court and justice response to Townsville, Mount Isa and Palm Island.	30 June 2019	Director, DFV Court Program Director, Courts Innovation Program
	d)	Establish the position of Cultural Liaison Officer within the Drug and Alcohol Court to better engage with possible Aboriginal and Torres Strait Islander participants and their families and to ensure practices in and outside of the court take into account the needs of Aboriginal and Torres Strait Islander people	June 2018	Director, Specialist Courts and Referral Program, CIP

Opportunity

FOCUS AREA: Culturally diverse workforce



We are committed to being an employer of choice that values and nurtures a culturally diverse workforce. We acknowledge the importance of growing and developing our magistrates and staff. We also recognise the benefits of engaging and working with Aboriginal and Torres Strait Islander businesses and organisations in our everyday business.

Action	Deliverable	Timeline	Responsibility
9. Increase Aboriginal and Torres Strait Islander recruitment and retention	a) Increase Aboriginal and Torres Strait Islander staff employment to number (3.5%)	June 2021	Executive Director, Magistrates Court Services
	b) Work with DJAG HR to develop, implement, review and update an Aboriginal and Torres Strait Islander staff employment and retention strategy, which includes professional development	June 2021	Executive Director, Magistrates Court Services
	c) Develop partnerships with the Queensland Law Society, Bar Association Queensland and the Indigenous Lawyers Association Queensland to investigate strategies to develop Aboriginal and Torres Strait Islander people and identify and encourage appropriately qualified and experienced Aboriginal and Torres Strait Islander people to apply to be considered for appointment as a magistrate	June 2019	Chief Magistrate
	d) Engage with existing Aboriginal and Torres Strait Islander magistrates and staff to consult on employment strategies, including professional development	December 2019	Executive Director, Magistrates Court Services/Chief Magistrate
	e) Make notifications about job vacancies in relevant Aboriginal and Torres Strait Islander media	December 2018	Executive Director, Magistrates Court Services
10. Increase professional learning and development opportunities for Aboriginal and Torres Strait Islander people	a) Investigate options to develop an Aboriginal and Torres Strait Islander professional mentoring network for staff	December 2019	Executive Director, Magistrates Court Services/Chief Magistrate
	b) Develop partnerships with relevant education and training organisations to provide for Aboriginal and Torres Strait Islander employment pathways through traineeships and work experience opportunities	June 2021	Executive Director, Magistrates Court Services/Chief Magistrate
	c) Investigate strategies in consultation with DJAG HR to better support Aboriginal and Torres Strait Islander leadership and PSC.	December 2019	Executive Director, Magistrates Court Services
11. Increase Aboriginal and Torres Strait Islander supplier diversity	a) Implement Queensland Government Procurement Policy.	December 2018	Executive Director, Magistrates Court Services
	b) Set targets for procuring goods and services from Aboriginal and Torres Strait Islander owned businesses	December 2019	
	c) Develop at least four commercial relationships with Aboriginal and/or Torres Strait Islander businesses	June 2021	

Governance, tracking progress and reporting



Action	Deliverable	Timeline	Responsibility
12. Report RAP achievements, challenges and learnings to Reconciliation Australia for inclusion in the RAP Impact Measurement Report	a) Complete and submit the RAP Impact Measurement Questionnaire to Reconciliation Australia	30 September 2019	Executive Director, Magistrates Court Services/Chief Magistrate
	b) Investigate participation in the RAP Barometer	December 2018	
	c) Develop and implement systems and capability needs to track, measure and report on RAP activities	January 2019	
13. Report RAP achievements, challenges and learnings internally and externally	a) Publically report our RAP achievements, challenges and learnings	June 2019	Executive Director, Magistrates Court Services/Chief Magistrate
	b) Communicate quarterly updates on RAP progress to all staff and magistrates	Commencing September 2018	Executive Director, Magistrates Court Services/Chief Magistrate
14. Review, refresh and update RAP	a) Liaise with Reconciliation Australia to develop a new RAP based on learnings, challenges and achievements	June 2021	RWG
	b) Send draft RAP to Reconciliation Australia for feedback		
	c) Submit draft RAP to Reconciliation Australia for formal endorsement		

For more information

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ABOUT THE DESIGNERS

Creative Designer - Leigh Harris (Aboriginal)

Leigh Harris is a Cairns based Aboriginal business owner and serial entrepreneur with traditional connections to the Kanolu/Gangulu people of Central Queensland and Gungarri people of South East Queensland who is also proud of his Italian and Welsh heritage.

Leigh has been active in the design, digital creatives and ITC space for over 25 years and is the owner and creative director at ingeous studio. Trained as a Public Relation officer with Aboriginal Hostels Limited in Canberra, in the late 1980's he moved to Cairns in 1993. Leigh works with local, national and international organisations in the creative and digital creative innovation space. In 1996 he was awarded an Australia Council Fellowship for the Arts for digital innovation and experimentation of innovation in Cape York Peninsula communities.

A qualified graphic designer and an Adobe Creative professional and new media specialist Leigh has been published by Cambridge University for his work in the use of new technologies in Indigenous health and social engagement spaces and has been featured in AustralianIT, SmartStartup, CNET and the Financial Review for innovative use of technologies in the Indigenous space. Over the past 20 years in the creative and digital space.

Consulting Artist - Teho Ropeyarn (Aboriginal and Torres Strait Islander)

Teho Ropeyarn currently lives and works in Cairns. Teho comes from the Angkamuthi and Yadhaykana clans from Injinoo on the mainland, Badu, Moa and Murray Island in the Torres Strait on his Father's side and Woppaburra people (Great Keppel Island) and Batchulla people (Fraser Island) on his Mother's side.

Teho's printmaking journey began in 2010 on his return to his home community of Injinoo after four years of study in Sydney. Teho holds a Bachelor of Fine Arts from the University of New South Wales - College Of Fine Arts in Sydney. Although his major studies were in painting and drawing, Teho participated in elective classes such as printmaking and ceramics and since then he has been heavily involved in printmaking.

Teho's contemporary style of designs and patterning includes cultural symbols that connect Teho to the spirit of his clans. Teho's work is recognised through his unique carving techniques, which emphasize the rhythm, composition and overall aesthetic of his works. His works also expand to fashion and textile design and he is currently assistant curator at Cairns Regional Gallery.





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