



Judicial Council on Diversity and Inclusion Newsletter

The Judicial Council on Diversity and Inclusion is an advisory body formed to assist Australian courts, judicial officers and administrators to positively response to our diverse needs.

The Council aims to address access to justice for Aboriginal and Torres Strait Islander communities, migrants and refugees, LGBTQI+ people, people with disabilities, culturally and linguistically diverse people, women, and older people. The Council is composed of members drawn predominately from the judiciary, with select representation from legal and community bodies.

This newsletter contains resources and tools to support judicial officers to meet the needs of diverse court users.

In this edition:

- Working with Interpreters in Courts and Tribunals
- Trauma Informed Practice
- Access to Justice for Migrant and Refugee Women, and Aboriginal and Torres Strait Islander Women
- Pronunciation of Names and Gender Pronouns
- Further Initiatives and Resources

Working with Interpreters in Courts and Tribunals

The JCDI’s Recommended National Standards for Working with Interpreters in Courts and Tribunals establish recommended and optimal practices for Australian courts. The work of interpreters is essential to ensuring access to justice and procedural fairness for people with limited or no English proficiency.

Access the Standards [here](#).

Techniques for Working with Interpreters: Using Plain English

Plain English is a style of communication that assists clear and accurate communication. Using Plain English ensures that a party with limited English proficiency can understand what is being said in court. It also helps an interpreter to translate accurately and effectively.

Three strategies for using plain English:

	Instead of:	Active voice
Use active voice, avoid passive voice	"She was arrested."	"The police arrested her."
	Instead of:	Avoiding abstract nouns
Avoid abstract nouns	"His anger led him to violence."	"He was angry. That made him violent."
	Instead of:	Avoiding negative questions:
Avoid negative questions	"So, you didn't report the trouble?"	"Did you report the trouble?"

The JCDI has developed a factsheet for using plain English in court and tribunal proceedings. The factsheet was developed from plain English strategies outlined by the Law Society of the Northern Territory.

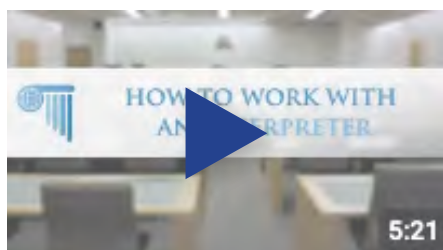
Access the factsheet [here](#).

Working with Interpreters Factsheets

- Overview of the Interpreter Standards
- Role of the Interpreter
- Assessing the Need for an Interpreter
- Conducting Proceedings with Interpreters

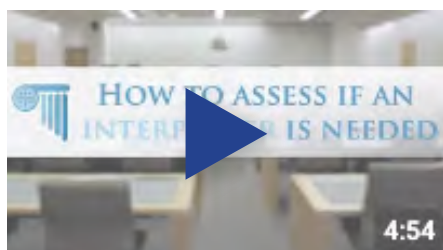
Recommended National Standards

The JCDI has developed several videos outlining key components of the Recommended National Standards.



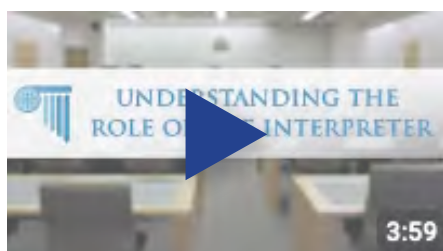
How to work with an interpreter

[Watch here](#)



How to assess if an interpreter is needed

[Watch here](#)



Understanding the role of the interpreter

[Watch here](#)

Trauma-Informed Practice

Trauma-informed practice recognises the widespread impact of trauma, and emphasises the importance of creating safe and supportive environments in courts and tribunals for those who have experienced trauma.

Trauma-informed courts: guidance for trauma-informed judicial practices

Produced by the Judicial Commission NSW, this resource provides guidance on how judicial officers can recognise different types of traumas and incorporate this understanding into courtroom practices.

[Read here](#)

Therapeutic Jurisprudence: a practical guide to developing therapeutic intervention skills for judicial officers in specialist courts

This resource highlights the risk of vicarious trauma among judicial officers, and offers practical strategies to help identify trauma symptoms, reduce harm, and maintain judicial wellbeing.

[Read here](#)

TASCAT Trauma-Informed Practice

This factsheet, produced by the Tasmanian Civil and Administrative Tribunal, outlines how the tribunal can support members.

