

REGISTRY & THE NJC COURT



As with Registry offices at other magistrates' courts, Registry at the NJC is responsible for the administration of the NJC Court, to facilitate the efficient and productive order of court proceedings.

The Neighbourhood Justice Centre was established under its own special legislation, enacted in 2006.

This specified where the NJC would be located (in Collingwood), who could use the court and what types of matters would be heard there. It also specified that the principles of therapeutic jurisprudence would be applied at the NJC. To this end, the NJC Magistrate is to use as little formality as possible in court, as well as making sure all parties understand what is happening while they are there.

What does it mean to apply principles of 'therapeutic jurisprudence' in court?

- This means that the court is to use the law in ways that will support the physical and psychological wellbeing of all the people who come before it
- The court is to attempt to understand the problems that have brought a person before the court and to look seriously at ways to address these problems
- The idea is that by addressing their underlying issues, the person may be able to change their behaviour and avoid coming before the court in future
- Only magistrates with knowledge and experience in the principles of therapeutic jurisprudence can preside over the NJC Court

Who can have their matter dealt with at the NJC Court?

- Residents of the City of Yarra (CoY): includes permanent residents and those in short-term accommodation

- A homeless person alleged to have committed an offence in CoY
- An Aboriginal person with a close connection to the CoY – but only if they are alleged to have committed the offence in the CoY. The term 'close connection' involves regular congregation for the purposes of social or community support

What types of matters can be heard in the NJC Court?

- Magistrates' and Children's Court criminal and intervention order proceedings (both family violence and personal safety)
- Victims of Crime Assistance Tribunal (VOCAT) for victims of violent crime
- Victorian Civil and Administrative Tribunal (VCAT) for residential tenancy, civil and guardianship matters
- No sex offences

What does the Neighbourhood Justice Officer do?

- Acts as conduit between court, Magistrate and support services in the community
- Conducts Problem Solving Meetings
- Provides extra support to clients coming before the court, such as explaining court procedures, helping clients navigate the centre and ensuring clients meet with the Client Services team if instructed to do so by the Magistrate
- Supports the therapeutic and restorative goals of the court
- Facilitates the provision of relevant information to the NJC Magistrate to assist in the sentencing and management of individuals before the court. This includes information on the social background, treatment history and family or support networks of the accused person, as well as, available programs and services. This occurs primarily at the request of the Magistrate but can also be initiated by the lawyer or a service provider
- Provides case management for high-risk and complex cases
- Helps to facilitate collaboration between NJC staff and external or community stakeholders.

What do registrars at the NJC do?

Registrars perform many administrative duties to support the court, such as:

- Clerking in court (including ceremonial duties such as calling cases and administering the oath)
- Issuing police charges and warrants for arrest
- Issuing applications for intervention order proceedings
- Entering all proceedings brought before the court into a database and ensuring an accurate record is kept for all proceeding outcomes
- Answering court user's queries about court matters and providing procedural advice
- Facilitating payments of court fines (including negotiating payment plans and sometimes recalling warrants for arrest)

At the NJC, registrars also:

- Make immediate, on-the-spot referrals to support workers, lawyers and community corrections staff located within the same building, so clients can get help with the underlying problems straight away
- Engage with a variety of community programs and groups



How do duties at NJC Registry differ from other, mainstream magistrates' courts?

Imagine this situation:

A client attends the Registry counter. He is agitated. The sheriff has been to his house to arrest him for several unpaid court fines. He's unemployed and the Department of Housing is planning to evict him from his home for unpaid rent. He is stressed, causing him to drink alcohol and smoke marijuana more frequently. He has recently started to hear voices in his head. He has new court matters coming up in a few weeks.

The options in this situation for Registry at a mainstream magistrates' court are:

- Recall warrants for the client's arrest if he is able to make a substantial payment towards outstanding money owed, and then put him on a payment plan for the rest
- Convert his unpaid fines to community work

If the client presented at a mainstream court, he is likely to default on his payment plan or community work and end up in the same position again. He may also get a further fine at his pending court hearing and end up with more fines owing.

But there are extra options available for Registry at NJC court. They can:

- Ask someone from Community Corrections to have a chat with the man if he's not sure he would be able to complete the community work
- Make immediate referrals to onsite Client Services professionals, such as a mental health clinician, a financial counsellor, a drug and alcohol counsellor and a lawyer for advice and representation at his upcoming court hearing

At NJC, Registry is able to make immediate and meaningful referrals so the man can start to address some of his underlying issues and alleviate some of his stress. This will hopefully help him to avoid recurring problems with fines in the future.

Although theoretically it is possible for registrars at mainstream courts to refer clients to support services, those services are not usually located within the same building as the court. The client will need to make an appointment for another day at another venue. It is not uncommon for people referred by courts to external agencies (eg for mental health or drug/alcohol support) to fail to attend their first appointment.

Also, at the NJC, our Senior Registrar participates in community activities. For example, every second week she assists with the Collingwood All-stars Soccer Program. This is a soccer program primarily run by police for local school students aged between 8 and 18, many of whom live in high-rise public housing with no backyard. Involvement in community programs mean that Registrars at the NJC are able to build meaningful relationships with members of the community, and to better understand the sorts of issues NJC clients may face.