[Read here](#)

VCAT Guide to Trauma-Informed Practice

The Victorian Civil and Administrative Tribunal has produced a guide for Members addressing the impact of, and expectations for dealing with trauma.

[Read here](#)

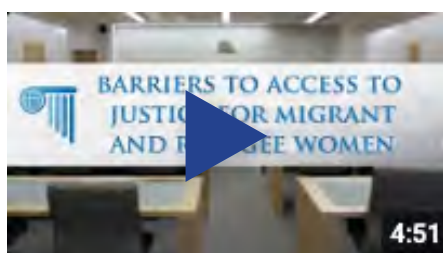
Access to Justice for Migrant and Refugee Women, and Aboriginal and Torres Strait Islander Women

The JCDI has developed various resources that aim to improve access to justice for Aboriginal and Torres Strait Islander women, and migrant and refugee women. Developed through extensive consultation, the resources promote equal justice, cultural awareness and fairness through judicial training, community engagement and improved court practices.

These factsheets and videos outline key components of the National Framework.

National Framework Factsheets

- Overview of the National Framework Factsheet
- Aboriginal and Torres Strait Islander Women Factsheet
- Migrant and Refugee Women Factsheet



Barriers to Access to Justice for Migrant and Refugee Women

[Watch here](#)



Barriers to Access to Justice for Aboriginal and Torres Strait Islander Women

[Watch here](#)

Pronunciation and Pronoun Protocols

Mispronunciation of names and incorrect usage of gender pronouns can cause feelings of disrespect in those affected, leading to frustration and even resentment toward the court. However, the person may feel uncomfortable correcting the court, and their experiences can go unaddressed and unrectified.

The JCDI has developed a model practice note to pre-empt these issues. The model practice note creates a process for a court to request and receive information to accurately refer to all people who appear before it. The practice note has been implemented in several jurisdictions across Australia.

[View the model practice note here](#)

The South Australian Magistrates Court has recently updated their appearance slips to enable parties to a proceeding to indicate preferred pronouns and pronunciation of names. A sample appearance slip can be viewed below:

LIST # <i>Addition / 19</i>		FILE NO/s <i>MCCRM-22-12345 (+6)</i>												
DEFENDANT DA / U/R / X/C / NAD		<i>BOUCAUT, Jennifer</i>					AVL / PHONE <i>Ceduna Cells / ARCS1</i>							
PRONOUN/PRONUNCIATION		<i>They / BOO-CO</i>												
SOLICITOR for Defendant		<i>Ms N. Watson</i>					AVL / PHONE <i>0123 456 789</i>							
PRONOUN/PRONUNCIATION														
PP / APPLICANT							IO – Order		IO – Confirm		IO – Vary		IO – Revoke	
INTERPRETER <i>Yes / 0123 456 789</i>							PROSECUTION <i>Ms L. Kirkwood (CED AVL) / APP S. Naylor</i>							
ADJ	G PLEA	NG PLEA	W/DRAW	PTC	TRIAL	BAIL APP	BAIL REVOKE	BAIL VARY	YOUTH	OTHER				

LIST # <i>32</i>		FILE NO/s <i>MCCRM-22-12345 (+6)</i>												
DEFENDANT DA / U/R / X/C / NAD		<i>Smith, Taylor</i>					AVL / PHONE							
PRONOUN/PRONUNCIATION		<i>He</i>												
SOLICITOR for Defendant		<i>N. Watson</i>					AVL / PHONE							
PRONOUN/PRONUNCIATION		<i>They</i>												
PP / APPLICANT							IO – Order		IO – Confirm		IO – Vary		IO – Revoke	
INTERPRETER							PROSECUTION							
ADJ	G PLEA	NG PLEA	W/DRAW	PTC	TRIAL	BAIL APP	BAIL REVOKE	BAIL VARY	YOUTH	OTHER				

Further Initiatives and Resources

Law and Culture Moot

Building on the success of last year's event, the Banco Court (Queensland) again hosted a Law and Culture Moot. The moot was an informative and engaging event, which brought together students, lawyers and judicial officers from many different cultural backgrounds to debate the premise that "the Australian legal system is an effective tool to address the intersectionality of discrimination".

Tiny Chats

The United States National Centre for State Courts (NCSC) produces a series of "Tiny Chats" – short videos for judicial officers on meaningful topics.

Tiny Chat 16 - Empathy

[Watch here](#)

Tiny Chat 84 - Empathy and Virtual Courts

[Watch here](#)

Please direct any enquiries regarding these resources to the JCDI Secretariat - secretariat@jcdi.org.au